

**MINUTES**  
**BOARD OF FUNERAL, CEMETERY AND CONSUMER SERVICES**  
**TELECONFERENCE MEETING**  
**January 2, 2014 - 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 Thursday, January 2, 2014. 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 Register. An agenda for this meeting had been made available to interested persons. The meeting is occurring by Teleconference with some members of the Public here with the Division staff here in the Pepper Building, in Tallahassee, Florida. The call in number has also been made available to the public. Members of the Board are participating by phone. Ms Crystal Grant, will take minutes of the meeting, which is being recorded.

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. I repeat, please place your phones on mute at all times while listening. We ask this to enhance the audio quality of the Teleconference. If any Member or participant is disconnected they can call back to the same number called initially. Participants are respectfully reminded of the necessary protocol that only one person may speak at the time.

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  
Keenan Knopke, Vice-Chairman (in person)  
Jean Anderson  
James "Jim" Davis  
Lewis "Lew" Hall  
Ken Jones  
Richard "Dick" Mueller  
Vanessa Oliver

**ABSENT:**

Andrew Clark  
Powell Helm

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

The Chair confirmed that all Board members had received their packets in a timely manner.

The Chair welcomed and congratulated Mr. Knopke as the Vice Chair and thanked him for serving.

Mr. Keenan Knopke thanked and congratulated The Chair as well.

**Also noted as present:**

Doug Shropshire, Executive Director  
Clark Jennings, Board Legal Advisor (via phone)  
Anthony Miller, Assistant Director  
Crystal Grant, Department Staff  
Jasmin Richardson, Department Staff (via phone)

**2. 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.

**3. Application(s) for Continuing Education Course**

**A. Recommended for Approval without Conditions – Addendum B**

- (1) *Cremation Association of North America (16008)*
- (2) *Hospice Foundation of America (14410)*
- (3) *International Order of the Golden Rule (2201)*
- (4) *National Funeral Directors Association (136)*
- (5) *Practicum Strategies (65)*
- (6) *The Dodge Institute for Advanced Mortuary Stu (81)*

The majority of the Continuing Education Committee and the Division recommends approval of the application(s) for the number of hours indicated on Addendum B in the right hand corner.

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

**4. Application(s) for Florida Law and Rules Examination**

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

- (1) *Funeral Director – by Internship and Examination*
  - (a) *Grossman, Robert A*
- (2) *Funeral Director and Embalmer – by Endorsement*
  - (a) *Cameron, Ryan J*
  - (b) *Golebiewski, Christine*
  - (c) *Luera, Jon-Carlo*
- (3) *Funeral Director and Embalmer – by Internship and Exam*
  - (a) *Harden, Santrecia L*

- (b) Hugoboom, Aimee N*
- (c) Markham, Samuel W*
- (d) Schichtel, Matthew H*

The application(s) presented are clean with no indication of a criminal or disciplinary history and have been approved by the Division pursuant to delegation by the Board. This item is informational only and does not require Board action.

**5. Application(s) for Internship**

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

**(1) Funeral Director and Embalmer**

*(a) Hurt, Nadia A (F076919)*

*(b) Wilkes, Brandon D (F045338)*

The application(s) presented are clean with no indication of a criminal or disciplinary history and have been approved by the Division pursuant to delegation by the Board. This item is informational only and does not require Board action.

**6. Application(s) for Embalmer Apprenticeship**

**A. Informational Item (Licenses issued without Conditions) – Addendum E**

**(1) Browning, William A (F077143)**

The application(s) presented are clean with no indication of a criminal or disciplinary history and have been approved by the Division pursuant to delegation by the Board. This item is informational only and does not require Board action.

**7. Application(s) for Registration as a Training Agency**

**A. Informational Item (Licenses issued without Conditions) – Addendum F**

**(1) Clymer Cremations & Funeral Home (F040142) (Palm Coast)**

**(2) Coral Springs Funeral Home LLC (F073820) (Coral Springs)**

**(3) Gause Funeral Home Inc (F041811) (Bartow)**

The application(s) presented are clean with no indication of a criminal or disciplinary history and have been approved by the Division pursuant to delegation by the Board. This item is informational only and does not require Board action.

**8. Consumer Protection Trust Fund Claims**

**A. Recommended for Approval without Conditions – Addendum G**

The Division recommends approval of the claim(s) for the amount indicated on Addendum G entitled “Amount Recommended.”

**MOTION:** Mr. Lew Hall moved to approve the claim(s) for the amount indicated on Addendum G entitled “Amount Recommended.” Mr. Jim Davis seconded the motion, which passed unanimously.

**9. Application(s) for Cinerator Facility**

**A. Recommended for Approval with Conditions**  
**(1) Osceola Crematory LLC (Kissimmee)**

An application for a Cinerator Facility was received on November 12, 2013. 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 William Yates (F043938).

The establishment is recommended for approval subject to the condition that the establishment passes an on-site inspection by a member of Division Staff.

**MOTION:** Mr. Jones moved to approve the application subject to the condition that the establishment passes an on-site inspection by a member of Division Staff. Mr. Hall seconded the motion, which passed unanimously.

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

**A. Recommended for Approval with Conditions**

**(1) Overstreet of Florida LLC d/b/a Abbey Funeral Home (Tallahassee)**

An application for a change of internal control of the current Funeral Establishment was received on December 6, 2013. The application was complete when submitted. All fingerprint cards for all principals were returned with no criminal history. If this application is approved, the FDIC for the establishment will be Rocky Ezell (F058053).

This funeral establishment is the qualifying entity for preneed license F039340; Applicant has already submitted an application to transfer the Preneed License.

The Division is recommending approval subject to the condition(s) as follows:

- (1) That the closing on the transaction 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 onsite inspection by a member of Division Staff.

**MOTION:** Mr. Knopke moved to approve the application subject to the conditions recommended by the Division. Mr. Davis seconded the motion, which passed unanimously.

**(2) The Warden Group LLC d/b/a Funerals by T.S. Warden (Jacksonville)**

An application for approval of a change of ownership was received on November 1, 2013. The application was incomplete when submitted. All deficient items were returned on November 22, 2013. All fingerprint cards for all principals were returned with no criminal history. If this application is approved, the FDIC for the establishment will be Tyrone Warden (F042941).

This funeral establishment is not the qualifying entity for preneed license.

The Division is recommending approval subject to the condition(s) as follows:

- (1) That the closing on the transaction 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 onsite inspection by a member of Division Staff.

**MOTION:** Mr. Dick Mueller moved to approve the application subject to the conditions recommended by the Division. Mr. Knopke seconded the motion, which passed unanimously.

## **11. Application(s) for Removal Service**

### **A. Recommended for Approval with Conditions**

#### ***(1) Professional Removal Services Corp (Miami)***

An application for a Removal Service was received on August 16, 2013. The application was incomplete when submitted. All deficient items were returned on September 26, 2013. The fingerprint cards for all principals were returned with criminal history for one of its principals, Samuel Figueroa.

Mr. Figueroa pled guilty to Armed Robbery in 1995. The criminal record is summarized as follows: In or about 1995 Respondent pled guilty regarding the criminal charge of Armed Robbery in the Circuit Court of Dade County, Florida, case number F94041541, by taking property valued at less than \$300, consisting of a backpack, a watch, and a hat. Mr. Figueroa was a juvenile at the time and was sentenced to three years' probation and ordered to attend a boot camp. Also he was ordered to pay \$255 court costs, obtain a high school diploma and continue Family Counseling.

The establishment is recommended for approval subject to the terms & conditions of the attached stipulation for licensure (2 year probation).

**MOTION:** Mr. Knopke moved to approve the application subject to the conditions of the stipulation for licensure between the Division and Applicant for two (2) years probation. Mr. Davis seconded the motion, which passed unanimously.

#### ***(2) William A. Johnson d/b/a Director Services of Tampa Bay (Tampa)***

An application for a Removal Service was received on September 13, 2013. The application was incomplete when submitted. All deficient items were received on December 9, 2013. The fingerprint cards for all principals were returned without criminal history.

The Applicant was issued a citation on July 23, 2010, in regard to a removal license he held at that time, William A Johnson d/b/a Dignified Mortuary Services (F056368), for failure to reapply for licensure when moving his location. The citation called for a fine of \$300; he accepted the citation and paid the fine on October 8, 2010. The removal license, F056368, expired on November 30, 2010.

The establishment is recommended for approval subject to the condition that the establishment passes an on-site inspection by a member of Division Staff.

**MOTION:** Mr. Jones moved to approve the application subject to the condition that the establishment passes an on-site inspection by a member of Division Staff. Mr. Davis seconded the motion, which passed unanimously.

- 12. Application(s) for Course of Study**
  - A. Recommended for Approval without Conditions**
    - (1) Miami Dade College, North Campus (Miami)**

Miami Dade College, North Campus submitted an application for approval for the Type 2 Course of Study. The Applicant certifies that the Type 2 course of study submitted for approval under this application covers the subject matters examined on in the national funeral service arts examination administered by the conference of Funeral Service Examining Boards. The Division is recommending approval without conditions.

**MOTION:** Mr. Hall moved to approve the application. Mr. Knopke seconded the motion, which passed unanimously.

- 13. Related Applications – StoneMor Florida, LLC**
  - A. Recommended for Approval with Conditions**
    - (1) Application(s) to Acquire Control of an Existing Cemetery**
      - (a) StoneMor Florida, LLC d/b/a Fountains Memorial Park (Homosassa)**

StoneMor Florida, LLC (StoneMor) herein submits an Application for Change of Control of an Existing Cemetery Company for the above named cemetery property from Carriage Cemetery Services, Inc. (Carriage). The cemetery company being acquired is licensed as Fountains Memorial Park, located at: 5635 W Green Acres St, Homosassa, FL 34446, currently licensed under number F039747. S. 497.264, Florida Statutes, provides that "(2) Any person or entity that seeks to purchase or otherwise acquire control of any cemetery licensed under this chapter shall first apply to the licensing authority and obtain approval of such purchase or change in control."

The application was received by the Division on October 31, 2013 and all items were resolved as of November 22, 2013. A completed background check of all officers revealed no criminal history. The change of control will be accomplished via an asset purchase agreement (please see attached) by which StoneMor will acquire all of the assets and liabilities for the cemetery and preneed from Carriage Cemetery Services, Inc. d/b/a Fountains Memorial Park (License number F039747). The Applicant has also submitted an application for a preneed branch for this cemetery location it is acquiring which will operate under StoneMor's Preneed Main License (#F038725). (Please see attached letter dated November 22, 2013, from Attorney Wendy Wiener). If this Application for a Change of Control is approved, the applicant will operate under the name of StoneMor Florida, LLC doing business under the currently listed cemetery name, as above noted.

The care and maintenance trustee report (Regions Bank) for CY 2012 is attached. The cemetery report appears to be in line with the reported gross sales for CY 2012 for the listed property being acquired. The Applicant's financial statement as of December 31, 2012 reflects the following:

Required Net Worth	= \$	50,000
Reported Net Worth	=	\$5,310,076

There has not yet been a closing on the above acquisition. The Division is recommending approval subject to the condition(s) as follows:

1. That Applicant herein shall be responsible for honoring according to their terms all valid preneed contracts previously sold which contracts contemplate fulfillment by or at the premises of the cemetery located at 5635 W Green Acres St, Homosassa, FL.
- (2) That the closing on the transaction to acquire ownership/control shall occur within 60 days of the date of the Board meeting.
- (3) That Applicant shall assure receipt by the Division within 75 days of the Board meeting, of a letter signed by applicant or applicant's attorney, addressed to the Division, certifying that closing has occurred and stating the date of closing, and providing a copy of the fully Bill of Sale, Asset Purchase Agreement, or other document by which the acquisition transaction is consummated, executed by all parties, and any and all amendments, schedules, and other attachments thereto, also fully executed.
- (4) That the Director of the Division of Funeral, Cemetery, and Consumer Services may extend any deadline set out in these conditions, by up to 90 days, for good cause shown.

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

*(2) Contract(s) or Other Related Form(s) – Trust Transfer Request(s)*  
*(a) StoneMor Florida, LLC and StoneMor Florida Subsidiary, LLC (F038725)*  
*(Includes pending acquisition of cemetery and preneed branch for Carriage Cemetery Services, Inc. d/b/a Fountains Memorial Park location)*

StoneMor is requesting to transfer the above preneed cemetery merchandise and care and maintenance trust agreements for the cemetery and preneed property that is being acquired by StoneMor from CFS Funeral Services, Inc. d/b/a Fountains Memorial Park location, currently held at Regions. StoneMor has submitted an application to Acquire Control of an Existing Cemetery from Carriage Cemetery Services, Inc. and a preneed branch application for Fountains Memorial Park, both of which are also being presented at this Board teleconference meeting. As a result of this acquisition, StoneMor is requesting a transfer of the preneed cemetery merchandise and cemetery care and maintenance funds to the existing Forethought Federal Savings Bank Florida Preneed Master Trust Agreement, and the Forethought Federal Savings Bank Florida Perpetual Care Master Trust Agreement for StoneMor Florida, LLC and StoneMor Florida Subsidiary, LLC and its related Licensees. These trust agreements were previously approved by the Board at its November 7, 2013 teleconference meeting. (Please refer to attached letter dated November 13, 2013 from attorney, Wendy Wiener)

If this transfer is approved, Forethought will hold and manage these StoneMor trust funds under the Forethought Federal Savings Bank Florida Preneed Master Trust Agreement, and the Forethought Federal Savings Bank Florida Perpetual Care Master Trust Agreement for StoneMor Florida, LLC and StoneMor Florida Subsidiary, LLC and its related Licensees.

The Division is recommending approval subject to the condition(s) as follows:

- (1) That the Board approve the Application to Acquire Control of an Existing Cemetery and Preneed Branch location for Carriage Cemetery Services, Inc. d/b/a Fountains Memorial Park, also being presented at this Board teleconference.

- (2. That the representations of StoneMor, through its attorney Wendy Wiener, as set forth in Mrs. Wiener's letter dated November 13, 2013, be deemed material to the Board's decisions herein.
- (3. That within 30 days of the date of the Board meeting at which this approval occurs, **Forethought** provides to the FCCS Division (ATTN: LaShonda Morris), a letter signed and dated by one of its officers, certifying that **Forethought** qualifies to act as trustee pursuant to the applicable criteria in s. 497.266(1), or s. 497.458(1(b), FS.
- (4. Regarding care and maintenance trust assets to be transferred to a new master trust, StoneMor and the trustee shall create and maintain records and systems allowing Stonemor and the trustee to separately account for and report to the FCCS Division and Board concerning deposits, withdrawals, earnings, expenses, and trust balance attributable to each separate cemetery whose assets are in the master trust.
- (5. Regarding cemetery and funeral merchandise trust assets to be transferred to a new master trust, Stonemor and the trustee shall create and maintain records and systems allowing Stonemor and the trustee to separately account for and report to the FCCS Division and Board concerning deposits, withdrawals, earnings, expenses, and trust balance attributable to each separate preneed contract whose assets are in the master trust.
- (6. That the transfer of trust assets approved by the Board herein, occur within 90 days of said Board approval.
- (7. That within 60 days of the transfer of trust assets approved by the Board herein, Forethought shall provide a letter to the FCCS Division (ATTN: LaShonda Morris):
  - a. advising that the transfer has been completed and stating the date of the transfer;
  - b. stating on a trust by trust basis, the dollar amount transferred to the new master trusts from each of the existing trusts referenced herein
- (8. That the Board's executive director, for good cause shown, may extend any of the above stated deadlines for an additional 90 days.

**MOTION:** Mr. Jones moved to approve the request(s) subject to the conditions recommended by the Division. Ms. Jean Anderson seconded the motion, which passed unanimously.

***B. Recommended for Approval without Conditions***  
***(1) Application(s) for Preneed Branch License – Addendum H***

The Division recommends approval of the application(s).

**MOTION:** Mr. Knopke moved to approve the application(s). Mr. Davis seconded the motion, which passed unanimously.

**14. Application(s) for Preneed Main License**  
***A. Recommended for Approval without Conditions***  
***(1) St. Fort's Funeral Home, Inc. (North Miami Beach)***

The Department received the application on October 15, 2013 and a deficiency letter was sent to the Applicant as of October 22, 2013. Applicant responded to all deficiencies and the application was completed as of November 18, 2013. A completed background check of all officers revealed no criminal history. Applicant obtained its current qualifying funeral establishment license (F039876) as of August 2003 and will



use the pre-approved Funeral Services, Inc. (FSI) First Florida Trust Agreement (Sabal Trust Company) and pre-arranged funeral agreement.

The Applicant's financial statements as of August 31, 2013 reflect the following:

Outstanding Preneed Contracts	= \$	0
Required Net Worth	= \$	10,000
Reported Net Worth	= \$	252,109

The establishment is recommended for approval.

**MOTION:** Mr. Davis moved to approve the application. Mr. Knopke seconded the motion, which passed unanimously.

**15. Request(s) to Relocate Cemetery Records**

**A. Recommended for Approval without Conditions**

**(1) *Ruskin Memorial Park Association, Inc. (Ruskin)***

Ruskin Memorial Park Association, Inc. requests Board approval to relocate cemetery records currently located at 2804 24<sup>th</sup> St SE, Ruskin, FL to the location at 305 US Hwy 41 N, Ruskin, FL. This request is being made by the Licensee due to a medical emergency, as described in the attached letter dated December 17, 2013.

The Licensee affirms the records will be housed securely in fire-proof file cabinets. Pursuant to Rule 69K-6.005, records will be available for review at the licensed facility or an alternative site of the cemetery company if approved by the Board.

The establishment is recommended for approval.

**MOTION:** Mr. Mueller moved to approve the application. Mr. Knopke seconded the motion, which passed unanimously.

The Chair declared his affiliation SCI Funeral Services of Florida, Inc and stated it would not affect his ability to render fair and equitable decisions on any items on today's agenda.

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

**A. Recommended for Approval with Conditions**

**(1) *Trust Agreement(s) and Trust Transfer Request(s)***

**(a) *SCI Funeral Services of Florida, Inc (Includes all related cemetery and funeral and Cemetery preneed branches for SCI Funeral Services of Florida and associated Stewart Enterprises, Inc. (STEI) locations retained by SCI, collectively as "SCI") (Houston)***

SCI seeks approval to consolidate numerous existing Chap. 497 trusts, into three new Chapter 497 master trusts. More specifically --

- SCI seeks approval to consolidate (transfer) multiple existing cemetery care and maintenance trusts, into a new master care and maintenance trust.

- SCI seeks approval to consolidate (transfer) multiple existing cemetery merchandise trusts, into a new master cemetery merchandise trust.
- SCI seeks approval to consolidate (transfer) multiple existing preneed funeral trusts, into a new master preneed funeral trust.

The SCI request is set forth in the letter of SCI's outside counsel, Ms. Wendy Wiener, dated November 27, 2013 (Attachment A hereto).

Ms Wiener's November 27, 2013 letter references a CD attached to that letter. Attachment B hereto is screen shots showing all the folders and subfolders and files on said CD.

Attachment C1, C2, and C3 hereto are the printed contents of the said CD's folder named "Care & Maint".

Note: In Attachment C2, the exiting trust identified as #7931330 has been withdrawn from inclusion in the trusts requested to be transferred. #7931330 is a pre-construction trust that was inadvertently included by Applicant among the Care and Maintenance Trusts.

Attachment D1, D2, and D3 hereto are the printed contents of the said CD's folder named "PN Cem".

Attachments E1, E2, and E3 hereto are the printed contents of the said CD's folder named "PN Fun".

Attachment F hereto is the Minutes of the October 3, 2013 Board meeting whereat the Board approved the acquisition by SCI of multiple Stewart Enterprises Inc properties. Many of the trusts being transferred relate to acquired properties.

#### Background

All or the majority of the transfers referenced herein are a follow-up to SCI's recent acquisition of multiple Stewart Enterprises Inc. properties. On October 3, 2013, this Board approved the acquisition by SCI Funeral Services of Florida, Inc. (SCI) of 19 licensed cemetery locations, from Stewart Enterprises Inc., and the transfer of the preneed license for Simplicity Plan, Inc. (F019307) from Stewart Enterprises Inc. to SCI. SCI acquired all of the assets and liabilities for the cemetery and preneed for these locations. The funeral establishments and cemeteries had been selling preneed prior to that SCI acquisition, most recently as branches under the Simplicity Plan, Inc. preneed main license (F019307) and various cemetery Licensees. SCI assumed liability for the outstanding preneed liability.

#### Item 1) The Proposed New Trust Agreements

SCI seeks approval of the three new master trust agreements as follows:

**Attachment C3** hereto is the proposed new cemetery care and maintenance master trust agreement, entitled "*SCI Master Cemetery Care and Maintenance Trust Agreement.*"

**Attachment D3** hereto is the proposed new cemetery merchandise master trust agreement entitled, "*Amended and Restated Master Cemetery Merchandise Trust Agreement.*"

**Attachment E3** hereto is the proposed new master preneed funeral trust agreement entitled "*Amended and Restated Master Preneed Funeral Trust Agreement.*"

SunTrust Bank, N.A. will be initial trustee in all the three new master trusts, if same are approved by the Board. The FCCS Division has reviewed the proposed new trust agreements and finds nothing in them violative of Chapter 497.

#### Item 2) Proposed Trust Transfers

SCI seeks approval to transfer trust assets from the trusts in Attachments C2, D2, and E2, from those existing trusts to the applicable new master trusts referenced above.

The Division is recommending approval subject to the condition(s) set forth below:

- A) Approval of the three proposed new trust documents in Item 1 above; and
- B) Approval of the proposed trust transfers identified in Item 2 above.

Conditions recommended by FCCS Division:

- 1) That the representations of SCI, through its attorney Wendy Wiener, as set forth in Mrs. Wiener's letter dated November 27, 2013, Attachment A hereto, be deemed material to the Board's decisions herein.
- 2) That within 30 days of the date of Board approval of the new trusts, SunTrust provides to the FCCS Division (ATTN: LaShonda Morris), a letter signed and dated by one of its officers, certifying that SunTrust meets one or more of the applicable criteria in s. 497.266(1), and s. 497.458(1(b), to act as trustee of the trusts to be transferred to SunTrust pursuant to Mrs. Wiener's letter dated November 27, 2013.
- 3) Regarding care and maintenance trust assets to be transferred to a new master trust, SCI and the trustee shall create and maintain records and systems allowing SCI and the trustee to separately account for and report to the FCCS Division and Board concerning deposits, withdrawals, earnings, expenses, and trust balance attributable to each separate cemetery whose assets are in the master trust.
- 4) Regarding cemetery and funeral merchandise trust assets to be transferred to a new master trust, SCI and the trustee shall create and maintain records and systems allowing SCI and the trustee to separately account for and report to the FCCS Division and Board concerning deposits, withdrawals, earnings, expenses, and trust balance attributable to each separate preneed contract whose assets are in the master trust.
- 5) That the transfer of trust assets approved by the Board herein, occur within 90 days of said Board approval.
- 6) That within 60 days of the transfer of trust assets approved by the Board herein, SunTrust shall provide a letter to the FCCS Division (ATTN: LaShonda Morris):
  - advising that the transfer has been completed and stating the date of the transfer;
  - stating on a trust by trust basis, the dollar amount transferred to the new master trusts from each of the existing trusts referenced in Attachments C2, D2, and E2 hereto.
  - providing copies of the fully executed new master trust agreements referenced in Item 1 and all attachments referenced in said new master trusts agreements.
- 7) That the Board's executive director, for good cause shown, may extend any of the above action deadlines an additional 90 days.

Mr. Knopke requested adding that if the Department, through the authority granted to the Executive Director, does grant an extension past the first 90 days that following granting that extension that he notify the Board that one has been done. It is not something that would require a Board meeting. It would just be an FYI to the Board members so they know that one has been requested and granted.

**MOTION:** Mr. Mueller moved to approve the request subject to the conditions recommended by the Division along with Mr. Knopke's request. Mr. Hall seconded the motion, which passed unanimously.

**17. Executive Director's Report**

**A. Report: Payment of Disciplinary Fines and Costs (Informational)**

Monthly Report of Fine and Costs Assessed and Paid  
 Division of Funeral, Cemetery and Consumer Services  
 January 2, 2014 Board Meeting  
 December 20, 2013

Licensor	Board Meeting	Case No.	Total Fine & Cost Due	Date Due	Paid in Full?	Comments
Stanley Gunter-Butler	Jun-12	117958-11-FC	\$2,750	8/20/2012	NO; See Note A	Monthly payments are late. \$500 was rec'd 9/13/13 and two recent payments of \$200 each were rec'd 9/20/13 and 9/28/13, respectively. The remaining balance to pay in full is \$250. The Notice of Intent to enter Emergency Order of Suspension was issued in DFS Case No. 136325-13-FC, against the licensee on 8/27/13 for failure to make the required payments.
Cemetery Professionals, LLC dba Beaches Memorial Gardens and Cemetery Professionals, LLC dba Beaches Memorial Park	Jun-12	110156-10-FC & 110157-10-FC	\$5,250 \$5,000 38,859.57	9/6/2012 12/7/2012 35 mo pymts	YES YES See Note E	Monthly restitution payments are current.
Alliance Monument & Marble Co, Inc.	Apr-13	129485-12-FC	\$1,000	9/2/2013	No; See Note A	Licensor currently suspended, based on Emergency Order of Suspension issued 11/8/12 for failure to comply with consent order in a different administrative action taken against licensee in Case No. 128348-12-FC; file sent to Legal on 9/20/13 for failure to pay fine and submit monument sales agreement as required by the final order issued 5/2/13 in Case No. 129485-12-FC.
Global Mortuary	Aug-13	122746-11-FC	\$800 \$7,200	9/19/2012 9 mo pymts	Yes No; See Note A	Monthly payments are late. October and November monthly payments are past due. Division sent file to Legal on 11/19/13 for failure to make payments.
Tony Tanner Funeral Services, Inc.	Oct-13	128096-12-FC	\$2,750	11/15/2013	No; See Note A	License is currently suspended pursuant to the consent order issued 10/16/13.
Flagler Palms Cemetery LLC	Oct-13	133742-13-FC	\$2,750	11/15/2013	Yes	
Work & Son	Dec-13	Multiple cases	\$2,500	See Note C	See Note C	The Order regarding this case is still in process, so no due date is established.
CFS Funeral Services, Inc. dba Fountains Memorial Park	Dec-13	126252-12-FC	\$3,500	1/17/2014	See Note D	
James Moore	Dec-13	130463-12-FC	\$750	1/17/2014	Yes	
Smoores Enterprises, Inc. d/b/a Superior Design Monument Company	Dec-13	130462-12-FC	\$750	1/17/2014	Yes	
Woodlawn Park Cemetery Company dba Woodlawn Park Cemetery South	Dec-13	136638-13-FC	\$500	1/17/2014	See Note D	
A. When payment in full becomes past due, the FCCS Division works with the DFS Legal Division to enforce payment. B. Once fines and costs are paid in full, licensee kept on this report 3 months, showing Paid in Full, and then dropped off report; also licensee dropped off report after disciplinary action filed due to nonpayment of the fine and costs. C. The Order re this case is still in process, so no Due date is yet established. D. Due date has not passed, as of the date of this report. E. As of the date of this report, monthly payments were current.						<i>OFM</i> <i>Jan 20/14</i>

Mr. Mueller requested that Mr. Shropshire notify the Board if an extension is requested and granted on the StoneMor issue(s) as well.

Mr. Shropshire stated that the Division would certainly do that.

## **18. Adjournment**

The meeting was adjourned at 10:21 a.m.