

**MINUTES**  
**BOARD OF FUNERAL, CEMETERY AND CONSUMER SERVICES**  
**VIDEOCONFERENCE MEETING**  
**July 13, 2021 - 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’ Videoconference meeting. Today is July 13, 2021. Ms. Simon, would you make your preliminary remarks and do the roll call, please?

Ms. Ellen Simon – Yes, Mr. Chairman. My name is Ellen Simon. I am the Assistant Director of the Division of Funeral, Cemetery, and Consumer Services. This is a public meeting of the Board of Funeral, Cemetery, and Consumer Services. This meeting is being held by videoconference and notice of this meeting has been duly published in the Florida Administrative Register. An agenda for this meeting has been made available to interested persons. Both the link and call-in number is on the agenda, which has been made available to the public. The call-in number and other information relating to the Board meeting has also been published on the Division’s website. The Division staff present for this meeting are attending from their individual offices. Ms. LaTonya Bryant is recording the meeting and minutes will be prepared.

As this is a videoconference of the Board, there are some items I need to draw your attention to. For one, as a general rule, please do not utilize your video camera for the meeting unless you are a Board member, Board counsel, or an authorized Division employee. If you have a matter listed on the agenda and intend to appear before the Board to represent yourself, or if you are an attorney that is representing a client, only turn your video camera option on when we have reached the agenda item that you want to be heard on or when you hear your name called. Then turn your video camera option off again as soon as your matter has been addressed by the Board. If you are planning on participating by video, please ensure that you are properly attired for the meeting. If you are not planning to participate by video, please ensure that your camera is off.

Additionally, we need everyone that is on the call to place their phone or audio feed on mute, if you are not speaking. The ambient noise coming from someone's phone or audio, which is not muted, causes severe disruption to the meeting. If you are not muted, you may be muted by Division staff. As a result, please make sure to unmute your phone or audio feed when you are preparing to speak, and it may be necessary for you to call back into the meeting after being placed on mute. That would be the only way to unmute your phone. Also, if you are using your computer or smartphone for your audio feed, please remember to speak directly into the microphone on your device. To do otherwise negatively impacts the recording of this meeting. Just as in a live meeting, 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. As a final reminder, Board meetings are public meetings under Florida Law, and anything said via chat is subject to a public records request. As such, this feature should only be used for technological issues you may be experiencing, directing any inquiries in chat to Mary Schwantes. She is monitoring the chat feature and, as necessary, will forward your inquiry to someone who can assist in resolution of the problem. Mr. Chairman, before I call the roll I wanted to announce that John Williams has resigned from the Board. His resignation came as a result of a conflict of interest due to business acquisitions that were on last month's agenda. At this time, Mr. Chairman, I will call the roll:

Joseph “Jody” Brandenburg, Chair  
Keenan Knopke, Vice Chair  
Andrew Clark (ABSENT)  
Sanjena Clay  
Lewis “Lew” Hall  
Christian “Chris” Jensen  
Ken Jones (ABSENT)  
Jay Lyons (DELAYED)  
Darrin Williams

**Also noted as present:**

Mary Schwantes, Executive Director  
Rachelle Munson, Board Legal Advisor

Marshawn Griffin, Department Legal Counsel  
James Bossart, Department Legal Counsel  
LaTonya Bryant, Department Staff

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

Chair – Thank you. I would like to talk about one of our very, very important committees, and that's our Continuing Education Committee. Applications for providers of continuing education go through this Committee, and they're reviewed, and before it even gets to the Board, this Committee recommends to the Board that they be approved. And also, not only the providers, but the continuing education courses, also. So oftentimes, we don't recognize these valuable and important Committee members. And today, I'd like to recognize Gail Thomas-DeWitt, Steve Miller, Tracy Huggins, and Andrew Clark. And all of those Continuing Education Committee members are former or current Board members, with the exception of one (1) appointee. And also, it brings me pleasure to inform you that I have appointed Powell Helm to the Continuing Education Committee. So, now what you have these committee members, all of them. but one, are former/current Board members. It really does emphasize how important their task is to approve not only providers, but continuing education courses. So, Mr. Helm, it's appreciated that you accepted this appointment, and we appreciate your serving on it. So, Ms. Simon?

**2. Old Business**

**A. Application(s) Preneed License Renewal**

**(1) Recommended for Approval without Conditions**

**(a) Joe Morris & Son Funeral Home Inc (F019378) (Pensacola)**

Ms. Simon – As you will see, within your Board package, the business is applying for preneed renewal, and the Division finds that the licensee has met all requirements for renewal. Therefore, the Division recommends approval without conditions.

Ms. Sanjena Clay – Mr. Chair, are you ready to entertain a motion?

Chair – Yes, please.

**MOTION:** Ms. Clay moved to approve the application. Mr. Darrin Williams seconded the motion, which passed unanimously.

**(b) SW Florida Funeral and Cremation Services Inc (F390733) (Port Charlotte)**

Ms. Simon – As you can see, within your Board package, all documentation has been provided, and all late fees have been paid. Therefore, the Division recommends that since the licensee has met all requirements for renewal, that their application be approved without conditions.

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

**B. Contract(s) or Other Related Forms (Preneed Sales Agreement)**

**(1) Discussion**

**(a) SCI Funeral Services of Florida, LLC (F019227) (Altamonte Springs)**

Ms. Simon – At this point, I will turn the meeting over to the Executive Director, Mary Schwantes.

Ms. Schwantes – Thank you, Ms. Simon. Good morning, Board members. I'm sure you recall this matter from last month's Board meeting. SCI submitted preneed sales agreement forms, which are part of your Board packet. The Division recommended denial based primarily upon concerns regarding language within the proposed arbitration clause itself, specifically the consumer's waiver of a jury trial. There was a lot of discussion on issues by the Board, much appreciated, including a motion to approve the forms without condition, which failed as the Board was fully split on the matter. Ultimately, the matter was tabled to allow the Division and SCI representatives further opportunity for discussion regarding the language. Based upon discussions by Board members, the Division also wanted the opportunity to conduct more in-depth legal research on the, at least to us, somewhat unusual language that was contained in the arbitration clause. At this time I'm

very happy to report that parties have resolved the concerns and reach an agreement regarding language. The Division withdraws its objection to the proposed forms. As an extra measure towards consumer protection or notice to the consumer, SCI has agreed to highlight the arbitration language in its contract. I want to thank the Board for providing us with the additional time to review the matter and discuss it with SCI's representatives. The Division would recommend approval of the forms subject to our usual conditions regarding such matters. And because I'm not quite as familiar with those usual conditions, as I know Ms. Simon is, I want to turn the matter back over to Ms. Simon to go over the specific conditions involved. Thank you.

Ms. Simon – The condition on approval is that the Board approves the agreement subject to the condition that two (2) full-size print ready copies are received by the Division within sixty (60) days of the Board meeting.

Chair – I'd like to declare my affiliation with SCI Funeral Services of Florida LLC. This affiliation will in no way affect my ability to make a fair and unbiased decision on anything coming before the Board today.

**MOTION:** Mr. Hall moved to approve the agreement subject to the condition that two (2) full-size print ready copies are received by the Division within sixty (60) days of the Board meeting. Mr. Chris Jensen seconded the motion.

Chair – And I see Ms. Coney on the call. Do you care to address the Board?

Ms. Lisa Coney – No thank you, sir. Just here for any questions.

Chair – Thank you. So, all those in favor, aye?

Board members – Aye.

Chair – And any opposed?

Mr. Keenan Knopke – Aye.

Chair – And that motion carries. Thank you.

Ms. Wendy Wiener – Thank you.

### **3. Disciplinary Proceeding(s)**

#### **A. Settlement Stipulations (Probable Cause Panel A)**

##### **(1) Jackson-McMurray Funeral Services: DFS Case No. 280012-21-FC; Division No. ATN-36115 (F041771)**

Ms. Simon – Presenting for the Department is Mr. Griffin

Chair – Before we do that, I'd like to call on Keenan Knopke.

Mr. Knopke – Mr. Chair, I'd like to recuse from 3. A. (1), (2), and (3). I was on Probable Cause Panel A.

Chair – Thank you.

Mr. Marshawn Griffin – Marshawn Griffin for the Department. Jackson-McMurray Funeral Services (“Respondent”) is a funeral establishment, licensed under Chapter 497, Florida Statutes. The Department conducted an inspection of Respondent and found that Respondent engaged in activities requiring licensure under Chapter 497, Florida Statutes, with an expired license. Respondent has entered into a proposed Settlement Stipulation. The proposed stipulation provides Respondent shall pay a \$250 fine. The Department requests that the Board accept this Settlement Stipulation.

Chair – Is there anyone with us representing Jackson-McMurray Funeral Services? So, is there a motion?

**MOTION:** Mr. Hall moved to accept the Settlement Stipulation, which provides that the Respondent shall pay a \$250 fine. Mr. Jensen seconded the motion, which passed unanimously.

**(2) *Jamoll L. Thomas d/b/a Exodus Removal Service: DFS Case No. 243526-19-FC; Division No. ATN-32449 (F180185)***

Ms. Simon – Is Mr. Thomas or a representative Exodus on the call today? Hearing no response. Mr. Griffin?

Mr. Griffin – Marshawn Griffin for the Department. Jamoll L. Thomas d/b/a Exodus Removal Service (“Respondent”) is a removal facility, licensed under Chapter 497, Florida Statutes. The Department conducted an inspection of Respondent and found that Respondent engaged in activities requiring licensure under Chapter 497, Florida Statutes, with an expired license. Respondent has entered into a proposed Settlement Stipulation. The proposed stipulation provides Respondent shall pay a \$300 fine. The Department requests that the Board accept this Settlement Stipulation. And, the Department will add that part of the reason why this case is being settled for a \$300 fine is that this case arose out of the 2018 renewal cycle, where it is based off the disciplinary guidelines, the pre-January 1, 2019 disciplinary guidelines.

Chair – Thank you for that explanation, Mr. Griffin. Board?

**MOTION:** Mr. Hall moved to accept the Settlement Stipulation, which provides that the Respondent shall pay a \$300 fine. Ms. Clay seconded the motion, which passed unanimously.

**(3) *Related Cases – ATN-36125***  
**(a) *Harry T. Reid Funeral Home: DFS Case No. 279999-21-FC; Division No. ATN-36125 (F039765)***

Ms. Simon – Is there a representative of this entity on the call?

Ms. Wiener – Yes. Wendy Wiener, representing the subjects of the disciplinary matters.

Ms. Simon – Thank you. Mr. Griffin?

Mr. Griffin – Marshawn Griffin for the Department. Harry T. Reid Funeral Home (“Respondent”) is a funeral establishment and an apprentice/intern training agency, licensed under Chapter 497, Florida Statutes. The Department conducted an inspection of Respondent and found that Respondent engaged in activities requiring licensure under Chapter 497, Florida Statutes, with an expired license and failed to produce its Bodies Handled Reports on demand. Respondent has entered into a proposed Settlement Stipulation. The proposed stipulation provides Respondent shall pay a \$450 fine. The Department requests that the Board accept this Settlement Stipulation.

**MOTION:** Mr. Hall moved to accept the Settlement Stipulation, which provides that the Respondent shall pay a \$450 fine. Mr. Jensen seconded the motion, which passed unanimously.

Ms. Simon – Before we move on to the next case, I understand that Rabbi Lyons has joined the call. Rabbi Lyons, are you here? Ok. I received word that he has joined the call. He may be having some technological issues.

Chair – His name does show up on the screen.

**(b) *Reid, James H.: DFS Case No. 280406-21-FC; Division No. ATN-36125 (F043764)***

Ms. Simon – Ms. Wiener representing. Mr. Griffin?

Mr. Griffin – Marshawn Griffin for the Department. James H. Reid (“Respondent”) is currently licensed as a funeral director and embalmer. Respondent is the FDIC of Harry T. Reid Funeral Home (“Harry Reid Funeral”) a funeral establishment and as an apprentice/intern training agency, licensed number F039765. The Department conducted an inspection of Harry Reid Funeral and found that Harry Reid Funeral engaged in activities requiring licensure under Chapter 497, Florida Statutes, with an expired license and failed to produce its Bodies Handled Reports on demand. Respondent has entered into a proposed

Settlement Stipulation. The proposed stipulation provides Respondent shall pay a \$250 fine. The Department requests that the Board accept this Settlement Stipulation.

Mr. Williams – Mr. Chair?

Chair – Go right ahead.

Mr. Williams – This is Darrin Williams. Before the Board takes a vote, I would like to declare that I served on Probable Cause Panel B and to declare for all the B items, which includes 3. B. (1), 3. B. (2) and 3. B. (3).

Chair – Thank you for that declaration.

**MOTION:** Ms. Clay moved to accept the Settlement Stipulation, which provides that the Respondent shall pay a \$250 fine. Mr. Hall seconded the motion, which passed unanimously.

Ms. Simon – If I may try one more time? Is Rabbi Lyons on the call? I keep noticing his mute button going off and on, so I'm trying.

Mr. Hall – I thought I heard him earlier.

Ms. Simon – Yes, I thought I did, too.

***B. Settlement Stipulations (Probable Cause Panel B)***

***(1) Blackburn-Curry Funeral & Cremation, LLC: DFS Case No. 278563-21-FC; Division No. ATN-36048 (F159867)***

Ms. Simon – Is there a representative of this entity on the call today?

Ms. Wiener – Yes, Wendy Wiener.

Ms. Simon – Thank you, Ms. Wiener. Mr. Griffin?

Mr. Griffin – Marshawn Griffin for the Department. Blackburn-Curry Funeral & Cremation, LLC, (“Respondent”) is a funeral establishment. The Department conducted an inspection of Respondent and found that Respondent engaged in activities requiring licensure under Chapter 497, Florida Statutes, with an expired license. Respondent has entered into a proposed Settlement Stipulation. The Department is going to amend the terms of the stipulation. The stipulation, as previously entered into, called for Respondent to pay a \$1000 fine. The Department will orally amend the stipulation to provide that Respondent will pay a \$500 fine, and the Department requests that the Board accept the Settlement Stipulation.

**MOTION:** Mr. Knopke moved to accept the Settlement Stipulation, which provides that the Respondent shall pay a \$500 fine. Mr. Jensen seconded the motion.

Chair – Ms. Wiener, do you think your client would accept?

Ms. Clay – Mr. Chair?

Ms. Wiener – Yes, they would agree. And, it is our understanding that the Division will be approaching the expired license cases in a consistent way going forward and that this is in keeping with that consistency. So, yes, they would certainly accept that lower fine, Mr. Chair, gladly.

Chair – Thank you. We have a motion to accept the Settlement Stipulation.

Ms. Wiener – Mr. Chairman, I see Ms. Clay's hand is up. I don't know if you're seeing your screen.

Chair – Sorry.

Ms. Clay – I was just wondering the rationale between the two (2) amounts.

Mr. Griffin – So, the rationale is that previously as pled, the Division and OGC had taken a position that in cases where entities had taken longer than a month to renew their license that OGC would allege a violation of s. 497.152(5)(b), F.S., and s. 497.152(1)(b), F.S. The penalty guidelines for s. 497.152(1)(b), F.S., call for a fine in the amount of \$1000 to \$2500. Whereas the penalty guidelines for s. 497.152(5)(b), F.S., call for a penalty guideline of a \$250 fine per month of delinquency. So, in this case, the licenses went delinquent on December 1, 2020. They were not renewed until January 4, 2021, which is two (2) months after the renewal period, hence the difference in the change in the amounts.

Ms. Clay – Thank you. I'm ready to vote, Mr. Chair.

Chair – Thank you. All those in favor, aye.

Board members – Aye.

Chair – And any opposed? And the motion carries.

Ms. Simon – Lastly, Rabbi Lyons, you are on the call now, correct? I see that your speaker is not muted, but we cannot hear you. As we're unable to hear Rabbi Lyons, he is unavailable to vote in this matter. I'm sure he will try to call back in so he can be heard.

***(2) Dade & Broward Coaching Service, Inc.: DFS Case No.: 277101-21-FC; Division No. ATN-36019 (F040795)***

Ms. Simon – Is there a representative of this entity on the call today? Hearing no response. Mr. Bossart?

Mr. James Bossart – Morning, Mr. Chairman. Good morning to the Board. May I proceed?

Chair – Go right ahead, Mr. Bossart, please.

Mr. Bossart – Dade & Broward Coaching Service, Inc. LLC (“Respondent”) is currently licensed under Chapter 497, Florida Statutes, as a removal facility, license number F040795, and is doing business in Miami, Florida. The Division conducted an investigation of Respondent and alleges the Respondent engaged in activities requiring licensure under Chapter 497, Florida Statutes, with an expired license. Respondent has entered into a proposed Settlement Stipulation. The proposed stipulation provides Respondent shall pay an administrative fine in the amount of \$500. The Department recommends that the Board approve this Settlement Stipulation. Thank you.

**MOTION:** Mr. Knopke moved to accept the Settlement Stipulation, which provides that the Respondent shall pay a \$500 fine. Mr. Hall seconded the motion, which passed unanimously.

Mr. Jay Lyons – {Inaudible}.

Ms. Simon – Rabbi Lyons, there's too much ambient noise coming from your phone for you to be heard.

***(3) Rahming-Poitier Funeral Directors Corp.: DFS Case Nos. 265828-20-FC and 217628-17-FC; Division Nos. ATN-29160 and ATN-32977 (F079857)***

Ms. Simon – Is there a representative of this entity on the call today?

Mr. Christopher Butler – Good morning. Yes, this is attorney Christopher Butler, on behalf of Rahming-Poitier.

Ms. Simon – Thank you, Mr. Butler. Presenting for the Department is Mr. Bossart.

Mr. Bossart – Thank you. May I proceed, Mr. Chairman?

Chair – Go right ahead, Mr. Bossart.

Mr. Bossart –Rahming-Poitier Funeral Directors Corp. (“Respondent”) is currently licensed as a funeral establishment under the name Rahming-Poitier Funeral Directors of Deerfield Beach, Florida, license number F079857. The Department filed an Administrative Complaint alleging Respondent submitted a fraudulent burial-transit permit to a crematory in order to obtain the unauthorized cremation of human remains that otherwise would not have taken place. In the second Administrative Complaint filed, the Department alleges the Respondent misrepresented the price of contract advances for cemetery plots on funeral contracts to two (2) consumers, as well as the City of Deerfield Beach, resulting in its obtaining funds it was not entitled to. In addition, it is alleged that Respondent employed an unlicensed person to negotiate and arrange the contracts for the cemetery plots and burials. Respondent has entered into a proposed Settlement Stipulation. The proposed stipulation provides that Respondent shall pay an administrative fine of \$25,000 and undergo a five (5) year period of probation. In addition, Mr. Theotis T. Times, who is the unlicensed owner, is prohibited from engaging in any conduct requiring licensure pursuant to Chapter 497, Florida Statutes, on behalf of Respondent. The Department requests that the Board accept this Settlement Stipulation. Thank you.

Chair – Mr. Butler, did you want to address the Board or are you merely here to answer questions?

Mr. Butler – Good morning, Sir Chairman. I am here to answer questions.

Chair – Thank you. My question is, have you worked with your clients to assure that they will be in compliance with all the disciplinary items that are noted? It was very disturbing to look at the information that we were given, and I hope that you, as their counsel, have met with them and gone over ways to eliminate these errors. Can you respond to that, Mr. Butler?

Mr. Butler – Yes, Sir Chairman. I have counseled the outgoing owner, as well as have plans to counsel the incoming owner with regards to their compliance under Chapter 497. I do understand that the facts as alleged were alarming, but I do want to mention, with all due respect, that during the course of our hearing posture, some of those facts became more-clear, and were arguably not substantially justified. So, you know, with regards to the initial complaint, some of those facts have been determined to not be substantially justified, in my viewpoint, and I'm not speaking for Mr. Bossart, which is how we came to terms of the Settlement Stipulation here today. But to answer your question, yes sir. I have spoken with them. I've met with Mr. Times on several occasions. He does understand his role and this will be pretty much nonexistent once there has been a change in corporate structure. And, Rahming-Poitier Funeral Directors is ready to move forward and to continue to provide the level of business services that they have provided for years with dignity and respect.

Chair – Thank you, Mr. Butler. There is a Settlement Stipulation before the Board. Are there any questions? Is there a motion?

Mr. Knopke – Question?

Chair – Mr. Knopke?

Mr. Knopke – Thank you, Mr. Chair. Mr. Butler, you mentioned that the business is either being sold, has been sold or is going to be sold. Can you clarify what they're doing at the moment?

Mr. Butler – Yes, Mr. Knopke. The term of the stipulation was that the present owner, Mr. Times, would step aside, and that Rahming-Poitier would be run by someone else, presumptively a family member. And that will happen, well, I can't tell you the date. It hasn't happened yet, but it will, you know, prior to the expiration of the time that we've agree to.

Mr. Knopke – So, what you're saying is he will relinquish ownership or just control?

Mr. Butler – From what I understand, it would be ownership.

Mr. Knopke – Ok.

Chair – Board, is there a motion?

Mr. Knopke – That's all for now.

Mr. Jensen – Mr. Chair?

Mr. Knopke – Had another question.

Chair – Go ahead, Mr. Jensen.

Mr. Jensen – Yes, Mr. Chair. Thank you. In reading through this, it says by and through the FDIC. I understand the owner is with this, but is the same FDIC going to remain in charge there?

Mr. Bossart – I can answer that, sir. No, the FDIC has already been disciplined by the Board, in an earlier case last winter. He paid a \$5000 fine and was placed on three (3) years' probation, and as far as I know he's no longer employed with the Respondent.

Mr. Butler – That is correct. Mr. Bossart. He is no longer employed. And just to piggyback on Mr. Bossart's response, there is a new FDIC, also. So, Rahming-Poitier Funeral Directors is undergoing a new structure, so to speak, as a result of this.

Chair – Thank you. Mr. Hall?

Mr. Hall – Does the Division have anything, as far as a change of ownership?

Mr. Bossart – I feel like I must clarify that, but I'm probably going to regret it. The stipulation says that Mr. Times is prohibited from engaging in conduct requiring licensure for some of the Chapter 497, Florida Statutes, on behalf of the Respondent. The Department is not requiring he divest himself of interest in the corporation. He certainly can, but I don't believe we have that authority to order it. And I don't believe the stipulation says so. He's just not to engage in any activity regulated by Chapter 497, Florida Statutes, meaning (inaudible) a funeral director. He can still own the business.

Chair – Thank you, Mr. Bossart. Mr. Knopke?

Mr. Knopke – To either Ms. Simon or Ms. Munson possibly, if this change of ownership would occur or whatever the structure Mr. Butler is describing, and there's a new director, does the probation carry over? Or does the probation end if the corporate structure changes?

Ms. Simon – May I, Mr. Chairman?

Chair – Go right ahead.

Ms. Simon – Mr. Knopke, I expect that when a change of ownership occurs, if it does, when the application is before the Board for that change ownership, at that time we can convert the probation over to the new entity.

Ms. Rachelle Munson – However, it does not automatically do so. That would be another consideration to be presented to the Board regarding the impact of the change of ownership. It's not automatic.

Chair – Thank you, Ms. Munson. Did I see Mr. Hall with his hand up?

Mr. Hall – That was Mr. Knopke.

Chair – Mr. Knopke?

Mr. Knopke – Thank you. Mr. Butler, a follow up then. If there is a change of ownership, from your standpoint, will your client, whoever that owner may be, will they accept the carryover of the probation?



Mr. Butler – Absolutely, Mr. Knopke. As Mr. Bossart clarified, there's no requirement for Mr. Times to do so. However, he has agreed to do so, and the person who likes will more than likely be a family member. I think he's already selected someone who has agreed to accept the probationary period.

Chair – Thank you, Mr. Butler. Mr. Knopke?

Mr. Knopke – I'm sorry, I've just one more question for Mr. Butler. Is the family member selected a license funeral director?

Mr. Butler – I have not confirmed the name of the family member, but I don't know that they will be. They'll pretty much be the owner of the business. I don't think they're required to be licensed to own the funeral home.

Chair – Thank you. We have a stipulation before us, Board. Mr. Jensen?

Mr. Jensen – Yes, thank you, Chair. Ms. Simon, just out of curiosity, is there any other legal ramifications coming this direction from that count that was deceived on the burial plots or anything like that, that you know of?

Mr. Bossart – I can answer that, sir. There was an investigation by the Broward County Sheriff's Office and they dropped the investigation. Also, the city, well they cooperated with us. They were happy to cooperate with us. They weren't terribly enthusiastic. The people involved were young clerical workers and they weren't really enthusiastic about subjecting them to the legal process. So that's where we are at the moment. To answer your question, no, there's no other outside legal investigation.

Mr. Jensen – Thank you.

Chair – We have before us a Settlement Stipulation. Is there a motion?

**MOTION:** Mr. Hall moved to accept the Settlement Stipulation, which provides that the Respondent shall pay a \$25,000 fine and undergo a five (5) year period of probation. The Chair seconded the motion, which passed with two (2) dissenting votes.

Chair – Thank you. Ms. Simon?

Ms. Munson – I apologize. I'm having crazy technical difficulties. I can hear everyone, but I cannot see anyone, nor can anyone see me. I heard an oppose, and I wasn't sure where it came from. So, I was just trying to clarify for my records.

Mr. Hall – Rabbi Lyons.

Ms. Munson – Ok, thank you. I appreciate that.

Mr. Knopke – Ms. Munson, I did oppose, too. I never even heard the motion, to be perfectly honest.

Ms. Munson – Ok. There are a lot of technical difficulties, apparently, OK. I just wanted to make sure that the vote was {inaudible}. I see that Rabbi Lyons' line is the one that's having the ambient noise. I know Ms. Simon is trying to make the best of it.

Ms. Clay – I'm not sure Rabbi Lyons opposed that. I think it was just the noise.

Ms. Munson – I just needed the record to reflect. He put in the chat that he opposed the settlement, so I guess we're going to have to rely on that information as well.

Ms. Clay – Ok.

Chair – So, with that fact, the motion does carry, Ms. Munson.

Ms. Simon – Mr. Chairman?

Chair – Yes?

Ms. Simon – In regard to Rabbi Lyons, there is much too much ambient noise for him to be speaking during this meeting. I'm not sure what the solution is, and Mr. Chairman, maybe you know.

Chair – Rabbi Lyons, would you give us a count down from 1 to 10 so we could possibly hear you? You're muted at this time, Rabbi Lyons.

Rabbi Lyons – Can you hear me, Mr. Chair? 10, 9, 8, ...can you hear me?

Chair – We can hear you now, but there's still a lot of background noise.

Rabbi Lyons – I will mute myself unless we're voting, but I was opposed to the previous motion, because I felt that it was not harsh enough.

Chair – Rabbi Lyons, is there anything you can do about the background noise?

Rabbi Lyons – Give me about ten (10) minutes, sir.

Chair – Ok. We'll move forward and we hope that you can get it squared away. Ms. Simon?

**C. Settlement Stipulations (Waiver of Probable Cause - No Board Member Recusal Necessary)**

**(1) Santiago, Joseph: DFS Case Nos. 185639-16-FC and 197157-16-FC; Division Nos. ATN-25904 and ATN-27297 (F042427)**

Ms. Simon – Presenting for the Department is Mr. Bossart.

Mr. Bossart – Thank you. May I proceed, Mr. Chairman?

Chair – Please, Mr. Bossart.

Mr. Bossart – Joseph Santiago (“Respondent”) is licensed under Chapter 497, Florida Statutes, as funeral director and embalmer, having been issued license number F042427. Respondent was the Funeral Director in Charge (FDIC) of Emmanuel Funeral Homes, Inc. (“Emmanuel”), a funeral establishment licensed under Chapter 497, Florida Statutes, license number F040175. Emmanuel failed to disclose fees and costs, failed to properly maintain Bodies Handled Reports, failed to establish methods for logging complaints, failed to adopt and implement standards for handling complaints, and failed to secure biomedical waste pickup for April 2016. As FDIC, Respondent was responsible for these violations. Respondent has entered into a proposed Settlement Stipulation. The proposed stipulation provides Respondent shall pay a \$1,300 fine and his license will be placed on probation for one (1) year. The Department requests that the Board accept this Settlement Stipulation. Thank you.

Chair – Is there anyone representing Joseph Santiago on the call? Joseph Santiago? Hearing none. Board, you have a Settlement Stipulation before you?

Mr. Bossart – Questions?

**MOTION:** Ms. Clay moved to accept the Settlement Stipulation, which provides that the Respondent shall pay a \$1,300 fine and his license will be placed on probation for one (1) year. Rabbi Lyons seconded the motion, which passed unanimously.

**4. 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.

***B. Recommended for Denial (Criminal History)***

***(1) Lawson, Lori A (Appointing Entity: Smart Cremation of Florida LLC)***

Ms. Simon – On February 2, 2021, the appointing entity applied electronically for licensure as a preneed sales agent, and no deficiencies were noted on the application. Thus, a temporary preneed sales agent license was issued. However, during the review of Ms. Lawson’s background check it was revealed that she did in fact have reportable criminal history that required disclosing. In 2019, a felony charge of Theft by Deception was filed against the Applicant by the Commonwealth of Kentucky. This offense occurred in Kentucky. Ms. Lawson has so far pled not guilty to all charges and disposition for the matter is scheduled for July 2021. As of this date, there have been no further disciplinary action. The Division recommends denial of this application. Is Ms. Lawson here or a representative of Ms. Lawson?

Ms. Lori Anne Lawson – Yes, I’m here and my attorney is also.

Mr. Clay Ratley – Clay Ratley, I’m an attorney licensed in Kentucky, representing Ms. Lawson on this matter, and I’m available to answer your questions.

Chair – Thank you, Mr. Ratley.

Mr. Ratley – Yes, sir.

Chair – Do either one of you want to address the Board or are you both here to answer questions that might come up?

Mr. Ratley – I can update the Board on the resolution of the case. I think that would be relevant.

Chair – Please do that, counselor.

Mr. Ratley – Yes, sir. So, my client, Ms. Lawson, was previously indicted on January 6, 2020. This case has been resolved on July 6, 2021. We were able to resolve the case. Ms. Lawson has received Pretrial Diversion in the State of Kentucky, and it is unsupervised, and she is on pretrial diversion for a period of three (3) years from July 6, 2021. At the conclusion of the three (3) years she can make application for a dismissed or diverted sentence on the charge, but I can answer any other questions.

Chair – Thank you.

Ms. Clay – Mr. Chair?

Chair – Go right ahead.

Ms. Clay – Did I understand correctly that the information was not included in the application initially?

Chair – Ms. Simon?

Ms. Simon – Yes. The information that the attorney was just referring to was not included as part of your Board package, and I think that is because it just happened on July 6<sup>th</sup>.

Ms. Clay – I’m not sure where the noise is coming from. When will the court proceedings take place and we know what the results of that would be?

Ms. Simon – If I may, Mr. Brandenburg?

Chair – Please, go right ahead.

Ms. Simon – Ms. Clay, from what I understand, on July 6<sup>th</sup>, Ms. Lawson entered into the Pretrial Diversion Program. That means her charges are still outstanding. If she successfully completes the Pretrial Diversion Program, at the end of three (3) years, her charges will be dropped, but they still remain outstanding for the next three (3) years. That’s my understanding.

Chair – Also, Mr. Ratley, would you affirm that that's correct?

Mr. Ratley – Yes, sir. In the State of Kentucky, you can be given an opportunity to have your case put into diversion, as opposed to probation or something like that. So, when you're giving diversion, they have different levels of it. They have supervised, unsupervised, and Ms. Lawson's case has been amended and been placed into Pretrial Diversion. She's on unsupervised diversion, and as long as she follows that for the period of three (3) years, then at the conclusion of three (3) years, she can make application to not only dismiss the charge, but she can also legally expunge the charge. That way, in the future, it would not be on her record. But for the next three (3) years she is on diversion. That's the best I can explain it.

Chair – Thank you. Mr. Knopke?

Mr. Knopke – Question to counselor. An unsupervised diversion means she can come and go and do whatever she wants? Does she have to report in to anybody or anything?

Mr. Ratley – No, sir. We entered this on July 6<sup>th</sup>. I don't have all the documents back from the court, I've got an unsigned copy from the prosecutor that was subsequently signed by myself, Ms. Lawson and our circuit Judge entered it. Under item number 1 A (2), it notes that the diversion is unsupervised. So, she is free to go to any state, do whatever she wants. Were she to commit a new offense and our court be made aware of it, the diversion could be voided, but as long as she does not commit any new offenses during this diversion period, it's similar to probation, but it's not probation because she's not actually on probation, she's on diversion. It's a lesser form, I guess is the best way to put it. But yes, to answer your question, she can go and do any legal activity she deems.

Chair – Thank you. I have a question for Ms. Munson.

Ms. Munson – Yes, sir?

Chair – Ms. Munson, if we table this till we got the information that has recently become available, and we table this until the next meeting, what's the ramifications of the deemer on this application, please?

Ms. Munson – I was actually going to suggest that we table this until the Board will have an opportunity to fully review the terms of the Diversionary Program. Since it's in Kentucky. I don't know how often. I think, Ms. Simon, with the ninety (90) days, are we ok with the date?

Ms. Simon – To be candid, I'm not clear. While the application was originally submitted on February 2<sup>nd</sup>, subsequent to that we found out about the criminal offense while she was issued her temporary license. I would suspect that that makes the application not complete until that information was received.

Ms. Munson – Not necessarily. I mean, just to give a clear historical, if I may, Chair Brandenburg, a clear historical identification? It appears that with the initial submission of the application, the criminal history information was not fully disclosed. Would that be correct, Ms. Simon?

Ms. Simon – Yes.

Ms. Munson – So, that failure to disclose did not necessarily make the application incomplete, she signed an application where she did not fully provide the information that was requested. That's a separate consideration for the Board to take its purview. But now that the information has been disclosed and the disposition has been rendered, the Board still does not know what the full extent of that disposition entails, because we have a summation of a diversionary disposition. Even though it's unsupervised, we do not have a full account of what the diversionary program consists of. So again, I think that if Ms. Lawson is willing to provide a waiver, it would probably be the best consideration for the Board to table the matter. In the absence of a waiver, the Board may consider if it wants to perhaps deny or approve with conditions.

Chair – Ms. Lawson and Mr. Ratley?

Ms. Lawson – Yes, sir?

Chair – You can waive the State of Florida’s deemer, which says your license application must be acted upon within a certain number of days. You can waive that and give us an opportunity to address this at the next meeting until we receive the additional information.

Ms. Simon – I apologize, Mr. Chairman. Ms. Lawson, before you respond to that, if you could please raise your right hand and be sworn in. Do you swear to tell the truth, the whole truth and nothing but the truth, so help you God? And you are on mute.

Ms. Lawson – Yes, ma'am. Yes.

Chair – Thank you. And do you understand what I'm saying?

Ms. Lawson – I believe so. That if I waive the time constraint thing, then you all would just table it until the August meeting? I mean, I sent in the copies that we had, but Ms. Morris, the lady, by the time I got them she was on vacation. And then the July 4<sup>th</sup> holiday passed the time that she would have gotten the information to you all. So, we missed it by a few days because of the things have just moved very slowly with the COVID and everything.

Chair – So, the most important factor is the Board members have not had a chance to review this. And that's why we're suggesting that perhaps we table this and you would have to waive the deemer and we would take this up at the next meeting.

Ms. Lawson – Ok.

Chair – Counselor, do you have advice for your client?

Mr. Ratley – I think she understands, and I think that's in her best interest to do so. What I would propose to do is, and I don't have a scanned copy of the Order yet either because it typically takes our clerk a week or so to get it, so what I would like to do is not only get a signed copy, but also get a certified copy from the courthouse. That way it certifies that it's a true and accurate copy of the Order. And then I can provide that certified copy to the Board. I'll provide whatever out of the file, whatever you all want, but specifically I will provide a copy of the Order that grants the Pretrial Diversion.

Chair – Thank you so much.

Mr. Williams – Mr. Chair?

Chair – So, as I understand it, Ms. Lawson, you are waiving the deemer period until we can get the necessary paperwork, and we will table this. Mr. Knopke?

Mr. Knopke – Never mind. Assuming we move to table it, I'll just wait till then. Thank you.

Chair – Thank you.

Mr. Williams – Mr. Chair?

Chair – Mr. Jensen?

Mr. Jensen – Yes. I do have one quick question. In reading through the offense here, it says it had something to do with annuities. Was Ms. Lawson acting as an insurance agent of some type at that time?

Mr. Ratley – Yes, she was.

Mr. Jensen – She was? And, is she going to be or was she disciplined at all by Kentucky Insurance regulatory authorities?

Mr. Ratley – No, sir.

Mr. Jensen – Ok. Is she going to be applying for a Florida insurance license to sell preneed under insurance?

Mr. Ratley – I can't answer that. I don't know the answer to that question, sir.

Mr. Jensen – Ok.

Mr. Griffin – If I may?

Mr. Griffin – {Inaudible} issue, at least as until the case is resolved, she wouldn't be licensed until she has the dismissal from PTD, if she were to apply.

Mr. Jensen – Got it. Thank you, Mr. Chair.

Mr. Williams – Mr. Chair, this is Darrin Williams. May I ask a question?

Chair – Go right ahead, Mr. Williams.

Mr. Williams – I just want to make sure I'm reading correctly. Ms. Lawson, if you could, was there a reason why the information was not disclosed in the initial application? I didn't see that in the response in the Board documents.

Ms. Lawson – No, sir. Actually, I thought that it had been handled because nothing was ever done. So, it's a mistake on my part, just the way I understood things in reading the application.

Mr. Williams – Thank you, Mr. Chair.

Chair – So, Ms. Simon?

Ms. Simon – Yes, Mr. Chairman. If we can just get a waiver on the record from Ms. Lawson, if that is what she chooses to do.

Chair – Would you help her with that?

Ms. Simon – Her phone was one mute. Ms. Lawson?

Ms. Lawson – I will agree to the waiver to the August meeting and appreciate the Board's consideration.

Chair – Thank you. So, is there a motion to table this?

**MOTION:** Mr. Jensen moved to table the application. Rabbi Lyons seconded the motion, which passed unanimously.

Chair – Thank you, counselor. Thank you, Ms. Lawson. We look forward to receiving all the information so the Board can have that, Mr. Ratley. Thank you so much.

Mr. Ratley – Yes, sir. Do I need to mail that directly to Ms. Simon? Would that be appropriate?

Chair – She has her hand up.

Ms. Simon – Mr. Chairman, I apologize. All votes need to be on the record, the oral record. Sending a vote in via email, via chat is insufficient. If anybody would like to put a vote on the record, they must do so orally. Doing it via chat cannot work. So, that bearing in mind, yes, if you want to send the document to me directly at my email, and you can call me after the meeting to discuss that. Does that answer your question?

Mr. Ratley – Yes, ma'am.

Ms. Simon – May I move on, Mr. Chairman?

Chair – Please go right ahead.

**5. Application(s) for Continuing Education**

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

- (1) *APEX Continuing Education Solutions (4201)*
- (2) *Cremation Association of North America (16008)*
- (3) *Funeral Service Academy (23408)*
- (4) *In-Sight Books (10008)*
- (5) *Kates-Boylston Publications (29810)*
- (6) *New Jersey Funeral Service Education Corp. (7002)*
- (7) *SCI Management – Dignity University (99)*
- (8) *Selected Independent Funeral Homes (137)*
- (9) *Wilbert Funeral Services (39408)*

Ms. Simon – Pursuant to s. 497.147, F.S., and Board Rule 69K–17.0041, F.A.C., the courses presented on Addendum B 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 on Addendum B.

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

**B. Provider Approval - Recommended for Approval without Conditions – Addendum C**

- (1) *Academy of Graduate Embalmers of Georgia, Inc. (41609)*
- (2) *Graystone Associates, Inc. (41808)*

Ms. Simon – Pursuant to s. 497.147, F.S., and Board Rule 69K–17.0041, F.A.C., the entities listed on Addendum C have been reviewed by the CE Committee and the Committee, as well as the Division, recommends approval of the applications to become CE providers.

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

Ms. Simon – Mr. Chairman, I apologize, but I need to recall a case. The vote on the record was not clear, and I would need to take a poll vote. That case being the case of Joseph Santiago, 3. C. (1). If it's acceptable to you, Mr. Chairman, I would like to poll the Board members in order to determine whether, on the record, that that motion passed or did not.

Chair – Just a moment, let me get there, please. Board members? Are you there? So, I thought we had a vote, and there were two (2) nays.

Ms. Simon – It just was not clear for the record. If you don't mind, in an abundance of caution, if we could take a poll vote. The motion was to accept the settlement agreement. If I may, Mr. Chairman?

Chair – Go right ahead.

**3. Disciplinary Proceeding(s)**

**C. Settlement Stipulations (Waiver of Probable Cause - No Board Member Recusal Necessary)**

- (1) *Santiago, Joseph: DFS Case Nos. 185639-16-FC and 197157-16-FC; Division Nos. ATN-25904 and ATN-27297 (F042427)*

Ms. Simon – In terms of voting on the motion to accept the settlement agreement, Mr. Jensen?

Mr. Jensen – Yes.

Ms. Simon – Ms. Clay?

Ms. Clay – Yes.

Ms. Simon – Mr. Williams?

Mr. Williams – Yes.

Ms. Simon – Mr. Hall?

Mr. Hall – Yes.

Ms. Simon – Mr. Knopke?

Mr. Knopke – No.

Ms. Simon – Rabbi Lyons?

Rabbi Lyons – Yes.

Ms. Simon – Thank you, Mr. Chairman. That motion passes. I appreciate the time.

Chair – I didn't get a chance to vote.

Ms. Simon – Mr. Chairman, I apologize.

Chair – Yes.

Ms. Simon – Thank you, sir.

Chair – So, the motion carries? Is that correct?

Ms. Simon – Thank you, sir. So, may I continue, Mr. Chairman?

Chair – I asked a question. So that motion carries, correct?

Ms. Simon – Yes, sir.

Chair – Thank you.

**6. Consumer Protection Trust Fund Claims**

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

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

**MOTION:** Mr. Hall moved to approve all the claim(s), for the monetary amounts indicated. Mr. Jensen seconded the motion, which passed unanimously.

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

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

**(1) Funeral Director (Endorsement)**

**(a) DiMauro, Laurie A**

**(2) Funeral Director (Internship and Exam)**

**(a) Nieves, Jeffrey**

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

**(a) Hambly, Troy R**

**(b) Howington, Gayla B**



- (c) *Young, Trey M*
- (4) *Funeral Director and Embalmer (Internship and Exam)*
  - (a) *Slagle, Meghan A*

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

- B. Recommended for Approval without Conditions**
  - (1) *Funeral Director and Embalmer (Internship and Exam)*
    - (a) *Maslanka, Melina*

Ms. Simon – An application for a funeral director and embalmer license was received by the Division on June 11, 2021. The application was incomplete and was completed on June 21, 2021. A background check revealed relevant criminal history, which was reviewed by the Board at the August 2020 Board meeting. This relevant criminal history is a plea of no contest to Driving Under the Influence in 2016. The Division is recommending approval without conditions.

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

- 8. **Application(s) for Internship**
  - A. **Informational Item (Licenses Issued without Conditions) – Addendum F**
    - (1) *Funeral Director*
      - (a) *Anderson, Richard G F515378*
      - (b) *Spence, Matthew K F086079*
    - (2) *Funeral Director and Embalmer*
      - (a) *Avant, Ja’Niya A F513188*
      - (b) *Genuardi, Madeline F516832*
      - (c) *Hunt, Lakisia D F517096*
      - (d) *Luma, Notrusley F515054*
      - (e) *Robinson, Kayla E F516831*

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

- 9. **Application(s) for Embalmer Apprentice**
  - A. **Informational Item (Licenses Issued without Conditions) – Addendum G**
    - (1) *Merritt, Joseph T F044033*

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

- 10. **Applications(s) for Registration as a Training Agency**
  - A. **Information item (Licenses Issued without Conditions) – Addendum H**
    - (1) *Hamlin & Hilbish Funeral Directors (F040735) (Eustis)*
    - (2) *Lakeside Funeral Home LLC d/b/a Lakeside Funeral Home & Cremation Care (F076320) (Royal Palm Beach)*
    - (3) *Stonemor Florida Subsidiary LLC d/b/a Serenity Meadows Memorial Park Funeral Home (F088465) (Riverview)*

Ms. Simon – This is an informational item where the Funeral, Cemetery, and Consumer Services Division has reviewed the applications listed on Addendum H, and found them to be complete in that the applicants have met the requirements to be a training agency. Pursuant to Rules 69K-1.005(12)(b), Florida Administrative Code, the Division has previously approved these applications.

- B. Recommended for Approval without Conditions (Adverse Licensing History)**
  - (1) *Miami Funeral Services & Crematories Inc d/b/a National Funeral Homes (F132258) (Miami)*

Ms. Simon – An application to become a training agency was submitted on June 4, 2021. The application was complete when submitted. The establishment has adverse licensing history, which is provided within your Board package. The Division recommends approval without conditions. Is there a representative of the entity on the call today?

Edwin Bayó – Yes, this is Ed Bayó, and I'm here to answer questions. Thank you.

Ms. Simon – Thank you, Mr. Bayó. Board members?

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

11. **Application(s) for Monument Establishment Sales Agent**
  - A. **Informational Item (Licenses Issued without Conditions) – Addendum I**
    - (1) **Smith, Kathy P F515055**

Ms. Simon – Pursuant to the Florida Administrative Code, the Division has previously approved the application listed on Addendum I.

12. **Application(s) for Preneed Branch License**
  - A. **Recommended for Approval without Conditions – Addendum J**
    - (1) **FPG Tulip Inc d/b/a Tulip Cremation (F459301) (Tampa)**

Ms. Simon – Pursuant to s. 497.453(7), Florida Statutes, the applicant listed on Addendum J has applied for preneed branch licensure. The application was complete without reportable criminal or disciplinary history and accompanied by the required fee. The record indicates that the applicants qualify for branch licensure, and the Division recommends approval of the application. Is there a representative of the entity on the call? Hearing no response. Board members?

**MOTION:** Mr. Jensen moved to approve the application. Rabbi Lyons seconded the motion, which passed unanimously.

Ms. Wiener – For the record, Wendy Wiener is here for the applicant.

Chair – Thank you. Did you want to address the Board?

Ms. Wiener – No, sir. I just couldn't get my camera on fast enough.

13. **Application(s) for Broker of Burial Rights**
  - A. **Recommended for Approval without Conditions**
    - (1) **Machpelah Burial Plots LLC (Clearwater)**

Ms. Simon – The application was received on May 17, 2021, but was incomplete when received, and was deemed complete on June 17, 2021. The Department completed a background check, which revealed no criminal history. The Division is recommending approval without conditions.

Mr. Knopke – Mr. Chair, I've got some questions.

Chair – Go ahead, Mr. Knopke.

Mr. Knopke – Is the applicant on the call? Ok. I don't hear anybody, so I guess that assumes he is not. Ms. Simon, I'll address them to you then. On Page 4 of 6 of the application, it says that he's had prior involvement in being a broker, prior name information. If yes, enter in the space below the name and for the time period. He was associated with Discount Cemetery Plots of Tampa Bay, LLC, used from 5/7/21 to 6/3, about a month. And now he's, but when you get over to, let me find it where I marked it. I'm sorry. I believe it's on Page 3 of the same application, it says other license information - Does the applicant now hold or has the applicant held in the past other licenses in Florida, under any jurisdiction as a funeral director/embalmer, funeral establishment, direct disposer, cinerator facility, removal services... and cemetery, monument establishment, preneed license. So, that part, if he has been a cemetery broker before, he doesn't have to disclose this on this

application? It seems like to me that he was with one company and then moved to another one or started a company. This is where I was getting confused.

Chair – Sorry, Mr. Knopke. Can you share the page number, the Division packet page number, with what you’re referencing?

Mr. Knopke – It’s going to be the electronic Page 4 and the electronic Page 5, I’m going to guess. I’m using paper, so bear with me.

Chair – Thank you.

Mr. Jensen – That was Page 3, Mr. Knopke, 3 and 4.

Mr. Knopke – Ok. If you printed it, on the application itself, it’s Page 3. I think if you…never mind. I’ll withdraw my question. It’s too confusing. The whole process is confusing.

Ms. Jasmin Richardson – Ms. Simon, this is Jasmin Richardson. I do have an answer for that, Mr. Brandenburg.

Ms. Simon – Mr. Chairman?

Chair – Go right ahead.

Ms. Richardson – In speaking with the applicant, when he first submitted the application, he initially did it in his individual name, and he started a company, and then he decided he wanted to change the name of the company. So, he initially started with a first name, and he was unsure on whether or not he should put that information on his application. I told him to include any information. So, he had an initial company, and he decided to change the structure of the company with the name and a new FEIN number, so that is why there’s a difference from earlier this year.

Chair – Thank you. Appreciate that explanation.

Mr. Knopke – Yes.

Chair – Board?

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

**14. Application(s) for Direct Disposal Establishment**  
**A. Recommended for Approval with Conditions**  
**(1) Legacy Cremations Inc. (Melbourne)**

Ms. Simon – An application for a direct disposal establishment was received on by the Division on September 15, 2020, but was incomplete when submitted. The application was deemed complete on June 23, 2021. The Division is recommending approval subject to the condition that the establishment passes an inspection by a member of Division Staff.

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

**B. Recommended for Approval without Conditions**  
**(1) Alan Moore Cremation Care LLC (Arcadia)**

Ms. Simon – An application for a direct disposal establishment was received on by the Division on May 27, 2021, and was complete when submitted. The Funeral Director in Charge will be Don Moore (F043723). The establishment passed its inspection on June 28, 2021. The Division is recommending approval without conditions.

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

Chair – Anybody need a break? Hearing none. Ms. Simon?

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

**A. Recommended for Approval with Conditions**

**(1) M Alan Moore Crematory Services LLC d/b/a AM Cremation & Funeral Care (Palmetto)**

Ms. Simon – An application for a Funeral Establishment was received on by the Division on May 27, 2021. The application was incomplete when submitted and deemed complete on June 22, 2021. The establishment is currently licensed as a direct disposal establishment (F217206) and will relinquish this license if approved for the funeral establishment license. The Division is recommending approval subject to the conditions that the establishment pass an inspection by a member of Division Staff, and that the direct disposal establishment licensure is relinquished to the Division.

**MOTION:** Mr. Hall moved to approve the application subject to the conditions that the establishment pass an inspection by a member of Division Staff, and that the direct disposal establishment licensure is relinquished to the Division. Mr. Knopke seconded the motion, which passed unanimously.

**16. Application(s) for Monument Establishment Retailer**

**A. Recommended for Approval without Conditions**

**(1) Burley's Memorial & Burial Vaults LLC (Pompano Beach)**

Ms. Simon – An application for monument establishment retail licensure was submitted on April 19, 2021, and deemed complete on June 11, 2021. A completed background check revealed no relevant criminal history. The Division is recommending approval subject to the condition of passing an on-site inspection by a member of Division staff.

**MOTION:** Mr. Hall moved to approve the application subject to the condition of passing an on-site inspection by a member of Division staff. Mr. Jensen seconded the motion, which passed unanimously.

**(2) Davis Monument Industries Inc d/b/a Davis Monument (Lakeland)**

Ms. Simon – An application for monument establishment retail licensure was submitted on June 4, 2021. The application was incomplete when submitted and deemed complete on June 22, 2021. A completed background check revealed no criminal history for its listed principal. If approved, applicant will operate as a monument establishment retailer at the above specified location. And if I may make a correction, I believe that the original application for licensure was submitted in or about 2018, but was not deemed completed until June 22, 2021. The Division has a pending investigation against this applicant based on conduct that occurred prior to the application for licensure. The Division recommends licensure but is also preparing to proceed forward on the open investigation into this matter. Is there a representative of this applicant on the call today?

Mr. Aaron Davis – Yes, there is.

Ms. Simon – Thank you, sir. Will you please raise your right hand and be sworn in?

Mr. Davis – Ok. I'll turn on my camera. Hang on. Well, I'm trying here. Ok.

Ms. Simon – Do you swear to tell the truth, the whole truth and nothing but the truth, so help you God?

Mr. Davis – I do.

Ms. Simon – Please state your name and spell your last name for the record.

Mr. Davis – Yes, my name is Aaron Davis, D A V I S.

Ms. Simon – Thank you, sir.

Chair – Mr. Davis, did you want to address the Board or you're merely here to answer questions?

Mr. Davis – Well, I guess a little of both. I'll go ahead and address one thing. The reason that there was an initial delay from 2018 was that I had forwarded this to Ms. Simon, on her phone. I have a letter here from Jasmin Richardson that says, "This has come to my attention that the application that was sent last year. Unfortunately, I did not process it, and I apologize for the inconvenience. However, the application does have deficiencies and needs your attention to be resolved." We have been diligently trying to get this taken care of. It's been a very slow process back and forth between us. That letter was July 29, 2019. We've been in business for 79 years now. We had a license before. Well, I have a license here that says from 2005, whenever a lot of the new changes were instituted, like actually having had a license and actually having to have licensed sales people. This has just basically become a technical back and forth. I mean, it's not that we're trying to get away with anything. We are trying diligently to get this application taken care of. I hope and pray to God that we can take care of him today. That's all.

Chair – Thank you, Mr. Davis? Board? Any questions?

Mr. Knopke – Knopke with a question.

Mr. Davis – Ok. Go ahead.

Mr. Knopke – Mr. Chair?

Chair – Go right ahead.

Mr. Knopke – Question to, Mr. Davis. We don't have a copy of the letter you've got. What are the technical issues that take two (2) years to get resolved?

Mr. Davis – That's what I was saying. We had applied in 2018, then we get this letter from her in 2019, that said sorry, it didn't get processed, and it's got difficulties. So, we tried to address that, and it's sort of a moving target, because every time, like, by the time we get something done on one thing, then they added something else that they wanted done. So, God willing, and Ms. Simon can answer this, everything should be filled out properly now. It was not intention on my part to drag this out. Trust me. It doesn't make any sense.

Mr. Knopke – I'll pose my question to either Ms. Richardson or Ms. Simon. What are the technical issues?

Ms. Simon – If I may, Mr. Chairman?

Chair – Go right ahead.

Ms. Simon – The deficiency letter, I do not believe is included within your Board package, but there was a deficiency letter sent out in 2019. It was not fully responded to until recently.

Mr. Knopke – If I can respond, Mr. Chair?

Chair – Go right ahead, Mr. Knopke.

Mr. Knopke – We sent out a deficiency letter, as we should, whatever the timeframe, and Mr. Davis is just responding, or has just started to respond recently? Is that what am I understanding?

Ms. Simon – Mr. Chairman?

Chair – Go right ahead.

Mr. Knopke – I'm not trying to put anybody on the spot. I'm just trying to find out because generally these are pretty automatic.

Ms. Simon – Mr. Knopke, the application was deemed completed {inaudible} on June 22, 2021, The deficiency letter was sent out in 2019.

Chair – So we have before us today this application.

Mr. Knopke – Ms. Simon? Mr. Chair, I couldn't understand a word she said.

Chair – We have before us an application and the Division's recommended approval with a condition of passing an on-site inspection. Is there any more discussion or is there a motion, please?

Mr. Hall – Mr. Chair?

Chair – Mr. Hall?

Mr. Hall – So, my question is, Ms. Simon, are we saying from 2019 to now we hadn't any license all this period?

Ms. Simon – Yes, sir.

Ms. Clay – Mr. Chair, just for clarification, if I may?

Chair – Yes, Ms. Clay?

Ms. Clay – What's the timeframe of un-licensure, please Ms. Simon?

Ms. Simon – Mr. Chairman?

Chair – Go right ahead, Ms. Simon.

Ms. Simon – From 2018 to now. Well, he has not been licensed yet.

Mr. Davis – Of course, I was attempting to get licensed at all times.

Chair – Mr. Jensen?

Mr. Jensen – Yes, thank you. Thank you, Mr. Brandenburg. Chair, excuse me. I'm looking at the Division of Corporations. That was just done 6/21, 6/182021. Is that just when you changed the name?

Mr. Davis – I think that was due to...my mother passed away a year or two (2) ago, so I think it became an IRS thing where we had to change the name for some reason. I'm not totally remembering all that, but I don't think that actually had anything to do with your Department. So, that's how it ended up. So, this is kind of what I was saying. It's a moving target thing, you know. I just keep trying to get it straightened out.

Ms. Simon – Mr. Chairman?

Chair – Ms. Simon?

Ms. Simon – Traditionally, what we have done in the past is we have made it conditional upon licensure, a fine and probation, in order to deal with any outstanding matter. In this case, we would have done a \$1000 to \$1500 plus a year of probation. That's what we have done in the past on matters like this. Otherwise, the investigation remains outstanding, or the allegations remain outstanding.

Chair – We have a license application before us and the Division is recommending approval with the condition of passing an on-site inspection.

Mr. Jensen – Mr. Chairman? I would move that we add, I mean, there's got to be something for all the unlicensed activity. Is that going to be a separate deal, or can we include that upon this?

Chair – Ms. Simon?

Ms. Simon – Mr. Jensen, you can include any conditions that the Board would approve right now for licensure or it can be handled at a different time. But if it is handled today, then this matter will not proceed forward to the Board, in terms of any other allegations. It can be handled today.

Mr. Jensen – Mr. Chairman, I would move, I kind of prefer what Ms. Simon said, that there'd be a \$1000 fine and some probation along with this.

Chair – Do you have a motion, Mr. Jensen?

Mr. Jensen – Yes, motion to include a thousand dollars fine, and what was that, Ms. Simon? Two-year's probation?

Ms. Simon – I mentioned one-year probation, Mr. Jensen.

Mr. Jensen – I mean, if it was a short term, that's one thing, but I think there needs to be something here for a couple of years of unlicensed activity.

**MOTION:** Mr. Jensen moved to approve the application subject to the condition of passing an on-site inspection by a member of Division staff, pay a \$1000 fine and the license be placed on a one-year probation. Mr. Hall seconded the motion, which passed unanimously.

Chair – Thank you, Mr. Davis.

Mr. Davis – Thank you.

Ms. Munson – I apologize. I hate the fact that I don't have video. On that last one, this is Ms. Munson, of course, did you guys have a timeframe to accommodate those particular conditions that were just added, the \$1000 to be paid within thirty (30) days or?

Chair – The thirty (30) days is the typical.

Ms. Munson – Ok.

Chair – I suppose that on each one, do we have to give a given number of days?

Ms. Munson – Well, this would require an Order, so if thirty (30) days is what we're going to use as the standard, I'll just make a note that regarding this thirty (30) days will cover everything.

Chair – Ok. Do you need the motion changed?

Ms. Munson – If I can. Just a friendly amendment, please.

Chair – Ok. Mr. Hall, do you withdraw your second,

Mr. Hall – Yes.

Chair – Mr. Jensen, do you withdraw your motion and amend it?

Mr. Jensen – Yes.

Chair – Go ahead and amend it.

**AMENDED MOTION:** Mr. Jensen moved to approve the application subject to the condition of passing an on-site inspection by a member of Division staff, pay a \$1000 fine to be paid within thirty (30) days and the license be placed on a one-year probation. Mr. Hall seconded the motion, which passed unanimously.

Chair – Thank you, Mr. Davis.

Ms. Clay – Mr. Chairman?

Chair – Yes? Go right ahead. Who is that speaking?

Ms. Simon – I think that was Ms. Clay.

Ms. Clay – I just wanted clarification. So, I'm sorry, this is Sanjena Clay.

Chair – Yes, ma'am?

Ms. Clay – I just wanted clarification on the last matter. If the inspection is not...yes, can you hear me?

Chair – Yes.

Ms. Clay – Can you hear me?

Chair – Yes.

Ms. Clay – I just wanted clarification on the last matter. If the inspection is not passed or the application process is not completed, which I understand it's not completed, if I'm understanding correctly, does this matter come back before the Board or is it disposed of and a new process begins?

Chair – Ms. Simon?

Ms. Simon – Yes, thank you, sir. Ms. Clay, the application process is over now. What would happen as a result of this Order, if the applicant did not pass his inspection, then he would not be licensed. If the applicant did not pay his fine, he would not be licensed.

Ms. Clay – Thank you.

Chair – Ms. Clay, any other questions on that?

Ms. Clay – No, that clears it up. Thank you very much.

Chair – I'll call upon Mr. Davis.

Mr. Davis – Yes, I was just bringing up, obviously, they were asking about the inspection. Mr. Kurt Schuller, who is out of your Tampa office, has already come here and basically done that, but I'm willing to do it.

Chair – Well, I'm sure he'll include that as being inspected if that's what indeed happened.

Mr. Davis – Ok. Thank you.

Chair – A lot of times we see where it is already inspected. Go right ahead, Ms. Simon.

Ms. Simon – Thank you, sir.

**(3) Robert P Lamothe d/b/a Lamothe Monument Services (Lakeland)**



Ms. Simon – An application for monument establishment retail licensure was submitted on June 4, 2021, and was deemed complete on June 21, 2021. The Division has a pending investigation against this applicant based on conduct that occurred prior to the application for licensure. The Division recommends licensure, but is also planning to move forward on the investigation. And if I may, please note that the address for this applicant is the same address as given for 16. A. (2). Board members.

Mr. Jensen – Mr. Chair?

Chair – Go right ahead, Mr. Hall.

Mr. Hall – That was Chris.

Chair – Go ahead, Mr. Jensen.

Mr. Jensen – Thank you, Chair. Ms. Simon, you mentioned under investigation. So, is that from the last place? I mean, why would we vote to approve somebody that's currently under investigation? Just a question.

Ms. Simon – As I mentioned in the case before, typically when we have investigations pending, we often offer a settlement agreement of \$1000 to \$1500, plus a year probation, as a way of dismissing the investigation. Otherwise, we will take it further, but without speaking to the applicant on this case, it's up to the Board to decide what to do at this point.

Chair – Is there a representative of Lamothe Monument Services?

Mr. Robert Lamothe – Yes, sir.

Chair – Good morning, sir.

Mr. Lamothe – Good morning.

Chair – Do you want to address the Board or do you want to answer questions?

Mr. Lamothe – I'm willing to do either, or both.

Chair – Thank you.

Ms. Simon – Please raise...

Chair – He hasn't done either one yet.

Mr. Lamothe – I'm willing to answer questions.

Chair – Ok. If anyone has questions, we must swear you in. Ms. Simon, that was what you were about to do, and I interrupted you. Go right ahead.

Ms. Simon – Sir, please raise your right hand to be sworn in. Do you swear to tell the truth, the whole truth and nothing but the truth, so help you God?

Mr. Lamothe – Yes, I swear.

Ms. Simon – Please state your name and spell your last name for the record.

Mr. Lamothe – Robert Lamothe, L A M O T H E.

Chair – Thank you, sir. Board members, are there any questions? Mr. Lamothe is here to answer questions if you have them. Otherwise, we'll go to a motion and a vote. Mr. Knopke?

Mr. Knopke – Question for Ms. Simon, a clarification. Thank you, Mr. Chair. Did you say that this applicant is located at the same address as the previous applicant?

Ms. Simon – I did, sir.

Mr. Knopke – We're going to have two (2) companies in the same place?

Ms. Simon – Yes, sir.

Chair – Don't think there's any prohibitions.

Mr. Knopke – Are they affiliated with each other?

Ms. Simon – I did not see any of that in the application. You may wish to ask the applicant.

Mr. Knopke – Mr. Chair, may I ask the applicant?

Chair – Please do.

Mr. Knopke – Mr. Lamothe, how are you and if you are related to Davis in the business world?

Mr. Lamothe – I am the sandblaster, the hand craftsman sandblaster for Davis Monuments, since 1999.

Mr. Knopke – Ok. Are you going to be selling monuments, or are you just working for Mr. Davis?

Mr. Lamothe – No. They're one of my contractors to do all their hand sandblasting and installing. I'm trying to establish my monument license for retail.

Mr. Knopke – Ok. So, you're going to be competing with Mr. Davis?

Mr. Lamothe – Yes. We work very well together. I have an office here in the back and a property they lease out to me. I do all of the handcrafted work for them for the last twenty-something years and I'm also doing all my own work. We've come to agreements where we work together. I do all their work, and in return I'm allowed to use the facility to do my work, my sandblasting. I have my own private office on the property separate from theirs in the back of the property, so there's not much conflict.

Mr. Knopke – There seems to me, just a comment, that this could be very confusing to a consumer that comes there. I would assume, will there be two (2) signs?

Mr. Lamothe – Yes. I was also listed as a sales agent for Davis Monuments for years. I'm in the back and their office is way up in front. And so, if I receive a phone call, they are directed to come to the back of the property. And if you actually Google Map it, it pinpoints the back of the property of Davis Monuments for me and the front Google Maps them.

Mr. Knopke – Do you all use the same mailing address or same address?

Mr. Lamothe – I have a business address of PO Box 1204. The actual work is completed at 3503 US Highway 98 South in the back building. There hasn't really been much confusion at all.

Mr. Knopke – Mr. Chair, if I may ask Ms. Simon one more question, and then I'll leave it alone.

Chair – Go right ahead.

Mr. Knopke – Ms. Simon, is there anything in the statute that prohibits two (2) licensees to be together?

Ms. Simon – Mr. Knopke, I was unable to find anything in the statutes or rules that forbids two (2) monument establishments from being together.

Mr. Knopke – Ok. I thought that was the answer. I know that it prohibits two (2) funeral homes from being together, if I remember correctly.

Chair – I looked it up in the statutes, and I couldn't find them in time that prohibited it, as you say, as you would with a funeral establishment. So, good questions. So, we have before us.

Mr. Knopke – You got Mr. Hall with a question.

Rabbi Lyons – Mr. Chair?

Chair – Mr. Hall?

Mr. Hall – Ms. Simon, just a question again. I'm like Mr. Jensen. When we know there's an upcoming investigation, it's difficult to vote on a license and not know the severity of that. I know you probably have issues disclosing anything to us, but we don't know what we're getting here.

Ms. Simon – Mr. Chairman?

Chair – Go right ahead, Ms. Simon.

Ms. Simon – I do understand Mr. Hall, and in lieu of that, you may want to do the same sort of motion that Mr. Jensen did on the last case.

Mr. Hall – Are you able to say it was a similar type offense?

Ms. Simon – I'm able to say that the allegations in both investigations may be somewhat similar.

Mr. Jensen – Mr. Chair?

Chair – Go right ahead?

Mr. Jensen – Chris Jensen here. Since we don't know the exact allegations of the offense, I don't think we {inaudible} a fine or anything.

**MOTION:** Mr. Jones moved to table this until the exact offense is known.

Mr. Lamothe – I can explain the exact offense.

Mr. Jensen – Ms. Simon is that acceptable?

Chair – Go right ahead, sir.

Mr. Lamothe – The offense was, I was unaware that I had to get a separate license, in actuality, to sell markers and monuments. Kurt Schuller had brought that to my attention. I immediately took care of the problem and he sent me the application. It was a simple ignorance on my side of not knowing that there was an actual separate license required to sell the markers and stuff. I was licensed to do the work. I've been handcrafting monuments for twenty-something years now. I'd been a sales agent licensed for Davis Monument for the last fifteen (15) years or ten (10) years. Never anything derogatory. Nothing bad. Mr. Schuller said he saw we had a website, and I was advertising the sale of headstones and monuments, and I needed to

get a monument establishment license to do so. And I have done exactly what he said to me, and to my knowledge I have complied with his recommendations.

Mr. Jensen – Mr. Chair, may I ask Ms. Simon a question?

Chair – Please.

Mr. Jensen – Ms. Simon, is that correct?

Ms. Munson – Ms. Simon, this is Ms. Munson. I'm just interjecting. I mean, I'm just going to caution the Board regarding the presentation of this information. I think that with the previous matter, I think there was some disclosure regarding the Board's involvement with it being some communication issues back and forth. This might be just a little bit different and now we're going into what could be some type of discipline, because I don't know what turn this is going to take. I would hate for Board members to find themselves recused if it goes into, and I don't know if Attorney Griffin is on the line, if this turns into some type of disciplinary issue. That could be problematic in the future, and in some type of future disposition. So, I mean, the matter is before the Board to make a decision. If you do not feel comfortable voting on this application as it is with the information that has been presented or made available, then the Board can vote to table, votes and deny, vote to do whatever, based on a stated reason. But when you get into the weeds of what could be some sort of secondary or what appears to be, now that I'm listening to a little bit more, but none of which was disclosed in the materials, disciplinary issues which are unresolved, and I think may be considered the pending investigation that the Division has previously referenced, we might be muddying some waters a little bit. So, I'm just going to caution the Board regarding your vote as to how we move forward with this. I mean, the application was presented by this Division as is, and we might want to, and when I say we, the Board might want to take into consideration what ability they have to vote on and given the information that's made publicly available without any type of discretionary prejudice. If that makes any sense. Ms. Simon can interject. Mr. Griffin can interject, but just listening to it, off camera even, I'm just sitting here wondering exactly where things were going, and I thought I should at least say something.

Chair – Thank you, Ms. Munson.

Rabbi Lyons – Mr. Chairman, can I second?

Chair – Who is that, please?

Rabbi Lyons – Jay Lyons. Mr. Chairman, can I second Mr. Jensen's motion to table this until we know what the investigation is about?

Chair – I was calling upon Mr. Griffin, who is trying to get our attention at one time.

Mr. Lamothe – This is Robert Lamothe trying to ask a question.

Chair – Mr. Griffin? Did you want to address the Board, Marshawn?

Mr. Lamothe – No, I'm not Mr. Griffin. I'm Robert Lamothe, Lamothe Monuments.

Chair – I know who you are, but I'm not addressing you at the moment. Thank you so much.

Mr. Lamothe – I apologize, sir.

Ms. Simon – Marshawn?

Chair – I'll get to you, I promise. Rabbi Lyons?

Rabbi Lyons – Yes, sir. I believe Mr. Jensen made a motion to table this. Am I correct? Can you hear me, sir?

Chair – Yes. I can hear you.

Rabbi Lyons – I believe there was a motion to table this until we know the details of the investigation. I would like to second that motion.

Chair – There's a motion to table and it's been seconded. All those in favor?

Board members – Aye.

Chair – And any opposed? Aye.

Ms. Munson – Just to interject, and I'm sorry again. To make sure that we're OK with the timeline and don't need a waiver.

Ms. Simon – We are ok.

Ms. Munson – Thanks.

Chair – So, are there any opposed?

Rabbi Lyons – Mr. Chair? Jay Lyons, again.

Chair – Rabbi Lyons?

Rabbi Lyons – I just have a quick comment, if I may? As far as the two (2) establishments being in the same location and the artisan basically helping out the retail end of it and starting his own business, I think it's actually a very good setup. I've seen it in other places. It benefits both the craftsman and the business. And ultimately, it benefits the public. So, I'm not commenting on the specific business in front of us, but to set up in and of itself, I think, benefits the public.

Chair – Mr. Lamothe, I told you I'd get back with you. Go right ahead, sir.

Mr. Lamothe – Yes, sir. On the investigation, Mr. Schuller spoke to me several times. And the only investigation was, he had actually come out. He required that I had an office, and I showed them the office, and he said that was ok. And he required that I take the website down stating that I sell headstones and monuments, and I've complied with that. And he said he had seen no further problems. It was just a matter of ignorance on my side. I had local and county business licenses. I was unaware that I needed a monument established license. He made that to my knowledge, and that's why I had an application. I'm willing to pay a fine, so I can continue on. I accept whatever disciplinary action you ask of. I don't see a reason of any further investigation. To my knowledge, I've complied with everything Mr. Schuller had said, and he said things look pretty good to move forward. I'm willing to pay a fine or a fee, or whatever you may imply for a year and a half of operating without knowledge without me having a license.

Chair – Thank you. Board members, it's highly unusual what we have just done, and think about whether we can approve an application or not, just because there might be some type of investigation. I don't remember us being involved in denying are tabling because there might be some investigation. So, Ms. Munson, do you have any comments on my comment?

Ms. Munson – No, sir. I mean, I just did not, it was not clear, at least to me for the record, whether there was specific investigation undergoing or whether it was perspective, or potential investigation. When the statement was made “pending investigation”, I just did not have clarity on what that meant. So, I fully understand and support your statement, sir.

Chair – So, next case, please.

Ms. Simon – Yes, sir.

Mr. Lamothe – Was it approved or not?

Ms. Munson – I don't know if there was a vote actually taken on the motion to table, but again, Ms. Bryant or Ms. Simon can confirm.

Chair – There was a motion to table it. There was a second. And the motion carried to table it until whenever.

Ms. LaTonya Bryant – There was one opposed.

Ms. Munson – So, all were in favor? No opposed?

Ms. Bryant – One (1) opposed.

Chair – I opposed it. So, Ms. Simon?

**17. Application(s) for Preneed Main License**  
**A. Recommended for Approval without Conditions**  
**(1) Sunflower Cremation LLC (F489064) (Hollywood)**

Ms. Simon – The Department received an application for a preneed license on June 14, 2021, which was complete at the time of submission. A completed background check of all principals was returned without criminal history. Applicant's qualifying funeral establishment license (License # F489064) is operated at the same address that is listed on your coversheet. The Division is recommending approval without conditions.

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

**18. Application(s) for Removal Service**  
**A. Recommended for Approval without Conditions**  
**(1) Curseen Jones LLC (Tampa)**

Ms. Simon – An application for removal service licensure was received on May 3, 2021, and was deemed complete on June 14, 2021. The removal service passed its inspection on June 29, 2021. The Division is recommending approval without conditions. Is there a representative of Lasting Impressions on the call today?

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

**16. Application(s) for Monument Establishment Retailer**  
**A. Recommended for Approval without Conditions**  
**(3) Robert P Lamothe d/b/a Lamothe Monument Services (Lakeland) (REVISITED)**

Mr. Jensen – Mr. Chairman?

Chair – Go right ahead. Is this Mr. Lamothe, again?

Mr. Jensen – No, it's Chris Jensen.

Chair – Mr. Jensen? Go right ahead.

Mr. Jensen – Yes. I just want to clear something up. We kind of went through this on the 16. A. (3). I know we voted, but you had mentioned that we're in unusual territory here about whether there is or isn't an investigation. I thought Ms. Simon said there was absolutely an investigation, so I'm a little confused as to what's happening there. I mean, I agree with Mr. Brandenburg in the sense that we don't know, then how are we going to do anything? However, I thought Ms. Simon said there is a pending disciplinary proceeding possibly here. So, I thought the only fair thing to do would be to see what it was. Is that correct, Ms. Simon?

Ms. Simon – Mr. Brandenburg, if I may? I'd like to bring in Mr. Griffin to answer this question, if he may.

Mr. Griffin – So, the cases have not been referred to the Office of the General Counsel yet. From what I understand, the Division has completed its investigations and the cases would be referred in due course to the Office of the General Counsel. I would point out to the Board, for what it's worth, that the fact that the Division is recommending granting the license is notwithstanding these case investigations would kind of lean towards the fact that the Division, in its judgement of the violations, in light of the fact that these individuals are seeking licensure that essentially the licensure is going to remediate the violations observed in the investigations, and essentially that's why they're recommending to grant, is that they're fixing the problem by virtue of the fact that they're actually going before the Board and seeking the licensure. That's all I have to add on that.

Chair – Mr. Knopke?

Mr. Knopke – Thank you, Mr. Chair. In regard to your comments earlier, I don't remember an application coming to the Board for approval, with an ongoing investigation in the past. I could very well be wrong on that, but as both of these have come forward to the Board. Can Mr. Griffin or Ms. Simon?

Mr. Griffin – Capital Transport Services. The Board approved Capital Transport Services, which I believe happened during the April or May Board meeting. It was a situation where we had a removal service where OGC had already received the investigative file and we basically bundled in the settlement of the case as a condition of the application process.

Mr. Knopke – Ok. So, it was similar, but not the same thing.

Mr. Griffin – OGC had already received the case file on those matters. OGC has been informed that case files would be pending in these cases. We were informed this morning of that fact. So, these cases are not as far along as Capital was, but essentially, OGC's intent, or I anticipate that we would be offering a settlement to resolve it at the same time. If the Board does not impose discipline as a condition of granting today, the Department would be trying to settle these cases, and trying to do it next month.

Chair – Ms. Simon?

Ms. Simon – Thank you, sir. I would recommend one more time that if the Board wanted to resolve this matter today, they can do what they did on the case before hand. They can have the condition of licensure be a fine and probation, but you would have to recall the vote. You would have to recall the case, in order to do that, if you are so inclined to do that.

Chair – Mr. Knopke?

**MOTION:** Mr. Knopke moved to recall Item 16. A. (3).

Chair – There's a motion.

Mr. Jensen – Mr. Chair, I think Mr. Hall has a question.

Chair – Mr. Hall? I'm sorry.

Mr. Hall – Mr. Chair, I just want to make a comment. I mean, this firm is just down the street from us, been there forever. In the business we're in, if there was a problem in the past, we would have generally heard it. In all the years, I've never heard of any complaint or any issue with the firm. That being said, though, we still have two (2) operators here, one for three (3) years that's been without a license, and one for a year and a half without a license. So, I think it would have been helpful, maybe if we would have received this from the Division and it said, here's the issue and we recommend this fine. And I'm for resolving it quickly, if we can, and not dragging it out. But, I think that would have been helpful in these situations, to say, this is the issue, this is the problem, and this is the recommended fine. I just feel that would have been helpful, and then we could have moved forward. But, to say on the first one, from 2018 to 2021, three (3) years, you couldn't get it resolved with the Division, is just hard to comprehend. I don't know what the deficiencies were, but I think if I wanted to stay in business I would have figured out what they were and got it to the Division, and got it taken care of.

Chair – Mr. Jensen?

Mr. Jensen – Yes, sir. The only thing that threw me off was the statement that the individual was under investigation. So, if I heard Mr. Griffin correct, there is nothing to egregious here that would prevent the Department from recommending this gentleman get his license? That's correct, right?

Mr. Griffin – Yes.

Mr. Jensen – Ok, Mr. Chairman, based upon that, I would like to rescind my previous motion.

Chair – Now, Mr. Knopke...

Mr. Jensen – Mr. Knopke's motion. I'm sorry.

Chair – You second his motion?

Mr. Jensen – Yes, sir.

Chair – And all those in favor, aye?

Board members – Aye.

Chair – And any opposed?

Rabbi Lyons – Opposed.

Chair – One (1) opposed. Now, Mr. Knopke, as we revisit this, do you have a motion? This is on 16. A. (3).

Mr. Knopke – Mr. Chair, I do. Without trying to repeat exactly what was said on 16. A. (2), which I think Mr. Jensen made, I will make the same motion.

**MOTION:** Mr. Knopke moved to approve the application subject to the condition of passing an on-site inspection by a member of Division staff, pay a \$1000 fine to be paid within thirty (30) days and the license be placed on a one-year probation. Mr. Hall seconded the motion.

Chair – That motion has been made, and it's been seconded. Ms. Munson, is that satisfactory?

Ms. Munson – Yes, sir. I know that the motion is to approve with the condition of the \$1000 fine to be paid within thirty (30) days, one-year probation, and of course, completion of a successful inspection.

Chair – And Mr. Knopke, that was your motion, and that's been seconded, and all those in favor, aye?

Board members – Aye.

Chair – And any opposed? And that motion carries. Congratulations, Mr. Lamothe.

Mr. Lamothe – Thank you, sir. I greatly appreciate it. I've worked 44 years hard, personally handcrafting these monuments. Not too many people still do and I'd like to continue on for many more years. Never has there been any unhappy customers. I also do {inaudible} out in the field. I do repair work for cemeteries.

Ms. Simon – Mr. Lamont, excuse me. It might be in your best interests to just have said thank you.

Mr. Lamothe – I apologize.



Chair – A lot of us work hard.

Mr. Lamothe – Thank you, sir. I appreciate you guys, and thank you.

Ms. Simon – Mr. Chairman, may I move on, on the agenda?

Chair – Please do.

Ms. Simon – Mr. Chairman?

Chair – Yes?

Ms. Simon – If I may ask for a short ten (10) minute break.

Chair – Of course. Why don't we come back at 12:20? Let's come back at 12:20. Thank you.

\*\*\*\*\*BREAK\*\*\*\*\*

Chair – Ok, I'd like to call the meeting back to order, please. Ms. Simon?

**19. Collective Application(s)**

**A. Recommended for Approval with Conditions**

**(1) Change of Ownership**

**(a) NorthStar Graceland LLC d/b/a Miami Memorial Park (Miami)**

- **Application(s) to Acquire Control of an Existing Cemetery Company**
- **Application for Preneed Branch License**

Ms. Simon – NorthStar Graceland, LLC (NorthStar), a limited liability company, seeks approval of the following applications for a change of ownership: an application to acquire control of a cemetery company and an application for a preneed branch license. Included within your Board package are separate applications regarding the property listed on your cover sheet. The change of ownership is the result of an asset purchase where NorthStar is acquiring the assets and liabilities of Miami Memorial. The officers of the LLC will be: Timothy Birch, Maria J. Villatoro-Orozco, Thomas Reichert, Jr., John Renfro and Brian Sullivan. Applicant confirms that if there are currently any unfulfilled preneed contracts sold at these locations, the obligation to fulfill those preneed contracts will be assumed by the new owners. The Division recommends approval 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, (if any), of the location(s) being acquired.
- 8) That the background check for Timothy Birch, principal of Applicant, is returned without criminal history.

- 9) That the Sworn Statement of \$50,000 Net Worth executed by Timothy Birch, principal, is received by the Division within 30 days of this Board meeting.

Chair – Ms. Wiener, I see that you're on the call. Did you want to address the Board or you're merely here to answer questions that may arise?

Ms. Wiener – The latter, Mr. Chairman. Thank you.

Chair – Thank you. Board?

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

- (b) Phoenix Cremation Services LLC d/b/a Tri-County Cremation and Funeral Home (Longwood)**
  - **Funeral Establishment**
  - **Transfer of Preneed**

Ms. Simon – Phoenix Cremation Services LLC, seeks approval of its application for funeral establishment licensure and its application for a transfer of a preneed license. The property is located on 151 South Hwy 17-92. The Division recommends approval subject to the following conditions:

- a) That the closing on the transaction to acquire ownership shall occur within 60 days of the date of this Board meeting.
- b) That the closing on the transaction shall be substantially on terms and conditions as represented to the Board at this Board meeting.
- c) 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 executed 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.
- d) 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.
- e) 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.
- f) That the establishment passes an inspection by a member of Division Staff.

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

- (2) New Application**
  - (a) SCI Funeral Services of Florida LLC d/b/a Dignity Memorial Life Celebration Center (Wildwood)**
    - **Funeral Establishment**
    - **Preneed Branch**

Ms. Simon – SCI Funeral Services of Florida LLC seeks approval of its applications for funeral establishment licensure and preneed branch licensure. The properties are located in Wildwood. The Division recommends approval subject to the condition that the establishments pass an inspection by a member of Division Staff.

**MOTION:** Mr. Hall moved to approve the applications subject to the condition that the establishments pass an inspection by a member of Division Staff. Mr. Knopke seconded the motion, which passed unanimously.

Chair – Ms. Coney, I'm sorry, I didn't see you.

Ms. Coney – Only here if there were any questions. Thank you, sir. Thank you, Board.

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

**A. Recommendation for Approval without Conditions**

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

**(a) SCI Funeral Services of Florida, LLC d/b/a Hillcrest Memorial Park (West Palm Beach)**

Ms. Simon – This entity intends to build Phase 2 of their Tranquility Mausoleum. Typically, a preconstruction trust must be put into place. However, this applicant is requesting that a performance bond be put into place in lieu of the preconstruction trust. The project and the bond is summarized within your Board package. The cemetery agrees to set construction in accordance with the terms of the construction agreement included in your Board package. The Division recommends approval of the preconstruction bond without conditions.

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

**(b) SCI Funeral Services of Florida, LLC d/b/a Star of David Memorial Gardens Cemetery and Funeral Chapel (North Lauderdale)**

Ms. Simon – This performance bond is in lieu of a preconstruction trust, and it is or a project where in the entity is building a mausoleum consisting of 525 caskets spaces and 396 niches. The information regarding the project and the bond is summarized within your Board package. The cemetery agrees to complete the construction in accordance with the terms of the construction agreement included in your Board package. The Division recommends approval of the preconstruction performance bond without conditions.

**MOTION:** Mr. Hall moved to approve the preconstruction performance bond. Mr. Jensen seconded the motion, which passed unanimously.

Chair – Thank you, Mr. Knopke, for your second. Thank you, Mr. Jensen, for your second.

**B. Recommendation for Approval with Conditions**

**(1) Monument Retail Sales Agreement(s)**

**(a) Burley's Memorial & Burial Vaults LLC (Pompano Beach)**

Ms. Simon – Burley's Memorials & Burial Vaults LLC submits a monument retail sales agreement for approval. If the form is approved it will be used for the sale of monuments through its monument retailer establishment licensure approved today. The Division recommends approval with the condition that two (2) full sized print-ready copies are received by the Department within sixty (60) days of this Board meeting.

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

**(b) Davis Monument Industries Inc d/b/a Davis Monuments (Lakeland)**

Ms. Simon – Davis Monument Industries d/b/a Davis Monument submits a monument retail sales agreement for approval. If the form is approved, it will be used for the sale of monuments through its monument retailer establishment licensure approved today. The Division recommends approval with the condition that two (2) full sized print-ready copies 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 are received by the Department within sixty (60) days of this Board meeting. Mr. Knopke seconded the motion, which passed unanimously.

**(c) Robert Lamothe d/b/a Lamothe Monument Services, LLC (Lakeland)**

Ms. Simon – Robert P. Lamothe d/b/a Lamothe Monument Services 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 retailer establishment licensure approved by the Board today. The Division recommends approval with the condition that two (2) full sized print-ready copies are received by the Department within sixty (60) days of this Board meeting.

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

**21. Executive Director’s Report**  
**A. Operational Report (Verbal)**

Ms. Simon – At this point, I will turn the meeting over to Ms. Schwantes, the Executive Director of the Board.

Ms. Schwantes – Mr. Chair, may I?

Chair – Go right ahead, please.

Ms. Schwantes – Thank you, sir. Hello, again, Board members. We're going to keep this month's Operational Report extremely short. I want to thank our Board members and others on this call who attended yesterday's Legislative Workshop. The meeting was very productive, at least for our Department staff, hopefully for those attending as well. We particularly appreciate all comments that were made during the meeting, and we look forward to receiving written comments on the issues. Actually, we've already received the first written comments. Again, the deadline for submitting written comments is the close of business on Friday, July 30th. Comments should be emailed directly to me at [Mary.Schwantes@myfloridacfo.com](mailto:Mary.Schwantes@myfloridacfo.com). If at all possible, the comments should include draft proposed language for any statutory changes. We will summarize those comments, the written comments that are received, and post the summary with the minutes from yesterday's meeting on our website upon their completion. So, our next Board meeting will be a videoconference meeting on Thursday, August 5, 2021. That ends this month's Operational Report. Thank you.


Chair – Thank you.

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

Ms. Simon – This is informational only, assuming there are no questions.

Monthly Report of Fines and Costs Assessed and Paid  
 Division of Funeral, Cemetery and Consumer Services  
 Date of Board meeting: July 13, 2021  
 Date report was prepared: July 6, 2021

Licensee	Board Meeting	Case No.	Total Fine & Cost Due	Date Due	Paid in Full?	Comments
Hubbell Funeral Home	24-Jun-21	276846-21-FC	\$250			
Jerry Evans Funeral Home	24-Jun-21	280015-21-FC	\$250			
Phillips Mortuary	24-Jun-21	243521-19-FC	\$300			
Shane Obert Funeral Home, Inc.:	24-Jun-21	279998-21-FC	\$250			
Archer Funeral Home, Inc.:	24-Jun-21	278186-21-FC	\$250			
CL Page Mortuary d/b/a CL Page Funeral Home	24-Jun-21	278183-21-FC	\$250			
Gause Funeral Home, Inc.	24-Jun-21	278141-21-FC	\$250			
Metro Crematory Inc.	24-Jun-21	278434-21-FC	\$250			
Charles Segal	24-Jun-21	229744-18-FC	\$1,500			
Bay Area Family Funeral Services, Inc.	24-Jun-21	229738-18-FC 277011-21-FC	\$1,750			

JMR Service Group, LLC	24-Jun-21	281351-21-FC	\$250			
Joseph Pinello	24-Jun-21	277027-21-FC	\$250			
Pinello Funeral Home, Inc.	24-Jun-21	277027-21-FC	\$250			
Nathan Woody	24-Jun-21	269812-20-FC	\$1,000			
Woody's Funeral Home	24-Jun-21	269814-20-FC	\$1,000			
Alphonso West Mortuary	24-Jun-21	278181-21-FC	\$2,000			
Mid-Florida Crematory	24-Jun-21	278190-21-FC	\$250			
Apyre National Cremation Services, Inc	6-May-21		\$500		Paid in Full	
Demarien Hawk	5/6/2021	257472-20-FC	\$1,250	7/12/2021		
Ivey Funeral Home	5/6/2021	257469-20-FC	\$1,750	7/12/2021		
Keith Kronish	5/6/2021	268812-20-FC	\$1,000	7/12/2021	Paid in Full	
Kronish, Sunshine & Company	5/6/2021	243335-19-FC	\$1,000	6/21/2021	Paid in Full	
Lowell J. MacDonald	5/6/2021	277022-21-FC	\$250	6/21/2021	Paid in Full	
MacDonald Funeral Home & Cremation Inc.	5/6/2021	277019-21-FC	\$250	6/21/2021	Paid in Full	
Jamie Watts	5/6/2021	267465-20-FC	\$1,000	6/21/2021		
Cremation Service of Florida LLC	5/6/2021	268464-20-FC	\$1,500	6/21/2021		
Marie Decker	5/6/2021	243582-19-FC	\$2,250	11/22/2021		
Shalom Funeral Chapel LLC	5/6/2021	273395-20-FC	\$1,500	6/21/2021	Paid in Full	
Charles A. Lewis	5/6/2021	273653	\$2,000	6/21/2021	Paid in Full	
Charles A. Lewis Funeral Home	5/6/2021	273651-20-FC	\$2,000	6/21/2021	Paid in Full	
Steven Loomis	5/6/2021	274959-21-FC	\$1,000	6/21/2021	Paid in Full	
Central FL Direct Cremations d/b/a Loomis Family Cremations	5/6/2021	274952-21-FC	\$1,000	6/21/2021	Paid in Full	
Elliott Maurice Graham	5/6/2021	265818-20-FC	\$2,000	7/12/2021		
Island Bird	5/6/2021	277099-21-FC	\$2,000	7/12/2021		
Merritt Funeral Home, Inc.	5/6/2021	277439-21-FC	\$250	7/12/2021	Paid in Full	
Capital Transport Services LLC	3/4/2021		\$1,500	6/30/2021		
Jessica Ingram	3/4/2021	270823-20-FC	\$1,500	4/22/2021	Yes	
Deborah Faniel Jenkins d/b/a Faith Funeral	3/4/2021	276635-20-FC	\$2,000	4/22/2021		Sent to the OGC
Debra Lynn Parrish	3/4/2021	257475-20-FC	\$1,000	4/22/2021	Yes	
Dees-Parrish Family Funeral Home	3/4/2021	257474-20-FC	\$1,000	4/22/2021	Yes	
Bryan Box	3/4/2021	273795-20-FC	\$5,250	4/22/2021		Sent to the OGC
Richard L. Macon Funeral Home, Inc. d/b/a Freeman Funeral Home	3-Dec-20	243147-19-FC	\$300	18-Jan-21		Sent to the OGC
R. Butts, Inc. d/b/a Butts Memorial Chapel	1-Oct-20	256607-19-FC	\$1,500	27-Apr-21	Yes	
Rickey Sharnard Butts	1-Oct-20	256616-19-FC	\$1,500	27-Apr-21	Yes	
Marc Brooks	1-Oct-20	255318-19-FC	\$4,000	15-Nov-20		SEND TO OGC
Wilson Wolfe, Inc., d/b/a Sweet Dreams Memorial	8/13/2020	256163-19-FC	\$4,000	2/15/2021		SEND TO OGC
<p>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.</p>						 7/6/2021

## 22. Chairman's Report (Verbal)

Chair – Thank you. This will be a verbal report. I'd like for you to write down July 18<sup>th</sup>. It's a very, very important day. Lew Hall, Happy Birthday this coming Sunday.

Mr. Hall – Thank you.

Chair – So, everybody needs to know that, remember that and put it on your calendar. So, it's not every day you turn 40.

Mr. Hall – That's right.

Chair – That's my report.

Ms. Simon – Thank you, sir.

## 23. Office of Attorney General's Report

### A. Attorney General's Rules Report (Informational)

Ms. Simon – Ms. Munson?

Ms. Munson – Informational only. Just a reminder that your August 5<sup>th</sup> meeting will be under the representation of Attorney Marlene Stern, in my absence. Thank you.

**BOARD OF FUNERAL, CEMETERY, AND CONSUMER SERVICES RULES REPORT  
JULY 2021**

Rule Number	Rule Title	Date Rule Language Approved by Board	Date Sent to OFARR	Rule Development Published	Notice Published	Adopted	Effective

There are no rules pending.

**24. Public Comments (Verbal)**

Ms. Simon – Are there any public comments to be made today? Hearing no response. Mr. Chairman?

**25. Upcoming Meeting(s)**

- A. August 5<sup>th</sup> (Videoconference)
- B. September 2<sup>nd</sup> (Videoconference)
- C. October 7<sup>th</sup> (Videoconference)
- D. November 4<sup>th</sup> (Videoconference)
- E. December 2<sup>nd</sup> (Videoconference)

**26. Adjournment**

Chair – Looking at upcoming meetings, and of course, everybody has the same information I have. So, we're kind of back on schedule again for August, September, October, November and December, as the first Thursday of each month. So, we're back on for that. So, Board members, thank you so much. I'm really proud of you, and we know how much effort you put in and how much work, and how much energy that you put it on, on the information that you receive and you are remarkable people. And thank you so much. I don't expect any reply from that, because the meeting is adjourned.

The meeting was adjourned at 12:34.