

MINUTES
BOARD OF FUNERAL, CEMETERY AND CONSUMER SERVICES
TELECONFERENCE MEETING
January 5, 2017 - 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 January 5, 2017. Happy New Year and Ms. Simon, would you make your preliminary remarks and do the roll call, please?

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 January 5, 2017. It is approximately 10:00 A.M. This is a public meeting of the Board of Funeral, Cemetery and Consumer Service. This meeting is being held by Teleconference and Notice of the meeting has been published in the Florida Administrative Register. An agenda for this meeting has been made available to interested persons. The call-in number and conference ID was placed on the agenda. The Division staff present for this meeting are in the Claude Denson Pepper Building in Tallahassee FL. Ms. LaTonya Bryant is recording the meeting and minutes will be prepared.

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.

At this time, Mr. Chairman, I will call the roll:

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

Also noted as present:

Tom Barnhart, Board Legal Advisor
LaTonya Bryant, Department Staff
Jasmin Richardson, Department Staff
Lashonda Morris, Department Staff
Nicole Singleton, Department Staff

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

Chair – Thank you.

2. Action on the Minutes
A. December 1, 2016

Chair – Is there a motion?

MOTION: Mr. Ken Jones moved to adopt the minutes of the meeting. Mr. Powell Helm 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) *Cremation Association of North America (16008)*
(2) *International Cemetery, Cremation and Funeral Association (22808)*
(3) *National Funeral Directors Association (136)*
(4) *Talk Health (25808)*

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. Lew Hall moved to approve the applications. Mr. Helm seconded the motion, which passed unanimously.

5. **Application(s) for Florida Law and Rules Examination**
A. *Informational Item (Licenses Issued without Conditions) – Addendum C*
(1) *Funeral Director and Embalmer (Endorsement)*
(a) *Comer, Jonathon*
(b) *Reeves, Bill A*
(c) *Woods, Persel J*
(2) *Funeral Director and Embalmer (Internship and Exam)*
(a) *Byrne, Kelsey B*
(b) *Feacher, Terona*
(c) *Grossman, Robert A*
(d) *Lambert, Lindsay A*
(e) *Lawrence, Tricia L*
(f) *Spence, Bruce W*

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

6. **Application(s) for Internship**
A. *Informational Item (Licenses Issued without Conditions) – Addendum D*
(1) *Embalmer*
(a) *Newkirk, Terri M F129398*
(2) *Funeral Director*
(a) *Moore, Mandy T F128593*
(3) *Funeral Director and Embalmer*
(a) *Bijou, Marie F F129397*
(b) *Davis, Robert D F126237*
(c) *Gilliland, Taylor B F126359*

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 Embalmer Apprenticeship**
A. *Informational Item (Licenses Issued without Conditions) – Addendum E*
(1) *Brown, Yumma M F126272*
(2) *Halyard, Morris J F126236*
(3) *Moore, Destiny P F132448*

- (4) *Vega, Jacqueline M F086912*
- (5) *Wissman, Steven K F132436*

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 Change of Location

- A. *Informational Item (Licenses issued without Conditions) – Addendum F*
 - (1) *A Dignified Alternative-Hatcher Cremations (DDE) (F040192) (Jacksonville)*
 - (2) *Affordable Cremation Solutions Inc. (DDE) (F068240) (Jacksonville)*
 - (3) *McGan Cremation Service LLC (DDE) (F067874) (Inverness)*
 - (4) *SE Funeral Homes of Florida LLC D/B/A All Faiths Cremation Society (DDE) (F078962) (Lake Mary)*

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

Mr. Helm – Mr. Chair?

Chair – Yes, please?

Mr. Helm – Ms. Simon, I believe you said Change of Ownership, if I heard right. That’s Change of Location.

Ms. Simon – Excuse me. Change of Location. Thank you, Mr. Helm.

Chair – Thank you, Mr. Helm.

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

- A. *Informational Item (Licenses issued without Conditions) – Addendum G*
 - (1) *Aycock Funeral Home (F040987) (Stuart)*

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

- B. *Request for Rule Waiver*
 - (1) *Recommended for Approval without Conditions*
 - (a) *Foundation Partners of Florida LLC D/B/A Sun City Center Funeral Home (Sun City)*

Ms. Simon – This item has been withdrawn from the agenda.

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

Chair – I’d like to declare my affiliation with SCI Funeral Services of Florida. This affiliation will in no way affect my ability to render a fair and impartial decision on this item or any other item coming before the Board today.

11. Application(s) for Change of Ownership (S.E. Combined Services of Florida, LLC)

- A. *Recommended for Approval with Conditions – Collective Coversheet*
 - (1) *Application to Acquire Control of an Existing Cemetery*

- (a) *Flagler Palms Cemetery LLC d/b/a Flagler Memorial Gardens (F039430) (Flagler Beach)*
- (2) *Cinerator Facility*
 - (a) *SE Combined Services of Florida LLC d/b/a Craig Flagler Crematory (Flagler Beach)*
- (3) *Funeral Establishment*
 - (a) *SE Combined Services of Florida LLC d/b/a Craig Flagler Palms Funeral Home (Flagler Beach)*

Ms. Simon – S.E. Combined Services of Florida, LLC (an SCI subsidiary), a limited liability company, seeks approval for the following applications for a change of ownership: a funeral establishment (F019176), a cinerator facility (F063213), an application to acquire control of an existing cemetery (F039430), and an application to acquire the below listed location as a preneed branch under SCI Funeral Service of Florida Inc.’s preneed main license # F019227 (please refer to Addendum I). The change of ownership is due to a change of control via an asset purchase agreement wherein S.E. Combined Services of Florida, LLC is purchasing the funeral, cemetery, and preneed assets of these locations. The fingerprints for the principals were returned without criminal history. More specifically, the entities that are being acquired are as follows:

- 1) Craig Flagler, LLC d/b/a Craig Flagler Palms Funeral Home, a licensed funeral establishment, license #F019176, physical address: 511 Old Kings Rd S, Flagler Beach
- 2) Flagler Palms Crematory LLC, a licensed cinerator facility, License #F063213, physical address: 511 Old Kings Rd S, Flagler Beach
- 3) Flagler Palms Cemetery, LLC d/b/a Flagler Memorial Gardens, a licensed cemetery, license #F039430, physical address: 511 Old Kings Rd S, Flagler Beach
- 4) Craig Flagler, LLC d/b/a Craig Flagler Palms Funeral Home, an application for preneed branch office, at the above same physical address (see Addendum I)

If approved, Applicant is assuming responsibility for any outstanding preneed contracts that have previously been issued by or for fulfillment at the above referenced locations. The Division has no record of disciplinary action in regard to S.E. Combined Services of Florida, LLC. The Division recommends 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 establishment(s) under the application(s) herein pass an onsite inspection by a member of Division Staff.
- 7) That the Applicant (new owner or controlling party) shall assume all existing preneed liabilities of the location(s) being acquired.

MOTION: Mr. Jones moved to approve the applications subject to the conditions recommended by the Division. Mr. Hall seconded the motion.

Ms. Lisa Coney – Before we take a vote, may I ask for verification from... This is Lisa Coney. I’m with the Applicant. I was wondering if we could verify whether or not this Applicant also has an existing training agency. I didn’t see that online or as part of the package, but as a combined location, that would be common and I wanted to request a waiver that the training agency also be recognized if in fact that was the case.

Ms. Simon – I’m not certain that they have a training facility.

Ms. Jasmin Richardson – Ms. Coney, as we spoke yesterday, I don't think that they do, but even if they did they did not submit an application to go along with it so we did not process one. So even if they do have one, they would have to put it in writing in order to request a waiver.

Ms. Simon – Thank you, Ms. Richardson.

Ms. Coney – Ok. Alright. Thank you so much.

Mr. Tom Barnhart – If it's a request for waiver, it's going to have to be advertised just like a normal petition for waiver if you're talking about a waiver from a rule.

Ms. Coney – I didn't see that status online or as part of the application so I thought I would inquire. Thank you. Excuse the interruption.

Mr. Jones – My motion is as presented for the material listed.

Chair – Thank you. A motion's been made to approve with the conditions listed and it's been seconded. All those in favor, aye?

Board members – Aye.

Chair – And any opposed? And that motion carries.

12. Application(s) for Preneed Main License

A. Recommended for Approval *without* Conditions

(1) Beacon Direct Cremation Inc. d/b/a Beacon Direct Cremation (Largo)

Ms. Simon – The Department received the application on December 8, 2016 and no deficiencies were noted on the application. The sole principal and owner of the LLC will be John "Eric" Kuge. A completed background check, of all officers revealed no criminal history. Applicant obtained its current qualifying direct disposal establishment license (#F090834) as of May 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 November 29, 2016 reflects the following:

Outstanding Preneed Contracts	= \$	0
Required Net Worth	= \$	10,000
Reported Net Worth	= \$	43,712

The Division recommends approval of the application without conditions.

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

(2) Solace Cremations Inc. (Jupiter)

Ms. Simon – The Department received the application on December 9, 2016 and no deficiencies were noted on the application. The sole principal and owner of the LLC will be Marc W. Brooks. A completed background check, of all officers revealed no criminal history. Applicant obtained its current qualifying direct disposal establishment license (#F114399) as of November 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 November 20, 2016 reflects the following:

Outstanding Preneed Contracts	= \$	0
Required Net Worth	= \$	10,000
Reported Net Worth	= \$	18,756

The Division recommends approval of the application without conditions.

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

B. Recommended for Approval with Conditions

(1) A Perfect Storm of Palm Coast, LLC d/b/a Chambery Family Funeral Home and Cremations (Palm Coast)

Ms. Simon – The Department received the application on November 30, 2016 and deficiencies were noted on the application. All deficiencies were resolved as of December 15, 2016. The principal and owner of the LLC will be Paul L. Chambery. A completed background check of all officers revealed no criminal history. Applicant was approved with the condition of passing inspection for its qualifying funeral establishment license at the October 6, 2016 Board meeting, and issuance of the license is pending. If approved, Applicant will use the pre-approved Funeral Services, Inc. (FSI) First Florida Trust Agreement (Sabal Trust Company) and pre-arranged funeral agreement.

Documentation establishes that Paul R. Chambery (principal and co-owner of applicant herein) filed for Ch. 13 bankruptcy in 2014. This was a personal bankruptcy action that was granted as of December 2014 by the Middle District Court of Florida. Mr. Chambery has provided a notarized statement and court documentation evidencing the disclosed bankruptcy. The Applicant’s financial statements as of November 30, 2016 reflect the following:

Outstanding Preneed Contracts	= \$	0
Required Net Worth	= \$	10,000
Reported Net Worth	= \$	33,903

The Division recommends approval of 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 24-months’ probation.

Mr. Paul Chambery – Mr. Chairman, my name is Paul Chambery and I’m here if you have any additional questions regarding the application. I would like to wish you all a Happy New Year and hope you had a wonderful holiday.

Chair – Thank you, Mr. Chambery. Board members, any questions of Mr. Chambery?

Mr. Helm – Mr. Chairman, this is Helm. On my packet it’s not checked. Would Ms. Simon please read off the conditions?

Ms. Simon – Yes sir. The conditions are that the Board accepts and approves the terms and conditions of the Settlement Stipulation for Consent Order entered into by Applicant for 24-months’ probation.

Mr. Helm – And did I hear you say that his license is still not issued?

Ms. Simon – I believe that’s correct.

Mr. Helm – Or did I hear you wrong?

Ms. Simon – No, you did not hear me wrong. It was presented at the October Board meeting and it is still pending.

Mr. Helm – Well, I have a problem if it’s...

Mr. Chambery – Permission to speak.

Chair – Mr. Helm has the floor. Go ahead Mr. Helm.

Mr. Helm – If he doesn’t have his license yet then I have a problem giving him his preneed license. Am I the only one that feels that way?

Mr. Hall – No.

Mr. Knopke – No.

Chair – Mr. Hall, I believe you were requesting to speak?

Mr. Hall – No, I was just agreeing with Mr. Helm. Is there a timeframe on the other license? To the Division, is there a timeframe they can tell us on that?

Ms. Simon – I'm looking up this matter right now, if I could have a moment.

Mr. Hall – Okay.

Chair – Thank you, Ms. Simon.

Mr. Chambery – This is Paul Chambery asking permission to speak?

Chair – Just a moment please. Ms. Simon has the floor.

Mr. Chambery – Thank you.

Ms. Simon – As we said, the license is still pending. I have not researched this matter. I'm not sure if it's simply because of the inspection. I can look into the matter and get back with you. Unfortunately, I can't during this Board meeting.

Chair – Mr. Chambery?

Mr. Chambery – Yes sir. Yes, it's just pending final inspection. The City of Palm Coast is a bear to work with when it comes to permitting. We should be receiving our final permit within the next few days then hopefully should be finished within two (2) or three (3) weeks and then do a final inspection. That's the only reason it's pending. I've been in contact with our inspector every few weeks letting her know how we're coming along so it's just a matter of final inspection.

Ms. Simon – We could have a motion be made that this application is only granted with the condition that the funeral establishment receives their licensure.

Chair – In addition to the other condition?

Ms. Simon – Yes sir.

Mr. Jones – I'll make the motion.

Mr. Barnhart – Do you want to put on a thirty (30) day limitation and if it's not done within that time then it's denied?

Mr. Jones – I would like to put on there the thirty (30) days and then it comes back to us at our next meeting, yes, if they're only waiting on the inspection.

Mr. Knopke – Mr. Chairman?

Chair – Yes?

Mr. Knopke – This is Mr. Knopke. I have a couple of questions.

Chair – Mr. Knopke? Go right ahead.

Mr. Knopke – They're directed to Mr. Chambery. I take it from what you're saying is you're waiting for a CO because you're building a new building or what are you doing?

Mr. Chambery – Yes, correct. It's an existing building that we're just doing some remodeling in. It really consists of a couple of walls and a floor. Palm Coast permitting process is a little unique, shall I say, so that's all we're waiting. It's just our final permit to put up the sheetrock and do the electrical and we'll be done.

Mr. Knopke – So you're waiting for an inspection to put up sheetrock and have electrical put in then you'll have another inspection after that?

Mr. Chambery – Then the final inspection, yep. That shouldn't be long. Like I said, it's only a few walls so once we get that permit, which we're anticipating to be early next week, it shouldn't take us long to put up the sheetrock and connect the electrical and that kind of thing.

Mr. Knopke – And then go for your final from there. Okay.

Mr. Chambery – Correct.

Mr. Barnhart – Mr. Chairman?

Chair – Yes, who's this?

Mr. Barnhart – This is Tom Barnhart. I'd be somewhat reluctant to bring it back to the Board unless we took some affirmative action now because the deemer clause might be applicable if we wait until the next meeting to actually deal with the merits.

Chair – That was my next question. What's the deemer date on this?

Ms. Simon – The deemer date, as calculated by the Division, is the end of April this year.

Mr. Barnhart – Which is hard to believe because the deemer would be a ninety (90) day period. Would it not?

Ms. Simon – Only because of the Board meetings. I don't anticipate there to be a problem if we say that it is conditioned upon the funeral establishment receiving their licensure. If the funeral establishment does not receive their licensure within thirty (30) days, then the preneed license will not be approved. It's only conditioned on that.

Mr. Barnhart – It would be denied, right?

Ms. Simon – Yes, correct. He can proffer an application at a future time, if that's the case.

Mr. Knopke – Mr. Chairman?

Chair – I believe that was the motion made by Mr. Jones.

Mr. Jones – Correct.

Mr. Barnhart – I think Mr. Jones was anticipating that it be brought back before the Board at the next meeting is what I heard.

Mr. Jones – And let me clarify, Mr. Barnhart. Within thirty (30) days, if it's not approved then deny it and then they can bring it back. I was thinking that within the thirty (30) day period it would be at the next meeting and we would know the status. I'm fine with denial and then they can reapply if it's not resolved within thirty (30) days. Thank you for the clarification.

MOTION: Mr. Jones 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 24-months' probation and that the funeral establishment receives its licensure within thirty (30) days of this meeting; if the funeral establishment does not receive their licensure within thirty (30) days, then the preneed license will not be approved. Mr. Hall seconded the motion, which passed with one (1) dissenting vote.

Chair – Thank you, Mr. Chambery.

Mr. Chambery – Thank you. I just have one question. I just want to make sure I’m clear on this as well. As long as we get completed and we get our funeral establishment license within thirty (30) days we’re good to go, correct?

Chair – Ms. Simon?

Ms. Simon – Yes sir. As long as the funeral establishment is licensed within the next thirty (30) days, then the preneed license will be approved.

Mr. Chambery – Great. Ok thank you very much and I wish you all a wonderful day.

Chair – Thank you.

13. Application(s) for Preneed Branch License
A. Recommended for Approval with Conditions – Addendum I

Ms. Simon – The Division recommends that the applicants provided on Addendum I be approved for the preneed license applied for.

Mr. Helm – Mr. Chairman, this is Helm. Can I ask a question, please?

Chair – Please do, Mr. Helm.

Mr. Helm – Now, I had no question until Ms. Coney said something. Is this not what Ms. Coney was talking about?

Chair – No, she was talking about a training agency.

Mr. Helm – Was it a training agency?

Chair – Yes.

Mr. Helm – Oh, okay.

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

14. Application(s) for Removal Service
A. Recommended for Approval with Conditions
(1) JLS Removal LLC (Hialeah)

Ms. Simon – An application for a Removal Service was received on November 22, 2016. The application was complete when submitted. Fingerprints for all principals have been returned with no criminal history. The Division is recommending approval subject to the condition that the facility passes an onsite inspection by a member of Division Staff.

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

(2) Tri County Mortuary Transfer Services (Jensen Beach)

Ms. Simon – An application for a Removal Service was received on November 28, 2016. The application was complete when submitted. All fingerprint cards have been returned with no criminal history. The Division is recommending 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. Knopke seconded the motion, which passed unanimously.

B. Recommended for Approval without Conditions
(1) Aden and Talons Services of Florida (Spring Hill)

Ms. Simon – An application for a Removal Service was received on October 27, 2016. The application was incomplete when submitted. All deficient items were received on November 3, 2016. All fingerprint cards have been returned with no criminal history. The facility passed its inspection on December 20, 2016. The facility is recommended for approval without conditions.

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

15. Related Items – El Guille Bronze Manufacturing, Inc. (Hialeah)

A. Recommended for Approval with Conditions
(1) Application(s) for Monument Establishment Builder License

Ms. Simon – The Department received the application on November 15, 2016 and all deficiencies were resolved as of December 9, 2016. A background check of all officers was completed which revealed no criminal history. If approved, Applicant will operate as a monument establishment builder at 3150 E 11th Avenue, Hialeah FL. The Division is recommending approval subject to the condition that the Applicant passes an inspection for licensure as a Monument Builder by a member of Division Staff.

Mr. Knopke – Mr. Chairman?

Chair – Yes, Mr. Knopke?

Mr. Knopke – I have a question about this application, just for clarification and I was wondering if the applicant is on the call.

Chair – Is Mr. Sanchez or anyone representing on the call? Anyone representing El Guille Bronze Manufacturing, Inc.?

Ms. Simon – Mr. Chairman, the applicant in this matter does not speak English. That should simply be noted in case he is on the call or in the fact occurs that he is not.

Mr. Knopke – Okay.

Chair – Do we have a Spanish speaker that could ask if he's on the call?

Ms. Simon – We do not have one available in the Division office.

Chair – Thank you.

Mr. Knopke – Mr. Chairman, then I'll direct my question to Ms. Simon or her staff. I see what he's applying for, but is he a manufacturer of memorials, meaning with a factory and a foundry and so forth? From reading the description, it seems to say that he is. El Guille Bronze Manufacturing, Inc.

Ms. Lashonda Morris – Is it Mr. Knopke?

Mr. Knopke – Yes.

Ms. Morris – This is Lashonda Morris. I can get clarification on that from Mr. Sanchez if he actually is a manufacturer.

Mr. Knopke – My point in asking the question is this is the first time I've ever heard of a manufacturer in our industry going straight to the public like this. It's just, it's a, for everybody, it's a notable day I guess or whatever. That was all. I was just curious if they really had a foundry there in Hialeah that made bronze memorials or not. That's all. Thank you.

Chair – I'll call the Board's attention to Section 9 of the application. That would be page 7 on our packet for this. It indicates that they have another company known as All Bronze. Do we have an indication that that's licensed also?

Ms. Simon – I believe that All Bronze is licensed.

Chair – Thank you. There was someone else requesting to speak. I'm sorry I didn't get that.

Mr. Helm – Mr. Chairman, I'm sorry I didn't ask you first. Mr. Knopke, you are correct in your suspicion because there used to be a manufacturer in Miami or in that area. I don't know where it was exactly, so I don't know whether this would be the same thing or not. I know there used to be a manufacturer down there.

Mr. Knopke – Years and years ago there was. It was Tommy Levinson, but that company was sold and I actually believe Matthews may be the final owner of parts of that in this point in life, but I could be wrong. Thank you.

Mr. Helm – Okay.

Mr. Jones – Mr. Chair?

Chair – Yes?

Mr. Jones – Would you like for one of my staff to ask to clarify if he is on the telephone call?

Chair – Yes, please.

Mr. Jones – One second, please.

Chair – I believe that would be Roberto Sanchez or anyone representing.

Mr. Jones – Mr. Chair?

Chair – Yes?

Mr. Jones – I have one of my staff that will ask. Her name is Aida and Aida will you ask if the applicant is on the telephone call so we'll know if he's attending? He only speaks Spanish.

Ms. Aida - Es el engaño bronce presente? Hello?

Chair – Roberto Sanchez?

Ms. Aida – ¿Roberto Sánchez?

Mr. Jones – Ask again if he is on the call.

Ms. Aida – ¿Roberto Sánchez? ¿No?

Chair – Thank you so much. We hear no response. Thank you for that help as a Spanish speaker. Thank you.

Mr. Jones – Thank you. We just wanted to make sure he wasn't on the call. Thank you.

Chair – Thank you, Mr. Jones.

Mr. Jones – You're welcome.

MOTION: Mr. Knopke moved to approve the application subject to the condition that the Applicant passes an inspection for licensure as a Monument Builder by a member of Division Staff. Mr. Helm seconded the motion, which passed unanimously.

Chair – We ask the Division to please check to see if they’re actually a bronze manufacturing company and report back to the Board at the next meeting, please.

Ms. Simon – Yes sir.

Chair – Thank you.

(2) Monument Retail Sales Agreement

Ms. Simon – El Guille Bronze Manufacturing, Inc. submits a monument retail sales agreement for approval. If the form is approved, it is to be used for the sale of monuments through its monument builder establishment whose application is also being presented at this Board teleconference meeting. The Division is recommending approval subject to the condition that two full sized print-ready copies are received by the Department within 60 days of this Board meeting.

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

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

A. Recommended for Approval *without* Conditions

(1) Pre-Construction Draw Schedule(s)

(a) Palm Royale Cemetery and Mausoleum, Inc. D/B/A Cemetery, Mausoleum and Chapel at Palm Royale (F039656) (Naples)

Ms. Simon – Palm Royale Cemetery and Mausoleum, Inc. d/b/a Cemetery, Mausoleum and Chapel at Palm Royale (F039656), (Palm Royale), intends to sell mausoleum crypts on a pre-construction basis in the proposed construction projects: Sunset Chapel Mausoleum and Tranquility Phase II, at 6780 Vanderbilt Beach Road, Naples FL. The Sunset Chapel Mausoleum will contain two (2) sections of glass and granite columbarium niches and the Tranquility Phase II garden mausoleum will contain 100 single casket spaces, and 0 niches. Palm Royale will use the FSI Master Pre-Construction Trust Agreement, established by Funeral Services, Inc. (FSI) and is requesting approval of the draw schedules. This request is for approval of the draw schedules only, in relation to the approved FSI Pre-Construction Trust agreement. Compliance with other State and Federal regulations is the responsibility of the Licensee. The Division recommends approval without conditions.

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

Ms. Simon – Mr. Chairman, I just wanted to be sure that this was a motion for the draw schedules, yes sir?

Mr. Knopke – Yes ma’am.

Ms. Simon – Thank you.

17. Executive Director’s Report

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

Ms. Simon – This is an informational item as to the payment of disciplinary fines and costs. If there are no questions?

Mr. Hall – Question please?

Ms. Simon – Yes?

Mr. Hall – On the due dates, do we just have typos for the new year, because this shows back in 2016? They’re showing that they were due in January 2016. So are they due 2017, in that due date column?

Ms. Simon – May I respond?

Chair – Please do.

Ms. Simon – Are you speaking of Mr. West?

Mr. Hall – I’m speaking of several with the due date of 1/8/16. They go all the way down through there. So it means they would have been due a year ago.

Ms. Simon – That was an error.

Mr. Hall – Okay. I just want to make sure it was a typo and we’re in 2017. So those that are marked January 2016 really are January 2017?

Ms. Simon – Except for the date that is 10/9/2016.

Mr. Hall – Okay. Thank you.

Chair – Thank you.

Monthly Report of Fines and Costs Assessed and Paid
 Division of Funeral, Cemetery and Consumer Services
 January 5, 2016 Board Meeting
 Date of Report: December 23, 2016

Licensee	Board Meeting	Case No.	Total Fine & Cost Due	Date Due	Paid in Full?	Comments
Ana Alicia Logan	Dec-16	183122-16-FC	\$1,000	1/8/2016	Note D	
StoneMor Florida Subsidiary LLC D/B/A Atlantis Cremation and Volusia Crematory	Dec-16	173610-15-FC	\$1,500	1/8/2016	Note D	
Damon Baker	Dec-16	196641-16-FC	\$2,500	3/8/2016	Note D	
Derryck Richardson	Dec-16	197853-16-FC	\$1,000	1/8/2016	Note D	
Gregory Dunphy	Dec-16	196605-16-FC	\$2,500	1/8/2016	Note D	
Michelle Jones	Dec-16	183130-16-FC	\$1,000	1/8/2016	Note D	
Richardson's Family Funeral Care, Inc	Dec-16	197852-16-FC	\$1,000	1/8/2016	Note D	
Gerald Ross	Dec-16	196644-16-FC	\$2,500	1/8/2016	Paid in Full	
RJ Gainous Funeral Home, Inc.	Dec-16	196621-16-FC	\$2,500	1/8/2016	Note D	
Ty Lohman	Dec-16	173624-15-FC	\$1,000	1/8/2016	Note D	
Stevens Brothers Funeral Home	Dec-16	166459-15-FC	\$1,750	1/8/2016	Paid in Full	
Thomas J. Cohen	Dec-16	192750-16-FC	\$1,000	1/8/2016	Note D	
Ross Family Mortuary	Dec-16	196632-16-FC	\$1,000	1/8/2016	Note D	
Auxiliadora Funeraria Nacional	Dec-16	175615-15-FC	\$4,000	1/8/2016	Note D	
Cremations of Greater Tampa Bay	16-Dec	192741-16-FC	\$2,000	1/8/2016	Paid in Full	
Clarence P. Wilson Junior	Jun-16	189221-15-FC	\$1,500	10/9/2016	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	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	Updated Settlement surrendering licensure will be presented at the February 2017 Board meeting.
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.						

18. Chairman's Report (Verbal)

Chair – The next meeting will be February 2nd in Tallahassee. That's all I have.

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

Ms. Simon – Is there a report from Mr. Barnhart?

Mr. Barnhart – I'll just give an update on some rules in process. We have currently three (3) rules in process. 69K-16.0001, which is the State Examination for Funeral Industry Professionals, looks so far like it's going to go through without any JAPC comments, although that's unusual in my experience, but they've had it for some time and they haven't sent me anything about it yet. So, if that doesn't cause any problems, next week should be the time that we ask them that we want to adopt it and so if they have no problem then it will have an adoption date within say ten (10) days from now and then the effective date twenty (20) days later. 69K-1.005 involving Change of Ownership, there's been a request for public hearing and I believe that is going to be scheduled during the April meeting in Jacksonville. I have to get with Ms. Simon about the exact time of that but it'll be in conjunction with our meeting over there. Then 69K-27.001 is the Embalmer Apprentice Program. I've worked on a draft of a response to JAPC and I'll be getting with Ms. Simon today in fact to try and get that finalized and we also need to revise the two (2) forms that are involved in that rule to make certain modifications to satisfy JAPC. That should be presented to you at the February meeting for final approval hopefully. That's all that I have.

Chair – Thank you.

20. Upcoming Meeting(s)

- A. *February 2nd (Tallahassee)*
- B. *March 2nd (Teleconference)*
- C. *April 13th (Jacksonville)*
- D. *May 18th (Teleconference)*
- E. *June 29th (Tallahassee)*
- F. *July 13th (Teleconference)*
- G. *August 3rd (Altamonte Springs)*
- H. *September 7th (Teleconference)*
- I. *October 5th (Tampa)*
- J. *November 2nd (Teleconference)*
- K. *December 7th (Tallahassee)*

Ms. Simon – Mr. Chairman, that concludes the agenda.

21. Adjournment

Chair – Board members, any comments? Anything for the good of the cause? Well thank you so much, everyone for participating. The effort that you put into these meetings is always appreciated and thank you so much.

The meeting was adjourned at 10:41 a.m.