

MINUTES
BOARD OF FUNERAL, CEMETERY, AND CONSUMER SERVICES
VIDEOCONFERENCE MEETING
DECEMBER 5, 2024 - 10:00 A.M.

A. Call to Order, Preliminary Remarks, and Roll Call

Ms. Jill Peeples – Good morning, this is Jill Peeples, Chair of the Board of Funeral, Cemetery, and Consumer Services. It is 10:00 A.M, on December 5, 2024, and I'd like to call this meeting to order. I'll turn it over to Ms. Simon for preliminary remarks and roll call.

Ms. Ellen Simon – Thank you, ma'am. Good morning. My name is Ellen Simon. I am the Assistant Director for the Division of Funeral, Cemetery, and Consumer Services. Today is December 5, 2024, and it is approximately 10 AM. This is a public meeting of the Board of Funeral, Cemetery, and Consumer Services. This meeting is being held by videoconference. 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 are on the agenda, which has been made available to the public. The link and call-in number and other information relating to this Board meeting has also been published on the Division's website. 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.

As always, 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, you may need to call back into the meeting because that may 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 so 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 Chair, Ms. Peeples, runs the meeting. Persons desiring to speak should initially ask the Vice Chair for permission.

As a reminder to Board members, you are to refrain from commenting on facts not included within your Board packages, and instead base your decision solely on the information in your Board packages, as well as testimony provided at this meeting. Additionally, ongoing investigations are private and confidential and are not to be discussed, even for the purposes of confirming there is an investigation.

Just a few words about Item U on your agenda, which is Public Comment. Public Comment is reserved for general comments by the public and not for re litigation of any matter before the Board. Please be aware that if Public Comment is used as an attempt to re litigate a matter that has been heard on this agenda, the Board will be instructed that the comment is not appropriate for Public Comment, and it should not be considered for further discussion.

As a final reminder, Board meetings are public meetings under Florida Law, and anything said via chat is subject to a public records request. This feature should only be used for technological issues you may be experiencing, and all inquiries in chat should be directed to Ms. Bryant. She is monitoring the chat feature and, as necessary, will forward your inquiry to someone who can assist in resolution of the problem. At this point I will call the roll:

Jill Peeples, Chair
Andrew Clark, Vice Chair
David Chapman
Sanjena Clay
Vincent "Todd" Ferreira

Christian "Chris" Jensen
Kenneth "Ken" Jones
Janis Liotta {EXCUSED}
William "Bill" Quinn
Darrin Williams

Also noted as present:

Rachelle Munson, Board Legal Advisor
Kimberly Marshall, Department Legal Counsel
Greg Caracci, Department Legal Counsel
Nicole Eldeb, Department Legal Counsel
LaTonya Bryant, Department Staff

Ms. Simon – And as previously stated, Ms. Liotta is excused from today's meeting. Madam Clark, there is a quorum for the business of the Board. If I may, we have received memos of conflict from Mr. Chapman and Mr. Ferreira based on the November meeting, and those memos will be placed in the November minutes.

Chair Peeples – Thank you, Ms. Simon. Ms. Simon, if you will, let's start with Agenda Item B1(a)1, please.

Ms. Simon – Thank you.

Mr. Bill Quinn – Madam Chair?

Chair Peeples – Yes?

Mr. Quinn – Madam Chair, this is Bill Quinn. Permission to add something to the record?

Chair Peeples – Yes, sir.

Mr. Quinn – As a Board member affiliated with SCI, I want to, again, assure the Board that my approach to decision-making will be guided by impartiality, fairness, and objectivity. After thoroughly reviewing the agenda for this meeting, I will make my decisions based on facts and the information presented. Thank you.

Chair Peeples – Thank you, Mr. Quinn. Ms. Simon?

Mr. Darrin Williams – Madam Chair?

Chair Peeples – Mr. Williams?

Mr. Williams – I need to be excused from cases B1(a), B2(a), and (b) as I served on the Probable Cause Panel B.

Chair Peeples – Thank you, Mr. Williams. Is there any other Board member that needs to add any items to the record? Hearing none. Ms. Simon?

B. Disciplinary Proceeding(s)

(1) Settlement Stipulations (Probable Cause Panel B)

(a) Related Case – Division No. ATN-42054

1. NFH Services, LLC d/b/a David Russell Funeral Home: DFS Case No. 325295-24-FC; Division No. ATN-42054 (F026270)

Ms. Simon – Presenting for the Department is Ms. Marshall.

Ms. Kimberly Marshall – I'm sorry. Mr. Caracci is presenting.

Mr. Greg Caracci – Yes.

Ms. Simon – Thank you, ma'am.

Mr. Caracci –NFH Services, LLC. d/b/a David Russell Funeral Home (“Respondent”) is a funeral establishment, licensed under chapter 497, Florida Statutes, license number F086270. The Department conducted an investigation of Respondent and found that Respondent failed to honor a contract with a consumer by not providing a funeral director for a graveside service. Respondent has entered into a proposed Settlement Stipulation. The proposed stipulation provides that Respondent shall pay a \$1,500 fine and have its license placed on probation for twelve (12) months. The Department requests that the Board accept this Settlement Stipulation.

Chair Peeples – Thank you, and if I'm pronouncing correctly -- is it Caracci?

Mr. Caracci – That is correct.

Chair Peeples – Thank you, sir. So, we have heard the case presented to us by Mr. Caracci. Board members?

MOTION: Mr. Todd Ferreira moved to accept the Settlement Stipulation. Ms. Sanjena Clay seconded the motion, which passed unanimously.

2. Norris, Scott: DFS Case No. 325296-24-FC; Division No. ATN-42054 (F043210)

Ms. Simon – Presenting again for the Department is Mr. Caracci.

Mr. Caracci –Yes, it's identical to the NFH case. Scott Norris (“Respondent”) is a funeral director and embalmer, licensed under chapter 497, Florida Statutes, license number F043210. The Department conducted an investigation of Respondent and found that Respondent failed to honor a contract with a consumer by not providing a funeral director for a graveside service. Respondent has entered into a proposed Settlement Stipulation. The proposed stipulation provides that Respondent shall pay a \$1,500 fine and have its license placed on probation for twelve (12) months. The Department requests that the Board accept this Settlement Stipulation.

Chair Peeples – Thank you, Mr. Caracci. I see that Ms. Cornish has joined the meeting. Ms. Cornish, are you representing Mr. Norris?

Ms. Cathy Cornish – Good morning, everyone. I'm just Cathy from All Veterans-All Families Cremations, and I'm on the agenda for my preneed license, and I just wanted to join in and follow along.

Chair Peeples – Thank you, ma'am. If you will, please mute your microphone and also your camera until your agenda item comes before the Board. Thank you, ma'am.

Ms. Cornish – Yes, thank you.

MOTION: Ms. Clay moved to accept the Settlement Stipulation. Mr. Ferreira seconded the motion.

Chair Peeples – Is there any discussion on the motion? Mr. Jones?

Mr. Jones – Yes. Is Mr. Norris on the call today, by chance?

Mr. Luke Grabowski – This is Luke Grabowski on behalf of Mr. Norris.

Chair Peeples – Could you please repeat? Who is representing Mr. Norris, please?

Mr. Grabowski – Good morning, Madam Chair. This is Luke Grabowski on behalf of Scott Norris.

Chair Peeples – Would you like to address the Board, sir, or are you here in case questions arise?

Mr. Grabowski – I'm just here for questions.

Chair Peeples – Thank you, sir.

Ms. Munson – If I may? I'm sorry, Madam Chair. Was he representing also for the previous case?

Mr. Grabowski – Yes, ma'am.

Ms. Munson – Thank you. Sorry about that.

Chair Peeples – Thank you, Ms. Munson. We have a motion, a second. Is there any discussion on the motion? Hearing none, all in favor of the motion say yes.

Board Members – Yes.

Chair Peeples – All opposed, say no. Motion carries.

(2) Motion for Final Order by Hearing Not Involving Disputed Issues of Material Fact (Probable Cause Panel B)

Ms. Simon – And before we call the first matter, Ms. Marshall.

Ms. Marshall – Thank you, Ms. Simon. Board members, we are verbally on the record making a motion for Nicole Eldeb to appear as a qualified representative on behalf of Departments in the next two matters. Pursuant to Rule 28-106.106 Florida Administrative Code. Ms. Eldeb is not yet a licensed attorney. She is a recent graduate of the FSU Law School and is studying to take the bar exam and she works under my supervision. We are simply asking that the Board permit her to represent the Department in the next two (2) matters.

Chair Peeples – Yes, Ms. Marshall, please proceed.

Ms. Marshall – I'm sorry, Madam Chair, that's a motion that's going to require approval by the Board.

Chair Peeples – Board members?

MOTION: Mr. Ken Jones moved to permit Ms. Nicole Eldeb to represent the Department in the next two (2) matters. Mr. Andrew Clark seconded the motion, which passed unanimously.

Ms. Simon – Thank you Board members.

(a) Integrity Funeral Home and Cremations Inc.: DFS Case No. 325251-24-FC; Division No. ATN-42134 (F086272)

Ms. Simon – Presenting for the Department is Ms. Eldeb.

Ms. Nicole Eldeb – Thank you. The above-referenced matter is presented to the Board for consideration of the Motion for Final Order by Hearing Not Involving Disputed Issues of Material Fact (Motion) in the matter of Integrity Funeral Home and Cremations Inc. ("Respondent"). The Department conducted an inspection of Respondent and found as follows: At all times material to the allegations herein, Respondent was licensed as a funeral director and embalmer. Respondent practiced embalming with an expired license. The disciplinary guidelines for these violations are as follows:

- Count I: *aiding, assisting, procuring, employing, or advising any person to practice a profession or occupation regulated by this chapter without required licensure*: Reprimand, fine of \$1,000 to \$2,500 plus costs. In addition, probation for six (6) months to one (1) year with conditions, suspension up to one (1) year, or permanent revocation of license may be imposed.

The Motion demonstrates Respondent has alleged that there are no material facts in dispute and for this matter to proceed as an informal hearing before the Board, and requests the Board adopt the factual allegations in the Administrative Complaint and issue an appropriate penalty. At this time, it would be appropriate for the Chair to entertain a motion determining that the Respondent was properly served with the Administrative Complaint and waived its right to a 120.57(1) hearing based on Respondent's failure to file a timely response.

Chair Peeples – Board members?

MOTION: Mr. Jones moved that Respondent has waived its right to a 120.57(1) hearing based on Respondent's failure to file a timely response. Mr. David Chapman seconded the motion, which passed unanimously.

Ms. Eldeb – Thank you. Now that the Board has determined that the Respondent has waived its right to request a proceeding in this matter, the Department believes it's appropriate at this time for the Chair to entertain a motion adopting the allegations of the facts as set forth in the Administrative Complaint.

Chair Peeples – Board members?

MOTION: Mr. Clark moved to adopt the allegations of the facts as set forth in the Administrative Complaint. Mr. Chapman seconded the motion, which passed unanimously.

Ms. Munson – Madam Chair?

Chair Peeples – Yes, ma'am.

Ms. Munson – I just wanted to clarify. I know the Board, took the previous motion, voted on the previous motion, waiving the right for a hearing. Was Ms. Eldeb requesting that you waive the right for a 120.57(1) hearing or just a hearing in particular? Because that's a DOAH hearing, and I just want to make sure because that was the motion.

Chair Peeples – Thank you, Ms. Munson. Ms. Eldeb, could you clarify Ms. Munson's question please?

Ms. Eldeb – I may need Ms. Marshall to help me with this because I'm afraid of saying the wrong statute.

Ms. Munson – It is the statute, I just think it should just say 120.57 because it's also waiving the (2), which is, they're not here, they didn't dispute it so that part. If Ms. Marshall, please, can clarify.

Ms. Marshall – Yes, Ms. Munson, simply that they have waived the right to a 120.57(1) hearing, and they have opted for an informal because they are not disputing any material facts.

Ms. Munson – Okay. Thank you for that. I understand.

Ms. Marshall – Thank you.

Chair Peeples – Thank you, Ms. Munson. Ms. Eldeb, if we go to our next item, please.

Ms. Eldeb – Thank you. The Department contends that the Board's findings of facts support a finding of violations of Chapter 497 of the Florida Statutes as charged in the Administrative Complaint. It is appropriate at this time for the Chair to entertain a motion finding Respondent is in violation of Florida Statutes as charged in the Administrative Complaint.

Chair Peeples – Board members?

MOTION: Mr. Chris Jensen moved that Respondent is in violation of Florida Statutes as charged in the Administrative Complaint. Mr. Ferreira seconded the motion, which passed unanimously.

Chair Peeples – Is there anyone present today representing Integrity Funeral Home and Cremation Incorporated on the call? Hearing no response. Ms. Eldeb?

Ms. Eldeb – The Department also offers into evidence the investigative report with the exhibits, a copy of which has been previously furnished to the Board to establish a prima facie case for the violations alleged in the Administrative Complaints.

Chair Peeples – Board members?

MOTION: Mr. Ferreira moved to accept into evidence the investigative report with the exhibits. Mr. Jones seconded the motion, which passed unanimously.

Chair Peeples – Ms. Eldeb?

Ms. Eldeb – The Department is recommending the following penalty in this case. The Department is recommending a \$1,500 fine plus one-year probation.

MOTION: Mr. Ferreira moved for a fine of \$1,500 and one (1) year of probation. Mr. Jensen seconded the motion, which passed unanimously.

Ms. Simon – Thank you.

(b) Oaklawn Park, Inc. d/b/a Greenwood Cemetery: DFS Case No. 333169-24-FC; Division No. ATN-43617 (F039556)

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

Ms. Eldeb – Thank you. The above-referenced matter is presented to the Board for consideration of the Motion for Final Order by Hearing Not Involving Disputed Issues of Material Fact (Motion) in the matter of Oaklawn Park, Inc., d/b/a Greenwood Cemetery (Respondent). The Division conducted an investigation of Respondent and alleges as follows: Respondent is a licensed cemetery, holding license number F039556. Respondent's license expired on or about January 1, 2024. Respondent did not renew its license until August 29, 2024; however, Respondent continued operating as a cemetery for approximately nine (9) months while its license was expired. The disciplinary guideline for this violation is as follows:

- Count I: *practicing or attempting to practice with a revoked, suspended, inactive, or delinquent license*: If delinquent, \$250 per month. If other, fine of \$2,000-\$3,500 plus costs. In addition, probation for up to two (2) years with conditions, suspension up to two (2) years or permanent revocation of license may be imposed.

The Motion demonstrates Respondent has alleged that there are no material facts in dispute and for this matter to proceed as an informal hearing before the Board, and requests the Board adopt the factual allegations in the Administrative Complaint and issue an appropriate penalty. I would also like to make a quick verbal amendment and add that the Administrative Complaint references statute 497.151, but that should say 152. And I apologize for that typo.

Chair Peeples – Thank you, ma'am. Board members, the Respondent has been properly served and we're going to an informal hearing that they've waived their right under the Florida statute 120.57. Is that correct, Ms. Munson?

Ms. Munson – That's perfect. That's fine.

MOTION: Mr. Jensen moved that Respondent waived its right to request a proceeding in this matter, therefore this matter shall proceed as an informal hearing before the Board. Mr. Ferreira seconded the motion, which passed unanimously.

Chair Peeples – Ms. Eldeb?

Ms. Eldeb – Thank you. Now that the Board has determined that the Respondent has waived its right to request a proceeding in this matter, the Department believes it is appropriate at this time for the Chair to entertain a motion adopting the allegations of the facts as set forth in the Administrative Complaint.

MOTION: Mr. Ferreira moved to adopt the allegations of the facts as set forth in the Administrative Complaint. Mr. Jensen seconded the motion, which passed unanimously.

Ms. Eldeb – The Department contends that the Board's findings of facts support a finding of violations of Chapter 497 of the Florida Statutes as charged in the Administrative Complaint. It is appropriate at this time for the Chair to entertain a motion finding Respondent in violation of the Florida Statutes as charged in the Administrative Complaint.

MOTION: Mr. Ferreira moved that Respondent is in violation of Florida Statutes as charged in the Administrative Complaint. Mr. Clark seconded the motion, which passed unanimously.

Chair Peeples – Is there anyone present presenting Oaklawn Park Inc. d/b/a Greenwood Cemetery on the call today? Hearing no response. Ms. Eldeb?

Ms. Eldeb – Thank you. The Department also offers into evidence the investigative report with exhibits, a copy of which has been previously furnished to the Board to establish a prima facie case for the violations alleged in the Administrative Complaint.

Chair Peeples – Board members?

MOTION: Mr. Jones moved to accept into evidence the investigative report with the exhibits. Mr. Chapman seconded the motion, which passed unanimously.

Chair Peeples – Ms. Eldeb?

Ms. Eldeb – Thank you. The Department recommends the following penalty in this case. The Department is recommending a \$1,750 fine.

MOTION: Mr. Ferreira moved for a fine of \$1,750. Mr. Jensen seconded the motion, which passed unanimously.

Chair Peeples – Ms. Simon, before we go to the next agenda item, I'm going to need to move to another office because I have a poor connection with the internet. I need to move a little bit in. So, I'll be moving, but I'll still be participating.

Ms. Clay – Madam Chair?

Chair Peeples – Yes, Ms. Clay?

Ms. Clay – I'm having the same issues, so I'm going to be moving also. Thank you.

Chair Peeples – Thank you, Ms. Clay. Ms. Simon?

Ms. Simon – Shall I pause or go ahead with the agenda?

Chair Peeples – If you'll give me about two seconds just pause really quick and I'll move.

Ms. Simon – Yes.

Chair Peeples – And Ms. Clay can move. Thank you very much. As part of the recording, I know we had connection issues last month for the last meeting. So, I'm not sure if it's the app or the browser. Ms. Clay, are you situated, ma'am?

Ms. Clay – Well, my issue is a little –

Chair Peeples – I'm set up in my area. Is that a little bit better for everyone for me?

Board members – Yes.

Chair Peeples – Thank you. Ms. Clay, let me know when you're situated.

Ms. Clay – Madam Chair, you can go ahead. I'm still working on it, but I am –

Chair Peeples – Thank you, Ms. Clay. Ms. Simon?

C. Application(s) for Preneed Sales Agent

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

Ms. Simon – This is an informational item. Pursuant to Section 497.466, Florida Statutes, the applicants on Addendum A have been issued their licenses and appointments as preneed sales agents.

(2) Recommended for Approval with Conditions (Criminal History)

(a) Mitchell, Ivan W (Appointing Entity: Waldon Professional Funeral & Cremation Services LLC)

Ms. Simon – This is also an application for preneed sales agent licensure based on criminal history. Is Mr. Mitchell here today?

Mr. Ivan Mitchell – Yes, ma'am.

Ms. Simon – Thank you, Mr. Mitchell. On October 23, 2024, an application was received by the Division for licensure as a preneed sales agent under Waldon Professional Funeral & Cremation Services LLC. Applicant answered “Yes” to the background question regarding criminal history on the application due to reportable criminal history that required disclosing. Applicant provided the Division with a written explanation when applying for licensure as a concurrent intern in 2019, which was approved with conditions by the board in April 2019. Applicant also provided a completed Criminal History Form and court documentation. In 2010, a felony charge of lynching was filed against Mr. Mitchell by the 5th Judicial Circuit Court in Richland County. This criminal offense occurred in Richland County, South Carolina. Mr. Mitchell pled guilty to all charges and was sentenced to fourteen (14) years of confinement with ten (10) years served. In 2011, a felony charge of possession of a substance was also filed against Mr. Mitchell in Richland, South Carolina to which he also pled guilty and was sentenced to three (3) years of confinement concurrent to the time he currently served, and payment of fines plus other costs and court fees. Mr. Mitchell has satisfied all conditions and paid all required fees with no further disciplinary action against the applicant. The Division recommends approval, due to the Board’s prior approval of licensure when presented with this same criminal history, subject to the condition that Applicant be placed on twelve (12) full months of probation.

Chair Peeples – Thank you, Ms. Simon. Board members, do you have any discussion, which I have Mr. Williams first?

Mr. Williams – Yes, Madam Chair. Thank you. Maybe it's for Ms. Simon. Ms. Simon, I didn't see the documentation of the Board packet of what those conditions were when we approved him initially. And I guess my question is, if we had conditions during that time, is it necessary to continue to have conditions this time?

Ms. Simon – If I may?

Chair Peeples – Yes, Ms. Simon.

Ms. Simon – We're not limited by what the decision was last time. The Board can do what the Board wants to do with this. Our recommendation was in line with what the Board had previously done. And the condition that we recommend is that the applicant be placed on twelve (12) months of probation. And Madam Chair if I may, Mr. Mitchell is also on the call, I believe.

Chair Peeples – Yes, ma'am. I was getting with the Board members really quickly and then I was going to come to Mr. Mitchell. Thank you. Mr. Mitchell, are you going to be available for questions? If so, we need Ms. Simon to swear you in please, sir.

Ms. Simon – Please raise your right hand, Mr. Mitchell. Do you swear to tell the truth, the whole truth and nothing but the truth, so help you God?

Mr. Mitchell – Yes, ma'am. I do.

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

Mr. Mitchell – My name is Ivan Mitchell, last name is M-I-T-C-H-E-L-L.

Ms. Simon – Thank you, sir.

Ms. Munson –Madam Chair?

Chair Peeples – Yes Ms. Munson?

Ms. Munson – Is he represented?

Mr. Mitchell – No, ma'am.

Ms. Munson – Okay. Thank you.

Chair Peeples – I see Ms. Coney is on. Ms. Coney, do you have a question, ma'am?

Ms. Lisa Coney – I just have a brief point of clarification.

Chair Peeples – Ma'am, if you will, we'll have to swear in for a recorded statement, please.

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

Ms. Coney – Yes ma'am.

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

Ms. Coney – Lisa Coney, C-O-N-E-Y like Coney Island.

Ms. Simon – Thank you, ma'am.

Ms. Coney – Just a brief point of clarification. The cover letter for this applicant references at the bottom that Mr. Ferrugio has not had any criminal activity since his last application. Mr. Ferrugio was licensed in good standing and has absolutely nothing to do with this applicant or application, so I wanted to make sure that his name was removed from anything to do with this consideration. It was just a typo, but he has nothing to do with it.

Ms. Simon – Yes, Madam Chair. Well, this is a typographical error and as I already stated to the Board, I did not include the name of any other applicant. I mentioned that there have been no further disciplinary actions against Mr. Mitchell.

Ms. Coney – Okay. Well, it does have his name in the printed material, and I wanted to make sure that there was no connection. Thank you.

Chair Peeples – Thank you, Ms. Coney.

Mr. Mitchell – Thank you.

Chair Peeples – Mr. Mitchell, would you like to address the Board, sir?

Mr. Mitchell – Yes. First, I would like to say I thank you for giving me the opportunity to be a licensed funeral director and embalmer. And I would like to thank you for the opportunity of hearing my application to be a preneed agent. I'm just

grateful that you guys are considering me and I'm grateful for all the doors that you have allowed me to walk through. So, I would just like to say thank you. I really don't have a lot to say. I just would like to say thank you all.

Chair Peeples – Thank you, Mr. Mitchell. Board members, do you have any questions for Mr. Mitchell?

Mr. Ferreira – Yes, ma'am.

Chair Peeples – Mr. Ferreira?

Mr. Ferreira – Mr. Mitchell, are you licensed as a funeral director and embalmer in Florida?

Mr. Mitchell – Yes, I am. Yes, sir.

Mr. Ferreira – Alright. So, my question is, you can sell preneed. You know, I mean, you can sell preneed with that license.

Mr. Mitchell – Well I think it was a matter of concern because I have a record. So, it was only right that I go through all protocol and stand forward.

Mr. Ferreira – Okay. I don't know how we handle this.

Chair Peeples – Mr. Ferreira, if I may, before you continue, Ms. Simon, if you'd like to address.

Ms. Simon – This is the first time this issue has been raised in a while, so I'm not sure if I remember the law correctly. But I thought preneed license was required in order to sell insurance-funded preneed by a non-FDIC. I mean, that was my understanding [inaudible].

Chair Peeples – Ms. Simon, as a licensed funeral director, I am also a license insurance agent. But it's my interpretation that as a license funeral director, there are some preneed agreements that you can handle and process as a licensed director. Which is why I got my insurance license, so that I could do insurance funded also. But that was me personally. So as Mr. Ferreira stated, Mr. Mitchell, as a licensed funeral director, does have some aspects open to him for preneed agreement processing. So, it kind of goes through interpretation by each individual licensee. Mr. Ferreira, did you complete your questions and answers to Mr. Mitchell?

Mr. Ferreira – Yes, ma'am.

Chair Peeples – Mr. Jensen, I saw your hand, sir.

Mr. Jensen – Yes, ma'am. I just wanted to state that I think it was a year and a half ago or two (2) years that the law was changed where you don't have to be a licensed insurance agent. And if you are a funeral director and embalmer, you can sell preneed in the state of Florida. So, I'm along with Mr. Ferreira. I don't really understand the motivation here.

Chair Peeples – Ms. Coney?

Ms. Coney – Just some insight as to Deputy Director Simon's point. When the Office of Insurance Regulation established that site, they did it with a qualifying license of a preneed sales agent. And that site does not say a licensed funeral director also. The licensing numbers are the same, so there probably are some funeral directors who have taken advantage of that. But the Office of Insurance Regulation has interpreted that to believe preneed sales agent in our realm is applicable, but perhaps a funeral director is not. I don't know that there's a formal ruling, but we have directed our funeral directors to get the insurance license because of the confusion within OIR. I don't know if that helps.

Chair Peeples – Thank you, Ms. Coney. That just reiterates what I just said also about being a licensed funeral director and embalmer and insurance agent. Mr. Williams?

MOTION: Mr. Williams moved to approve the application subject to the condition of twelve (12) full months of probation. Ms. Clay seconded the motion.

Chair Peeples – Ms. Wiener, I see you have joined.

Ms. Wendy Wiener – Yes, thank you. I would expect Ms. Munson or maybe Ms. Simon to recommend against approving this license. This is an unnecessary license. We don't want to establish a precedent of requiring people to get licenses that they don't have to get. Ms. Peeples had it exactly right. If you are a funeral director in the state of Florida, you can sell preneed. If you sell insurance-funded preneed, you may or may not need an insurance agent's license. Like Ms. Coney, we recommend yes. But you do not need a preneed sales agents license. And so, I think this Board is on a slippery slope by now recommending approval or approving a license that is not necessary. Thank you.

Chair Peeples – Thank you, Ms. Wiener. Ms. Munson?

Ms. Munson – So, my comment to that is where a license may not be necessary does not mean it's prohibitive. If an applicant chooses to apply for any license, they have to meet the criteria for that license, whether it's to deem to be necessary or not. And for the Board to make a statement that we recommend you do not apply because you do not need it, that's an individual assessment. And if anyone else chooses to apply for a license that they do not need, their application needs to be reviewed independently. A decision on this should be based on the merits of this application. That's my recommendation to the Board.

Chair Peeples – Thank you, Ms. Munson. Ms. Wiener?

Ms. Wiener – I was just going to say it has been my experience over the last thirty (30) plus years that when an application is submitted to this regulator and that application is not necessary because the licensure is not necessary, then that application is returned and refunded and not processed and does not go to the Board. Ms. Simon indicated that she was under an understanding that a license may be required, and I think that's why we find ourselves where we do today. But I certainly would argue against establishing a precedent of even making people believe that they can or should apply for licenses that they do not need.

Ms. Munson – But to cure that would be to explain to this applicant, sir, that it has been stated on this record that you may not need it. It's still your option, whether or not you want to apply for it. It is also up to the Department to actually present to the Board any applications that they feel are worthy of review. I just don't want the lanes to be crossed. I mean, I want individuals to have their individual ability to do what they choose. I want the Department to be able to present what they feel should be presented. And I want the Board to understand what the realm and creating no precedence in any situation because they are individually deliberated. I just want that on record to be clear so the minutes will reflect.

Chair Peeples – Thank you, Ms. Munson. Thank you, Ms. Wiener. Mr. Mitchell, as being a part of this call and being sworn in to participate today, you've heard a lot of discussion and comments that have been made. We do have a motion. We do have a second. We're in the discussion phase. Do you have any questions? Do you have any items? Would you like us to continue? Because we need to vote on this, do you have any questions for us or any comments?

Mr. Mitchell – No, ma'am, but my funeral director does have a question or two (2).

Ms. Kristy Waldon-Mitchell – Hi. I'm Kristy with Waldon Funeral Homes, the licensed funeral director in charge.

Chair Peeples – Excuse me, ma'am. First, I need to have you sworn in, and then I need you to state your name. So, Ms. Simon will assist you, please.

Ms. Simon – Please raise your right hand, ma'am.

Ms. Waldon-Mitchell – Thank you.

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

Ms. Waldon-Mitchell – Yes, ma'am. I do.

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

Ms. Waldon-Mitchell – Kristy, K-R-I-S-T-Y, last name W-A-L-D-O-N hyphen M-I-T-C-H-E-L-L.

Ms. Simon – Thank you, ma'am.

Chair Peeples – Thank you, Ms. Mitchell. If you'll please introduce yourself and present to the Board.

Ms. Waldon-Mitchell – Hi, I'm the FDIC here at Waldon and it is my understanding that in order for our funeral directors to participate in selling preneed insurance, that we needed to obtain a preneed license which is what our directors have done here, which is why Ivan's application was submitted also. So, if it is that it's needed for the selling of preneed insurance, we here at Waldon would want him to have that license.

Chair Peeples – Thank you, Ms. Mitchell. I'm not sure if you were a part of the call earlier when I made the comment on the record as Chair, but I am also a licensed field director and embalmer. I have held a life license since the early 80s, and I chose it so that I could represent our firm when it came to insurance-funded prearranged agreements. So that is a personal item that I completed to go along with my availability for our firm. So, I have that life license which allows me to participate. Usually, a preneed agent license is usually utilized for someone that is not a licensed funeral director and embalmer. It is someone that is working for a firm that is not a licensed individual that will be participating in either possibly trust agreements and/or insurance-funded agreements. Mr. Mitchell, as a license funeral director and embalmer or just a licensed director, he can participate with trust agreements, but I would be cautious for him on insurance-funded because of him being a licensed funeral director and embalmer. And that is my interpretation of the rules. So that's kind of where we are. And Ms. Munson, I see you are following kind of the conversation that's going along. We have been presented to us an application. We have a motion; we have a second. So, I think this may be a grey area for a licensed funeral director and embalmer versus a licensed preneed sales agent. So, it is a gray area, but we do have a motion. I think it would be fitting, if we don't have any more discussion, for us to vote on the motion and then if we feel that we need to make a recommendation on our Rules Committee agenda, we may. Do you agree, Ms. Munson?

Ms. Munson – I do.

Chair Peeples – Thank you, ma'am.

Ms. Munson – You have an application before, so you have to act on it.

Chair Peeples – Thank you. Mr. Jensen?

Mr. Jensen – Yes, just a clarification. So, if I understand Ms. Munson, she's basically saying it's an individual application and has no bearing on anything in the future. But what I'm cautious about along with kind of along the lines of what Mr. Ferreira said, don't want the Department to start putting up here that funeral directors and embalmers need a preneed license. So, it's sort of a slippery slope. The gentleman wants a license. I agree. However, I do agree with what Ms. Wiener said, that we are on a slippery area. So, I'd like to hear from Ms. Simon. What will you guys recommend in the future with all preneed licenses? Are you now going to require funeral directors to have a preneed license because of this or is this a purely individual deal?

Chair Peeples – Ms. Simon?

Ms. Simon – I can't state what the Division's intention is in the future with this. However, and it has been a while since I've looked into the law, and I know that, as was stated previously, our law has changed recently. I do not have that information in front of me. It used to be that a preneed license was required in order to sell contracts funded by insurance. Regardless, this is an individual case, and if the Board chooses to deny this application for whatever reason, those matters, the reasons will have to be stated on the record. And I'm not sure they will be justifiable at the Division of Administrative Hearings should this applicant appeal that decision, simply because there's no need for the license. I don't know about that. I would rely on Ms. Munson to answer that question.

Chair Peeples – Thank you, Ms. Simon. Ms. Munson, would you like to reply to her comment?

Ms. Munson – I can't respond to what the Division of Administrative Hearings would do if a denial was sent because the Board determines that they denied it because the license was not deemed necessary. So, I mean, that would be the argument that would go to DOAH if the person chooses to appeal it. And I cannot tell you how they would respond.

Chair Peeples – Thank you, Ms. Munson. Ms. Wiener?

Ms. Wiener – Thank you. I just want to clarify. There is only one (1) requirement for selling preneed, period. And that is a preneed sales agent's license or a funeral director's license. If the preneed is insurance-funded, then there is another license issued by another regulator, not this regulator, another regulator entirely, that would be issued. So, if you are a licensed funeral director and embalmer, or a funeral director, you simply do not need to be a preneed sales agent, period. There is no licensure requirement by this Division to sell preneed if you are a funeral director.

Ms. Munson – And if I may, Madam Chair. I just have to interject that those comments are very well received, but they should be made by the Department if they're going to give guidance to any application before the Department. Because if anything is said contrary or if there's any discrepancy, it will not be against Attorney Wiener. It will be against the Department. So, I just want to make sure that these lines are very, very clear. So, I just always want to keep them clear, and I appreciate them and I'm not negating or anything of that nature, but this is a Department's presentation of an application and any support or any remediation of it, has to be from the Department.

Chair Peeples – Thank you, Ms. Munson. We're going to go to Ms. Simon, then Mr. Williams, then Mr. Clark. Ms. Simon?

Ms. Simon – I'm just doing some math in my head. And should the Board choose to continue this matter until January, it would still be within the proper time frame. It would not deem before that point. And it will give some time to do some more research before this matter is again presented to the Board.

Chair Peeples – Thank you, Ms. Simon, Mr. Williams?

Mr. Williams – Madam Chair, I was going to ask for the order of the day because now we're talking about rules and things like that. So, I was asking for the order of the day, so we can go ahead and close this vote out. I know Mr. Clark has a question, but we're going to some rules things and we're missing out on the actual motion that's on the table. So, I called for the order today if we could.

Chair Peeples – Thank you, Mr. Williams. Mr. Clark?

Mr. Clark – I was going to say what Ms. Simon said, which is we have another meeting where deemer is not an issue. That's all.

Chair Peeples – Thank you. We have a motion before us by Mr. Williams and a second by Ms. Clay. And you heard the response from Ms. Simon regarding possibly withdrawing your motion and your second and us placing it on the January agenda, or we can go ahead and vote. Mr. Williams, what is your preference, sir?

Mr. Williams – That we proceed, please.

Chair Peeples – Yes, sir. Ms. Clay, do you confirm?

Ms. Clay – Yes.

Chair Peeples – Okay. We have a motion. We have a second. We've had discussion. Let us vote. Ms. Simon, will you do a roll call vote please, ma'am?

Ms. Simon – Yes, ma'am.

Chair Peeples – Thank you.

Ms. Simon – All of those voting to approve the application, please say Yay or in the alternative Nay. Mr. Clark?

Mr. Clark – No.

Ms. Simon – Mr. Quinn?

Mr. Quinn – No.

Ms. Simon – Ms. Clay?

Ms. Clay – Yes.

Ms. Simon – Mr. Ferreira?

Mr. Ferreira – No.

Ms. Simon – Mr. Jensen?

Mr. Jensen – No.

Ms. Simon – Mr. Jones?

Mr. Jones – No.

Ms. Simon – Mr. Chapman?

Mr. Chapman – No.

Ms. Simon – Mr. Williams?

Mr. Williams – Yes.

Ms. Simon – Madam Chair?

Chair Peeples – Yes.

Ms. Simon – Madam Chair, that motion fails.

Chair Peeples – Thank you. So, Ms. Simon, since the motion failed, and the application is not approved would it be that Mr. Mitchell may be able just to get in touch and keep the office team updated to see kind of where things are. Do we need to go any further, Ms. Simon?

Ms. Simon – Madam Chair, just because that motion fails, we're back to zero. Somebody needs to make a motion of some sort. There needs to be some action by the Board. Either a motion to continue this matter until January, or a motion to deny. There needs to be something.

Chair Peeples – Thank you, ma'am. Board members? Mr. Jensen?

MOTION: Mr. Jensen moved to deny it based on the fact that it's not needed.

Mr. Jensen – I think that, you know, this would affect thousands of funeral directors across the state.

Chair Peeples – We have a motion. Ms. Munson, before I get to you, is there anyone, before we get to the discussion phase? We have a motion.

Mr. Chapman – I'll second that motion.

Chair Peeples – We have a motion. We have a second. So now we're in discussion. Ms. Munson?

Ms. Munson – Yes, I would strongly recommend that the Board not vote to deny this. And I usually don't make statements like that, but when you put a denial on someone's licensing history and you're basing a denial on information that the Department is not clear whether or not it should be approved, it's an unfortunate and punitive result for any licensee. So, before the Board continues down that track, if you're wanting to table or continue it because the Department feels that they need to do additional investigation or research on the viability or necessity of a license, that's a completely different story. But to punish a licensee because the Department cannot give a response, I think would be inappropriate and not defensible.

Chair Peeples – Thank you, Ms. Munson. Mr. Jensen?

Mr. Jensen – Yes. While I do agree with Ms. Munson, I mean, how do we resolve this? Because if we table it till January, we're going to have to vote one way or another then, or do we ask applicant to just withdraw his application? I mean, how do we handle this and find a resolution?

Ms. Munson – I do not recommend that you ask an applicant to withdraw an application that the Department is telling you they don't know what to do with it. So again, it's in the Department square position now. If you table it, they will need to come back in January with an information. They might have communication with the applicant between now and the next meeting to see based on the information that they find, if this applicant wants to continue with the application. He may choose to withdraw it because they may tell him that it's not necessary. But right now, there's like not even clarity as to how he should proceed. And that's the information that is presented on the record. So, I cannot recommend a denial. If you choose to table it and any information and discussion the Department may have with the applicant between now and the next meeting would also be appropriate. If it comes back on the next agenda for whatever reason, then you can rule on it at that time. And I can't say how you will rule on it because the Department may come back with, well, we can't find where this is unnecessary. And that gentleman will have an opportunity to submit an application still, but you don't want the Department in a position to say they are denying individual licensure based on feelings or a lack of clarity. You just don't want that on the record.

Chair Peeples – And Ms. Munson as Chair, I would just like to kind of caveat your comments. We want a clear path. We want clear direction, but as you mentioned, a denial is a denial. So, Mr. Jensen, I'd like to come back to you.

Mr. Jensen – Yes, please.

Chair Peeples – Would you consider withdrawing your motion, and let's table this till the January 2nd meeting?

Mr. Jensen – Yes ma'am. I would, based on what Ms. Munson said, that gave me good clarification. I just want it to end one way or the other, but I don't want to harm the applicant. I definitely don't want to harm the applicant, but yes, I do want to find a resolution, so I think that would be best. Thank you.

Chair Peeples – Thank you. Mr. Chapman, do you agree with your second and agree with the withdrawal by Mr. Jensen?

Mr. Chapman – Yes, I do, but my intention here was to approve the gentleman for his application and then once everybody has figured out if he needed that preneed license or not, we could either refund his money back, but he would still have his license so he could conduct his business. That's where I was trying to go with this.

Chair Peeples – Yes, sir. And Mr. Chapman, we had a previous motion by Mr. Williams to approve and Ms. Clay did a second and we had a roll call vote and in the roll call vote you were a No for approval. So, we did have that earlier, which we are not going to bring that motion back up because it's already been handled. So, we have a withdrawal by Mr. Jensen, a withdrawal by Mr. Chapman. Ms. Munson, do we need anything else to table this till the January meeting? Are we covered?

Ms. Munson – I would just offer some explanation and invitation to the applicant to make sure he understands what's happening here because it's been so much back and forth. I'm not certain that he does.

Chair Peeples – Okay, thank you. Mr. Mitchell, are you still connected on the call?

Mr. Mitchell – Yes ma'am, I am.

Chair Peeples – Thank you. Where we are as Ms. Munson graciously gave the information is we would like to table your application request until the January 2, 2025 Board meeting so that some research can be done and information possibly can be gathered because there is a lot of unknowns and everyone has a different interpretation of what license or what availability you have as a licensed funeral director embalmer to be involved with preneed sales. So, would you be agreeing and are you okay with us withdrawing your application or tabling it to the January meeting?

Ms. Munson – January 3rd, I believe it is. Just so you know that we have a date certain on that, I believe.

Chair Peeples – Okay. Thank you, Ms. Munson. And Mr. Mitchell, are you agreeing to this?

Mr. Mitchell – Yes ma'am.

Chair Peeples – I'm sorry sir, we don't have a good connection with you.

Ms. Munson – January 2nd. I'm sorry.

Mr. Mitchell – Yes, I do apologize. Yes, ma'am. I agree. I don't want no trouble.

Chair Peeples – Okay. And it is not trouble, sir. It's just we need to get some clarity to your request, your application request. I appreciate you being positive about it. I appreciate you participating, and the Board office team will be in touch with you, and you'll be in touch with them. Okay, sir?

Mr. Mitchell – Yes. Thank you so very much.

Chair Peeples – Thank you. Ms. Simon, can we go to the next agenda item, please, ma'am?

Ms. Simon – Thank you, Madam Chair.

(3) *Recommended for Denial (Criminal History)*
(a) *Keaton, Gabrielle N (Appointing Entity: SCI Funeral Services of Florida LLC)*

Ms. Simon – This item has been withdrawn.

Ms. Munson – May I ask for clarification?

Chair Peeples – Ms. Munson?

Ms. Munson – When you say withdrawn, does that mean that the application is withdrawn, like not coming back before the Board?

Ms. Simon – This application is withdrawn.

Ms. Munson – Thank you.

D. *Application(s) for Continuing Education*
(1) *Course Approval - Recommended for Approval without Conditions – Addendum B*
(a) *Colibri Healthcare (113)*

- (b) *Continuing Vision LLC (52610)*
- (c) *Cremation Association of North America (16008)*
- (d) *International Cemetery, Crematory and Funeral Association (51609)*
- (e) *Selected Independent Funeral Homes (137)*
- (f) *Wilbert Funeral Services (39408)*

Ms. Simon – The courses presented on Addendum B has been reviewed by the CE Committee, and the Committee as well as the Division recommends approval for the number of hours so indicated.

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

E. Consumer Protection Trust Fund Claims

- (1) *Recommended for Approval without Conditions – Addendum C*

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

MOTION: Mr. Ferreira moved to approve all the claim(s), for the monetary amounts indicated. Ms. Clay seconded the motion, which passed unanimously.

F. Application(s) for Embalmer Apprentice

- (1) *Informational Item (Licenses Issued without Conditions) – Addendum D*
 - (a) *Luis, Jaucque A F809193*
 - (b) *Purdy, Shaay N F810497*

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 D.

G. Application(s) for Florida Laws and Rules Examination

- (1) *Informational Item (Licenses Issued without Conditions) – Addendum E*
 - (a) *Direct Disposer*
 - 1. *Wentzel, Heath W*
 - (b) *Embalmer (Internship)*
 - 1. *Castellanos, Diana E*
 - 2. *Ortiz, Alexandra R*
 - (c) *Funeral Director (Internship)*
 - 1. *Harrington III, Cornelius*
 - 2. *Simon, Ortavia D*
 - 3. *Van Devander, April A*
 - 4. *Young, Jeremy K*
 - (d) *Funeral Director and Embalmer (Endorsement)*
 - 1. *Atkins, Cheri A*
 - (e) *Funeral Director and Embalmer (Internship and Exam)*
 - 1. *Beemer, Jessica S*
 - 2. *Dennis, Timothy M*
 - 3. *Mace, Brandy R*
 - 4. *Sambenedetto, Ellexas G*
 - 5. *Uriarte, Destiny Q*

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.

Chair Peeples – Ms. Simon, can you give me one moment please to maybe update the Board on one quick item? May I pause really quickly?

Ms. Simon – Yes, ma'am.

Chair Peeples – Just to let the Board know Ms. Schwantes has taken ill and is departing. So, for the record, Ms. Schwantes is departing the meeting and will not be participating further. We hope she gets feeling better soon. Ms. Simon?

H. Application(s) for Internship

(1) Informational Item (Licenses Issued without Conditions) – Addendum F

(a) Embalmer Intern

1. Young, Jeremy K F669787

(b) Funeral Director & Embalmer (Concurrent)

1. Geiger, Samantha j F810250

2. Iverson, Jessica L F638971

3. Keller, Jordan E F710352

4. Perrault, Eric P F659486

5. Zawistowski, Alexa R F808865

(c) Funeral Director

1. Coleman, Holly E F285358

2. Cook, Andrew S F806639

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.

I. Application(s) for Monument Establishment Sales Agent

(1) Informational Item (Licenses Issued without Conditions) – Addendum G

(a) Mangum, Jennifer

Ms. Simon – Pursuant to s. 497.554, Florida Statutes, the Division has previously approved the applicant listed on Addendum G.

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

(1) Recommended for Approval with Conditions

(a) Petition for Waiver

1. **SCI Funeral Services of Florida LLC d/b/a Fred Hunter's Funeral Home (F795353) (Hollywood)**

Ms. Simon – Included with the application is application for waiver of Rule 69K-18.004 Florida Administrative Code regarding certain requirements for licensure as a training agency. Additionally, this establishment is seeking to continue their registration status. The Division recommends approval subject to the following conditions:

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

And I would request that this be two separate votes by the Board, both on the petition and the application for registration as a training agency.

Chair Peeples – Thank you, Ms. Simon. I see Ms. Wiener is connected. Would you like to address the Board, Ms. Wiener?

Ms. Wiener – No ma'am. I'm simply here to answer any questions. Thank you.

Chair Peeples – Thank you, ma'am. As Ms. Simon mentioned, we need to do two (2) motions. So, the first motion would be for a petition. Board members?

MOTION: Mr. Jones moved to approve the petition for waiver. Mr. Ferreira seconded the motion, which passed unanimously.

Chair Peeples – And now we will need a second motion to accept the application to continue as a training agency.

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

Chair Peeples – Thank you, Ms. Wiener.

Ms. Wiener – Thank you.

K. Notification(s) of Change in Location

(1) Informational Item (Licenses Issued without Conditions) – Addendum H

(a) M. Athalie Range Chapel of Peaceful Rest (F041937) (Florida City)

(b) Tijuana D Williams d/b/a T's Expert Cleaning & Monuments (F549796) (Sanford)

Ms. Simon – This is an informational item. The establishment listed on Addendum H has applied for a change of location of their business. The only criterion for approval is that the new location pass inspection by the Division of Funeral, Cemetery, and Consumer Services.

L. Application(s) for Funeral Establishment

(1) Recommended for Approval with Conditions

(a) Clearview Cremation LLC (Sarasota)

Ms. Simon – Is there a representative of Clearview Cremation LLC on the call? Hearing no response. An application for funeral establishment licensure was received on October 30, 2024. The application was incomplete when submitted. A completed application was received on November 7, 2024. A background check of the principals revealed no relevant criminal history. The Division recommends approval subject to the condition that the establishment passes an inspection by a member of Division Staff.

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

(b) The Firm Mortuary Group (Miami)

Ms. Simon – Is there a representative of The Firm Mortuary Group on the call today? Hearing no response. An application for funeral establishment licensure was received on October 23, 2024. The application was incomplete when submitted. A completed application was received on November 7, 2024. A background check of the principals revealed no relevant criminal history. The Division recommends approval subject to the condition that the establishment passes an inspection by a member of Division Staff.

Chair Peeples – Board members?

MOTION: Mr. Ferreira moved to approve the application subject to the condition that the establishment passes an inspection by a member of Division Staff. Mr. Williams seconded the motion.

Chair Peeples – Thank you. Is there any discussion on the motion?

Mr. Jensen – Yes.

Chair Peeples – Mr. Jensen?

Mr. Jensen – Yes, just a clarification for the Department. Is this a new funeral establishment or a change in location? Because subsection 1b is not checked either way, which is Page 3 of the packet. So, I'm just curious just to make sure what it is.

Ms. Simon – If I may have a moment?

Chair Peebles – Yes ma'am.

Ms. Simon – This appears to be an application for a new establishment.

Chair Peebles – Mr. Jensen, does that complete your question, sir?

Mr. Jensen – Yes, I would like a caveat added that the application be corrected to signify exactly what it is. Just for future reference if possible.

Chair Peebles – Mr. Ferreira, do you accept that amended motion?

Mr. Ferreira – I certainly do.

Chair Peebles – Mr. Williams?

Mr. Williams – Yes ma'am.

Chair Peebles – Thank you. So, we have an amended motion. The original motion was to accept with the conditions. Now the amended is to have the applicant complete the page in question and return it back to the Department. Is there any further discussion on the motion? Hearing none. All in favor of the motion say yes.

Board members – Yes.

Chair Peebles – All opposed say no. Motion carries.

Ms. Simon – Madam Chair?

Chair Peebles – Yes, ma'am?

Ms. Simon – If I may, that second part was a condition to receiving licensure. Correct? About correcting the application or more fully filling out the application?

Chair Peebles – Yes ma'am.

Ms. Simon – Thank you.

(2) Recommended for Denial (Adverse Licensing History)

(a) Wright & Young Funeral Home Inc d/b/a Wright & Young Funeral Home North Port (N Port)

Ms. Simon – Is there a representative of this entity on the call today? Hearing no response. An application for funeral establishment licensure was received by the Division on August 14, 2024. The application was incomplete when submitted. A completed application was received on October 30, 2024. A background check with the principals revealed no relevant criminal history. However, the applicant previously had adverse licensing history with the Division and failed to disclose that previous history on their application. When given the opportunity to provide the adverse licensing history form, the applicant failed to take advantage of the opportunity. Due to the failure to disclose adverse licensing history and the failure to correct the error, the Division recommends denial on this application. And included in the application are the four (4) previous orders signifying the adverse licensing history.

Ms. Clay – Madam Chair?

Chair Peebles – Thank you, Ms. Simon. Ms. Clay?

MOTION: Ms. Clay moved to deny the application. Mr. Ferreira seconded the motion, which passed unanimously.

Ms. Munson – And the reason?

Chair Peeples – Thank you, Ms. Munson.

Ms. Munson – Thank you.

Chair Peeples – And the reason for the denial Ms. Clay, would you like to so state.

Ms. Clay – The adverse licensing history exhibited by the applicant.

Chair Peeples – Is that sufficient, Ms. Munson?

Ms. Munson – It is. Thank you.

Chair Peeples – Yes ma'am. Ms. Simon?

- M. Application(s) for Preneed Main**
 - (1) Recommended for Approval without Conditions*
 - (a) All Veterans - All Families Cremations LLC (Englewood)*

Ms. Simon – There is a representative of that entity on the call today. Yes?

Chair Peeples – Ms. Cathy, are you still connected to the call?

Ms. Simon – Hearing no response. The Department received an application for preneed main licensure on September 13, 2024, and deficiencies were noted on the application. All deficiencies were resolved as of November 4, 2024. The sole member of the LLC is Cathy M. Cornish. A completed background check was returned to the Division without criminal history. Applicant is submitting this application for new preneed main licensure and the qualifying direct disposal establishment license (License # F211224) is also located at the address submitted for the preneed main licensure, and was approved as of October 2017. If approved, Applicant will sell insurance-funded preneed through Great Western Insurance Company and utilize their approved pre-arranged funeral agreement forms. The Division recommends approval without conditions.

Chair Peeples – Board members?

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

Chair Peeples – If we will, Ms. Simon. I have that it is 11:16. Let's take a 10-minute restroom break. Kind of start back at 11:30 so we can finish out our agenda. Thank you.

*****BREAK*****

Chair Peeples – Ms. Bryant, are we still recording, ma'am?

Ms. LaTonya Bryant – Yes.

Chair Peeples – Thank you. It's 11:31. We'll call the meeting back to order. And Ms. Simon, we'll proceed with agenda Item N, please.

Ms. Simon – Thank you, ma'am.

- N. Application(s) for Removal Service**
 - (1) Recommended for Approval with Conditions*
 - (a) Final Transport LLC (Daytona Beach)*

Ms. Simon – Is there a representative of Final Transport on the call today? Hearing no response. An application for removal service licensure was received on October 8, 2024. The application was incomplete when submitted. A completed application was received on November 7, 2024. A background check of the principals revealed no relevant criminal history. The Division recommends approval subject to the condition that the removal service passes an inspection by a member of Division Staff.

Chair Peeples – Board members?

MOTION: Mr. Ferreira moved to approve the application subject to condition that the removal service passes an inspection by a member of Division Staff. Mr. Jensen seconded the motion, which passed unanimously.

(b) First Call Removal LLC (Daytona Beach)

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

Ms. Joanne Dellarata – Yes, ma'am.

Ms. Simon – Thank you. An application for removal service licensure was received on October 3, 2024. The application was incomplete when submitted. A completed application was received on November 6, 2024. A background check of the principals revealed no relevant criminal history. The Division recommends approval subject to the condition that the removal service passes an inspection by a member of Division Staff. Could the representative on the call please identify themselves by name?

Ms. Dellarata – Yes. My name is Joanne Dellarata.

Ms. Simon – Madam Chair?

Chair Peeples – Thank you, Ms. Simon. Board members?

MOTION: Mr. Jones moved to approve the application subject to condition that the removal service passes an inspection by a member of Division Staff. Mr. Ferreira seconded the motion.

Chair Peeples – Do we have any discussion on the motion? Mr. Jensen?

Mr. Jensen – Yes, quick question for the representative.

Chair Peeples – One second, Mr. Jensen. If we are going to have questions, we need to swear Ms. Dellarata in, please. Ms. Dellarata, Ms. Simon will swear you in please.

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

Ms. Dellarata – Yes.

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

Ms. Dellarata – Yes. Joanne Dellarata. D-E-L-L-A-R-A-T-A.

Chair Peeples – Thank you, Ms. Dellarata. Mr. Jensen, would you like to proceed?

Mr. Jensen – Yes, I'd like to ask Ms. Dellarata a question. Is there any occupational license required in your city there to operate as a removal service?

Ms. Dellarata – No, sir.

Mr. Jensen – Okay. Very good. Thank you, Madam Chair.

Chair Peeples – Yes, ma'am.

Ms. Dellarata – If I may? I already had my inspection, and I already passed the inspection.

Chair Peeples – Okay. We appreciate that. But just as a matter of clarity, we just need to add it in our motion which we have it as the motion. But thank you for that update. Are there any other questions for Ms. Dellarata by Board? Hearing none. All in favor of the motion say yes.

Board members – Yes.

Chair Peeples – All opposed say No. Motion carries. Good luck, ma'am.

Ms. Dellarata – Thank you very much. Have a nice holiday.

Chair Peeples – Thank you. Ms. Simon?

Ms. Simon – Thank you, ma'am.

(c) Sunset Mortuary Transport LLC (Wesley Chapel)

Ms. Simon – Is there a representative of that entity on the call today? Hearing no response. An application for removal service licensure was received on October 7, 2024. The application was incomplete when submitted. A completed application was received on October 24, 2024. A background check of the principals revealed no relevant criminal history. The Division recommends approval subject to the condition that the removal service passes an inspection by a member of Division Staff.

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

O. Collective Application(s) for Licensure

(1) Recommended for Approval with Conditions

(a) Capstone Funeral Holdings of FL LLC (Pensacola)

- 1. Application for Cinerator Facility*
- 2. Application for Funeral Establishment (3)*
- 3. Application for Preneed Branch (2)*
- 4. Application for Training Agency (2)*
- 5. Petition for Waiver (2)*

Ms. Simon – Capstone Funeral Holdings of Florida LLC has submitted the following: one (1) application to for a cinerator facility, three (3) applications for a funeral establishment license, two (2) petitions for waiver of rule 69K-18.004, Florida Administrative Code, two (2) applications for registration as a training agency, and two (2) applications for preneed branch license which will operate under Capstone Funeral Holdings preneed main license which, if approved, will operate, at the below listed locations. More specifically, the entities that are being acquired is as follows:

- 1) CEJ South Inc d/b/a NWFL Mortuary Services, a licensed cinerator facility, license # F081814, physical address: 4020 N. Davis Highway, Pensacola, FL 32503
- 2) CEJ South Inc d/b/a Family-Funeral & Cremation, a licensed funeral establishment, license #F484918, physical address: 101 Mary Esther Blvd., Mary Esther, FL 32569
- 3) CEJ South Inc d/b/a Christian Family Funeral, a licensed funeral establishment, license #F086290, physical address: 4020 N. Davis Highway, Pensacola, FL 32503
- 4) CEJ South Inc d/b/a Family-Funeral & Cremation, a licensed funeral establishment, license #F071238, physical address: 5627 N. Davis Highway, Pensacola, FL 32503

Included within your Board package are the separate applications regarding the aforementioned properties. The officers of the corporation will be Rogerira Zlotoff, Charles Robert Wright, Richard Lee, and Jody Wade Burttram. All fingerprints for the principals were returned without relevant criminal history. 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 owner, Capstone Funeral Holdings of Florida LLC. The Division recommends approval of the applications referenced above, subject to the following conditions and that a separate vote be taking for the petitions for waiver of rule 69K-18.004:

- 1) That the closing on the transaction to acquire ownership shall occur within sixty (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 seventy-five (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, Stock 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 ninety (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.

Ms. Simon – Is there a representative of that entity on the call today? Hearing no response. Madam Chair?

Ms. Clay – Madam Chair?

Chair Peeples – Yes, Ms. Clay?

Ms. Clay – I just want clarification. So, this collective application, we're now going to place a motion on the floor for Items 1 to 4, and then a separate motion for Item 5. Is that accurate?

Chair Peeples – You got ahead of me, Ms. Clay. I was going to address that to Ms. Munson. Thank you. Ms. Munson, since we have so many items enlisted number 1-4, would you like us to take separate motions?

Ms. Munson – For clarity purposes, I think that might be helpful.

Chair Peeples – Thank you. Ms. Simon?

Ms. Simon – Madam Chair, before you call for the application for registration as a training agency, I'd appreciate it if you would do the petition for waiver before that.

Chair Peeples – Yes, ma'am. Thank you. Mr. Jensen?

Mr. Jensen – Madam Chair, I will need to recuse myself from this as my affiliation with CEJ South Incorporated.

Chair Peeples – And will you be recusing yourself from agenda item O(1)(a) 1 through 5?

Mr. Jensen – That is correct.

Chair Peeples – Thank you, sir.

FORM 8A MEMORANDUM OF VOTING CONFLICT FOR STATE OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME JENSEN JR., Christian Edward		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE FUNERAL, CEMETERY & CONSUMER SVCS.	
MAILING ADDRESS P.O. Box 11986		NAME OF STATE AGENCY DEPT. OF FINANCIAL SVCS.	
CITY PENSACOLA	COUNTY ESCAMBIA	MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTIVE	
DATE ON WHICH VOTE OCCURRED 12/5/2024			

WHO MUST FILE FORM 8A

This form is for use by any person serving at the State level of government on an appointed or elected board, council, commission, authority, committee, or as a member of the Legislature. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

ELECTED OFFICERS:

As a person holding elective state office, you may not vote on a matter that you know would inure to your special private gain or loss. However, you may vote on other matters, including measures that would inure to the special private gain or loss of a principal by whom you are retained (including the parent or subsidiary or sibling organization of a principal by which you are retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. If you vote on such a measure or if you abstain from voting on a measure that would affect you, you must make every reasonable effort to disclose the nature of your interest as a public record in a memorandum filed with the person responsible for recording the minutes of the meeting, who shall incorporate the memorandum in the minutes. If it is not possible for you to file a memorandum before the vote, the memorandum must be filed with the person responsible for recording the minutes of the meeting no later than 15 days after the vote.

For purposes of this law, a "relative" includes only your father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with you as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

A member of the Legislature may satisfy the disclosure requirements of this section by filing a disclosure form created pursuant to the rules of the member's respective house if the member discloses the information required by this subsection, or by use of Form 8A.

APPOINTED OFFICERS:

As a person holding appointive state office, you are subject to the abstention and disclosure requirements stated above for Elected Officers. You also must disclose the nature of the conflict before voting or before making any attempt to influence the decision by oral or written communication, whether made by you or at your direction.

For purposes of this law, a "relative" includes only your father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with you as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes.
- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION OR VOTE AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF STATE OFFICER'S INTEREST

CHRISTIAN JENSEN, hereby disclose that on 12/5, 2024:

(a) A measure came or will come before my agency which (check one or more):


- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate;
- inured to the special gain or loss of my relative;
- inured to the special gain or loss of whom I am retained; or
- inured to the special gain or loss of the parent, subsidiary, or sibling organization of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

AN ASSET PURCHASE AGREEMENT BY CAPSTONE FUNERAL HOLDINGS, LLC, TO PURCHASE ASSETS OF C.E.J. SOUTH INC. OF WHICH I AM THE SOLE OWNER OF C.E.J. SOUTH INC.

I RECUSSED MYSELF FROM THIS VOTE AS THIS WOULD BE A PRIVATE GAIN FOR ME PERSONALLY

IF disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

Date Filed: 12/26/2024 Signature: 

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

Chair Peeples – So, folks, we have before us O(1)(a)1. Application for Cinerator Facility, please.

Ms. Clay – Madam Chair, I move the petition for waiver be approved with any necessary conditions applied.

Mr. Williams – Second.

Chair Peeples – Well, I think we were going to do petition of waiver as number four instead of number five. Was that not correct, Ms. Simon? We were going to start with number 1 first.

Ms. Simon – I would recommend that you do one through three and then take a petition for waiver before the application for registration as a training agency.

Chair Peeples – Okay.

Ms. Clay – I guess I'm confused.

Chair Peeples – Ms. Clay if you'll amend your motion to –

Ms. Clay – I withdraw it right now.

Chair Peeples – O(1)(a)1, application for Cinerator facility is our first item.

Ms. Clay – (1)(a)1?

Chair Peeples – Yes, ma'am. We're going to do O(1)(a)1 then O(1)(a)2, O(1)(a)3, then we'll move number 5, the Petition for Waiver above number 4.

Ms. Clay – Okay. So, I think it'd be cleaner if I just withdraw my motion totally and make a new one.

Chair Peeples – Thank you.

MOTION: Ms. Clay moved to approve the application for cinerator facility subject to conditions recommended by the Division. Mr. Williams seconded the motion, which passed unanimously.

Chair Peeples – The next item we have is O(1)(a)2.

MOTION: Mr. Ferreira moved to approve the applications for funeral establishment. Mr. Chapman seconded the motion.

Chair Peeples – Ms. Simon?

Ms. Simon – I would ask whether conditions are included.

Chair Peeples – Thank you.

Mr. Ferreira – Oh, yes. Yes, ma'am.

Chair Peeples – Mr. Ferreira, you accept that in your motion? And Mr. Chapman, you accept that as your second?

Mr. Ferreira – Yes, ma'am.

Mr. Chapman – Yes, I do.

Chair Peeples – Thank you. So, we have a motion and a second. No further discussion. All in favor of the motion say yes.

Board members – Yes.

Chair Peeples – All opposed say no. Motion carries. We now have O(1)(a)3, application for preneed branch. There are two (2) of these.

MOTION: Mr. Ferreira moved to approve the applications for preneed branch subject to conditions recommended by the Division. Mr. Jones seconded the motion, which passed unanimously.

So now we're going out of order in the agenda. We are taking O(1)(a) number 5, the Petition for Waiver, which there are two (2) of these.

MOTION: Mr. Ferreira moved to approve the petitions for waiver. Ms. Clay seconded the motion.

Chair Peeples – Is there any discussion on the motion?

Ms. Simon – Madam Chair?

Chair Peeples – Yes, ma'am?

Ms. Simon – I apologize for interrupting but there are conditions that are relevant to this motion, and I am inquiring whether Mr. Ferreira intended to include the conditions on this.

Mr. Ferreira – Yes, I did.

Ms. Simon – And Ms. Clay?

Ms. Clay – Yes ma'am.

Ms. Munson – For the petition? Conditions for the petition?

Ms. Simon – Perhaps it is not here. I would request that Mr. Ferreira; you make the motion with the condition that the Division receives no response from the published matter within thirty (30) days of this Board meeting.

Ms. Munson – Could you repeat that for clarity? The condition for the petition?

Ms. Simon – Right. That the condition be that the Division received no objections within the next thirty (30) days as a result of the publication.

Ms. Clay – I'm sorry, I'm not understanding.

Ms. Simon – I apologize, Ms. Munson. If you do not think that's necessary, I withdraw that.

Ms. Munson – I don't think so.

Ms. Simon – Okay.

Ms. Munson – Yes.

Ms. Simon – I apologize.

Mr. Ferreira – So did I do okay? Did I do right?

Chair Peeples – Well, we're going to go back, Mr. Ferreira, to your original motion, which is a motion to accept, period.

Mr. Ferreira – Yes.

Chair Peeples – Do you accept that, sir? Thank you.

Mr. Ferreira – Yes, ma'am.

Chair Peeples – Ms. Clay, will you provide a second?

Ms. Clay – Second.

Chair Peeples – Thank you. Since we've had our discussion, let us vote. All in favor of the motion say yes.

Board members – Yes.

Chair Peeples – All opposed say no. Motion carries. So now we are on agenda item 0(1)(a)4, application for training agency. There are two (2).

MOTION: Mr. Ferreira moved to approve the applications for training agency subject to conditions recommended by the Division. Ms. Clay seconded the motion, which passed unanimously.

Chair Peeples – Good luck, Mr. Jensen.

Mr. Jensen – Madam Chair, may I state something for the record too, please?

Chair Peeples – You sure may, sir.

Mr. Jensen – Just in reference to the Board stuff, I am staying on as a Vice President of Market Operations for Capstone. Just have that on the record, please.

Chair Peeples – Thank you, sir, and much success in your future endeavors.

Mr. Jensen – Thank you.

Chair Peeples – Ms. Simon?

(b) Victory Life Celebrations Funeral Home & Cremations LLC (Lake Wales)

- 1. Application for Funeral Establishment*
- 2. Application for Transfer of Preneed Main*

Ms. Simon – Is there a representative of Victory Life on the call today?

Ms. Linda Thompson – Yes.

Ms. Simon – Thank you, ma'am. Please take your name.

Ms. Thompson – Linda Thompson.

Ms. Simon – Thank you, Ms. Thompson. Victory Life Celebrations Funeral Home & Cremations LLC (Victory Life), a limited liability company, has submitted the following: an application for a funeral establishment license and an application for transfer of preneed main license, if approved, at the below listed location. More specifically, the entities that are being acquired is as follows:

- 1) Johnell Caver Your Home for Funerals Inc, a licensed funeral establishment, license # F048933, physical address: 90 W Orange Ave, Lake Wales, FL 33853
- 2) Johnell Caver Your Home for Funerals Inc, a licensed preneed main, license #F048933, physical address: 90 W Orange Ave, Lake Wales, FL 33853

Included in your packets are the applications regarding the above listed property. The change of ownership is the result of an asset purchase where 100% of all interests are being acquired by Linda B. Thompson, sole owner, and manager of the LLC, as included in a letter dated November 20, 2024, in your Board packet. The background check of the principals was returned without criminal history. Applicant confirms that if there are currently any unfulfilled preneed contracts sold at this location, the obligation to fulfill those preneed contracts will be assumed by the new owner, Ms. Thompson. The Division recommends approval of the applications referenced above, subject to the following conditions:

- 1) That the closing on the transaction to acquire ownership shall occur within sixty (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, Stock 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 ninety (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.

Chair Peeples – Board members, we will take agenda item O(b)1 first, please.

MOTION: Ms. Clay moved to approve the funeral establishment application subject to conditions recommended by the Division. Mr. Jones seconded the motion, which passed unanimously.

Chair Peeples – Next agenda item is agenda item O(b)2, the application for transfer of preneed main license.

MOTION: Mr. Ferreira moved to approve the application for transfer of preneed main license subject to conditions recommended by the Division. Mr. Clark seconded the motion, which passed unanimously.

Chair Peeples – Good luck, Ms. Thompson.

Ms. Thompson – Thank you all and happy holidays.

Chair Peeples – Thank you, ma'am. Ms. Simon?

Ms. Simon – Thank you.

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

(1) Recommended for Approval without Conditions

(a) Preconstruction Performance Bond(s)

1. Oaklawn Cemetery Association d/b/a Oaklawn Cemetery (F063529) (Jacksonville)

Ms. Simon – Oaklawn Cemetery Association DBA Oaklawn Cemetery intends to build a community mausoleum consisting of 312 casket spaces and 200 niches. Pursuant to s. 497.272, Fla. Statutes, typically, a preconstruction trust must be put in place if sales are going to occur prior to completion. However, s. 497.272(8) provides that in lieu of the preconstruction trust fund, the cemetery company may provide a performance bond in an amount and by a surety company acceptable to the regulator. The licensee has submitted for approval a performance bond, in lieu of a preconstruction trust. The mausoleum project, and the bond, is summarized as follows:

Oaklawn Cemetery Association DBA Oaklawn Cemetery (F063529)
Address: 4801 San Jose Blvd, Jacksonville, FL 32207
Project: Community mausoleum consisting of 312 casket spaces and 200 niches.
Bond Amount: \$774,554.65
Bond Number: 022239607
Surety Company: Liberty Mutual

The cemetery agrees to complete this construction in accordance with the terms of the construction agreement with Mausoleums USA Construction company included within your Board package. The Division recommends approval of the aforementioned preconstruction performance bond without conditions. Is a representative of Oaklawn Cemetery on the call today? Hearing no response. Madam Chair?

Chair Peeples – Thank you, ma'am. Board members?

MOTION: Mr. Ferreira moved to approve the preconstruction performance bond. Mr. Clark seconded the motion.

Chair Peeples – Is there any discussion on the motion? I noticed that Ms. Coney has arrived. Do you need to be sworn in, Ms. Coney?

Ms. Coney – Well, I've been sworn in, so I don't believe so. But this is a perfunctory matter, so I don't think I'm here for anything other than questions.

Chair Peeples – Well, I like clarity, and I like swearing in for each individual section of the agenda but thank you for participating. We have a motion. We have a second. Is there any discussion by the Board members? Hearing none. All in favor of the motion say Yes.

Board members – Yes.

Chair Peeples – All opposed, No. Motion carries. Thank you, Ms. Coney.

2. *SCI Funeral Services of Florida, LLC d/b/a Fred Hunter's Hollywood Memorial Gardens (F039596) (Hollywood)*

Ms. Simon – This entity intends to construct a garden mausoleum consisting of 364 casket spaces and 484 niches. The performance bond is submitted within your Board package. The mausoleum project and the bond is surmised within your Board package. The cemetery agrees to complete this construction in accordance with the terms of the construction agreement with Mausoleums USA Construction company included within your Board package. The Division recommends approval of the aforementioned preconstruction performance bond without conditions. I see Ms. Coney is still on the line as a representative of this entity.

Ms. Coney – Yes, ma'am.

Chair Peeples – Thank you, Ms. Simon. Board members?

MOTION: Mr. Ferreira moved to approve the preconstruction performance bond. Mr. Chapman seconded the motion.

Chair Peeples – Is there any discussion on the motion? Mr. Jensen?

Mr. Jensen – Yes, just a quick question for Ms. Coney.

Chair Peeples – Okay. If you will, I would prefer her to be sworn in for this item.

Mr. Jensen – Okay.

Chair Peeples – Ms. Simon?

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

Ms. Coney – I do.

Ms. Simon – Again, please state your name and spell your last name for the record.

Ms. Coney – Lisa Coney, C-O-N-E-Y.

Ms. Simon – Thank you.

Chair Peeples – Mr. Jensen?

Mr. Jensen – Yes. Ms. Coney, I assume this is a percentage overage, but I just want to make sure. I noticed the bond amount is actually \$300,000 more than the actual payment to Mausoleum USA. Is that correct?

Ms. Coney – The bond amount is determined by the financial analysts with the Division. We submit in whatever way they recommend. So, I do believe it's correct. And the construction will be completed well before it becomes a concern. We start immediately, and this is just, again, a perfunctory matter for the year or so that we're in construction.

Mr. Jensen – Okay. Madam Chair, I assumed so, but I just wanted to make sure I was seeing this correct. Thank you.

Chair Peeples – Thank you.

Ms. Coney – For the record, I think this is probably something that could be informational like some of the other licenses that are very standard and reviewed at the Division level and something that you probably wouldn't even have to spend time on if that was something that the Board opted to delegate to the Division for that purpose. Thank you.

Chair Peeples – Thank you, Ms. Coney. We appreciate your comment, but we feel it's appropriate to bring it before the Board so that we have time for questions and that we vote on them individually. Thank you, ma'am. So, Board members, we have a motion by Mr. Ferreira for approval, a second by Mr. Chapman. Any further discussion? Hearing none. All in favor of the motion say Yes.

Board members – Yes.

Chair Peeples – All opposed say No. Motion carries. Good luck, Ms. Coney.

Ms. Coney – Thank you, Board, and happy merry everything.

Chair Peeples – Thank you, ma'am. Ms. Simon?

(2) *Recommended for Approval with Conditions*

(a) *Preneed Sales Agreement*

1. *StoneMor Florida Subsidiary LLC (F038725 and F050433) (Altamonte Springs)*

Ms. Simon – StoneMor submits a revised preneed cemetery sales agreement for approval: Retail Installment Contract for Cemetery Interment Rights, Merchandise & Services. If approved, this agreement will be used for the sale of preneed by this entity and its preneed branch locations. The Division recommends approval subject to the condition that two-full-sized print-ready copies of the revised preneed sales agreement are received by the Department within sixty (60) days of this Board meeting. I see Ms. Wiener on the call representing the entity. Madam Chair?

Chair Peeples – Thank you, Ms. Simon. Ms. Wiener, did you have any items or questions only?

Ms. Wiener – Just here for questions Thank you.

Chair Peeples – Yes, ma'am, thank you. Board members, your pleasure?

MOTION: Mr. Ferreira moved to approve the agreement subject to the condition that two (2) full-sized print-ready copies of the revised preneed sales agreement are received by the Department within sixty (60) days of the Final Order issued in this matter. Mr. Williams seconded the motion.

Chair Peeples – Is there any discussion on the motion? Mr. Jensen?

Mr. Jensen – Yes, I'm just wondering on the contract. I don't see something on there where services are 100% refundable at any time. I see where the merchandise is a 30-day thing. Is that supposed to be on there, or no?

Chair Peeples – Ms. Wiener?

Ms. Wiener – Yes, but I think it's -- this is --

Mr. Jensen – O and C is a service. That's why I'm asking.

Ms. Wiener – So, look at Page 2, cancellation by customer within thirty (30) days.

Mr. Jensen – I just found it. It's on Page 6, number B. My apologies.

Ms. Wiener – Oh, yes, that is the buildout of the cancellation provision.

Mr. Jensen – Yes, I didn't see it up at the top, you know, where they signed, but it's on the back. I guess this is the back of the contract. Okay, very good. Thank you, Madam Chair.

Chair Peeples – Thank you, Mr. Jensen. We have a motion and a second. Any further discussion? Hearing none. All in favor of the motion say Yes.

Board members – Yes.

Chair Peeples – All opposed say No. Motion carries. Thank you, Ms. Wiener.

Ms. Wiener – Thank you.

(3) Recommended for Consideration

(a) Request for Approval of Conservation Easement as Encumbrance

1. Heartwood Preserve Conservation Cemetery LLC (F094889) (Trinity)

Ms. Simon – I see that Ms. Wiener is on the call representing this entity. On October 28, 2024, Heartwood Preserve sent a request for approval of the placement of a conservation easement on the licensed property. In correspondence to the Division, Carlton Fields, P.A., attorney, explains that the Tampa Bay Conservancy is working to establish this conservation easement to ensure maintenance of the natural character and native ecosystems of the cemetery property as a natural cemetery and enforce the proposed Conservation Easement Management Plan (CEMP) to achieve permanent protection of the existing native ecosystems within the cemetery grounds. The proposed CEMP will in no way affect current or future interments at the cemetery or public access to Heartwood Preserve, and will not create any mortgage, lien, or other encumbrance against the cemetery land. Therefore, Heartwood Preserve is requesting approval of the conservation easement as an encumbrance and all documentation has been included for the Board's review and consideration.

Chair Peeples – Thank you, Ms. Simon. Ms. Wiener, would you like to address the Board?

Ms. Wiener – I'm here to answer questions. Just very briefly, however, to set this up for Board members who may not be familiar with conservation easements. Many conservation cemeteries, green cemeteries, conservation burial sites are on land over which a conservation easement is placed, which does preserve the nature of the actual land itself as a conservation site. Mr. Dunlap from Carlton Fields is also here representing the Conservancy and can speak further to that if anyone has any additional questions.

Chair Peeples – Thank you, Ms. Wiener. I see that someone has also joined without a camera. Laura Starkey. Ms. Starkey, are you here?

Ms. Wiener – She's the owner of Heartwood Preserve.

Chair Peeples – Okay. Thank you. Just wanted to make sure we had all parties addressed. Mr. Dunlap, thank you for participating today. Would you like to address the Board, sir?

Mr. Aaron C. Dunlap – I'm just here for any questions related to the conservation easement itself, if any.

Chair Peeples – Thank you. Ms. Starkey, I know you have two (2) legal counsels representing you, but if you would like to address the Board, if you are not an attorney, we would need to have you sworn in, ma'am. Would you like to address?

Ms. Laura Starkey – I don't have anything prepared, but I'm willing to answer any questions.

Chair Peeples – Okay. Let us first swear you in just in case there are questions, okay?

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

Ms. Starkey – Yes, I do.

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

Ms. Starkey – Laura Starkey, S-T-A-R-K-E-Y.

Ms. Simon – Thank you.

Chair Peeples – Thank you, Ms. Starkey. I have a couple of questions as Chair. I have not been affiliated with a request in this nature from a cemetery for a conservation easement. And Ms. Starkey, I don't know if you would like to answer or try to give myself and maybe some other Board members this question. Why is the request being submitted?

Ms. Wiener – Let me take that if you don't mind, Laura. The law requires that any encumbrance of any nature be approved by the Board. The reason that you do not see these kinds of requests is because there are very few licensed conservation-type cemeteries in the state of Florida. Most of the green burial conservation cemeteries in Florida are not licensed. They also, however, mostly have conservation easements sitting over their land as well. But most of those are association cemeteries or community cemeteries or other types of cemeteries that are exempt from licensure. So, in this case, because Heartwood Preserve is at the same time a licensed cemetery and a green burial cemetery, it's why this is an unusual request.

Chair Peeples – Thank you, Ms. Wiener. I guess I still, I don't have an answer to my question. I understand that this is going to be more of a green burial aspect. But why are they needing an easement, conservation easement? What would be the purpose? Is it because of the green burial aspect and no outer barrel container, things of that nature?

Ms. Wiener – The cemetery is already a green cemetery. It's been in existence for a number of years. Its bylaws came before this Board many years ago when it was first licensed. And the Board at that time fully understood the nature of this cemetery. This conservation easement is being added, if you will, to the land to ensure that the land never changes per se. Let me let Mr. Dunlap speak a little more to the purpose of the conservation easement.

Mr. Dunlap – Yes. So really the background for this is conservation easements are put into place to help properties maintain and preserve their natural character, ecology, and geologic features. So, with this, this will enable the property, and through the Tampa Bay Conservancy as the grantee of the easement, to work with Ms. Starkey and the cemetery to ensure that there's no exotic species on the property, that the natural preservation is already there. And what it does is it puts into place best management practices for keeping the natural features the way they are. And it also puts into place this agreement for the conservation management plan of the property. And it's also on top of it, it's a proactive distinguishment of future residential, commercial, and industrial development rights for any part of the property that's covered by the conservation easement. And this is, as I said, to really preserve the hydrology and the wildlife habitat that's already there because this is a natural place, and it is next to a very large wilderness preserve as is. So, this really works hand-in-hand to both protect the cemetery as a cemetery while also preserving and conserving the natural aspects of it. And as Ms. Wiener said, otherwise, but for the licensure of the cemetery, this could be entered into without the approval, but that's why we're here today.

Chair Peeples – Thank you, Mr. Dunlap. And that was going to be one of my follow-up questions, was the adjoining properties; have those property owners been connected. And you mentioned that it does, is adjacent to an already existing preserve. So, has that entity, is it under the state of Florida? Has it been contacted? Do you have to contact any -- I know when you do zoning request –

Mr. Dunlap – No, this has nothing to do with zoning. This has nothing to do with the other property –

Chair Peeples – Yes, sir. I understand that. I'm using that as just an analogy. That with zoning, you have to contact property owners. I know it is not a zoning request. But my concern is, as a Board member in this application, is I've never heard of this type of request coming, and I'm very familiar with real estate easements also. I've been a part of that. So that's what I just have a lot of concern and questions is why I was addressing.

Mr. Dunlap – There are no notice provisions. This will not affect any property outside of the property that's in the legal description within the easement. I brought up the neighboring property because it's already a wilderness preserve, and this property is adjacent to it. So, this actually just keeps the general area in region together as a natural habitat area.

Chair Peeples – Okay. Thank you, sir. Ms. Munson?

Ms. Munson – I'm just curious. How is this considered an encumbrance?

Ms. Wiener – That's a great question, Ms. Munson. Frankly, you could potentially not consider it an encumbrance. But easements typically are considered encumbrances. And so, because this is technically a conservation easement, we erred on the side of caution by submitting this request to the Board. As you know, in 497.270, encumbrance of licensed cemetery property that is dedicated to cemetery as interment rights –

Ms. Munson – Which, based on that statute, is why I asked how this was considered an encumbrance. Because I wasn't even trying to line it up with the statute and I honestly couldn't flow.

Ms. Wiener – It's simply the fact that it is an easement and so it is a restriction on the property. And an easement under real estate law falls into the broad definition of encumbrance. We're happy to withdraw the request and place the easement and be gone and shorten this meeting if that's what you recommend. But we felt that because of the statutory definition of encumbrance, which subsumes easements, that this is a conservation easement, it does restrict the nature of the property and so we thought it appropriate to bring it to the Board.

Ms. Munson – Just for clarity, I was just trying to help the Board understand. I know the matter came up earlier regarding the necessity of any action. So, I don't know if this falls within the realm of the Board acting when there is no need for the Board to act. So, I leave it up for further discussion, but I just wanted to create a better understanding of what was being presented.

Chair Peeples – Thank you, Ms. Munson. Ms. Simon?

Ms. Simon – I believe that this matter is being presented primarily because of what it provides on the cover sheet, that pursuant to 497.270, the Board must give approval before a property is encumbered. And this is listed as a conservative easement, which I think can be stated as an encumbrance on the property. But [inaudible], it was placed on the agenda.

Ms. Munson – I think by both all the discussion, it's determined that that's an arguable statement, but again, I'm just wanting to make sure the Board has good information.

Chair Peeples – Thank you, Ms. Simon. Thank you, Ms. Munson. Mr. Jones, did you have your hand up, sir?

Mr. Jones – Yes. Ms. Wiener, Mr. Dunlap, outside of 497, is there any other statute addressing this?

Mr. Dunlap – Well, just as a baseline item, any easements that are recorded on the property show up in title reports as encumbrances as B2 exceptions on title reports where title insurance won't cover such encumbrances. So that's another aspect of it as well. I have not researched the rest of Florida statutes to see how, if easement conservation easements are specifically defined as an encumbrance, but under the relevant statutes here that we're talking about under 492.279 there's no information either way. And Ms. Wiener, do you want to add anything?

Ms. Wiener – No, and I think actually, Aaron, you answered the question there at the end. There is a law on conservation easements in Chapter 492 as Mr. Dunlap just referenced. And so yes. It's a lawful encumbrance to Ms. Munson's point. The only reason we brought it to this Board is because as Mr. Dunlap says, if you did a title search, you would find an encumbrance, which is the easement laying over the property if we put it there. Because Chapter 497 does not define encumbrance, it seemed that to err on the side of caution was best. I think the key for this Board is to know that this is already a green cemetery. It's been a green cemetery. It will continue to be green cemetery. All this conservation easement does is it will show up that it must be maintained as a nature preserve green cemetery, maintaining the water, the wildlife, et cetera. It will not impact the interment rights that have been sold. It will not impact the future sale of interment rights. It will not require a mortgage. It will not require any other kind of encumbrance, like it's not being pledged against a loan, it's not going

to have a promissory note against it, anything of that nature. The nature of this encumbrance is literally that if Ms. Starkey were to decide that she did not want to own the cemetery, and she wanted to sell it to someone that was not going to use part of it, where there are no interment rights, they did not want to use that for a cemetery, they would be restricted to use it with the same restrictions as the conservation easement. They would have to maintain it in its natural state as it is now.

Chair Peeples – Thank you, Ms. Wiener. Ms. Munson?

Ms. Munson – Only follow up to that would be that the owner would have the opportunity for that argument with or without Board action, if I'm understanding what's being stated, and if I'm not, please, you know, clarify. By the Board giving or taking action on it, it's a statement to support the definition and the statute that it's identified by the statutory meaning of encumbrance. I think that's the only impact that would be supported, is that if the Board acts on this, it's acting on it based on 497.270, because it deems that it is the type of encumbrance that was contemplated in the language of the statute, because otherwise, I, again, I just wanted to clarify the need for Board action.

Ms. Wiener – Ms. Munson, I think you're exactly right. I wish there were a definition of encumbrance, the kind that you have to get approved and the kind you don't have to get approved, but because there's not, and this is an encumbrance that would show up in title work. We felt like absolutely we didn't want to put this conservation easement on this property, and then have the Board come back later and go, whoa, whoa, whoa, you have violated chapter or Section 497.270.

Mr. Dunlap – Right.

Ms. Wiener – You've placed an encumbrance over this cemetery, and you did not get approval of the licensing authority.

Ms. Munson – So it's presented because there was a concern that the Board may act later in a punitive manner because you did not present this is what I'm hearing-- because without it –

Ms. Wiener – No.

Ms. Munson – Okay.

Ms. Wiener – No, I think better stated is it's presented because the law says no land in a licensed cemetery may be encumbered without prior approval of the licensing authority. And without a narrower definition of encumbrance in Chapter 497, the broad definition of encumbrance in Florida law would include a conservation easement. And therefore, I feel like it's incumbent upon the cemetery to get this approval. I think that we can continue to argue about whether it's necessary or not. In this case, I feel the law is very clear on that other matter, the law is extremely clear on the other matter. Everyone can read Chapter 497 and can see when you need a preneed license versus whether you have a funeral director's license. In this particular situation, the law is clear. It says no land can be encumbered without prior approval. In the broader Florida legal definitions, this is an encumbrance. However, it does not in any way encumber in the way that would be impactful for a cemetery owner, which is why we believe that the Board should approve this conservation easement.

Chair Peeples – Ms. Munson, any follow up?

Ms. Munson – No, no follow up. I'm just going to make a note to the Board that in moving you speak about creating precedent and moving future and moving forward, that if there is any licensed cemetery that has any type of restriction attached to it, easement or otherwise, then based on this discussion, you would expect for that particular cemetery to present information to see if the Board approves it. And it could be very small, it could be, no matter what it is, because it's not definitively defined what encumbrance was with the meaning of that is intended based on. I mean, you see sold mortgage leased, you kind of read it and along with that, and you, then you have encumbered. So, you think it's along those lines. This is not along those lines. So, any type of restriction or encumbrance, I guess would then need to come before the Board, whether it falls in line with any fiduciary sold, mortgaged, leased outside of that realm, any type of encumbrance, is the only thing I was saying. And that's why I just raised the question because it was just so different.

Chair Peeples – Thank you, Ms. Munson. Board members? Mr. Ferreira?

Mr. Ferreira – Yes, ma'am. My question would be to Ms. Starkey. What's your purpose for wanting to enter into an agreement like this?

Ms. Starkey – When I started Heartwood Preserve, I started it as a conservation cemetery, which is not only a green burial cemetery, which green burial refers to the practice of no embalming, no concrete vault, simple pine box casket or a shroud. And no above ground memorials, you know, headstones and then conservation is taking it to the level of how you're managing the entire property as a nature preserve. So, I've made this promise to all of our clientele, all of our families here, that this will be protected as a natural ecosystem. So, it's not just going into a cemetery and knowing that the bodies were not embalmed, and the ground itself is green burial practice, but it's taking it to another level of true conservation of an ecosystem. So, it's becoming part of an ecological project, if you would, to conserve this ecosystem of longleaf pine flatwoods. So, this protects that level of the community, the natural community, the natural habitat. It's also protecting from, you know, cemetery land use is already protected. I'm not worried that one day it'll turn into townhouses. People ask that question a lot. I feel like the State has that pretty well protected in terms of land use, but there is the possibility that future owners may decide, you know, like, it's just too much work to do all of this land protection. So, we can put a lot more spaces in here. We could build some mausoleums and make a heck of a lot more money off of this. And sure, it's still a cemetery, but it's not a conservation cemetery anymore. So, this is really the best way that we have legally in the land right now of protecting land, whether it's conservation cemetery or a hunting preserve in North Florida, or, you know, whatever. But this gives that added protection for the conservation element.

Chair Peeples – Thank you, Ms. Starkey. Mr. Ferreira, does that complete your question?

Mr. Ferreira – No, ma'am.

Chair Peeples – Would you like to ask another?

Mr. Ferreira – Yes, please. So, we all know the restrictions this is going to put on you, Ms. Starkey. My question is, you know, and we know the power of the conservatory, I mean, you can't do really anything much. My question is, does the conservatory supersede our authority and the Division's authority? Does it supersede that?

Ms. Wiener – No, Mr. Ferreira. I would absolutely say not. This is a licensed cemetery that is operated in full compliance with Chapter 497. If you establish a business on a conservation easement and that business is licensed, then that business has to comply with all of the licensure requirements. You've never seen this entity before you for disciplinary or other issues. No concerns have ever been raised to me about it by the State by way of investigation or otherwise. And I would expect that that would absolutely continue to be the case. So, the requirements of Chapter 497 will continue to apply to this cemetery.

Ms. Starkey – And if I could also add to that, that the role of the conservancy is to make sure that the conservation values are maintained to the land. It's specifically written to allow us to continue to do business as a fully licensed cemetery that we started out, you know. We started out as a fully licensed cemetery, and so it has, you know, allowances in it for certain uses of the land, which is operating as a fully licensed cemetery and doing everything that is allowed and needed to operate and continue to stay in compliance with licensure. So, the role of the conservancy is to maintain the conservation element, but to not interfere with the actual running of our business if that makes sense. So specifically, I made sure that the purposes and the permissions or conditional uses of the easement, what we're allowed to do are, you know, that it doesn't get in the way of us being able to run the business. That was very important. And part of that running of the business is following, you know, the licensure of the State.

Chair Peeples – Mr. Ferreira, does that complete your question, sir?

Mr. Ferreira – At this point, yes. Thank you.

Chair Peeples – Thank you. Mr. Jensen?

Mr. Jensen – Yes, question, just clarification. I heard in the beginning that this was part Department overseeing cemetery, and then I've heard it's a green burial cemetery. Is it mixed or is it going to be all green burial?

Ms. Wiener – It is a completely green cemetery, yes. Absolutely. And always has been, but it is a fully licensed cemetery.

Mr. Jensen – Okay. Madam Chair, I do have a follow up.

Chair Peeples – Yes, sir.

Mr. Jensen – Yes, so my question on that, on the green burial cemeteries, do they even fall under the purview of the Department?

Ms. Wiener – If they wish to, yes. Take for instance religious cemeteries. Some religious cemeteries choose to become licensed cemeteries when others do not. So, while Ms. Starkey could have established this cemetery as an association cemetery, as a conservation cemetery and not been subject to the requirements of Chapter 497, instead she chose to establish a business entity and to operate the cemetery as a fully licensed cemetery. There is no requirement in Chapter 497, as you know, that a cemetery have any particular type of markers or certain types of interment rights as long as they comply with the size requirements of Chapter 497. So, it was a choice by the cemetery owner some years ago to establish a conservation cemetery as a licensed cemetery. And so, she has done so and has been up and running now, Laura, for how many years?

Ms. Starkey – Eight (8) years.

Ms. Wiener – Eight (8) years.

Mr. Jensen – So just to clarify, Ms. Wiener, if she were coming before the Board today as a new green burial cemetery, she wouldn't even require licensure, is that correct?

Ms. Wiener – It depends. She could in theory, form a business that would operate as an exempt cemetery, but she didn't. So yes. There is nothing in Chapter 497 that exempts a green cemetery.

Mr. Jensen – Well, nothing says they have to be licensed either. So that's where I'm a little confused. Is she just choosing to get licensed, but she really doesn't have to? I know a lot of green burial cemeteries that don't fall under the purview of the Department. And I've questioned this in the past as to why they don't have to have a license.

Ms. Wiener – Maybe they should and maybe they shouldn't. The types of cemeteries that are exempt are religious institution cemeteries of less than five (5) acres, county and municipal cemeteries, community and nonprofit association cemeteries that provide only single-level ground burial and do not sell burial spaces or merchandise, cemeteries owned and operated by a religious institution prior to June 23, 1976, or those owned by a fraternal organization since July 1, 1915, or certain columbarium on schools. So, if she wanted to be a green burial cemetery unlicensed, she would have to form a nonprofit association and sell memberships. She could not sell merchandise. You're very limited in what you can do as a green cemetery. Ms. Starkey chose to open and operate a beautiful conservation cemetery that is fully licensed by the state of Florida. If you haven't seen the website or if you're in the community and have a chance to go, do it. It's gorgeous.

Chair Peeples – Mr. Jensen?

Mr. Jensen – Yes, just one more Ms. Wiener. So, if we grant this, I mean, I do find it a little unusual. I've never seen this before either, or that's why all the questions, I'm sure. But if this easement is granted, will it affect any future owners on the acreage of a licensed cemetery?

Ms. Wiener – Only on this licensed cemetery. And it would restrict those owners because they would be obligated to maintain the conservation nature of this land. So as Ms. Starkey said, when she sells interment rights to people, she says, this is a conservation cemetery. Your loved one is going to be interred here in nature. It's going to be like this. If for some reason Ms. Starkey were to sell the cemetery and someone wanted to change it into a big commercial cemetery full of mausoleums and columbarium and upright monuments and lots of other things, or if she were to want to sell off part of the land that does not have interment rights on it for Walmart to put a new store on, she could do that but for this conservation easement. This is her fully even more committing to the promise to the people that she sells interment rights to, that this is a conservation cemetery, and it will be a conservation cemetery. And I wish that the definition of encumbrance was included in Chapter 497 so that we

were not having to make this argument to you all today. But it's simply not, and the law is broadly drawn in other places. And so again, this will continue the purpose of this cemetery as it exists. It harms neither the current owners of interment rights, future owners of interment rights, operation of the cemetery. It doesn't excuse the cemetery from any of its obligations under Chapter 497 and is in essence harmless. But again, and to Ms. Munson's point of earlier, she said, do all encumbrances of dedicated cemetery land have to come before the Board for approval? Large or small? And I would argue that yes, this Board would want to take those things into consideration.

Chair Peeples – Thank you, Ms. Wiener. Ms. Munson?

Ms. Munson – Just quickly. If Board action is deemed not necessary, if that's a premise, I'm just curious, if the Board were to vote and not approve it, what recourse does this applicant or petitioner have? Because it looks like they can do whatever. The owner can still act anyway. Let's say the Board does not approve it. Because it's presented for approval, if the Board chooses not to approve it, what happens Ms. Wiener legally? I don't know.

Ms. Wiener – I believe that if the Board chose to –

Ms. Munson – Not approve.

Ms. Wiener – Take no action on it?

Ms. Munson – No, not approve it. It's either going to approve or not approve.

Ms. Wiener – If it denied the application, then I guess our next stop would be DOAH. I cannot fathom why the Board would not approve. If the Board members collectively believe that it is not necessary to approve this type of an encumbrance, despite the lack of clarity in the law, then I think the Board members could tell us as much. It is presented for approval, because that's what the law says it has to be presented as. If it is not approved by the Board then I guess our recourse would be first to DOAH and then to the 1st District Court of Appeal if that was also unsuccessful. I just, I'm curious as to why there would be any –

Ms. Munson – I was just asking.

Ms. Wiener – It seemed perfunctory to me because simply the law says encumbrance and this is an encumbrance, and so we come to you. If we were asking for power lines to go across the cemetery and they were going across a significant portion of the cemetery, I think that that's also an encumbrance, and it would have to be approved by the Board. I mean, it is an encumbrance. If someone wanted to put a cell tower on the cemetery and the land under which they were going to put the cell tower, that would be an encumbrance. They would have to come before the Board. And so, I guess we would have our normal recourse, but I really, I wouldn't have expected, because all this does is really just conserve or preserve the nature of this conservation cemetery. I would not expect that the Board would vote to deny such a request.

Chair Peeples – Ms. Munson, does that complete your item, ma'am?

Ms. Munson – Yes.

Chair Peeples – Okay. And I'm going to just to Ms. Wiener, and this is why I ask a few questions at the beginning of our discussion on this agenda item, my understanding is it has never come before the Board before for a green burial cemetery for a request like this. So, I was wondering why do we even need it? But before us today, as Ms. Munson has kind of so stated, also I'm just concerned why we have the presentation when it probably didn't need to be presented to us.

Ms. Wiener – This is a licensed cemetery. It's not an unlicensed green burial cemetery. Just because they only sell interment rights that are considered green, doesn't excuse the licensee from complying with Chapter 497. This is not an exempt cemetery.

Chair Peeples – I didn't say it was exempt, ma'am, I'm asking about the application that's before us for the request for approval, the conservation easement as an encumbrance. I personally do not see, and if we vote, most likely I'm going to vote No because I don't see why we need to have this. I don't see the need for it.

Ms. Wiener – If the Board doesn't feel that it is necessary for a cemetery to have an easement [inaudible].

Chair Peeples – You're doing a generality of making a comment as a cemetery, generally, you're then, specifically you are -- that this is a green burial licensed cemetery. So, we're not talking about general cemeteries, ma'am. We're talking about Heartland Preserve Conservation Cemetery, LLC. So as this particular applicant is requesting a conservation easement as an encumbrance from the discussion that we've had and the legal counsel, and Ms. Starkey who have kind of made their request and provided information, I personally don't see why we need it and why we need to vote on it.

Ms. Wiener – I will simply say that the kind of interment rights they sell; this is just a regular licensed cemetery. It is simply a regular license cemetery. It happens to only sell green burials, but it is a licensed cemetery. I'm at a loss.

Chair Peeples – Okay. Well, let me ask this question. What's the incentive to Ms. Starkey to receive this encumbrance? Is there an incentive to her to receive the conservation easement as an encumbrance?

Ms. Wiener – I can't answer that question, but I don't know that it is relevant. Is there ever, I mean, when the power company comes and puts an easement across your cemetery, I mean, sometimes they pay you for that, sometimes they don't. Same thing with the cell tower, same thing with other easements. So, I don't know that that is at all relevant to this question. I would ask this. What difference does that make as to whether or not the cemetery should be maintained in its conservation status?

Chair Peeples – I just feel like there's an underlying item here that's not being said and not being stated, and I'm not comfortable with approving this application so far, personally as a Board member. So that's why I'm asking the questions. But I also am giving the opportunity to possibly whatever the other Board members decide, because it is a group, a team here, is, does it even need to be acted upon? Do we need to withdraw it? That's kind of where we are because we've spent some lengthy time on this this morning. And then we're almost to a point where I'm going to call the matter in just a few moments.

Ms. Wiener – I would encourage you to make sure that if the Board members wish for this matter to be withdrawn, then enough people shake their head, and we will withdraw it and the conservation easement will be placed. And that will be the end of that. I'm seeing some head nodding.

Chair Peeples – Okay. Thank you, Ms. Wiener. Mr. Quinn, I noticed your hand was up, sir.

Mr. Quinn – Yes, just so I understand this properly. We licensed this cemetery, so it's a licensed regulated cemetery. From what I'm hearing, they're trying to do the right thing, you know. They brought it to the Board rather than, you know, trying to go around, potentially go around something. They're trying to protect the land. I mean, I would be inclined to vote Yes.

Chair Peeples – And Mr. Quinn, that's your prerogative and thank you for your comment, but I just made my comments known. Board members, let's kind of come to a closure here. What is the Boards pleasure? Mr. Ferreira?

Mr. Ferreira – What would happen if the cemetery, you know, what do you call it when the state takes over?

Chair Peeples – Receivership?

Mr. Ferreira – Yes, what would happen in a receivership situation with a conservatory being, you know, blanketed over? I'm just curious how that would work.

Ms. Wiener – In the extremely unlikely event that the cemetery went into receivership, when that sale to the next person, when cemetery goes into receivership, it doesn't generally run a cemetery. It usually sells the cemetery as quickly as it can. When it sells that cemetery, that easement will be a restriction upon the land. And so, the next owner will operate the cemetery as a conservation cemetery, as promised to all of the people to which interment rights were sold.

Mr. Ferreira – But it also restricts the receivership management of it also. Correct? It would also do that.

Ms. Wiener – It would, yes. I mean, it is a green conservation cemetery, so yes. I've seen a number of receiverships around the country, very rarely in Florida. I think the last one we had here was probably long before any of you were associated with the Board. And that one came and went pretty quickly. The cemetery was sold to a private owner.

Ms. Munson – I'm just going to say, and it's probably my final comment. I have no idea how the Board is going to vote. It's just presented for vote. So, I'm the proponent of clarity, right? So I just simply stated, if the item, because this is such a nuanced area and the Board is indicating their concerns, and I'm not speaking for the Board, but if it appears that this effort can be achieved without Board involvement, I mean, just because if it were to go beyond this, if this -- let's say it was denial and you have to go to appeal it, then the whole argument is going to be on a court defining encumbrance, right? So that's going to be the question of fact defining encumbrance. So, this has been described as an -- encumbrance is usually considered a restriction. This has been described as an element that is in place for complete benefit, not restrictive in any nature even. I mean, it hasn't even been described in a restrictive nature. So, I guess the battle in terminology and linguistics is trying to make it fit within what is believed to be a solid core definition of the statute. And then if not to determine why, if you can act without this Board action, why not do it as you can legally do? Because you don't want it to be a prohibitive measure, but you also want it to not be an unnecessary measure either. So, I'm saying all of that, because again, I'm not certain what individual Board members are going to do, but just presenting the statute and the facts as presented, I just wanted to kind of offer a summation as to where I believe we stood.

Mr. Clark – Madam Chair?

Mr. Williams – Madam Chair?

Chair Peebles – Thank you, Ms. Munson. Mr. Williams, then Mr. Clark.

Mr. Williams – Mr. Clark can go ahead. He's ahead.

Chair Peebles – Okay. Mr. Clark?

Mr. Clark – Ms. Munson, my concern with that is I agree with Mr. Quinn. I feel like we should take action in the positive, because my concern is if we take no action, they proceed, which I think they should do, and then they get inspected and say, no, you have an easement. Like, that's my concern. They are licensed, they're regulated under 497. The end of 497.270 talks about public interest. Unless I'm missing something, I believe that the consumers that have already selected this cemetery would very much support this. And obviously future customers would support this. If not, they wouldn't choose, you know, the cemetery. So that's my concern with not taking action is, you know, they proceed with this and then we say, oh, there is an easement. You should have told us. Well, they're trying to tell us.

Ms. Munson – And that was my initial question I presented to the Department. Is it presented because they feel that the Department may have some type of negative or punitive impact for not having gone through this process? That was the part of it that I just wanted to clarify at the very beginning of the discussion. So, if that is the case, if that is the concern, that the Department would come back and say, why didn't you, why do you have this easement, then that's a different discussion, but I was under the impression that it didn't matter. So yes.

Chair Peebles – Thank you, Ms. Munson. Mr. Clark, would you like to proceed with a motion?

MOTION: Mr. Clark moved to approve the request. Mr. Quinn seconded the motion.

Chair Peebles – Ms. Simon if you'll do a roll call vote, please, ma'am.

Ms. Simon – If I can have just one moment.

Chair Peebles – Yes, ma'am.

Ms. Simon – All in favor of the motion to approve this request for an encumbrance please signify by saying Yay. Mr. Clark?

Mr. Clark – Yes.

Ms. Simon – Mr. Quinn?

Mr. Quinn – Yes.

Ms. Simon – Ms. Clay?

Ms. Clay – Yes.

Ms. Simon – Mr. Ferreira?

Mr. Ferreira – No.

Ms. Simon – Mr. Jensen?

Mr. Jensen – No.

Ms. Simon – Mr. Jones?

Mr. Jones – Yes.

Ms. Simon – Mr. Chapman?

Mr. Chapman – Yes.

Ms. Simon – Mr. Williams?

Mr. Williams – No.

Ms. Simon – Ms. Peeples?

Chair Peeples – No.

Ms. Simon – I have five (5) Yes and four (4) No.

Ms. Simon – Yes, ma'am.

Chair Peeples – So that motion is approved. Thank you, folks.

Ms. Wiener – Thank you.

Ms. Starkey – Thank you all, and I hope everyone will come and visit us sometime and check us out and learn more about what we're about. Would appreciate it. Thank you so much and hope you all have a good holiday.

Chair Peeples – Good luck Ms. Starkey.

Ms. Starkey – Thank you so much.

Chair Peeples – Ms. Simon?

Q. Related Items

(1) Recommended for Approval with Conditions

(a) Evans Funeral Services LLC (Cross City)

1. Application for Cinerator Facility (d/b/a EFS Crematory)

Ms. Simon – Is there a representative of this entity on the call today? Hearing no response. An application for cinerator facility licensure was received on August 20, 2024. The application was incomplete when submitted. A completed application was received on November 12, 2024. A background check of the principals revealed no relevant criminal history. The application is in correspondence to a change of ownership. The Division recommends approval, subject to the following conditions:

- 1) That the establishment passes an inspection by a member of Division Staff.
- 2) The closing on the transaction to acquire ownership shall occur within sixty (60) days of the date of this Board Meeting.
- 3) That Applicant shall assure receipt by the Division within seventy-five (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, Stock 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.

Chair Peebles – So, Board members, we will take agenda item Q (1) (a) 1, which is the application for cinerator facility.

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

2. Application for Funeral Establishment (d/b/a Rick Gooding Funeral Homes Chiefland)

Ms. Simon – An application for funeral establishment licensure was received on August 20, 2024. The application was incomplete when submitted. A completed application was received on November 12, 2024. A background check of the principals revealed no relevant criminal history. The application is in correspondence to a change of ownership. The Division recommends approval, subject to the following conditions:

- 1) That the establishment passes an inspection by a member of Division Staff.
- 2) The closing on the transaction to acquire ownership shall occur within sixty (60) days of the date of this Board Meeting.
- 3) That Applicant shall assure receipt by the Division within seventy-five (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, Stock 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.

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

3. Application for Funeral Establishment (d/b/a Rick Gooding Funeral Homes Cross City)

Ms. Simon – An application for funeral establishment licensure was received on August 20, 2024. The application was incomplete when submitted. A completed application was received on November 12, 2024. A background check of the principals revealed no relevant criminal history. The application is in correspondence to a change of ownership. The Division recommends approval, subject to the following conditions:

- 1) That the establishment passes an inspection by a member of Division Staff.
- 2) The closing on the transaction to acquire ownership shall occur within sixty (60) days of the date of this Board Meeting.
- 3) That Applicant shall assure receipt by the Division within seventy-five (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, Stock 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.

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

R. Executive Director’s Report
(1) Operational Report (Verbal)

Ms. Simon – For the Operational Report, I would like to stand in for our Division Director, our Executive Director, Mary Schwantes, and simply say that the next Board meeting will be on January 2, 2025. It will be held by videoconference. The Division wishes you all Happy Holidays, and we look forward to seeing you in the new year.

(2) Report on Payment of Disciplinary Fines and Costs (Informational)

Ms. Simon – This is informational only.

Monthly Report of Fines and Costs Assessed and Paid
 Division of Funeral, Cemetery and Consumer Services
 Date of Board meeting: :December 5, 2024
 Date report was prepared: November 26, 2024

Licensee	Board Meeting	Case No.	Total Fine	Date Due	Paid in Full?	Comments
Tim White's Vault Company of Crestview	7-Nov-24	315262-23-FC	\$1,500			
Camel Funeral Services, Inc. d/b/a Camel Funeral H	11/7/2024	315262-23-FC	\$1,000			
D.M. Baker Mortuary, LLC	7-Nov-24	315262-23-FC	\$1,000			
Donna Mullins-Prince	11/7/2024	315262-23-FC	\$1,000			
The Caisson Team	11/7/2024	315262-23-FC	\$2,500			
Andre Eady	Sep-24	315262-23-FC	\$2,000			
Tabatha Kaley	18-Jun-24	315262-23-FC	\$2,000	26-Sep-24		
Legacy Funeral Holdings of Florida LLC db/a Collison Carey Hand Funeral Home	18-Jun-24	315262-23-FC	\$2,000	26-Sep-24	Paid in Full	
Leon White	18-Jun-24	315262-23-FC	\$500	2-Sep-24		
Karia Funkhouser	1/4/2024	292044-22-FC & 297727-22-FC	\$19,000	8-Mar-24		Order of Emergency Suspension filed along with Administrative Complaint
Deliria Holmes	1/4/2024	307467-23-FC	\$8,250	8-Mar-24	Paid in Full	Order of Emergency Suspension filed along with Administrative Complaint
Holmes Funeral Directors	1/4/2024	307465-23-FC	\$8,250	8-Mar-24		Order of Emergency Suspension filed along with Administrative Complaint
Alberta Leonardo	11/2/2023	273845-20-FC	\$3,500	2-Jan-24		Referred to the OGC for administrative action
Ruben Rojas	13-Jul-23	292034-22-FC	\$6,000	11-Sep-23		Order of Emergency Suspension filed along with Administrative Complaint
Nelson's Elite Care	13-Jul-23	301514-22-FC	\$500	11-Sep-23		Order of Emergency Suspension filed along with Administrative Complaint
Brian James Bonar	6/29/2023	293064-22-FC	\$11,000	4-Sep-23		Referred to the OGC for administrative action

ES 11-26-24

S. Chair's Report (Verbal)

Ms. Simon – Madam Chair?

Chair Peeples – Thank you, Ms. Simon. I appreciate everyone, especially to our two (2) new Board members, Mr. Quinn and Mr. Chapman. Thank you for coming in and getting settled into the process. And we're possibly going to have Board training in January, which will be by videoconference. So, we'll let everybody know, and we would like all current Board members to participate in that. So, we might get that scheduled for January. And as Ms. Simon mentioned, our next meeting is January 2nd. So, we've had Thanksgiving. I ate too much. Don't know about you all. Christmas is right around the corner. I'll probably eat too much again. So, when it comes January 2nd, maybe I'll make some resolutions [audio cuts out] and still withhold them on the second. So, I hope all of you all have a Merry Christmas. Happy Holidays. Happy Hanukkah to everyone and thank you for everybody's due diligence. I appreciate you all.

Ms. Simon – Thank you, Madam Chair.

T. Office of Attorney General's Report
(1) Attorney General's Rules Report (Informational)

Ms. Simon – Ms. Munson?

Ms. Munson – Informational only. Happy Holidays everyone. Thank you.

**BOARD OF FUNERAL, CEMETERY, AND CONSUMER SERVICES RULES REPORT
 DECEMBER 2024**

Rule Number	Rule Title	Date Rule Language Approved by Board	Date Sent to OFARR	Rule Development Published	Notice Published	Adopted	Effective
69K-7.022	Payment of Funds Upon Contract Fulfillment; Documentation Required	11/07/2024					

Ms. Simon – Thank you, ma'am.

U. Public Comments (Verbal)

Ms. Simon – Are there any public comments to be made at this point regarding the meeting? Ms. Coney? Well, Ms. Peeples?

Chair Peeples – Ms. Coney?

Ms. Coney – Lisa Coney, Dignity Memorial and FCCFA. I was wondering if there was any update on the intended legislation for the coming session. I know the Division and CFO's office had received some comments during that August period. And I know the Director has left the meeting. I don't know if it was her intention to comment on any of that, but I thought perhaps we were past the planning stage and ready to share some of that information with the Board and was surprised not to hear that today.

Chair Peeples – Ms. Simon?

Ms. Simon – I appreciate the comments. There was no intent to discuss that today. However, in January we have might have more of an update, but not today for the public.

Chair Peebles – Thank you, Ms. Coney. Anyone else for public comments? Hearing none.

V. Administrative Report as November 23, 2024

A.	New Cemetery Applications	0
	Recommended for Approval	0
	Pending	0
B.	Cemetery Acquisition Applications	0
	Recommended for Approval	0
	Pending	0
C.	Preneed License Applications	1
	Active Preneed Licenses	325
	Presented to the Board at this Meeting	1
	Pending	0
D.	Preneed License Branch Applications	2
	Active Preneed License Branches	384
	Recommended for Approval	2
	Pending	0
E.	Preneed Sales Agent Applications	50
	Active Sales Agents	3488
	Recommended for Approval	64
	Temporary Licenses Issued Pending Permanent	21
F.	Monument Establishment Applications	0
	Active Monument Establishments	85
	Pending	0
G.	Broker of Burial Rights Applications	0
	Active Brokers of Burial Rights	20
	Pending	0
H.	Exempt Cemetery Reports	0
	Active Exempt Cemeteries	44
	Pending	0
I.	New Establishment Applications	3
	Pending	0
	Completed	3
J.	New Individual Applications	36
	Pending	29
	Completed	7
K.	Request for Training Facility Applications	1
	Pending	2
	Completed	1
L.	Request for Continuing Education Providers and Courses	192

	Pending	0
	Completed	19
M.	Initial Inspections	8
	Pending	0
	Completed	8
N.	Inspections	65
	Pending	0
	Completed	65
O.	Initial Licenses Issued	32
	Renewal Licenses	175

W. Disciplinary Report

	Issued Since Last Meeting (November 7, 2024)
Notices of Non-Compliance	0

X. Upcoming Meeting(s)

- (1) *January 2nd (Videoconference)*
- (2) *February 6th (Videoconference)*
- (3) *March 6th (In-Person – Tallahassee)*
- (4) *April 3rd (Videoconference)*
- (5) *May 1st (Videoconference)*
- (6) *May 29th (In-Person – Palm Coast – IFDF Annual Conference)*
- (7) *June 26th (Videoconference)*

Y. Adjournment

Chair Peebles – It is 12:52. We will adjourn this meeting. Thank you all. Great end of your year. Thank you all.

The meeting was adjourned at 12:52.