

MINUTES
BOARD OF FUNERAL, CEMETERY AND CONSUMER SERVICES
TELECONFERENCE MEETING
July 7, 2016 - 10:00 A.M.

1. Call to Order, Preliminary Remarks and Roll Call

Mr. Jody Brandenburg, Chair –Welcome everyone to the July 7, 2016 Teleconference meeting of Board of Funeral, Cemetery and Consumer Services. Mr. Shropshire, will you make your preliminary remarks and do the roll call please?

Mr. Doug Shropshire – Yes sir. My name is Doug Shropshire. I am Director of the Division of Funeral, Cemetery, and Consumer Services. Today is July 7, 2016. It is 10:00 A.M. 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 and an agenda for this meeting had been made available to interested persons. The meeting is occurring by Teleconference. The teleconference number has been distributed to all interested persons. My assistant, Ms. LaTonya Bryant, will be taking minutes and recording 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 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 don't speak over other people.

At this time, I'll take the roll:

PRESENT (via phone):

Joseph "Jody" Brandenburg, Chairman
Keenan Knopke, Vice-Chairman
Jean Anderson
Francisco "Frank" Bango
Andrew Clark
Lewis "Lew" Hall
Powell Helm
Ken Jones
Vanessa Oliver

ABSENT:

James "Jim" Davis

Also noted as present:

Tom Barnhart, Board Legal Advisor (via phone)
Ellen Simon, Assistant Division Director
LaTonya Bryant, Department Staff
Jasmin Richardson, Department Staff

Mr. Shropshire – Mr. Chairman there is a quorum for the business of the Board.

Chair – Very good. Would you go forward with the items on the agenda?

Mr. Shropshire – Yes sir.

2. Application(s) for Preneed Sales Agent

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

Mr. Shropshire – The applications 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) **National Funeral Directors Association (136)**

Mr. Shropshire – The majority of the Continuing Education Committee and the Division recommends approval of the applications for the number of hours indicated on Addendum B in the right hand corner.

MOTION: Mr. Ken Jones moved to approve the applications. Mr. Lew Hall 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 (Endorsement)**
 - (a) **Cooley, Patience R**
 - (2) **Funeral Director and Embalmer (Endorsement)**
 - (a) **McClure, Kimberly M**
 - (3) **Funeral Director and Embalmer (Internship and Exam)**
 - (a) **Mathews, Willie P**

Mr. Shropshire – The applications 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 Change of Ownership (Collective Coversheet for Various Applications)**
 - A. **Recommended for Approval with Conditions**
 - (1) **Fountain Funeral Home Inc. (Avon Park)**
 - (a) **Cinerator Facility**
 - **Fountain Funeral Home Inc. D/B/A Lake Forest Crematory (Avon Park)**
 - (b) **Funeral Establishment**
 - **Fountain Funeral Home Inc. D/B/A Fountain Funeral Home (Avon Park)**

Mr. Shropshire – Fountain Funeral Home Inc., seeks approval for an application for a change of ownership of a funeral establishment, Fountain Funeral Home Inc. (F040768) and a Cinerator facility, Lake Forest Crematory (F040767). Julia Hitt (F028546), will be the Funeral Director in Charge of both the Funeral Establishment and Cinerator Facility. The establishment is not the qualifying entity for a preneed license. A letter from Julia Hitt, dated on June 2, 2016 states the new owner will assume the preneed liabilities and assets associated with the business. The fingerprints for the principals were returned without criminal history. More specifically, the entities that are being acquired is as follows:

- 1) Fountain Funeral Home Inc., a licensed funeral establishment, license # F040768, physical address: 507 US 27 N, Avon Park, FL 33825.
- 2) Lake Forest Crematory, a licensed Cinerator facility, license # F040767, physical address: 507 US 27 N, Avon Park, FL 33825.

The Division is recommending approval of the applications referenced above, subject to the following conditions:

- 1) That the closing on the transaction to acquire ownership shall occur within 60 days of the date of this Board meeting.
- 2) That the closing on the transaction shall be substantially on terms and conditions as represented to the Board at this 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 stating that closing occurred on terms and conditions not inconsistent with those as represented to the Board at this Board meeting, 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. The Director shall report any such extensions to the Board as an informational item.
- 5) That all representations by the applicant in the application and related materials provided to the Board or FCCS Division by the applicant, in support of the application(s), are deemed material to the Board's action herein.
- 6) That the Applicant (new owner or controlling party) shall assume all existing preneed liabilities of the location(s) being acquired.
- 7) That the establishments pass an onsite inspection by a member of Division Staff.

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

6. Application(s) for Funeral Establishment

A. Recommended for Approval with Conditions

(1) Professional Funeral Services of Northwest Florida LLC D/B/A Jay Funeral Home (Jay)

Mr. Shropshire – An application for a Change of Ownership for the Funeral Establishment was received on May 31, 2016. The Funeral Director in Charge will be Kent Baker (F028638). All fingerprint information was returned without criminal history. The sale was completed on June 15, 2016. This funeral establishment is not the qualifying entity for a preneed license. The Division is recommending approval subject to the condition that the establishment passes an onsite inspection by a member of Division Staff.

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

7. Upcoming Meeting(s)

- A. August 4th (Altamonte Springs – Embassy Suites Hotel Orlando-North)**
- B. September 1st (Teleconference)**
- C. October 6th (Tampa – DoubleTree by Hilton-Tampa Airport-Westshore)**
- D. November 3rd (Teleconference)**
- E. December 1st (Tallahassee)**

Mr. Shropshire – Mr. Chairman, this is just a schedule of upcoming meetings. That's an informational item. The Division has no other business to present to the Board at this meeting.

Chair – Thank you. Board members, anything on your minds? Anything for the good of the cause?

Mr. Helm – Andrew, how are you feeling?

Mr. Clark – Feeling much better. Thank you.

Chair – Good. Very good. Thank you for joining us everyone.

8. Adjournment

The meeting was adjourned at 10:07 a.m.