

**AGENDA**  
**BOARD OF FUNERAL, CEMETERY AND CONSUMER SERVICES**  
**October 7, 2009 - 10:00 A.M. to 5:00 P.M.**  
**Hawthorn Suites Lake Buena Vista**  
**8303 Palm Parkway**  
**Orlando, FL 32836**

**THIS MEETING IS OPEN TO THE PUBLIC**

- 1. Call to Order and Roll Call**
- 2. Action on the Minutes**
  - A. August 5, 2009
  - B. September 2, 2009 – Teleconference
- 3. Disciplinary Proceeding(s)**
  - A. Mathelier, Marie M (F023426), Case No. 103365-09-FC (*Probable Cause Panel B*)
  - B. Monique & Loriston Community Funeral Home (F040153), Case No. 103367-09-FC (*Probable Cause Panel B*)
- 4. Informal Hearings, Section 120.57(2), Facts Not Disputed**
  - A. Disciplinary Proceeding (*Probable Cause Panel B*)
    - (1) Creal, Robert Lee Jr (F047014), Case No. 102454-09-FC
  - B. Embalmer Apprentice, Denial of Application
    - (1) Anderson, Gaile – NOI-2009-114
  - C. Preneed License, Denial of Application
    - (1) Marvin C Zanders Funeral Home, Inc., Case No. 102726-09-FC
  - D. Preneed License, Denial of Renewal
    - (1) Elijah Bell's Funeral Services, LLC (Pompano Beach)
    - (2) Hawkins Funeral Home, PA (Sarasota)
    - (3) Mohn, Lewis W. & Martha P. (Seminole)
    - (4) Packer Funeral Homes, Inc. (Sarasota)
- 5. Old Business**
  - A. Application(s) for Removal Service
    - (1) Recommended for Approval
      - (a) MBV Transport Inc (Sarasota)
  - B. Notice of Change in Location – Funeral Establishment and Request to Undedicate Cemetery Land
    - (1) The Kuzniar Group, LLC d/b/a First Coast Funeral Home (Jacksonville)
    - (2) Cemetery Professionals, LLC d/b/a Beaches Memorial Gardens (Atlantic Beach)
- 6. Application(s) for Preneed Sales Agent**
  - A. Informational Item - Addendum A
- 7. Application(s) for Preneed License Main**
  - A. Recommended for Approval with Conditions
    - (1) Shane Obert Funeral Home, Inc. (Chipley)
- 8. Application(s) for Preneed License Branch**
  - A. Recommended for Approval with Conditions
    - (1) Jones-Gallagher Funeral Home LLC d/b/a Helm-Gallagher Funeral Home & Cremation Services LLC (Green Cove Springs)

9. **Preneed License Renewal(s)**
  - A. Recommended for Denial
    - (1) A. M. Seigler Funeral Home, P.A. (Mulberry)
  
10. **Continuing Education Course Approval(s)**
  - A. Recommended for Approval – Addendum B
    - (1) International Cemetery and Funeral Association #74
    - (2) International Order of the Golden Rule #2201
    - (3) Jewish Funeral Directors of America, Inc. #66
    - (4) M.K. Jones & Associates, Inc. (MKJ Marketing) #9605
    - (5) National Funeral Directors Association #136
    - (6) SCI Management – Dignity University #99
  
11. **Application(s) for Florida Laws and Rules Examination**
  - A. Recommended for Approval - Addendum C
    - (1) Funeral Director and Embalmer - by Internship
      - (a) Cruet, Keila K
      - (b) Smith, Lynda B
      - (c) Young, Brea L
    - (2) Funeral Director and Embalmer - by Endorsement
      - (a) Bakey, Lawrence J
      - (b) Kinne, Scott E
    - (3) Direct Disposer
      - (a) Miles, Tara T
  
  - B. Recommended for Approval (Criminal History)
    - (1) Funeral Director and Embalmer - by Internship
      - (a) Francis, Charlotte
    - (2) Direct Disposer
      - (a) Taylor, Judith
  
12. **Application(s) for Internship**
  - A. Recommended for Approval – Addendum D
    - (1) Funeral Director and Embalmer
      - (a) Gainous, Alonia P
      - (b) Heaton, Jeffrey Scott
  
13. **Application(s) for Embalmer Apprentice**
  - A. Recommended for Approval – Addendum E
    - (1) Holmes, Ricky W
    - (2) Mayfield, John
    - (3) Powers, Richard A
    - (4) Von Ohlen, Matthew R
  
  - B. Recommended for Approval (Criminal History)
    - (1) Nicholson, Enoch O
  
14. **Registration(s) as a Training Agency**
  - A. Recommended for Approval – Addendum F
    - (1) Funeral Directing/Embalming
      - (a) Hudson Memorial Chapel Inc (F049500)
  
15. **Consumer Protection Trust Fund Claims**
  - A. Recommended for Approval - Addendum G
  - B. Recommended for Denial

- (1) Funeral Depot (Beneficiary: Henson, Ruth E)

**16. Change in Location of Establishment**

- A. Informational Item - Addendum H

**17. Application(s) for Monument Establishment Retailer**

- A. Recommended for Approval with Conditions
  - (1) B&B Graphic Design, Inc. d/b/a B&B Monuments (Fernandina Beach)
  - (2) Bonnie's Memorials, Inc. (Starke)

**18. Application(s) for Funeral Establishment**

- A. Recommended for Approval
  - (1) American Funeral Partners of Florida Inc d/b/a James A. McKee Funeral Homes (North Port)
  - (2) Florida Cremation Care Inc (Maitland)
  - (3) Floyd's Funeral Home LLC (Clermont)
  - (4) Helm-Gallagher Funeral Home & Cremation Services LLC d/b/a Helm Funeral Home (Green Cove Springs)
  - (5) Integrity Funeral Services Inc (Tampa)
  - (6) Mitchell & Mitchell Mortuary Inc (Sanford)
  - (7) Pinder Memorial Chapel Inc (Opa-Locka)
- B. Recommended for Approval (Criminal History)
  - (1) Timothy E. Kitchens Funeral Home Inc (Riviera Beach)

**19. Application(s) for Direct Disposal Establishment**

- A. Recommended for Approval
  - (1) Accent Cremation Consultants Inc (Deltona)

**20. Application(s) for Removal Service**

- A. Recommended for Approval (Criminal History)
  - (1) D Removal Services LLC (Miami)
- B. Recommended for Denial (Criminal History)
  - (1) Johnny Pride d/b/a All County Removal Service (Jacksonville)

**21. Contract(s) or Other Related Form(s)**

- A. Monument Retail Sales Agreement
  - (1) Recommended for Approval
    - (a) B&B Graphic Design, Inc. d/b/a B&B Monuments (Fernandina Beach)
  - (2) Recommended for Approval with Conditions
    - (a) Bonnie's Memorials, Inc. (Starke)

**22. Request(s) for Approval of C&M Trust Agreement and Request(s) for Approval of Change of Trustee**

- A. Oaklawn Cemetery Association (Jacksonville)
  - (1) Care & Maintenance Trust Agreement
  - (2) Florida Preneed Trust Agreement

**23. Trust Transfer Request(s)**

- A. Kent Care of Florida, LLC, Inc., (Pensacola)
  - (1) D/B/A: Abbey-Riposta Funeral Home (Tallahassee), D/B/A: Tallahassee Memory Gardens (Tallahassee)
    - (a) Chapter 497 Preneed Funeral Trust from Funeral Services, Inc. (FSI) 1993 Master Trust Agreement (BB&T) to the Regions Bank Master Florida Preneed Funeral Trust Agreement
  - (2) D/B/A: Tallahassee Memory Gardens (Tallahassee)
    - (a) Chapter 497 Care & Maintenance Trust from Funeral Services, Inc. (FSI) Master Care & Maintenance Agreement (BB&T) to the Regions Bank Master Florida Cemetery Care and Maintenance Trust Agreement

24. **Presentation to the Board by Ms. Marcia Nesler, regarding her view that cemeteries should issue deeds rather than certificates or contracts, for cemetery spaces they sell. (Oral)**
25. **Chairman's Report (Oral)**
26. **Executive Director's Report**  
 A. New Forms, Change in Location of Establishment (materials enclosed)  
 B. Report from Richard Baldwin, Examiner for Menorah Gardens, May '09 - July '09 (see attachments)  
 C. Rules Committee Meeting set for November 4, 2009
27. **Office of Attorney General's Report (Oral)**
28. **Administrative Report**

A.	New Cemetery Applications Received Since Last Meeting	0
	Recommended for Approval	0
	Pending	0
B.	Cemetery Acquisition Applications Received Since Last Meeting	1
	Recommended for Approval	1
	Pending	0
C.	Preneed License Applications Received Since Last Meeting	1
	Active Preneed Licenses	327
	Presented to the Board at this Meeting	1
	Pending	0
D.	Preneed License Branch Applications Received Since Last Meeting	2
	Active Preneed License Branches	336
	Recommended for Approval	1
	Pending	1
E.	Preneed Sales Agent Applications Received Since Last Meeting	72
	Active Sales Agents as of September 21, 2009	4016
	Recommended for Approval	54
	Temporary Licenses Issued; Pending Permanent	147
F.	Monument Establishment Applications Received Since Last Meeting	2
	Active Monument Establishments	105
	Pending	2
G.	Broker of Burial Rights Applications Received Since Last Meeting	0
	Active Brokers of Burial Rights	14
	Pending	0
H.	Exempt Cemetery Reports Received Since Last Meeting	2
	Active Exempt Cemeteries	65
	Pending	1

I.	Preneed Funeral Contract Consumer Protection Trust Fund Balance as of September 21, 2009	\$7,674,056.75
	# Claims Presented at This Board Meeting	28
	\$ Claims Presented at This Board Meeting	\$13,712.77
	Claims Paid as of September 21, 2009 (for fiscal year 2009-2010)	\$17,180.69
J.	New Establishment Applications Received Since Last Meeting	21
	Pending	12
	Completed	9
K.	New Individual Applications Received Since Last Meeting	35
	Pending	13
	Completed	22
L.	Request for Training Facility Applications Received Since Last Meeting	5
	Pending	1
	Completed	4
M.	Request for CE Providers and Courses Received Since Last Meeting	65
	Pending	48
	Completed	17
N.	Initial Inspections Received Since Last Meeting	16
	Pending	3
	Completed	13
O.	Inspections Received Since Last Meeting	248
	Pending	0
	Completed	248
P.	Initial Licenses Issued Since Last Meeting	32
	Renewal Licenses Issued Since Last Meeting	1886
	Duplicate Licenses Issued Since Last Meeting	10

**29. Disciplinary Report**

	Issued Since Last Meeting (August 5, 2009)	Issued Since January 1, 2009
Notice of Non-Compliance	43	84
Letters of Guidance	0	122
Citations	6	48

**30. Adjournment**

**THE CHAIRMAN MAY MAKE SPECIFIC CHANGES IN THE AGENDA AFTER IT HAS BEEN MADE AVAILABLE FOR DISTRIBUTION, ONLY FOR "GOOD CAUSE" SHOWN.**

## DIRECTIONS TO THE HOTEL

***South from FL Turnpike:*** Exit on I-4 Heading West. Take exit 68 - SR535/Lake Buena vista. Turn right at end of ramp. At 2nd traffic light - Palm Parkway - make a right. Olive Garden will be on the right-hand corner. Hawthorn Suites is located 1/4 mile on left.

***From I-4 East:*** Take Exit 68 - SR535/Lake Buena Vista. Turn left at end of ramp. At 3rd traffic light - Palm Parkway, make a right. Olive Garden will be on the right-hand corner. Hawthorn Suites is located 1/4 mile on left.

***From I-4 West:*** Take Exit 68 - SR535/Lake Buena Vista. Turn right at end of ramp. At 2nd traffic light - Palm Parkway make a right. Olive Garden will be on the right-hand corner. Hawthorn Suites is located 1/4 mile on left.

***From Orlando Intl Airport (15 Miles):*** Take 528 W to I-4 W to Exit 68. Make a right at the traffic light. Take 535 1 mile to Palm Parkway, make a right. Hotel will be on the left hand side.