

MINUTES
BOARD OF FUNERAL, CEMETERY AND CONSUMER SERVICES
TELECONFERENCE MEETING
July 13, 2011 - 10:00 A.M.

1. Call to Order, Preliminary Remarks and Roll Call

Mr. Jody Brandenburg, Chair, called the meeting to order at 10:00 am.

Mr. Doug Shropshire, Director, requested to make the usual prefatory comments for the record and then take the roll.

As a preliminary matter, let me state for the record that my name is Doug Shropshire. I am Director of the Division of Funeral, Cemetery, and Consumer Services. Today is Wednesday, July 13, 2011. The time is approximately 10:00am. This is a public meeting of the Board of Funeral, Cemetery and Consumer Services. Notice of this meeting has been duly published in the Florida Administrative Weekly. An agenda for this meeting had been made available to interested persons. Members of the Board are participating by Teleconference. Members of the Public have been invited to listen in via speakerphone with us here in the Alexander Building, Conference Room 230A in Tallahassee, Florida and in fact we have some members of the Public here with us. My Assistant, Ms LaTonya Bryant-Parker, will take minutes of the meeting.

Persons speaking are requested to identify themselves for the record each time they speak. Participants are respectfully reminded that the Board Chair, Mr. Brandenburg, runs the meeting. Persons desiring to speak should initially ask the Chair for permission. All persons participating by phone, other than the Chair and Board members while speaking, are asked to place their phones on mute at all times while listening. We ask this to enhance the audio quality of the Teleconference. If any Member is disconnected they can call back to the same number called initially.

At this time I will take the roll and Board members will please respond clearly with "present" when I call their name:

PRESENT (via phone):

Joseph "Jody" Brandenburg, Chairman
Lewis "Lew" Hall
Powell Helm
Nancy Hubbell
Tracy Huggins
Ken Jones
Col. Don Stiegman

ABSENT:

Gail Thomas-DeWitt, Vice-Chairman
Jean Anderson

Mr. Chairman we have a quorum and the Board may proceed to address the matters on the agenda.

Also Noted as Present:

Doug Shropshire, Executive Director
Allison Dudley, Board Counsel

Anthony Miller, Assistant Director
LaTonya Bryant-Parker, Department Staff
Jasmin Richardson, Department Staff

2. Old Business

A. Application(s) for Funeral Establishment

(1) Recommended for Denial

(a) Funerarias De Las Americas Internacional Inc (Miami)

The Applicant's attorney, Mr. Wilson Jerry Foster, requested that the item be deferred to the August meeting to allow him and his client to appear in person. Mr. Foster added that the Applicant waives whatever deemer provision that would allow this request.

The Board accepted the request.

3. Application(s) for Preneed Sales Agent

A. Informational Item (Licenses Issued without Conditions) – Addendum A

The application(s) presented are clean and have been approved by the Division. This item is informational only and does not require Board action.

4. Application(s) for Continuing Education Course(s)

A. Recommended for Approval without Conditions – Addendum B

(1) Florida Funeral Directors Association #75

(2) FuneralCE #43

(3) Stericycle #8805

These courses have been approved by the Continuing Education Committee and are recommended for approval of the course(s) for the number of hours indicated in the materials before you.

MOTION: Mr. Powell Helm moved to approve the application(s). Mr. Ken Jones seconded the motion, which passed unanimously.

5. Application(s) for Florida Law and Rules Examination

A. Recommended for Approval without Conditions – Addendum C

(1) Direct Disposer

(a) Gross, Steven D

(2) Funeral Director

(a) Barber, Craig R

(3) Funeral Director and Embalmer – by Endorsement

(a) Lavan, Richard W

(b) Wojciechowski, Adam J

The Division recommends approval of the application(s).

MOTION: Mr. Lew Hall moved to approve the application(s). Col. Don Stiegman seconded the motion, which passed unanimously.

6. Application(s) for Internship

- A. *Recommended for Approval without Conditions – Addendum D*
 - (1) *Funeral Director (Educational Requirements Not Met)*
 - (a) *Addington, Sue K*
 - (2) *Funeral Director & Embalmer*
 - (a) *Corral, Adriana C*
 - (b) *Kowalski, Alina R*
 - (c) *Mulligan, Elaine D*
 - (d) *Velez, Laura S*
 - (e) *Waites, Kay L*

The Division recommends approval of the application(s).

MOTION: Ms. Tracy Huggins moved to approve the application(s). Mr. Hall seconded the motion, which passed unanimously.

- 7. **Application(s) for Embalmer Apprentice**
 - A. *Recommended for Approval without Conditions – Addendum E*
 - (1) *Green, Michael A*
 - (2) *Lee, David B*

The Division recommends approval of the application(s).

MOTION: Mr. Helm moved to approve the application(s). Ms. Huggins seconded the motion, which passed unanimously.

- 8. **Change in Location of Establishment**
 - A. *Informational Item (Licenses Issued without Conditions) – Addendum F*
 - (1) *Reginald R McKinney d/b/a McKinney Family Funeral Home (Jacksonville) (F057662)*

The application(s) presented are clean and have been approved by the Division. This item is informational only and does not require Board action.

- 9. **Registration(s) as a Training Facility**
 - A. *Recommended for Approval without Conditions – Addendum G*
 - (1) *Funeral Directing & Embalming*
 - (a) *Kotrady-Hudgins Funeral Services LLC d/b/a St. Johns Family Funeral Home and Crematory (St. Augustine) (F050418) (90-EM; 346-FD)*

The Division recommends approval of the application(s).

MOTION: Ms. Huggins moved to approve the application(s). Col. Stiegman seconded the motion, which passed unanimously.

- 10. **Consumer Protection Trust Fund Claims**
 - A. *Recommended for Approval without Conditions – Addendum H*

The Division recommends approval of the claim(s).

MOTION: Col. Stiegman moved to approve the claim(s). Mr. Helm seconded the motion, which passed unanimously.

11. Application(s) for Monument Establishment Sales Agent

A. Informational Item (Licenses Issued without Conditions) – Addendum I

The application(s) presented are clean and have been approved by the Division. This item is informational only and does not require Board action.

12. Application(s) for Change in Ownership

A. Recommended for Approval with Conditions

(1) Cinerator Facility

(a) Hooper Funeral Homes Inc d/b/a Hooper Funeral Homes and Crematory (Inverness)

The application was received by the Division on May 26, 2011. This application is being filed in connection with the stock purchase of Hooper Funeral Homes Inc. Dwight Hooper is purchasing 100% of the stock; the overall transaction is represented by the Applicant as set out in the attached letter.

The application was incomplete when submitted. All deficient information was received on June 15, 2011. The fingerprint cards for all principals were returned with no criminal history. The FDIC for the facility will be Dwight Hooper (F045224). An inspection of this location was completed on June 27, 2011. The Division is recommending approval subject to the condition(s) as follows:

- (1) That the closing occur within 60 days of the date of this Board meeting.
- (2) Receipt by the Division within 75 days of this Board meeting, of a letter signed by applicant or applicant's attorney, addressed to the Division, certifying that closing has occurred.
- (3) Receipt by the Division within 75 days of this Board meeting, of a copy of the Bill of Sale, executed by all parties, and any and all amendments thereto, also fully executed.

MOTION: Mr. Hall moved to approve the application with the conditions recommended by the Division. Mr. Jones seconded the motion, which passed unanimously.

(2) Funeral Establishment(s)

(a) Hooper Funeral Homes Inc d/b/a Hooper Funeral Homes and Crematory (Beverly Hills)

The application was received by the Division on May 26, 2011. This application is being filed in connection with the stock purchase of Hooper Funeral Homes Inc. Dwight Hooper is purchasing 100% of the stock; the overall transaction is represented by the Applicant as set out in the attached letter.

The application was incomplete when submitted. All deficient information was received on June 15, 2011. The fingerprint cards for all principals were returned with no criminal history. The FDIC for the facility will be John Watley (F019990). An inspection of this location was completed on June 27, 2011. The Division is recommending approval subject to the condition(s) as follows:

- (1) That the closing occur within 60 days of the date of this Board meeting.
- (2) Receipt by the Division within 75 days of this Board meeting, of a letter signed by applicant or applicant's attorney, addressed to the Division, certifying that closing has occurred.
- (3) Receipt by the Division within 75 days of this Board meeting, of a copy of the Bill of Sale, executed by all parties, and any and all amendments thereto, also fully executed.

MOTION: Ms. Huggins moved to approve the application with the conditions recommended by the Division. Mr. Helm seconded the motion, which passed unanimously.

(b) Hooper Funeral Homes Inc d/b/a Hooper Funeral Homes and Crematory (Homosassa)

The application was received by the Division on May 26, 2011. This application is being filed in connection with the stock purchase of Hooper Funeral Homes Inc. Dwight Hooper is purchasing 100% of the stock; the overall transaction is represented by the Applicant as set out in the attached letter.

The application was incomplete when submitted. All deficient information was received on June 15, 2011. The fingerprint cards for all principals were returned with no criminal history. The FDIC for the facility will be Brian Ledsome (F034000). An inspection of this location was completed on June 27, 2011. The Division is recommending approval subject to the condition(s) as follows:

- (1) That the closing occur within 60 days of the date of this Board meeting.
- (2) Receipt by the Division within 75 days of this Board meeting, of a letter signed by applicant or applicant's attorney, addressed to the Division, certifying that closing has occurred.
- (3) Receipt by the Division within 75 days of this Board meeting, of a copy of the Bill of Sale, executed by all parties, and any and all amendments thereto, also fully executed.

MOTION: Ms. Huggins moved to approve the application with the conditions recommended by the Division. Mr. Helm seconded the motion, which passed unanimously.

(c) Hooper Funeral Homes Inc d/b/a Hooper Funeral Homes and Crematory (Inverness)

The application was received by the Division on May 26, 2011. This application is being filed in connection with the stock purchase of Hooper Funeral Homes Inc. Dwight Hooper is purchasing 100% of the stock; the overall transaction is represented by the Applicant as set out in the attached letter.

The application was incomplete when submitted. All deficient information was received on June 15, 2011. The fingerprint cards for all principals were returned with no criminal history. The FDIC for the facility will be Dwight Hooper (F045224). An inspection of this location was completed on June 27, 2011. The Division is recommending approval subject to the condition(s) as follows:

- (1) That the closing occur within 60 days of the date of this Board meeting.
- (2) Receipt by the Division within 75 days of this Board meeting, of a letter signed by applicant or applicant's attorney, addressed to the Division, certifying that closing has occurred.
- (3) Receipt by the Division within 75 days of this Board meeting, of a copy of the Bill of Sale, executed by all parties, and any and all amendments thereto, also fully executed.

MOTION: Ms. Huggins moved to approve the application with the conditions recommended by the Division. Mr. Helm seconded the motion, which passed unanimously.

13. Application(s) for Direct Disposal Establishment

A. Recommended for Approval *without* Conditions

(1) Carriage Florida Holdings Inc d/b/a Lee County Cremation Services (Fort Myers)

An application for a Direct Disposal Establishment was received on June 8, 2011. The application was complete when submitted. The fingerprint cards for all principals were returned with no criminal history. The Funeral Director in Charge will be David Wolf (F044893). The Division is recommending approval without conditions.

MOTION: Ms. Huggins moved to approve the application. Ms. Nancy Hubbell seconded the motion, which passed unanimously.

14. Application(s) for Funeral Establishment

A. Recommended for Approval without Conditions

(1) Roberts-Poitier Funeral Home LLC (Miami)

An application for a Funeral Establishment was received on May 24, 2011. The application was incomplete when submitted. All deficient items were returned on June 9, 2011. The fingerprint cards for all principals were returned with no criminal history. The Funeral Director in Charge will be Alex Tullis (F046788). The establishment passed its inspection on June 20, 2011. The Division is recommending approval without conditions.

MOTION: Mr. Helm moved to approve the application. Col. Stiegman seconded the motion, which passed unanimously.

B. Recommended for Approval with Conditions

(1) Neptune Management Corp d/b/a Neptune Society Management Corporation (Ft Myers)

The application was received by the Division on June 9, 2010.

This application is being filed in relation to an application that was approved at the June 2, 2011 board meeting. The purchase of this location by Ft Myers Cremation Society LLC was completed on June 7, 2011. As stated in the enclosed letter, Neptune Management Corp is now repurchasing this location.

The application was incomplete when submitted. All deficient information was received on June 20, 2011. The fingerprint cards for all principals were returned with no criminal history. The FDIC for the facility will be William Spark (F044335). A recent inspection of this location was completed on May 24, 2011. The Division is recommending approval subject to the condition(s) as follows:

- (1) That the closing occur within 60 days of the date of this Board meeting.
- (2) Receipt by the Division within 75 days of this Board meeting, of a letter signed by applicant or applicant's attorney, addressed to the Division, certifying that closing has occurred.
- (3) Receipt by the Division within 75 days of this Board meeting, of a copy of the Bill of Sale, executed by all parties, and any and all amendments thereto, also fully executed.

Mr. Helm questioned whether someone changed their mind on this application.

Mr. Shropshire stated that this was carved out of the initial transaction between SCI and Neptune on the theory that the FTC was going to disapprove this but they are now thinking that it is not going to be disapproved so they are moving it back into the SCI fold directly.

Ms. Jasmin Richardson concurred.

The Chair disclosed his affiliation with SCI Funeral Services of Florida, Inc. and stated it would not affect his ability to make a fair and impartial decision.

MOTION: Mr. Jones moved to approve the application with the conditions recommended by the Division. Ms. Huggins seconded the motion, which passed unanimously.

(2) *Orr Funeral Home LLC (Lake Wales)*

The application was received by the Division on April 12, 2011. The application was incomplete when submitted. All deficient items were received on June 17, 2011. The fingerprint cards for all principals were returned with no criminal history. The FDIC for the establishment will be Alan Orr (F051681). The Division is recommending approval subject to the condition(s) as follows:

- (1) That the closing occur within 60 days of the date of this Board meeting.
- (2) Receipt by the Division within 75 days of this Board meeting, of a letter signed by applicant or applicant's attorney, addressed to the Division, certifying that closing has occurred.
- (3) Receipt by the Division within 75 days of this Board meeting, of a copy of the Bill of Sale, executed by all parties, and any and all amendments thereto, also fully executed.
- (4) That the establishment passes an on-site inspection by a member of the Division staff.

MOTION: Col. Stiegman moved to approve the application with the conditions recommended by the Division. Mr. Hall seconded the motion, which passed unanimously.

The Chair confirmed that the next meeting will be held in Tallahassee on Thursday, August 4th.

Mr. Shropshire added that the October meeting will be held in Jacksonville.

15. Adjournment

The meeting was adjourned at 10:16 a.m.