

MINUTES
BOARD OF FUNERAL, CEMETERY AND CONSUMER SERVICES
TELECONFERENCE MEETING
November 3, 2016 - 10:00 A.M.

1. Call to Order, Preliminary Remarks and Roll Call

Mr. Jody Brandenburg, Chair –Welcome everyone to the Board of Funeral, Cemetery and Consumer Services’ Teleconference Meeting on November 3, 2016. I’m calling this meeting to order and Ms. Simon, would you make your preliminary remarks and do the roll call?

Ms. Ellen Simon – Yes sir. Mr. Chairman, my name is Ellen Simon. I am Assistant Director of the Division of Funeral, Cemetery, and Consumer Services. Today is November 3, 2016. It is approximately 10:00 A.M. This is a public meeting of the Board of Funeral, Cemetery and Consumer Service. Notice of today’s meeting has been published in the Florida Administrative Register. The meeting is occurring by Teleconference. The teleconference number and conference ID has been distributed to all interested persons. My assistant, Ms. LaTonya Bryant, is recording the meeting and will be taking minutes.

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 when actively speaking to the Board or for the Board, are asked to put their phones on mute at all other times. I repeat, please put your phone on mute at all times while listening. We ask this in order to enhance the audio quality of the teleconference. If any member or other participant gets disconnected they can of course call back to the same number that they called initially. All participants are respectfully reminded of the necessary protocol that only one person may speak at a time. Please do not speak over other persons.

At this time, I will take the roll:

Joseph “Jody” Brandenburg, Chairman
Keenan Knopke, Vice Chair **{ABSENT}**
Jean Anderson
Francisco “Frank” Bango
Andrew Clark
James “Jim” Davis **{ABSENT}**
Lewis “Lew” Hall
Powell Helm
Ken Jones
Vanessa Oliver

Also noted as present:

Doug Shropshire, Director
Tom Barnhart, Board Legal Advisor
LaTonya Bryant, Department Staff
Jasmin Richardson, Department Staff
Lashonda Morris, Department Staff

Ms. Simon – Mr. Chairman there is a quorum for the business of the Board. May I now introduce the matters to be considered at the meeting?

Chair – Please do.

2. Action on the Minutes
A. October 13, 2016

Chair – Is there a motion?

MOTION: Mr. Lew Hall moved to adopt the minutes of the meeting. Mr. Ken Jones seconded the motion, which passed unanimously.

- 3. **Application(s) for Preneed Sales Agent**
 - A. *Informational Item (Licenses Issued without Conditions) – Addendum A*

Ms. Simon – This is an information item pursuant to the delegation of authority by the Board. The Division has previously approved these items.

- 4. **Application(s) for Continuing Education Course Approval**
 - A. *Recommended for Approval without Conditions – Addendum B*
 - (1) *Batesville Casket Company (13409)*
 - (2) *National Funeral Directors Association (136)*
 - (3) *Practicum Strategies (65)*
 - (4) *Selected Independent Funeral Homes (137)*
 - (5) *The Dodge Institute for Advanced Mortuary Stu (81)*

Ms. Simon – The courses presented have been reviewed Continuing Education Committee and the Committee, as well as the Division recommends approval of the applications for the number of hours indicated on Addendum B.

MOTION: Mr. Powell Helm moved to approve the applications. Mr. Andrew Clark seconded the motion, which passed unanimously.

- 5. **Application(s) for Approval as a Continuing Education Provider**
 - A. *Recommended for Approval without Conditions – Addendum C*
 - (1) *Law Office of Jeanette G. Edwards, P.A. (26609)*

Ms. Simon – The applicant has determined that the application should be withdrawn.

- 6. **Application(s) for Florida Law and Rules Examination**
 - A. *Informational Item (Licenses Issued without Conditions) – Addendum D*
 - (1) *Direct Disposer*
 - (a) *Brooks, Marc W*
 - (2) *Funeral Director– by Internship and Exam*
 - (a) *Koma, Justine L*
 - (3) *Funeral Director and Embalmer – by Endorsement*
 - (a) *Greczel, Eric*
 - (b) *Hyde, Adam C*
 - (4) *Funeral Director and Embalmer – by Internship and Exam*
 - (a) *Anderson, Maryanne L H*
 - (b) *Augustin, Cedene S*
 - (c) *Hague IV, Charles A*
 - (d) *Jackson, Melinda M*
 - (e) *Noble, Sarah L*
 - (f) *Sanders, Maryanne E*
 - (g) *Smith, Michael D*
 - (h) *Soll, Kenneth A*
 - (i) *Starks, Anna C*
 - (j) *Swanberg, Joseph E*

Ms. Simon – This is an information item pursuant to the delegation of authority by the Board. The Division has previously approved these items.

7. Application(s) for Internship

- A. Informational Item (Licenses Issued without Conditions) – Addendum E**
- (1) *Embalmer*
 - (a) *Barbone, Laura R F079732*
 - (2) *Funeral Director*
 - (a) *Gibbs, Jeffrey D F107102*
 - (b) *Hagan, Tequila D F105762*
 - (3) *Funeral Director and Embalmer*
 - (a) *Davis, Danielle E F105216*
 - (b) *Dobbs, Brandon J F105198*
 - (c) *Rhodes, Cassandra M F106953*

Ms. Simon – This is an information item pursuant to the delegation of authority by the Board. The Division has previously approved these items.

8. Application(s) for Embalmer Apprenticeship

- A. Informational Item (Licenses Issued without Conditions) – Addendum F**
- (1) *Cooper, Jason D F106977*
 - (2) *Fialho, Joao Paulo D F106976*
 - (3) *Gibbs, Jeffrey D F107102*
 - (4) *Vadi, Mabel F110470*

Ms. Simon – This is an information item pursuant to the delegation of authority by the Board. The Division has previously approved these items.

9. Application(s) for Registration as a Training Agency

- A. Informational Item (Licenses issued without Conditions) – Addendum G**
- (1) *Baldwin Brothers Memorial Care Services Inc. d/b/a Baldwin Brothers (F078729) (Ocala)*
 - (2) *Brasota Services Inc. (F092143) (Sarasota)*

Ms. Simon – This is an information item pursuant to the delegation of authority by the Board. The Division has previously approved these items.

10. Consumer Protection Trust Fund Claims

- A. Recommended for Approval without Conditions – Addendum H**

Ms. Simon – The CPTF Claims presented have been reviewed by the Division and the Division recommends approval for the monetary amounts indicated.

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

11. Application(s) for Direct Disposal Establishment

- A. Recommended for Approval with Conditions**
- (1) *Solace Cremations Inc. (Jupiter)*

Ms. Simon – An application for a Direct Disposal Establishment was received on October 3, 2016. The application was complete when submitted. The Funeral Director in Charge will be Roberta Herrera (F084820). All fingerprint cards have been returned with no criminal history. The establishment is recommended for approval subject to the condition that the establishment passes an onsite inspection by a member of Division Staff.

MOTION: Mr. Clark moved to approve the application subject to the condition that the establishment passes an onsite inspection by a member of Division Staff. Ms. Vanessa Oliver seconded the motion, which passed unanimously.

12. Application(s) for Funeral Establishment

- A. Recommended for Approval with Conditions**
 - (1) Neshama JFS LLC (Deerfield Beach)**

Ms. Simon – An application for a Funeral Establishment was received on September 19, 2016. The application was complete when submitted. The Funeral Director in Charge will be Dennis Siegel (F044096). All fingerprint cards have been returned with no criminal history. The establishment is recommended for approval subject to the condition that the establishment passes an onsite inspection by a member of Division Staff.

MOTION: Mr. Helm moved to approve the application subject to the condition that the establishment passes an onsite inspection by a member of Division Staff. Ms. Jean Anderson seconded the motion.

Chair – Before we vote on this, is Mr. Dennis Siegel on the line? There’s been a motion made to approve subject to the condition that the establishment passes an onsite inspection and that motion has been seconded. All those in favor, aye?

Board members – Aye.

Chair – And any opposed? And that motion carries.

(2) SCI Funeral Services of Florida LLC d/b/a Riverside Gordon Memorial Chapels (North Miami Beach)

Ms. Simon – An application for a Funeral Establishment was received on October 12, 2016. The application was complete when submitted. The Funeral Director in Charge will be Denise Davis-Vance (F042722). All fingerprint cards have been returned with no criminal history. The establishment is recommended for approval subject to the condition that the establishment passes an onsite inspection by a member of Division Staff.

Chair – This is Jody Brandenburg and I want to disclose my affiliation with SCI Funeral Services of Florida. This association will in no way affect my ability to make a fair and unbiased decision on any items coming before the Board today.

MOTION: Mr. Helm moved to approve the application subject to the condition that the establishment passes an onsite inspection by a member of Division Staff. Mr. Frank Bango seconded the motion, which passed unanimously.

13. Application(s) for Monument Establishment Sales Agent License

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

Ms. Simon – This is an information item pursuant to the delegation of authority by the Board. The Division has previously approved these items.

14. Application(s) for Preneed Main License

- A. Recommended for Approval without Conditions**
 - (1) La Paz Funeral Home, Inc. (Miami)**

Ms. Simon – The Department received the application on August 11, 2016 and deficiencies were noted on the application. All deficiencies were resolved as of September 22, 2016. The principals and co-owners of the corporation will be: Alessandro Capra, Niccolo Capra, and Delmar Ray Fuqua. A completed background check, of all officers, revealed no criminal history. Applicant obtained its current qualifying funeral establishment license (#F089725) as of March 21, 2016. If approved, Applicant 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 December 31, 2015 reflects the following:

Acquired Preneed Contracts	= \$	0
Required Net Worth	= \$	10,000
Reported Net Worth	= \$	12,000

Documentation establishes that Delmar Ray Fuqua (principal holding 0% ownership interest of applicant herein) filed for Ch. 13 bankruptcy in November 1992. This was a personal bankruptcy action that was discharged as of August 1997 by the

Southern District Court of Florida. Mr. Fuqua has provided a notarized statement and court documentation evidencing the disclosed bankruptcy. This bankruptcy was completed and discharged approximately 19 years ago, and there have been no other issues or actions taken by the Division against Applicant as of to date. The Division recommends approval without conditions.

Mr. Helm – Mr. Chairman, this is Helm. I have a question. Is anybody there?

Ms. LaTonya Bryant – We're here.

Ms. Simon – Mr. Chairman?

Mr. Helm – We must not all be together.

Ms. Bryant – Maybe that was his phone that disconnected.

Ms. Simon – If we could just give it one moment, perhaps Mr Brandenburg got disconnected.

Mr. Helm – Ms. Simon?

Ms. Simon – Yes sir?

Mr. Helm – You can answer the question. If the guy has zero percent ownership, how can he be an owner?

Ms. Simon – Is Mr. Brandenburg on the line? Mr. Helm, I'd like to wait until Mr. Brandenburg gets on the line for this.

Mr. Helm – Alright.

Chair – This is Brandenburg. I'm back on the call.

Ms. Simon – Mr. Helm, you had a question?

Mr. Helm – Yes ma'am, just a curiosity question. How can this Delmar Ray be an owner when he owns zero percent ownership?

Ms. Simon – Mr. Helm, it appears on the application that Mr. Fuqua will be a principal as opposed to an owner.

Mr. Helm – Okay. That's all.

Ms. Simon – Mr. Chairman?

Chair – Yes?

Ms. Simon – Just as a reminder, when you were off the line, we're on Item #14, Application for Preneed Main License and we're on the first item, La Paz Funeral Home. There has not been but I think there is a motion about to be made on this item.

MOTION: Mr. Jones moved to approve the application. Ms. Oliver seconded the motion, which passed unanimously.

(2) Veterans Funeral Care Florida, LLC (Clearwater)

Ms. Simon – The Department received the application on October 12, 2016 and no deficiencies were noted on the application. The sole principal and owner of the LLC will be: James W. Rudolph, Jr. A completed background check, of all officers, revealed no criminal history. Applicant obtained its current qualifying funeral establishment license (#F040002) as of May 2005. If approved, Applicant will use the pre-approved Funeral Services, Inc. (FSI) First Florida Trust Agreement (Sabal Trust Company) and pre-arranged funeral agreement.

It should also be noted that Applicant entered into a Disciplinary Order concerning its advertising to sell and selling preneed contracts without a preneed license that occurred in November 2008 in violation of ss. 497.452 (1) (a), and agreed to pay a fine in the amount of \$2,000. To date, Applicant has satisfied all stated conditions of the Disciplinary Order and there are no further issues concerning Applicant. The Applicant's financial statements as of October 10, 2016 reflects the following:

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

The Division recommends approval without conditions.

Mr. Hall – Question, Mr. Chair?

Chair – Yes, Mr. Hall?

Mr. Hall – Just had some concerns on this from the perspective of the financial statement. It's usually not what we usually see. Basically we just got a letterhead that states there's \$10,000 there that meets the requirement of the net worth and also a document showing that the \$10,000 was transferred in a few days ago or the middle of last month. Usually, we get a full financial statement. I have concerns on that. Is there something that maybe counsel can share with us or would they look at postponing this until next meeting and providing us additional information on this account?

Ms. Wendy Wiener – Mr. Chairman, this is Wendy Wiener. May I address Mr. Hall's question?

Chair – Please do.

Ms. Wiener – Mr. Hall, this is a brand new entity. This is typically the way that a newly formed entity, formed for the purpose of being a preneed mail licensee, starts out. In fact, you've seen many of these because this is actually something that I routinely see in my practice and a procedure that has been approved many times in the past. When the new entity is formed, its initial net worth must be \$10,000. As soon as the Board approves the application and the preneed license goes live then this licensee will actually receive, on its books and records, preneed assets and liabilities and other assets and liabilities relating to operations. And so this financial condition is temporary and only for the purposes of setting up the start up so that it complies with Chapter 497, and you have approved many of the same structure in the past and I don't believe any of those have turned out to be a problem for the Division.

Mr. Hall – I guess my concern is there's nothing that really prevents the applicant from pulling the \$10,000 out once it's approved. Would they agree to supply their financial information back to the Division once this is established then?

Ms. Wiener – Well, the...

Mr. Hall – We're just saying once it's approved this is going on the books and they can provide that additional financial information back to the Division?

Ms. Wiener – They will be required to supply that information when they renew their preneed main license. This license application qualifies in every sense of the word for approval by the Division. A newly formed entity without any existing preneed need only have a net worth of \$10,000 and so the Division will absolutely and the Board will get the financials upon renewal of the preneed main license and that's a very short period of time as you know because the financials will be dated 12/31 and so you'll be getting those in short order in the normal course of business.

Mr. Helm – Mr. Chairman?

Chair – Yes, Mr. Helm?

Mr. Helm – This is a question for Ms. Wiener. You keep saying this is a new entity. 2008 is when the fine occurred so has he not been in business since 2008?

Ms. Wiener – The entity that is being licensed to be the preneed main licensee is a brand new entity. The qualifying licensee has been in existence since 2005 and was disciplined in 2008, but this entity that is the applicant is a new entity, which will be the preneed main licensee, which is also a very common business structure for businesses that may operate preneed utilizing multiple branches. It solves a problem with the Division’s database related to names that has come to our attention over the course of recent years to have a separate entity be the preneed main licensee and then as the branches are licensed as branches to sell preneed it allows the Division’s database to accurately reflect who the preneed main licensee is and who the branch is.

Mr. Hall – Ms. Wiener, may I ask one more question?

Ms. Wiener – Of course.

Mr. Hall – I know we’ve done this with preneed. We’ve seen it done with the cemetery side where the requirement is \$50k. Since it’s coming up in December, is there any issue if we just said okay you will provide in the agreement if we approve this that in December it would be provided to the Division and if there are any issues on the net worth side of it then the Board would be notified?

Ms. Wiener – Absolutely. His yearend books will close on December 31st. What I can represent to you is that I will instruct Mr. Rudolph that as soon thereafter as possible he will file his renewal paperwork. When do renewal packets come out?

Ms. LaShonda Morris – January.

Ms. Wiener – Oh, so they come out in January. As soon as his financials are prepared we will file his renewal paperwork. Ms. Morris just informed me that they are available as of January so we’ll get that filed as quickly as possible and he will meet the appropriate net worth at that time period.

Mr. Hall – Okay. Are you comfortable with that, Ms. Simon?

Ms. Simon – Yes sir.

Mr. Hall – Okay. Thank you, Mr. Chair.

Chair – Thank you, Mr. Hall. Any other questions?

MOTION: Mr. Jones moved to approve the application with the condition stated. Mr. Hall seconded the motion, which passed unanimously.

15. Application(s) for Removal Service

A. Recommended for Approval *with* Conditions

(1) South Florida Mortuary Services LLC d/b/a 5 Star Removals (Naples)

Ms. Simon – An application for a Removal Service was received on October 6, 2016. The application was complete when submitted. All fingerprint cards have been returned with no criminal history. The facility is recommended for approval subject to the condition that the facility passes an onsite inspection by a member of Division Staff.

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

16. Related Items – The Monument Co., LLC (Orlando)

A. Recommended for Approval *with* Conditions

(1) Application(s) for Monument Establishment Retailer License

Ms. Simon – The application was received on September 26, 2016, and no deficiencies were noted on the application. This application is being filed for a new monument establishment retailer license due to a change of ownership and change in location that occurred in 2014. The current licensee, Teuruhei Buchin d/b/a The Monument Co (License # F071991) formerly

operated as a sole proprietorship at: 2209 Curry Ford Rd, Orlando, FL 32806 and was changed to an LLC to operate as The Monument Co., LLC at: 2000 Curry Ford Rd, Orlando, FL 32806 in 2014. Furthermore, the current monument establishment retailer license (License # F071991) that Ms. Buchin operated as a sole proprietorship under the name The Monument Co was not timely renewed in 2015, and is currently expired as of to date. A completed background check, of all officers, revealed no criminal history. The sole owner of the establishment will be: Teuruhei K. Buchin. The Division has no prior record of disciplinary action in regard to Applicant. If approved, Applicant will utilize the attached monument retail sales agreement which is also being presented for approval at this meeting.

The application is recommended for approval subject to the condition that the Board accepts and approves the terms and conditions of the Settlement Stipulation for Consent Order entered into by Applicant for disciplinary action and payment of a fine in the amount of \$1,000.

Mr. Helm – Mr. Chairman?

Chair – Yes, Mr. Helm?

Mr. Helm – I just want to make sure we’re doing this one at a time not both of them at the same time?

Chair – That’s correct. One at a time.

MOTION: Mr. Helm moved to approve the application subject to the condition that the Board accepts and approves the terms and conditions of the Settlement Stipulation for Consent Order entered into by Applicant for disciplinary action and payment of a fine in the amount of \$1,000. Mr. Bango seconded the motion, which passed unanimously.

(2) Monument Retail Sales Agreement

Ms. Simon – The Monument Co., LLC herein submits a monument retail sales agreement for approval. If the form is approved, it is to be used for the sale of monuments through the monument retailer establishment whose application is also being presented at this Board meeting. The Division recommends approval subject to the condition that the Board approves the application for monument establishment retailer license; and two full sized print-ready copies are received by the Department within 60 days of this Board meeting.

Chair – Mr. Helm?

Mr. Helm – Yes sir? I have actually three (3) problems with this contract. I don’t know if everyone’s got a contract in front of them or not but on, if you go down to Cemetery Information:

This contract is hereby placed with The Monument Co. of Orlando, FL, for monumental work to be installed in the above cemetery. **Seller represents that the memorial or marker meets all of the cemetery’s rules and regulations as of the date of the contract.** I agree to a delivery and or installation date by no later than 120 days from a signed Monument Layout. Est. Date: _____, _____, _____. Purchaser’s initials_____.

Mr. Helm – I believe the rule says it’s got to say a date. This doesn’t lock down a certain day. It makes it moveable or flexible so they don’t have a definite time. Then they also have Est. Date also on the same line. There is no such thing as far as our rules go with contracts. You don’t have an estimated date. You have a date. Then the other thing is down very close to the bottom in Terms of Agreement it says, “A major change in design work will include an additional charge and completion time.” If they have a major change they have to do a new contract. They can’t put that in there like that because it needs to be a new contract if they got a major change. My motion would be to table or we could approve the contract with the conditions that these three things get corrected for the Division and it wouldn’t hold this individual up. They could just make the changes and have the Division okay it and that’s fine with me. I’ll make that into a motion that those three (3) things get corrected with the conditions and vote to approve it. Does that make sense? Did I do that right? Mr. Barnhart?

Ms. Simon – Mr. Chairman?

Mr. Tom Barnhart – Yes, this is Tom Barnhart. You can make that motion.

Chair – Thank you, Mr. Barnhart. Ms. Simon?

Ms. Simon – Yes. Mr. Helm, I believe that you indicated there were three (3) issues with the contract but you only provided two (2).

Mr. Helm – Well, the one up there is, I’m not sure whether he has the “120 days from a signed monument layout” is one (1) and the “Est. Date” is the second. I’m not sure about that part right there. I don’t know. He has a space there and then he’s got “Est. Date” so I don’t know if that’s two (2) separate things. If not and they’re all one, then they’ll only be two (2) issues. You see what I’m talking about?

Ms. Simon – Yes sir.

Chair – Rule 69K-12.005(6)(d), FAC says, “Latest date by which delivery and installation will be made.” That’s the only reference to date. Thank you for noting that, Mr. Helm.

MOTION: Mr. Helm moved to approve the agreement subject to the condition that the Division receives two full sized print-ready copies are received by the Department within 60 days of this Board meeting, which shall include the changes specified by Mr. Helm. Mr. Hall seconded the motion, which passed unanimously.

Ms. Simon – Mr. Chairman?

Chair – Yes ma’am?

Ms. Simon – Just to clarify, has the Board delegated authority to the Division to approve the licensure after the applicant has met the conditions provided by the Board?

Mr. Helm – Yes ma’am, that was in my motion.

17. Contract(s) or Other Related Form(s)

A. Recommended for Approval *with* Conditions

(1) Pre-Construction Trust Agreement

(a) StoneMor Florida, LLC d/b/a Forest Hills Memorial Park (F079859) (Palm City)

Ms. Simon – The licensee has submitted for approval a Master Pre-Construction Trust Agreement as referenced in a letter dated September 23, 2016, from Attorney Wendy Wiener. If approved, this trust agreement will be used in conjunction with the proposed construction of a 120-crypt mausoleum project and the future construction of mausoleum project(s) at the above licensed cemetery location. The Division recommends approval subject to the condition that the Department receives trust agreement fully executed by all parties within 60 days of this Board meeting.

MOTION: Mr. Jones moved to approve the agreement subject to the condition that the Department receives trust agreement fully executed by all parties within 60 days of this Board meeting. Mr. Clark seconded the motion, which passed unanimously.

(2) Preneed Sales Agreement

(a) Funeral Services, Inc. (Tallahassee)

Ms. Simon – FSI submits the attached preneed sales agreement form for approval: Interment Rights, Services and Merchandise Agreement. If the form is approved, it is to be used for the sale of trust-funded preneed contracts by various licensed preneed establishments and their related preneed branches. The Division recommends approval subject to the condition that two full sized print-ready copies of each contract are received by the Department within 60 days of this Board meeting.

MOTION: Mr. Bango moved to approve the agreement subject to the condition that the Division receives two full sized print-ready copies are received by the Department within 60 days of this Board meeting. Mr. Helm seconded the motion, which passed unanimously.

(3) Request(s) for Trust Transfer
(a) StoneMor Florida Subsidiary, LLC (F038725) (Daytona Beach)

Ms. Simon – StoneMor Florida Subsidiary, LLC (StoneMor) seeks approval to transfer its preneed trust account FROM: Sabal Trust Company TO: Regions Bank (Regions), as more specifically set forth in Attorney Wendy Wiener's letter dated September 20, 2016, and attachments to that letter. Regions is or will be the successor trustee and will operate under the First Florida Trust Agreement (90/10 trust). The Division recommends approval subject to the conditions as follows:

- 1) That the representations of StoneMor, through its Attorney, Mrs. Wiener, as set forth in the attached letter dated September 20, 2016 be deemed material to the Board's decisions herein.
- 2) That within 90 days of this Board Meeting Regions provide the FCCS Division (ATTN: LaShonda Morris), the effective date of the transfer and certifications, stated as following:
 - a) That Regions provides a letter signed and dated by one of its officers, certifying that it 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 Regions pursuant to Mrs. Wiener's letter dated September 20, 2016.
 - b) A letter from Regions, signed and dated by one of its officers, stating:
 - That Regions provides a certificate stating the dollar amount of trust assets being transferred as identified in Mrs. Wiener's attached letter dated September 20, 2016.
 - That Regions provides acknowledgement of receipt of the amount of trust assets being transferred as specified under the former trust, stating separately for each trust, the dollar amount of the trust assets received by Regions, as referenced in Mrs. Wiener's attached letter dated September 20, 2016.
- 3) That the Board's executive director, for good cause shown, may extend the compliance time for the above specified conditions, an additional 90 days, with a report to the Board regarding any extension granted.

MOTION: Mr. Clark moved to approve the agreement subject to the conditions recommended by the Division. Mr. Helm seconded the motion, which passed unanimously.

18. Executive Director's Report
A. Report: Payment of Disciplinary Fines and Costs (Informational)

Ms. Simon – This is the monthly report of fines and costs assessed and paid, which is information only. Any comments on that item?

Monthly Report of Fines and Costs Assessed and Paid
 Division of Funeral, Cemetery and Consumer Services
 November 4, 2016 Board Meeting
 Date of Report: October 23, 2016

Licensee	Board Meeting	Case No.	Total Fine & Cost Due	Date Due	Paid in Full?	Comments
Randy Straghn	Aug-16	184682-16-FC	\$1,000	9/19/2016	Paid in Full	
Straghn & Son Tri-City	Aug-16	184654-16-FC	\$1,000	9/19/2016	Paid in Full	
Oxley-Heard Funeral Directors, Inc.	Aug-16	183577-15-FC	\$2,000	9/19/2016	Paid in Full	
Douglas Covell	Aug-16	183174-15-FC	\$2,000	9/19/2016	Note D	
Covell Funeral Home & Cremation Services	Aug-16	183168-15-FC	\$2,000	19-Sep-16	Note D	
Carriage Florida Funeral Holdings, Inc., D/B/A North	Aug-16	190609-16-FC	\$2,000	9/19/2016	Paid in Full	
Affordable Monument Company	Jun-16	184198-15-FC	\$1,000	Monthly payments of \$83	Payments are current	
Patricia Narciso	Jun-16	184202-15-FC	\$1,000	Monthly payments of \$83	Payments are current	
Clifford N. Robinson d/b/a CN Robinson Memorial F	Jun-16	178019-15-FC	\$1,000	Monthly payments of \$83	Payments are current	
Clifford Nathaniel Robinson	Jun-16	178002-15-FC	\$1,000	Monthly payments of \$83	Payments are current	
Ronald Noble	Aug-15	134801-13-FC	\$2,500	8/1/2017	Note D	
James West	Feb-16	165110-14-FC & 165112-14-FC	\$2,500	3/14/2016	Note A	Request for Suspension due to non-payment
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 not 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.						

Mr. Helm – Just a brief question and if you can't answer it that's fine, Ms. Simon. Refresh my memory. I don't remember James West. What was that one on? Do you have that in front of you?

Ms. Simon – No sir, I don't at this time.

Mr. Helm – I will call and ask you later. Don't worry about it.

Ms. Simon – Thank you.

19. Chairman's Report (Verbal)

Chair – On our December 1st meeting, when you make your travel plans, be aware that we are carrying over the disciplinary items from the agenda of the October 6th meeting in Tampa that was cancelled due to weather constraints. So, the point is the December 1st meeting could be a more lengthy meeting than we're accustomed to and of course that would depend upon the items on the agenda but the disciplinary cases from October 6th will rollover to that meeting, so make your travel plans accordingly, if you will. That's all I have.

Ms. Simon – Thank you, sir.

20. Office of Attorney General's Report (Verbal)

Mr. Barnhart – I've been out of the office this week but as of last Friday I just want to give you an update on some rules. 69K-15.001, the notice of rule development was published on October 25th. That has been started. The embalmer apprentice rule, we have that scheduled for JAPC on November 9th and if everything goes well then we'll move towards adoption and then an effective date about twenty (20) days after that. 69K-1.005, the change of ownership rule, that went on October 24th and it was scheduled to be published in the Florida Administrative Register this week. If for some reason it did not make it this week it will be published as soon as I get back which will be this Monday.

Ms. Annette Simmons-Brown – This is Annette Simmons-Brown. May I add to Mr. Barnhart's comments on 69K-1.005?

Chair – Yes.

Ms. Simmons-Brown – Thank you. We did submit that notice of proposed rule to FAR on November 1st so it was scheduled for publication for November 2nd so that has gone in.

Ms. Wiener – It was published yesterday.

Chair – Ms. Brown, do you have anything else?

Ms. Simmons-Brown – No I don't and thank you for letting me participate.

Chair – Thank you. Mr. Barnhart?

Mr. Barnhart – That wraps up the rules update I wanted to give you.

Chair – Thank you very much.

21. Upcoming Meeting(s)

- A. December 1st (Tallahassee)*
- B. January 5th (Teleconference)*
- C. February 2nd (Tallahassee)*

22. Adjournment

Chair – Board members, thank you for your participation. I appreciate you being with us. Is there any good of the cause, Board members? Any comments?

The meeting was adjourned at 10:39 a.m.