

Arkansas State Board of Embalmers and Funeral Directors
Board Meeting

MINUTES

Thursday, November 13, 2014, 9:00 a.m.

101 East Capitol Avenue
Arkansas River Room, 3rd Floor
Little Rock, AR

Chairman James Terry Woodard called the meeting to order. Members present were: Vice Chairman Bobby Thurman, Bobby Burns, Patricia Roberts, Ben Brazzel and Jerry Adams. Staff that were present: Amy Goode, Executive Secretary, Leslie Stokes, Inspector, and Mark Ohrenberger, Board Counsel.

1. Introduction of the Board

2. Oral Examinations – none

3. Reinstatement

- a. **Triwana M. Sanders** – Ms. Sanders last renewed her funeral director's license on January 29, 2010 for the year of 2010. She is appearing before the Board today seeking reinstatement of that license. She has worked the last several years for Youth and Family Services. She is back at Cromwell Funeral Home. She has missed waiting on the families. She had not renewed her license because she thought she was going to stay with Youth and Family Services. Motion made by Roberts to allow Ms. Triwana Sanders to reinstate her funeral directors license after restitution of \$460.00, seconded by Brazzel, all in favor. Motion carried.

4. Crematory Construction Permit Request (Grant or Deny)

- a. **Humphrey Family Properties, LLC.** – Chairman Woodard reminded the Board we had a public hearing in Russellville and we continued our decision until Mr. Humphrey went before the Dental Board. The Executive Secretary explained it was her understanding from attending the Dental Board meeting on September 19, 2014 that they were unable to give Mr. Humphrey an answer. Mr. Humphrey had informed the Embalmers Board at the public hearing on July 29, 2014 that he would remove dental fillings (dental amalgams) from the deceased prior to cremation to alleviate the concerns the public had about pollution. Executive Secretary had inquired from the Dental Board if they would consider this practicing dentistry without a license. The Dental Board at their meeting on September 19th was unable to give him an answer. They were requesting an opinion from the Attorney General's Office. The request before this Board today is to construct and they would have to submit a separate application to operate and license the crematory. Mr. Thurman inquired if the attorneys could provide an update. Board Counsel reminded the Board the record had been closed and that the Board was in the deliberation phase. He further stated it was preferable if the Board would just render a decision on the record.

Mr. Thurman stated he had talked with several people; Arkansas Funeral Directors Association (AFDA) had sent out a letter to association members that they were not in agreement with the dental portion, but they did support the construction of the crematory. CANA nor NFDA had a comment either way at this time. Mr. Adams stated that the matter before the Dental Board should not have any affect on this Board's decision. The matter Mr. Humphrey has before their Board is between those two parties. We cannot enforce Dental Board rules and regulations. Mr. Thurman

stated he had also looked into more of the toxins. He knows what is out there on the internet and he has talked to the main people as well as looked at regulations. There will approximately be one cremation a week. Mr. Thurman stated that if his daughters went to school there he personally would not have a problem with it. There are hospitals with incinerators right in the middle of town and all over the place. The filtration system these units have and the way they operate and cremate, I don't see any harm. I would like to see maybe a little more distance between the school and the crematory unit. Mr. Brazzel stated he also agreed with Mr. Thurman and would like to see more distance.

Mr. Veach inquired of Board Counsel if the Board had received the information that was sent on November 12th, 2014. Mr. Ohrenberger stated we did receive it and was a bit conflicted over it since the record was closed. Mr. Veach stated that at the last meeting Mr. Laws had supplemented the record and he did not have a problem with that or keeping it open if we're going to supplement paper wise. That is why he submitted the additional information that addresses the concerns the two Board Members have mentioned here today. Mr. Ohrenberger stated that information has not been provided to the Board Members. Mr. Ohrenberger inquired if Mr. Laws had any objections to the letter Mr. Veach had sent. Mr. Laws stated that his difficulties with all of this has been that he does not represent a huge segment. He cannot speak for everybody. He cannot say if he agrees or disagrees. Mr. Ohrenberger wanted to clarify for the Board that Mr. Laws was at the public hearing and attended the last meeting, but that Mr. Laws is a member of the public like any other and does not represent the entire contingency of people who are objecting to this. The issue is that Mr. Humphrey has offered that he would move the site approximately 550 feet. This would still be on the same parcel of land as identified on the application and still under the same application. Mr. Veach stated that the map that is part of the record shows property lines of other neighboring owners and they are still beyond two hundred-fifty feet and would not have to re-notify anyone. No new notification, it's simply moving it 550 feet away from the school. Mr. Ohrenberger informed the Board that it was Mr. Humphrey's inclination to keep the crematory right where it was originally intended, but if the Board was to deem it necessary that it was moved he would be willing to do that. Mr. Laws stated that at the public hearing you heard medical testimony, everything was designed and geared towards the location that was provided for in that plat. This was just something provided yesterday. His concern is that for evidence reasons that it would be unfair for the opposition. That the process should start over and maybe would eliminate some opposition. Mr. Ohrenberger addressed the assumption of the risk and as he understood it in a letter sent by Mr. Veach on behalf of Mr. Humphrey that if he was granted a permit he was prepared to go ahead and build then assume the risk if the Dental Board comes back and says otherwise or if there becomes a licensing issue he assumes the risk of having built a structure and then not being able to get it licensed. Mr. Veach confirmed that was correct.

Mr. Burns stated that he came today prepared to make a decision, but now he is unsure on what he is voting on. Mr. Ohrenberger addressed what was on the table at the moment. The Board has the original application and based on the site that was originally presented at that public hearing. You don't have an opinion from the Dental Board, but again at this point you are just dealing with whether or not to allow him to build it. At this point you have an application for a permit to build the crematory on the site originally noted at the public hearing and then an offer that if the Board requires it be moved Humphrey is willing to do that. Then you have an objection that the people that had objections originally should be allowed to present additional evidence and testimony about what impact that would have moving the location 550 feet, which was not in their original expectations. Motion made by Adams to approve the original application with the stipulation that that it be moved an additional 550 feet, seconded by Brazzel, the Board had discussion about how

far from the school it would be and the answer was approximately 1,000 feet from the playground. Motion passed 3 to 1, Mr. Burns asked for additional discussion. Mr. Adams withdrew his motion and Mr. Brazzel withdrew his second.

Mr. Burns stated he would like to see what the 550 feet looked like on a map. Originally the site was 450 feet from the playground and the new proposed location would be additionally 550 feet. Mr. Veach did pass around a map for the Board to view and Mr. Ohrenberger reminded the Board of the objection from Mr. Laws. Mr. Ohrenberger stated he wasn't trying to sway the Board's decision one way or the other, but while considering their decision that they had heard from Mr. Veach that this new site falls completely within the original application that it would not change anything and counter arguments from Mr. Laws. Although the entire 13 plus acres was identified in the original application, but because it was presented at the public hearing at one particular location you might draw an objection or an appeal based on it being granted for another location.

Mr. Humphrey and Mr. Veach confirmed they would go through another public hearing if that is what the Board wanted or recommended. However, he stated that the permit application does not ask that the exact location of the proposed site. It only asks for the legal description, the legal description is the entire 13 acres. Mr. Veach stated that he would make this easy for the Board that his client would like to start over with a new public hearing and they would also deed more land from the family trust to add a separate legal description to move it as far away from the school as possible to alleviate any concerns. They will withdraw the application and submit a new application with even more land.

5. **Administrative**

- a. **Approval of September 4, 2014 Board Minutes.** Motion made by Adams to approve the September 4, 2014 minutes as delivered electronically with no necessary changes or corrections, seconded by Brazzel, all in favor. Motion carried.
- b. **Approval of October 2, 2014 Public Hearing and meeting Hoggard Crematory Permit Application.** Motion made by Thurman to approve the public hearing and meeting minutes of the Hoggard Crematory permit application as delivered electronically with no necessary changes or corrections, seconded by Brazzel, all in favor with Burns and Roberts sustaining from voting. Motion carried.
- c. **Approval of October 3, 2014 Public Hearing and meeting Kirby & Family Crematory Permit Application.** Motion made by Burns to approve the public hearing and meeting minutes of the Kirby & Family Crematory permit application as delivered electronically with no necessary changes or corrections, seconded by Adams, all in favor with Woodard and Roberts sustaining from voting. Motion carried.
- d. **Approval of the October 28 & 29th, 2014 Teleconference Board Meeting Minutes.** Motion made by Burns to approve the October 28 & 29th, 2014 minutes as delivered electronically with no necessary changes or corrections, seconded by Roberts, all in favor. Motion carried.
- e. **Approval of the September – October 2014 DF&A financial reports and trial balance.** Motion made by Burns to approve the September – October 2014 DF&A reports as delivered and printed, seconded by Thurman, all in favor. Motion carried.

6. **Board Discussion**

- a. **Brandon's Mortuary – Hot Springs, AR establishment location** – Mrs. Alberta Brandon and her son Kevin Brandon were in attendance. The Board Inspector during a routine inspection discovered that the establishment license # 157 and Board ID#20290 issued to Brandon's Mortuary, Inc. was an empty lot. Mrs. Brandon stated that the building burned in 2004 and they do

intend to rebuild in that location, but they have been paying all their taxes and fees during this time. They never had families come to that location; they have always met the families at their homes and visitations are held at churches or other locations. There were Board members from that area and the previous inspector that knew and it was never an issue before now. Their main location is in Malvern. They are hoping to build in the summer of 2015. Mr. Adams raised the question that what would prevent someone from applying for a license on a vacant lot and state they plan to build one day and just operate from their car. The property was there when it was licensed. A.C.A §17-29-503 and the definition of a funeral establishment was read for the record. After a lot of discussion the Board made a motion on the matter. Motion made by Burns to grant Brandon's Mortuary in Hot Springs a temporary Malvern location for one (1) year beginning from 1/1/2015 to 12/31/2015 and if construction has not begun or completed then they will be required to surrender their license, seconded by Roberts, all in favor. Motion carried.

- b. **Clarification of Board's definition of funeral director and funeral directing** – The Board's position would be that you do need to be licensed to sell merchandise at-need.
- c. **Charles E. Fuller & Co., Inc. – Pine Bluff, AR** – Inspector explained she had done an inspection and that he has two different establishments issued at the same physical location. Mr. Fuller stated he sales his pre-need under Charles Fuller & Co. through Hale-South. He started his business in 1998 under Charles E. Fuller & Co., Inc. and he acquired Hale-South in January 2006. At that point, he just kept both licenses, because of any future expansion would be done under Charles E. Fuller & Co., Inc. There had been no question about that until now, except one time Ms. McGrew asked him why he wished to pay the additional fees. There was no regulatory reasons cited at that time. He has not read any reason under the statutes that would prohibit it. Motion made by Brazzel to allow Mr. Fuller to continue to operate two type A establishment licenses at the same physical location until December 31, 2015 by which time he shall acquire another location to transfer license or have begun construction, seconded by Adams, all in favor. Motion carried.
- d. **Proposed statute changes** – The Board discussed the proposed changes that the Executive Secretary and Inspector worked on and agreed to submit to the Bureau to begin the bill writing process.

7. Hearings

- a. **In the matter of : Warren & Matthew "Peaches" Strickland and Davis-Strickland Funeral Home, a licensed funeral directors and licensed establishment – Case #14-4**

Assistant Attorney General Karen Wallace served as Hearing Officer and swore in witnesses.

Assistant Attorney General Mark Ohrenberger represented the Board.

Matthew "Peaches" Strickland represented herself.

Warren Strickland, Jr. was unable to attend.

Amy Goode – Executive Secretary witness for the Board.

Gloria McCree– complainant witness for the Board.

Court Reporter – Tiffanie Harrison – Harrison Court Reporting

Ms. Wallace swore in the witnesses for the record.

Mr. Ohrenberger stated that it was his understanding Mrs. Strickland was asking for a continuance. Mr. Ohrenberger asked if he could give a statement for the Board before making a decision to continue and asked that witnesses be sworn in. Mr. Ohrenberger also asked if state's exhibits marked as 1 and 2 be allowed into the record as they reference proof of service. Mr. Ohrenberger called Mrs. Goode for proof of service of the notice of hearing. Mrs. Strickland stated she had not seen the notice of hearing in this case and she indicated she is a licensed funeral director. Mrs. Strickland confirmed for the record that Warren Strickland, Jr. was a licensed funeral director and the manager of record for Davis-Strickland Funeral Home. Shannon Strickland was confirmed by Mrs. Strickland to be a

licensed funeral director employed at Davis-Strickland Funeral Home and runs the day to day operations. Mr. Ohrenberger confirmed for the record that even though Shannon Strickland received this hearing notice he did not give it to Mrs. Strickland and she confirmed she had not seen it until today. Mr. Ohrenberger also inquired where Shannon was today and Mrs. Strickland stated he was ill. Shannon's wife Carolyn Strickland stated he had been hospitalized. Mrs. Strickland withdrew her motion to continue and was ready to proceed with the hearing.

Hearing Officer Karen Wallace called the hearing on the record and explained the purpose of the hearing. Ms. Wallace explained that the Board would base its decision solely on evidence presented today and that this hearing would be conducted pursuant to the Arkansas Administrative Procedures Act. The strict rules of introducing evidence do not apply and will give latitude in presenting testimony and evidence. This hearing is subject to the Freedom of Information Act and is open to the public.

Mr. Ohrenberger introduced exhibits 3-7 into evidence and there were no objections. Mr. Ohrenberger began with informing the Board that there were several issues involved in this case. This complaint dates back to February of this year when Ms. McCree contacted the respondent's funeral home about picking up the body of her father A. J. Jones in Mississippi and bringing him back to Arkansas for cremation. Directed the Board's attention to page 4 of exhibit number 1 concerning the charges. Charge C.1 the charge is that the respondents, by telling the complainant that Arkansas law requires the body be embalmed in order for the body to be cremated was being guilty of misrepresentations or fraud committed by a holder of a license, also making false statements to legal requirements under which embalming is required. Second charge is that the respondents did in fact embalm Mr. Jones body without being under any legal requirement to do so, without having any prior approval from Ms. McCree, and after being specifically told by Ms. McCree she didn't want her father embalmed; which is a violation of both the Federal Trade Commission funeral industry practice regulations as well as our rule XIV.2. Next there is going to be an issue regarding refusal to release the decedent's body to another funeral home without first receiving payment. The amount was \$900 which included embalming that was not requested in the first place. The next charge is the respondents failed to provide a statement of funeral goods and services prior to rendering services which is a violation of our rule XII.2 and finally that the answer the respondents submitted to the Board was not submitted within 15 days as required by our law; that itself is a separate violation.

Motion made by Thurman to find factual allegation 1-13 factual, seconded by Burns, all in favor. Motion carried.

FINDINGS OF FACT

1. Respondent Matthew "Peaches" Strickland holds a funeral director's license issued by the Board. In connection with all matters described in this hearing notice, Respondent Peaches was employed by and acting on behalf of Respondent Funeral Home.
2. Respondent Warren Strickland, Jr. holds a funeral director's license issued by the Board and serves as the licensed funeral director under whose general management and supervision Davis-Strickland Funeral Home, a licensed Funeral Establishment Type A, operates.
3. Complainant Gloria McCree is the daughter of the decedent, AJ Jones, and was the authorizing agent – the person legally entitled to control the disposition of the remains of a deceased person – with respect to the decedent.
4. On or about February 22, 2014, Complainant McCree contacted Respondent Peaches to inquire about having the body of the decedent picked up from Greenville, Mississippi, and brought back to Pine Bluff, Arkansas, for cremation.
5. Complainant McCree informed Respondent Peaches that the Complainant did not want the body embalmed because it was going to be cremated. Respondent Peaches told Complainant McCree that the law in Arkansas required the body to be embalmed before it could be cremated. This is statement is false.
6. Respondent Peaches, verbally agreed to take care of picking of the decedent's body, bringing it back to Arkansas, and cremating it for a total of \$1,900.
7. Complainant McCree subsequently learned that another funeral home would provide the services she was seeking for less money, and she contacted Respondent Peaches again and told her not to pick up the

decedent's body. Respondent Peaches replied that it was too late, as Respondent Funeral Home had already picked up the body.

8. Respondent Peaches then said that Respondent Funeral Home would take care of the services requested, which included only transportation of the body and cremation, for \$1,100.

9. The next day, Complainant McCree sought to have Respondent Peaches release the body to Gunn Funeral Home. Respondent Peaches refused to release the body to anyone for less than \$900. When Complainant McCree asked why the charges were so high, Respondent Peaches said that the body had already been embalmed.

10. Complainant McCree had not authorized the decedent's body to be embalmed, yet at Respondent Peaches' direction, the decedent's body was embalmed.

11. Respondents then held the body of the decedent for a period of weeks and then buried it. Complainant McCree did not request this disposition of the decedent's body.

12. Respondents did not provide Complainant McCree with a written statement disclosing the price of the services to be rendered and what is included within those services, commonly known as a "Statement of Goods and Services," prior to rendering funeral services

13. The Board sent a copy of Complainant McCree's initial complaint to the Respondents on March 11, 2014, and it was delivered to the Respondents on March 17, 2014. The Respondents' written response to the complaint is dated April 10, 2014, and it was not received in the Board's office until April 11, 2014.

Motion made by Burns that charges C.1-C.2, C. 4, C.5 be found factual, C. 3 false, seconded by Roberts, all in favor. Motion carried.

CONCLUSIONS OF LAW

C.1 By telling Complainant McCree that Arkansas law required a body to be embalmed before it could be cremated, the Respondents:

a. Are guilty of misrepresentation or fraud committed as a holder of a license, in violation of Ark. Code Ann. § 17-29-311(a)(2); and

b. Are guilty of making false statements as to the legal requirement as to the conditions under which embalming is required, in violation of Rule XIV.5 of the Rules of the Arkansas State Board of Embalmers and Funeral Directors.

C.2. By embalming the decedent's body (i) without being under a legal requirement to do so, (ii) without having prior approval from Complainant McCree, and (iii) having been specifically told by Complainant McCree that she did not want the body embalmed, the Respondents:

a. Are guilty of proceeding with embalming procedures when there is an indication that embalming is not desired, in violation of Rule XIV.2 of the Rules of the Arkansas State Board of Embalmers and Funeral Directors, and

b. Are guilty of an unfair or deceptive act or practice under the Federal Trade Commission's Funeral Industry Practices rules, specifically, 16 C.F.R. § 453.5(a), which is itself a violation of Board Rule XII.4, which requires compliance with all FTC rules, as they apply to funeral service.

C.3. The charge listed in paragraph C.3 of the hearing notice in this matter was not proven and is therefore dismissed.

C.4 By failing to provide Complainant McCree with a written statement disclosing the price of the services to be rendered and what is included within those services, commonly known as a "Statement of Goods and Services," prior to rendering funeral services, the Respondents violated Rule XII.2 of the Rules of the Arkansas State Board of Embalmers and Funeral Directors.

C.5 By failing to respond in writing to the complaint within fifteen days, each of the Respondents violated Rule XV.4 of the Rules of the Arkansas State Board of Embalmers and Funeral Directors and Ark. Code Ann. § 17-29-311(a)(18).

Motion made by Brazzel to place the funeral directors licenses of Warren Strickland, Jr. and Matthew "Peaches" Strickland, and the establishment license of Davis-Strickland Funeral Home shall be placed on probation for a period of six months, during the six-month period the Board Inspector shall help them work on the compliance issues, seconded by Roberts, all in favor. Motion carried.

ORDER

In light of the violations found in this order, the Board orders that funeral director licenses of Respondent Matthew "Peaches" Strickland and Respondent Warren Strickland, Jr., and the establishment license of Respondent Davis-Strickland Funeral Home shall all be placed on probation for a period of six months from the date this order is

served on the Respondents. During that six-month period, the Board's Inspector will make visits to the Respondent Funeral Home and will work with the Respondents to help in bringing their practices into compliance with the license law and Board regulations, including the FTC Funeral Industry Practices Rule, 16 C.F. R. § 453. This probationary period runs concurrently with the probationary period ordered in Case No. 14-11, which matter was heard and decided on the same date as this case.

b. In the matter of : Warren & Matthew "Peaches" Strickland and Davis-Strickland Funeral Home, a licensed funeral directors and licensed establishment – Case #14-11

Assistant Attorney General Karen Wallace served as Hearing Officer and swore in witnesses.

Assistant Attorney General Mark Ohrenberger represented the Board.

Matthew "Peaches" Strickland represented herself.

Warren Strickland, Jr. was unable to attend.

Amy Goode – Executive Secretary witness for the Board.

Gloria McCree– complainant witness for the Board.

Court Reporter – Tiffanie Harrison – Harrison Court Reporting

Ms. Wallace swore in the witnesses for the record.

Hearing Officer Karen Wallace called the hearing on the record and explained the purpose of the hearing. Ms. Wallace explained that the Board would base its decision solely on evidence presented today and that this hearing would be conducted pursuant to the Arkansas Administrative Procedures Act. The strict rules of introducing evidence do not apply and will give latitude in presenting testimony and evidence. This hearing is subject to the Freedom of Information Act and is open to the public.

Mr. Ohrenberger explained the state has 5 exhibits to offer and there was no objection from either parties. Mr. Ohrenberger states the matters are more straight forward than the previous hearing. Please turn to page 2 of Board's exhibit 1. As in the previous hearing, Matthew "Peaches" Strickland and Warren Strickland, Jr are both licensed funeral directors and the managing funeral director for Davis-Strickland Funeral Home that is also licensed by this Board. The case dates back to February 2012. At the time funeral services were made or rendered the family did not receive a statement of funeral goods and services. In fact, they did not receive an invoice until June of 2014. The Board never received a response in this matter.

Motion made by Thurman to find factual allegations F1-F5 be found true amending F.3 to read that respondent made pre-need arrangements for the family and provided funeral services for Carrie Bell-Wright after her death, seconded by Brazzel, all in favor. Motion carried.

FINDINGS OF FACT

1. Respondent Matthew "Peaches" Strickland holds a funeral director's license issued by the Board.
2. Respondent Warren Strickland, Jr. holds a funeral director's license issued by the Board and serves as the licensed funeral director under whose general management and supervision Davis-Strickland Funeral Home, a licensed Funeral Establishment Type A, operates.
3. In February of 2012, the Respondents made pre-need arrangements with the family and provided funeral services for the decedent, Carrie Bell-Wright, after her death. Specifically, Respondents made these arrangements with Complainant Eddie Mae Walker.
4. At the time funeral arrangements were completed, and prior to rendering funeral services, the Respondents failed to provide Complainant Walker with a written statement disclosing the price of the services to be rendered and what is included within those services, commonly known as a "Statement of Goods and Services." In fact, the Respondents did not even provide Complainant Walker with a written invoice until June of 2014.
5. The Board sent a copy of Complainant Walker's complaint to the Respondents on July 25, 2014. As of the date of this hearing notice, none of the Respondents has filed a written response with the Board.

Motion made by Thurman to find charges C.1-C.2 true, seconded by Brazzel, all in favor. Motion carried.

CONCLUSIONS OF LAW

C.1 By failing to provide Complainant Walker with a written statement disclosing the price of the services to be rendered and what is included within those services, commonly known as a "Statement of Goods and Services," at the time funeral arrangements were completed and prior to rendering funeral services, the Respondents violated Rule XII.2 of the Rules of the Arkansas State Board of Embalmers and Funeral Directors.

C.2 By failing to respond in writing to the complaint within fifteen days, each of the Respondents violated Rule XV.4 of the Rules of the Arkansas State Board of Embalmers and Funeral Directors and Ark. Code Ann. § 17-29-311(a)(18).

Motion made by Brazzel to place the funeral directors licenses of Warren Strickland, Jr. and Matthew "Peaches" Strickland, and the establishment license of Davis-Strickland Funeral Home shall be placed on probation to run concurrently during the six-month period issued in previous order, during that time the Board Inspector shall help them work on the compliance issues, seconded by Roberts, Motion carried 4-1.

ORDER

In light of the violations found in this order, the Board orders that funeral director licenses of Respondent Matthew "Peaches" Strickland and Respondent Warren Strickland, Jr., and the establishment license of Respondent Davis-Strickland Funeral Home shall all be placed on probation for a period of six months from the date this order is served on the Respondents. During that six-month period, the Board's Inspector will make visits to the Respondent Funeral Home and will work with the Respondents to help in bringing their practices into compliance with the license law and Board regulations, including the FTC Funeral Industry Practices Rule, 16 C.F. R. § 453. This probationary period runs concurrently with the probationary period ordered in Case No. 14-4, which matter was heard and decided on the same date as this case.

8. Complaints

- a. **Case#14-10 – Prather, Patricia V. AR Funeral Care, LLC, LeRoy Wood, manager and funeral director**
Motion made by Brazzel to dismiss for no violations, seconded by Roberts, all in favor. Motion carried.
- b. **Case#14-12- Hall, Arthur V. Brown Funeral Home, Marshall Kelley, manager and funeral director**
Motion made by Brazzel to dismiss for no violations, seconded by Burns, all in favor. Motion carried.
- c. **Case#14-13 – Spurlin, Raven V. Williams Funeral Home, Roland Gosey, manager and funeral director**
Motion made by Brazzel to dismiss for no violations, seconded by Burns, all in favor. Motion carried.

9. Inspector Updates – Leslie Stokes

Ms. Stokes explained that at the last meeting she was instructed to follow up with C. D. Ross on the unset and undelivered monuments. She has spoken with Mr. Ross, Ms. Low, Ms. Haliburton, and was unable to reach McAdoo. Ms. Low was supposed to type her statement and fax back in, but she never did. According to Ms. Haliburton, Ms. Low nor Mr. Ross contacted her. Stokes called Mr. Ross's cell phone and received his voicemail saying she had reached C. D. Ross Funeral Home and if you are unable to reach him he is waiting on a family or away from his phone. He did call back and stated he was working with both of these families and that as soon as the weather dried out he was going to set the headstones. He was originally working with a

man named Jamie Velenzia whom he was buying his monuments through and after Ms. Low sold the monuments Mr. Velenzia had gone out of business and left town. Mr. Velenzia also sold caskets and never provided the caskets. Mr. Ross stated he was going to use another monument company; Barnes Monument Company and Moon Monument Company and purchase monuments from them for these people. He also shared with the Inspector there was another one that has not received their headstone.

Case#14-8 - Haliburton & Allen V. Christopher Ross, Funeral Director

Case#14-9 - McAdoo, James V. Christopher Ross, Funeral Director

Motion made by Burns to dismiss case #14-8 & 14-9 for no violations, seconded by Brazzel, all in favor. Motion carried.

The Inspector did the following since the last meeting:

- September 5th –received a list of property owners within 250 feet around 600 Hospital Drive in Mountain Home, AR
- September 19th - Attended a Dental Board meeting
- October 2nd- attended a public hearing in Piggott on Hoggard's Crematory Permit Application
- October 3rd – attended a public hearing in Mountain Home on Kirby's Crematory Permit Application
- October 6th – inspected Larry G. Acklin's Little Rock location for the inspection and addition of prep room
- October 16th – initial inspection for Wilson's Funeral Home in Helena/West Helena
- October 29th – went to advisory meeting at UACCH
- October 30th –initial inspection for Fears Family Funeral Home in Pocahontas
- Have covered all counties but Lawrence, Craighead, Crittenden and half of Phillips

10. Election of Officers

Motion made by Roberts to keep the current slate of officers, seconded by Adams, all in favor. Motion carried.

11. Attorney Updates – Mark Ohrenberger – Nothing new to update.

12. Meeting dates:

- a. January 8, 2015 – 9AM
- b. March 12, 2015 – 9AM
- c. May 14, 2015 regular meeting 9am and annual meeting 1pm.
- d. July 9, 2015 – 9am
- e. September 10, 2015 – 9am
- f. November 12, 2015 – 9am

13. Adjournment

Motion made by Adams to adjourn the meeting, seconded by Thurman, all in favor. Motion carried.