

**MINUTES**  
**BOARD OF FUNERAL, CEMETERY AND CONSUMER SERVICES**  
**TELECONFERENCE MEETING**  
**July 11, 2019 - 10:00 A.M.**

**1. Call to Order, Preliminary Remarks, and Roll Call**

Mr. Jody Brandenburg, Chair – Good morning, everyone. Welcome to the Board of Funeral, Cemetery, and Consumer Services Teleconference meeting. It's July 11, 2019. I'm getting a lot of echo. Ms. Simon, will you please make your preliminary remarks and do the roll call?

Ms. Ellen Simon – Yes, Mr. Chairman. My name is Ellen Simon. I am Assistant Director for the Division of Funeral, Cemetery, and Consumer Services. Today is Thursday, July 11, 2019, and it is approximately 10:00 A.M. This is a public meeting of the Board of Funeral, Cemetery, and Consumer Services. This meeting is being held by teleconference and notice of this meeting has been duly published in the Florida Administrative Register. An agenda for this meeting has been made available to all interested persons. The call-in number was placed on the agenda. The Board 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's Chair, Mr. Brandenburg, runs the meeting. Persons desiring to speak should initially ask the Chair for permission. At this time, Mr. Chairman, I will take the roll:

Joseph "Jody" Brandenburg, Chair  
Keenan Knopke, Vice Chair **{ABSENT}**  
Jean Anderson  
Francisco "Frank" Bango  
Andrew Clark  
Lewis "Lew" Hall  
Powell Helm  
Ken Jones  
Darrin Williams

**Also noted as present:**

Mary Schwantes, Executive Director  
Diane Guillemette, Board Legal Advisor (via phone)  
LaTonya Bryant, Department Staff  
Jasmin Richardson, Department Staff  
Larry Holsey, Department Staff  
Misty Burch, Department Staff

Ms. Simon – At this point, Mr. Chairman, we have a quorum for the business of the Board.

Chair – Thank you. Next item?

**2. Old Business**

**A. Informational Item – Monthly Report Requested by the Board**  
**(1) Mitchell, Ivan W. (Funeral Director and Embalmer)**

Ms. Simon – This is an information item only. This is the monthly report requested by the Board for Ivan Mitchell.

Chair – Board members, are you experiencing a lot of feedback?

Board members – Yes.

Lew Hall – No.

Ms. Simon – Mr. Brandenburg, I apologize. We tried to have a call to determine the issue, but not everybody was on the call at the time, and I believe that's what made it so we were unable to determine what caused the echo. If this continues, we'll have to come up with an alternative arrangement. Not for today's meeting, but for the future.

Chair – Okay. In moving forward, I ask indulgence and patience as we go through this. If it becomes impossible to participate, let me know and we'll try something different this morning, but please move forward.

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

Ms. Simon – This item is informational only. Pursuant to s. 497.466, F.S., the applicants have been issued their licenses and appointments as preneed sales agents.

**4. Application(s) for Continuing Education Course Approval**  
**A. Recommended for Approval without Conditions – Addendum B**  
**(1) Elite CME, Inc (113)**  
**(2) Florida Morticians Association (23208)**  
**(3) International Order of The Golden Rule (2201)**  
**(4) National Funeral Directors Association (136)**  
**(5) Stericycle, Inc. (8805)**

Ms. Simon – Pursuant to s. 497.147, F.S., and Board Rule 69K-17.0041, F.A.C., the courses presented have been reviewed by the CE Committee and the Committee, as well as the Division, recommends approval of the applications for the number of hours indicated.

**MOTION:** Mr. Hall moved to approve the applications. Mr. Darrin Williams seconded the motion, which passed unanimously.

**5. Consumer Protection Trust Fund Claims**  
**A. Recommended for Approval without Conditions – Addendum C**

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

**MOTION:** Mr. Ken Jones moved to approve all the claim(s), for the monetary amounts indicated. Ms. Jean Anderson seconded the motion.

**6. Application(s) for Florida Law and Rules Examination**  
**A. Informational Item (Licenses Issued without Conditions) – Addendum D**  
**(1) Funeral Director (Internship and Exam)**  
**(a) Holsbeke, Tiffany T**  
**(b) Lynch, Matthew J**  
**(c) Toale, Stephanie V**  
**(2) Funeral Director and Embalmer (Endorsement)**  
**(a) Dreylick, Renee' A**  
**(b) Leftakes, Kenneth E**  
**(c) Linton, Meghan D**  
**(d) Norton, William D**  
**(e) Perkins, Cody S**  
**(3) Funeral Director and Embalmer (Internship and Exam)**  
**(a) Johnson, David M**  
**(b) Johnson-Myles, Dawn L**  
**(c) Klootwyk, Joseph L**  
**(d) Leon, Janelle D**

Ms. Simon – This is an informational item. Pursuant to Rule 69K-1.005, F. A. C., the Division has previously approved these applications.

***B. Recommended for Denial***

***(1) Funeral Director and Embalmer (Endorsement)***

***(a) Nied, Peter C***

Ms. Simon – Mr. Nied submitted an application for a funeral director license on June 7, 2019, at which time the application was complete. The applicant's fingerprints did not indicate a relevant criminal history. The applicant does not meet the educational standards set forth by section 497.373(1)(d), Florida Statutes. However, section 497.374(1)(b)1., Florida Statutes, provides that the licensing authority other parameters, by which to issue a license by endorsement.

Mr. Nied received a B.S. Degree in Management from Saint Francis College on May 11, 1986 and a Diploma in Funeral Services on August 28, 1982 from the Pittsburg Institute of Mortuary Science. He passed both the Arts and Science sections of the National Board Examination on September 4, 1982. Mr. Nied received his Funeral Director license in Pennsylvania on January 18, 1984 which is currently Active and in good standings. A Funeral Director's license in Pennsylvania is considered a dual license as a Funeral Director and Embalmer.

The Division is recommending denial based upon s. 497.373(1)(d), F.S., due to the fact that the Mortuary Science course taken was not completed at an institution previously approved by this Board. However, if the Board approves of the Pittsburgh Institute of Mortuary Science and accepts Mr. Nied's education transcripts, all statutory requirements have been met for licensure. Board?

Chair – Mr. Nied?

Peter Nied – Yes, I'm here on the line.

Chair – Do you want to address the Board or are you here to answer questions that Board members may have?

Mr. Nied – I would like to address the Board. I feel that I have met all of the requirements, under the statute. All the transcripts from the Pittsburg Institute of Mortuary Science have been included with the application for my proposed licensure here in Florida. Any questions that the Board might have, and to see if there's anything additional that I need to submit. Again, my license in Pennsylvania is in good standing. At the time, when I went through the Mortuary School, in 1981 and finished in 1982, that I have met their necessary requirements for licensure in Pennsylvania, but I know that they differ here in Florida. So, if there's any hesitancy as to possible denial, but I need to see how to overcome that and do what's necessary, because I feel highly regarded to further and enhance my career here in Florida, with my thirty-four plus years of experience in Pennsylvania. I feel that I can still add to that here in your great state of Florida. So, if there are any questions or any issues that I could answer questions with, I would truly appreciate it.

Chair – Board?

Mr. Jones – Mr. Chair, this is Mr. Jones.

Chair – Yes, Mr. Jones?

Mr. Jones – I'd like to ask one (1) question. I was looking over the degree information. You've been licensed since '84, in Pennsylvania. Has there been any issues or any complaints filed against your license in Pennsylvania?

Mr. Nied – No, there has not. And I had requested for the Pennsylvania State Board to forward to Florida a notice of licensure in good standing. I don't know if that's a part of the application, but I hope you received it, but that has been requested from the Pennsylvania State Board. But, to answer your question, no there has not.

Mr. Jones – And you have worked in the industry since '84?

Mr. Nied – Yes, I have. Continuously.

Mr. Jones – Thank you.

Chair – Is there a motion, Mr. Jones?

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

Chair – Congratulations, Mr. Nied. We'll be following your progress.

Mr. Nied – Thank you very much and God bless you all. I wish you all a good day and the rest of your meeting. Thank you very much.

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

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

- (1) *Funeral Director*
  - (a) *Fischer, Ashley N F348933*
  - (b) *Martin, Beatriz F365361*
- (2) *Funeral Director and Embalmer*
  - (a) *Forbes, Hawke F367665*
  - (b) *Kopelman, Benjamin L F361302*
  - (c) *Lucena Meyer, Victor A F342858*
  - (d) *Riley Sr, William K F180152*

Ms. Simon – This is an informational item. Pursuant to Rule 69K-1.005, F. A. C., the Division has previously approved these applications.

**8. Application(s) for Embalmer Apprentice**

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

- (1) *Phillips, Kailey F367123*

Ms. Simon – This is an informational item. Pursuant to Rule 69K-1.005, F. A. C., the Division has previously approved the application.

**9. Notification(s) of Change in Location**

**A. Informational Item – Addendum G**

- (1) *American Veritas Group Inc d/b/a American Heritage Cremation Society (F040691) (Hernando)*
- (2) *Coral Ridge Funeral Home & Cemetery Inc (F040548) (Cape Coral)*
- (3) *Richardson's Family Funeral Care Inc d/b/a Richardson's Family Funeral Care & Florist (F055378) (Tallahassee)*

Ms. Simon – This is an informational item. The establishments listed have applied for a change of location of their businesses. The only criteria for approval is that the new locations pass inspection by the Division.

**10. Petition(s) for Waiver of Rule**

**A. Recommended for Approval with Conditions**

- (1) *Foundation Partners of Florida LLC d/b/a Charlotte Memorial Funeral Home and Cemetery (F363467) (Punta Gorda)*

Ms. Simon – If I could just have a moment.

Chair – Mr. Clark?

Mr. Clark – Good morning. Thank you, Mr. Chair. I'd like to state for the record my affiliation with Foundation Partners Group of Florida, and will not vote in this matter, but I'm available for questions should any arise.

Chair – Thank you, Mr. Clark.

Ms. Simon – Foundation Partners of Florida, LLC d/b/a Charlotte Memorial Funeral Home and Cemetery, a limited liability company, previously submitted an application for approval of a funeral establishment based upon a change of ownership. This change of ownership application was reviewed and approved at the May 2, 2019 Board meeting. Under previous ownership, this establishment had been registered as a training agency. This newly approved establishment is now seeking approval of a waiver of Rule for 69K-18.004, Florida Administrative Code, regarding certain requirements for licensure as a training agency. Additionally, this establishment is seeking to continue their training agency status. The Division recommends approval subject to the following conditions:

- 1) That Rule 69K-18.004, Florida Administrative Code, be waived as requested by the licensees, provided there has been no dispute by the public within 30 days of the date the request was published; and
- 2) That the Application for Registration of a Training Agency be granted so that the aforementioned funeral establishment may continue to be registered as a Training Agency under the new ownership.

**MOTION:** Mr. Hall moved to approve the petition subject to the conditions recommended by the Division. Mr. Powell Helm seconded the motion, which passed unanimously.

Diane Guillemette – Does that motion also include the granting of the petition for waiver and variance?

Mr. Helm – Yes ma’am.

Mr. Hall – Yes.

Ms. Guillemette – Thank you.

**11. Application(s) for Broker of Burial Rights**

- A. *Recommended for Approval without Conditions*
  - (1) *Colleen P Gillis d/b/a The Cemetery Chick (Lake Mary)*

Ms. Simon – The application was received on May 6, 2019 and there were no deficiencies noted on the application. The Department completed a background check of Applicant’s principal and owner, Colleen Gillis, which revealed no criminal history. The Division is recommending approval without conditions.

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

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

- A. *Recommended for Approval with Conditions*
  - (1) *Carriage Florida Holdings Inc d/b/a Lee County Cremation Services (Cape Coral)*

Ms. Simon – An application for a direct disposal establishment was received on May 23, 2019. The application was complete when submitted. The Direct Disposer in Charge will be Susan Sardinha (F083573). A background check of the principals revealed no relevant 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. Hall 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.

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

- A. *Recommended for Approval with Conditions*
  - (1) *At The Cross Dr. Eugene Funeral Home LLC (N. Miami Beach)*

Ms. Simon – An application for a funeral establishment was received on April 09, 2019. The application was incomplete when submitted and deemed completed on June 10, 2019. The Funeral Director in Charge will be David Eugene (F168362). A background check of the principals revealed no relevant 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 – I'd like to mention at this time, if approved, when the Division staff does the onsite inspection, that the name "At The Cross Dr. Eugene," the application and throughout the application does not include an apostrophe "s" after Eugene. There may be other facilities outside of the US that have this same name with an apostrophe "s" but the one here in Florida should not obtain that name. Is there a motion?

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

**(2) Pax Villa Palm Beach LLC d/b/a Pax Villa Funeral Homes (Lake Worth)**

Ms. Simon – An application for a funeral establishment was received on April 19, 2019. The application was incomplete when submitted and deemed completed on June 12, 2019. The Funeral Director in Charge will be Saraita Marcelin-Anderson (F045430). A background check of the principals revealed no relevant 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. Mr. Hall seconded the motion, which passed unanimously.

**14. Application(s) for Preneed Main License**

**A. Recommended for Approval with Conditions**

**(1) Millennium Crematory LLC d/b/a Millennium Cremation Service (Vero Beach)**

Ms. Simon – An application was received on June 4, 2019 and all deficiencies were resolved as of June 26, 2019. This is an application for a preneed license that is being filed for a new direct disposal establishment. The sole principal and owner of the corporation will be: James W. Young. A completed background check of the officer revealed no criminal history. Applicant's qualifying direct disposal establishment license was approved at the January 3, 2019 Board meeting subject to conditions. If approved, Applicant will sell trust-funded preneed through Funeral Services Inc (Live Oak Banking Company), and utilize its approved pre-arranged funeral agreement form(s). The Division is recommending approval subject to the fact that the Applicant satisfy all previously stated conditions of approval for the qualifying entity license as approved at the January 3, 2019 Board meeting. I think it is important to make note that while this order was placed in January, no inspection has been completed as of this date.

Chair – Again, repeat the Division's recommendation.

Ms. Simon – The Division's recommendation is that the application be approved subject to the condition that the applicant satisfied all previously conditions of approval for the qualifying entity license as approved at the January 3, 2019 Board meeting and that the application not be granted until that time.

Chair – Thank you.

Mr. Helm – Mr. Chair, may I ask a question?

Chair – Mr. Helm?

Mr. Helm – You said that they were approved in January, and there has not been an inspection yet?

Ms. Simon – No, they have not been ready for an inspection yet, Mr. Helm.

Mr. Helm – Okay, I got it now. The way you said it, I thought we hadn't inspected them yet.

Ms. Simon – No sir.

Mr. Helm – Okay.

Wendy Wiener – Mr. Chair? This is Wendy Wiener. I represent the applicant. May I address the Board?

Chair – Ms. Wiener, go right ahead.

Ms. Wiener – Thank you. There was some construction delay {inaudible} with the initial licensure. The conditions stated by Ms. Simon are absolutely agreed to. Neither license will become effective until the inspection of the direct disposal establishment has occurred.

Chair – Thank you. Board?

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

**15. Application(s) for Preneed Branch License**  
**A. Recommended for Approval with Conditions – Addendum H**

Ms. Simon – Pursuant to s. 497.453, F. S., the applicant listed has applied for a preneed branch license. The application was complete without reportable criminal or disciplinary history. The records indicate that the applicant qualifies for branch licensure. The Division is recommending approval.

Mr. Helm – May I speak?

Chair – Please do, Mr. Helm.

Mr. Helm – On the Addendum, it states “Pending Approval.” You want to put that with it, do you not?

Ms. Simon – According to my agenda, I may have put it out wrong, but it was only item 15. A., which is recommended for approval. It says with conditions, but that is an error. It should be without conditions.

Mr. Helm – On Addendum H, you’ve got “Pending Approval.”

Ms. Simon – I’m sorry, sir. Can you say that again?

Mr. Helm – On Addendum H, under Sponsoring preneed main’s license, it says “Pending Approval.”

Ms. Simon – Excuse me, sir. You are correct. I have been reminded that there are conditions of approval, being that Millennium Crematory LLC is granted licensure.

Mr. Helm – So, if I make the motion, it should say with conditions, correct?

Ms. Simon – Yes sir. Absolutely.

**MOTION:** Mr. Helm moved to approve the application subject to the condition that Millennium Crematory LLC is granted licensure. Hall seconded the motion, which passed unanimously.

**16. Application(s) for Removal Facility**  
**A. Recommended for Approval with Conditions**  
**(1) American Removal Service, LLC (Largo)**

Ms. Simon – An application for a removal service was received on May 24, 2019. The application was incomplete when submitted and deemed completed on June 10, 2019. A background check of the principals revealed no relevant 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. Jones moved to approve the application subject to the condition that the facility passes an onsite inspection by a member of Division Staff. Mr. Hall seconded the motion, which passed unanimously.

**(2) Gulfshore Mortuary Removal & Transport LLC (Naples)**

Ms. Simon – An application for a removal service was received on April 3, 2019. The application was incomplete when submitted and deemed completed on May 24, 2019. A background check of the principals revealed no relevant 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. Clark seconded the motion, which passed unanimously.

**(3) Luke137 LLC d/b/a Luke137 Removal Service (Riviera Beach)**

Ms. Simon – An application for a removal service was received on June 14, 2019. The application was complete when submitted. A background check of the principals revealed no relevant 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. Jones moved to approve the application subject to the condition that the facility passes an onsite inspection by a member of Division Staff. Mr. Clark seconded the motion, which passed unanimously.

**(4) SanGrau Transport LLC (Miami)**

Ms. Simon – An application for a removal service was received on May 30, 2019. The application was incomplete when submitted and deemed completed on June 19, 2019. A background check of the principals revealed no relevant 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:** Ms. Anderson 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.

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

**A. Recommended for Approval without Conditions**

**(1) Preconstruction Performance Bond(s)**

**(a) SCI Funeral Services of Florida, LLC d/b/a Riverside Memorial Park (F039567) (Tequesta)**

Ms. Simon – SCI Funeral Services of Florida, LLC (SCI) intends to construct 80 glass front niches at the location within your Board package. Pursuant to s. 497.272, F.S., typically, a pre-construction trust must be put in place if sales are going to occur prior to completion. However, s. 497.272(8), F.S., provides that in lieu of the pre-construction trust fund, the cemetery company may provide a performance bond in an amount and by a surety company acceptable to the regulator. The applicant has done that. The cemetery agrees to complete said construction, in accordance with the terms of the construction agreement that is provided as part of your Board package. The Division recommends approval of the named pre-construction performance bond without conditions.

Chair – This is Brandenburg. I want to declare my affiliation with SCI Funeral Services of Florida, and this affiliation will in no way affect my ability to make a fair decision on this case or any case coming before us today. Is there a motion?

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

**B. Recommended for Approval with Conditions**

**(1) Preneed Sales Agreement**

**(a) Investors Heritage Life Insurance Company (Frankfort, KY)**

Ms. Simon – Investors Heritage Life Insurance Company (IHLIC) submits a revised preneed sales agreement form for approval: *Guaranteed Insurance Funded Statement of Funeral Goods and Services and Preneed Funeral Agreement* (Form SFGS-FL(G)). This preneed sales agreement was originally approved by the Board at its June 29, 2017 Board meeting. However, IHLIC has



made a few minor changes to this approved agreement. If approved, this modified agreement is to be used for the sale of insurance-funded preneed funeral goods and services by various licensed preneed main establishments and their related preneed branches. The Division recommends approval subject to the condition that two (2) full sized print-ready copies of each contract are received by the Department within sixty (60) days of this Board meeting.

**MOTION:** Mr. Hall moved to approve the agreement subject to the condition that two (2) full sized print-ready copies of each contract are received by the Department within sixty (60) days of this Board meeting. Mr. Bango seconded the motion, which passed unanimously.

**(2) Request(s) for Trust Transfer**  
**(a) FPG Florida LLC (F060727) (Bellevue)**

Ms. Simon – On March 7, 2019, the Board approved acquisitions by FPG of three (3) funeral establishment locations, and a preneed branch office location related to Eternal Light Funeral Care, Inc d/b/a David C. Gross Funeral Home (License #s F040558, F060874, and F082010, respectively). FPG acquired all the assets and liabilities for the funeral and preneed for these locations.

FPG seeks approval of the transfer of the following: FSI 1993 Master Trust (70/30 trust), The 88 FSI Master Trust (70/30 trust), Funeral Services, Inc Master Trust 1978 (70/30 trust), Security Trust Plans Preneed Funeral Trust (70/30 trust), and Security Trust Master Fund (70/30 trust), to the FPG Florida, LLC Preneed Funeral and Cemetery Merchandise and Services Trust Agreement under Regions Bank, and the First Florida Trust (90/10 trust) to the FSI First Florida Trust – FPG Preneed Assets (governed by the Segregation and Appointment of Successor Trustee) under Regions Bank. If approved, Regions is or will be trustee, all as more specifically set out in Attorney’s letter dated April 11, 2019, within your Board package.

The Division recommends approval of the proposed trust transfers as identified, subject to the conditions outlined within your Board package; and

- 1) That the representations of FPG, as set forth in Attorney’s letter dated April 11, 2019 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 including the following:
  - 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 trust to be transferred pursuant to Attorney’s letter dated April 11, 2019.
  - A letter signed and dated by one of its officers, certifying the dollar amount of trust assets being transferred to the trust as identified in Attorney’s attached letter dated April 11, 2019.
  - Acknowledgement of receipt of the amount of trust assets being transferred as specified under the former trust, as identified in Attorney’s attached letter dated April 11, 2019.
- 3) That the Board’s executive director, for good cause shown, may extend the compliance time frame for the specified conditions, an additional 90 days.

Mr. Clark – Mr. Chairman?

Chair – Mr. Clark?

Mr. Clark – As I previously stated, I have an affiliation with Foundation Partners Group of Florida and will recuse myself from this matter.

Chair – Thank you.

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

**C. Informational Item Only**  
**(1) NorthStar Cemetery Services of Florida, LLC (F019194) (Ormond Bch)**

Ms. Simon – NorthStar seeks approval of the below appointment of successor trustee for the accounts, as set forth in the letters from representatives, Summer Bokhary of Regions Bank and Mark Shinder, President and CFO of NorthStar, dated May 16, 2019. This is an informational item only. Pursuant to Rule 69K-7.015, F.A.C., the transfer of assets of any trust must be made to a qualifying trustee only after written notice to the Department and the Board, and this constitutes written notice.

NorthStar has designated a successor trustee to transfer its existing preneed trust assets from Argent Trust Company to Regions Bank, N.A. (Regions). Regions will continue to operate under the existing trust agreements for these trust accounts.

**18. Executive Director's Report**  
**A. Operational Report (Verbal)**

Ms. Simon – At this point, Mary Schwantes, Division Director.

Ms. Schwantes – Thank you. Last month at the Board meeting, I spoke about the upcoming appointment process for Board members. The Board currently has four (4) members whose terms expire at the end of September, and we also have one (1) current vacancy on the Board. Subsequent to the meeting, the proposed process that we were working on, there's been some changes to that. I'm hoping to get all of those issues resolved very soon. We will publish notice regarding the appointment process. We will also be sending out notice both to the Board members whose terms are impacted and also to those [inaudible]. In the meantime, if any of you have questions on the appointment process or know of anyone who is interested in applying for one (1) of the positions and might have questions, please direct them to me and I will talk to them about that. Again, we hope to have those matters published in the very near future.

I want to again thank Board members and all others on these calls for your patience in dealing with these echo issues. We've had these issues on the last few Board conference calls. Board members know that we have switched equipment out, upon consultation with our technology experts. We have completely switched equipment, changed location internally for where the meetings are held, and tested all of the equipment, with no problems. So, we are just as stomped as you all are at this point, as to why these problems continue, but we will continue to look into resolving these problems. Again, thank you for your patience.

The next Board meeting is an in-person Board meeting on August 1<sup>st</sup>, in Tallahassee, and we look forward to seeing you all then. Thank you.

Mr. Helm – Ms. Schwantes?

Ms. Schwantes – Yes?

Mr. Helm – I had someone call me today stating that they heard the Governor signed the bill yesterday about the funeral directors. I didn't think so, but I'm asking.

Ms. Schwantes – I'm glad you brought that up. HB1393 was signed by the Governor, prior to July 1<sup>st</sup>. So, you will find that signed bill online. If you have questions, or know of people who do, you can direct them to my attention. I'd be happy to talk with them.

Mr. Helm – Is that the one where a funeral director can be in two (2) locations?

Ms. Schwantes – That is one of the items that is included in that bill. It was the Department's bill, so there are numerous provisions that deal with Department issues and five (5) issues that concern Chapter 497 matters. All have been approved and signed into law.

Mr. Helm – Okay.

Ms. Schwantes – And that went into effect on July 1<sup>st</sup>. Thank you for bringing that up.

Mr. Helm – Thank you.

Ms. Simon – I believe that we have determined what the cause of the echo is and have alerted the people that are involved, and I suspect that at the next Board meeting we will have no further problems.

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

Ms. Simon – This item is informational only. Are there any questions?

Monthly Report of Fines and Costs Assessed and Paid  
 Division of Funeral, Cemetery and Consumer Services  
 July 11, 2019 Board Meeting  
 Date of Report: July 2, 2019

Licensee	Board Meeting	Case No.	Total Fine & Cost Due	Date Due	Paid in Full?	Comments
BK's Removals	Jun-19	230157-18-FC	\$1,500			Final Order not yet executed
Reed's Rruneral Home	Jun-19	230173-18-FC	\$2,000			Final Order not yet executed
Hubert C. Reynolds Junior	Jun-19	230178-18-FC and 236982-18-FC	\$5,250			Final Order not yet executed
Manker Funeral Home	Apr-19	200632-16-FC	\$10,000	5/27/2019		Paid in Full
William Manker	18-Apr-19	200600-16-FC	\$10,000	5/27/2019	A	Request for Administrative Action sent to the Office of the General Counsel
William Long	7-Feb-19	187365-16-FC	\$3,000	29-Apr-19	B	Paid in Full
Willie J. Owens	7-Feb-19	195918-16-FC; 198403-16-FC; 204672-17-FC	\$3,500	1-Jun-19	A	Request for Administrative Action sent to the Office of the General Counsel
Reynaldo Lampkins	12/6/2018	200645-16-FC	\$4,000	2/21/2018	A	Request for Administrative Action sent to the Office of the General Counsel
A. When payment in full becomes past due, the FCCS Division works with the DFS Office of the General Counsel 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.						

**19. Chairman's Report (Verbal)**

Chair – As always, I want to thank Board members, and particularly today for your patience with the ongoing problems that have been mentioned a couple of times. So, thank you everyone for your patience.

**20. Public Comments (Verbal)**

Ms. Simon – Are there any public comments to be made at this time on any items on this agenda? Hearing none.

**21. Office of Attorney General's Report (Verbal)**

A. Attorney General's Rules Report

Ms. Simon – Ms. Guillemette?

Ms. Guillemette – We do have one rule that has taken effect in June. Other than that, there's no activity with the rules.

Chair – Thank you for your report.

Ms. Simon – Thank you.

**BOARD OF FUNERAL, CEMETERY AND CONSUMER SERVICES RULES REPORT  
JULY 2019**

Rule Number	Rule Title	Date Rule Language Approved by Board	Date Sent to OFARR	Rule Development Published	Notice Published	Adopted	Effective
69K-25.0025	Licensure by Military Experience; Funeral Directors, Embalmers, and Direct Disposers; Licensure Renewals of Spouses of Armed Forces Members	10/4/2018	10/19/2018  1/3/2019 (Notice of Change)  3/7/19 (Second Notice of Change)  4/19/19 (Third Notice of Change)	10/29/2018 Vol. 44/211	11/14/2018 – Vol. 44/222 11/20/2018 – JAPC letter rec'd 12/11/2018 - JAPC response 12/7/2018 – JAPC letter rec'd 12/27/2018 - JAPC response 1/16/2019 Notice of Change – Vol. 45/11 1/15/19 JAPC letter rec'd 1/18/19 – JAPC response 1/18/19 – Rule TOLLED 3/15/19 – Second Notice of Change published – Vol. 45/52 3/22/19 – JAPC letter rec'd 3/28/19 – JAPC response 4/29/19 – Third Notice of Change published – Vol. 45/83	5/22/19	6/12/19

**22. Upcoming Meeting(s)**

- A. August 1<sup>st</sup> (Tallahassee – Betty Easley Conference Center, 4075 Esplanade Way, Room 166)
- B. September 5<sup>th</sup> (Teleconference)
- C. October 3<sup>rd</sup> (St. Petersburg/Pinellas Park – St. Petersburg College, Health Education Center, 7200 66th St. N)
- D. November 7<sup>th</sup> (Teleconference)
- E. December 5<sup>th</sup> (Jacksonville – Embassy Suites by Hilton Jacksonville Baymeadows, 9300 Baymeadows Road)

**23. Adjournment**

Chair – Again, as mentioned before, our next meeting is in Tallahassee, August 1<sup>st</sup>. Board members? Any good of the cause? Any announcements? Anything that you want to address at this meeting? Hearing none.

The meeting was adjourned at 10:45 a.m.