



Douglas A. Ducey – Governor

Arizona State Board of Funeral Directors and Embalmers
1740 West Adams Street, Suite 3006 * Phoenix, Arizona 85007

Kristina Dyrr, Chairman - James Ahearne, Secretary - Samuel Bueler, Professional Member
Harold Adair, Professional Member – Jack Peterson, Public Member – Amie Gazda, Professional Member

MINUTES
REGULAR SESSION

Board Meeting Held On:
Tuesday, April 16, 2019 • 9:00 a.m. • 1st Floor Conference Room “C”
1740 West Adams Street • Phoenix, AZ 85007

CALL TO ORDER: Board Chair Kristina Dyrr called the Board Meeting to order at 9:00 a.m. The following Members were present for the Board Meeting on April 16, 2019.

MEMBERS PRESENT:

Kristina Dyrr, Chairman/Public Member
James Ahearne, Secretary/Professional Member
Samuel Bueler, Professional Member
Amie Gazda, Professional Member
Harold Adair, Professional Member
Jack Peterson, Public Member
Vacancy, Public Member

STAFF PRESENT:

Judith Stapley, Executive Director
Gary Hendrix, Investigator Manager
Evelyn Estrella, Licensing Administrator
Yazmin Bustamante, Administrative Assistant

ATTORNEY GENERAL’S OFFICE:

Thomas Raine, Assistant Attorney General

1. CALL TO THE PUBLIC:

No member of the audience came forward to speak.

2. MINUTES:

Board Member-James Ahearne moved to approve the minutes of the March 19, 2019 Board Meeting. Board Member Harold Adair seconded this motion. Motion passed unanimously 6-0.

3. LICENSING:

By motion and second, and motion carrying, the following actions occurred relative to applications for licensure subject to the conditions noted:

| NAME | TYPE OF LICENSE | ACTION | MOTION BY | SECOND BY |
|------------------------|---------------------------|--|-----------|-----------|
| Jessica Burke | Funeral Director | Approved 5-0 Amie Gazda recused | Peterson | Ahearne |
| Sonja Garcia-Tillson | Funeral Director | Approved 6-0 | Ahearn | Adair |
| DJay Lefler | Embalmer | Approved 6-0 | Ahearne | Adair |
| Chasity Mueller | Embalmer | Approved 6-0 | Ahearne | Adair |
| Veronica Burgarin | Cremationist | Approved 6-0 | Ahearne | Adair |
| Rebecca DeConcini | Cremationist | Approved 6-0 | Peterson | Ahearne |
| Jacqueline Flynn | Salesperson | Approved 6-0 | Peterson | Ahearne |
| Kathy Garber | Salesperson | Approved 6-0 | Peterson | Gazda |
| Bianca Valdez-Carrillo | Salesperson | Approved 6-0 | Ahearne | Gazda |
| Deane Senn | Multiple Funeral Director | Motion to Deny Action 2-4. Ahearne & Bueler-nay, Gazda, Peterson, Adair & Dyrr, yea. | Ahearne | Bueler |

EXECUTIVE SESSION: Board member Sam Bueler moved to enter into executive session for legal advice regarding Deane Senn-Multiple Funeral Director license. This motioned was seconded by Board member Amie Gazda and carried 6-0. The Board entered into executive session for legal advice at 9:11 a.m.

OPEN MEETING: The Board returned to open session at 9:20 a.m.

| | | | | |
|------------|---------------------------------|--|----------|---------|
| Deane Senn | Multiple Funeral Director | Motion to postpone until next Board meeting on May 21, 2019. Approved 6-0 | Peterson | Ahearne |
|------------|---------------------------------|--|----------|---------|

4. REVIEW, CONSIDERATION AND POSSIBLE ACTION REGARDING:

The Board may vote to go into Executive Session pursuant to A.R.S. § 32-431.03(A)(2)(to discuss confidential information) or A.R.S. § 38-431.03(A)(3)(to receive legal advice).

- A. Docket 16F-201506-FNR (LC2017-000061-001 DT) Saguario Valley Cremation Services, LLC, Jessie Welsh-Alexis, Franklin Lambert and Phillip Scott Warner. Legal update provided by Assistant Attorney General, Thomas Raine. Mr. Raine advised this case has recently been before the Arizona Supreme Court for consideration.
- B. Docket 16F-201609-FNR, Angel’s Cremation and Burial, LLC – Legal Update provided by Assistant Attorney General, Thomas Raine. Mr. Raine advised that oral arguments are scheduled to be heard in the Court of Appeals on May 1, 2019.
- C. Saguario Valley Crematory/Angels Cremation and Burial Notice of Claim – Legal Update provided by Assistant Attorney General, Thomas Raine. Mr. Raine advised there have been no updates or changes to report.

5. REVIEW, CONSIDERATION AND POSSIBLE ACTION REGARDING:

The Board may vote to go into Executive Session pursuant to A.R.S. § 32-431.03(A)(2)(to discuss confidential information) or A.R.S. § 38-431.03(A)(3)(to receive legal advice).

- A. Docket 2019-FDE-0001 – Summit Funeral Home

Virginia Parker, Responsible Funeral Director and co-owner of Summit Funeral Home, was present along with Paul Parker, Funeral Director, representing Summit Funeral Home. Mr. Morgan Yazzie, the complainant, was not present. Rosalyn Benally Criminal Investigator for the Navajo Police Department was not present. Macedonio Ruiz and Devon Greer were present telephonically representing Winslow Funeral Home. Following discussion, Board member James Ahearne moved to dismiss. This motion was seconded by Board member Jack Peterson and carried unanimously 6-0.

B. Docket 2019-FDE-0002 – Sunset Vista Funeral Home & Cemetery

Cesar Dominquez, Responsible Funeral Director and owner of Sunset Vista Funeral Home & Cemetery, (“Sunset Vista”) was present. Manager of Sunset Vista, Robert Vigil and Funeral Arranger, Ricardo Andrade were also present representing Sunset Vista. The complainant Cynthia Hanks was not present. Following discussion, Board member James Ahearne moved to dismiss. This motion was seconded by Board member Sam Bueler and carried unanimously 6-0.

6. REVIEW, CONSIDERATION AND POSSIBLE ACTION REGARDING:

The Board may vote to go into Executive Session pursuant to A.R.S. § 32-431.03(A)(2)(to discuss confidential information) or A.R.S. § 38-431.03(A)(3)(to receive legal advice).

A. Docket 2018-FDE-0017 – Alex Espinosa Bisbee Funeral Home

Alex Espinosa, Responsible Funeral Director and owner of Alex Espinosa Bisbee Funeral Home, was present representing Alex Espinosa Bisbee Funeral Home. Following discussion, Board member James Ahearne moved to dismiss. This motion was seconded by Board member Sam Bueler and carried unanimously 6-0.

7. REVIEW, CONSIDERATION AND POSSIBLE ACTION REGARDING:

The Board may vote to go into Executive Session pursuant to A.R.S. § 32-431.03(A)(2)(to discuss confidential information) or A.R.S. § 38-431.03(A)(3)(to receive legal advice).

A. Docket 2018-FDE-0025 – Chad Campbell

EXECUTIVE SESSION: Board member Sam Bueler moved to enter into executive session for legal advice. This motioned was seconded by Board member Harold Adair and carried 6-0. The Board entered into executive session for legal advice at 10:48 a.m.

OPEN MEETING: The Board returned to open session at 11:00 a.m.

Mr. Campbell was present to address the Board. He stated that he has completed the continuing education course mandated by the Indiana State Funeral & Cemetery Board, (“Indiana Board”). He further stated that he had not yet shown proof of course completion to the Indiana Board. Additionally, Mr. Campbell still needs to pay the remaining fine and petition the Indiana Board for reinstatement of his license. After discussion, Board member James Ahearne moved to schedule a Formal Hearing as soon as reasonably possible. The motion also includes a provision that if Mr. Campbell provides necessary verification that he has completed all necessary items required by the

Indiana Board to have his license reinstated prior to the Formal Hearing, the Hearing will not need to take place. This motion was seconded by Board member Sam Bueler and carried unanimously 6-0.

8. SUMMARY OF CURRENT EVENTS:

By law, the summary of current events is limited to summarizing recent occurrences. The Board cannot propose, discuss, deliberate or take legal action on any matter in the summary unless the specific matter is properly noticed for legal action.

Board member James Ahearne asked Executive Director Stapley for a brief report regarding any new knowledge of radioactive materials in crematories. Ms. Stapley provided a brief report of the recent meeting she attended with the Bureau of Radiation Control and various stakeholders. This issue is in its infancy and will be part of a discovery process for some time to come.

9. EXECUTIVE DIRECTOR'S REPORT

- A. License renewals begin May 1, 2019. Notification has been posted on the Funeral Board webpage, emails have been sent out to all licenses and written notification will be sent out this week. Ms. Stapley encouraged all licensed individuals to go to their online profile to ensure everyone's ability to log into the Salesforce online licensing system.
- B. Annual Trust Reports
 - a. Ms. Stapley reminded everyone that all licensed Funeral Establishments must turn in an Annual Trust Report on or before May 1st of each year.
 - b. This year all forms are fillable and online. After forms are completed and notarized, they may be emailed or mailed directly to the Board for processing. If any fees are owed they may be paid electronically via the payment site on the Funeral Board webpage or by mailing in a check prior to the due date of May 1, 2019.
- C. SB 1245-Vital Records; Death Certificate bill has been combined with HB 2188-Funeral Director/Intern bill. It is currently waiting for a third read in the Senate and is still on track to pass.

10. FUTURE AGENDA ITEMS

11. ADJOURNMENT

Board member Jack Peterson moved to adjourn at 11:57 am. This motion was seconded by Board member James Ahearne and carried 6-0.

2019 BOARD MEETING SCHEDULE

January 15, 2019 February 19, 2019 March 19, 2019 April 16, 2019
May 21, 2019 June 18, 2019 July 16, 2019 August 20, 2019
September 17, 2019 October 15, 2019 November 19, 2019 December 17, 2019

SUBJECT TO APPROPRIATE NOTICE THE BOARD RESERVES THE RIGHT TO CHANGE MEETING DATES

Judith Stapley
Executive Director

APPROVED BY:

Kristina Dyrr, Chairman

Jack Peterson, Public Member

James Ahearne, Secretary

Harold Adair, Professional Member

Samuel Bueler, Professional Member

Amie Gazda, Professional Member