



**ARIZONA STATE BOARD OF
FUNERAL DIRECTORS AND EMBALMERS**

Natasha Culbertson Executive Director
www.funeralboard.az.gov

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Douglas A. Ducey
Governor

Samuel Bueler, Chairman/Industry Member * Amie Gazda, Secretary/Industry Member
Harold Adair, Industry Member * Joe Hornat, Public Member
Helene Bergeon, Public Member * Lemuel D. Cannon, Public Member

**MINUTES
REGULAR SESSION**

**Board Meeting Held On:
Tuesday, August 17, 2021 • 9:00 a.m. • 1st Floor Conference Room “C”
1740 West Adams Street • Phoenix, AZ 85007**

1) CALL TO ORDER

Board Chairman Samuel Bueler called the Board Meeting to order at 9:00 a.m.

Members Present:	Samuel Bueler	Chairman/Industry Member
	Amie Gazda	Secretary/Industry Member
	Joe Hornat	Public Member
	Harold Adair	Industry Member
	Lemuel Cannon	Public Member

Members Not Present:	Helene Bergeon	Public Member
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Board Staff Present:	Natasha Culbertson	Executive Director
	Brandon Eaden	Investigator
	Marisa Zavala	Licensing Administrator

Attorney General’s Office Present:	Justin Larson	Assistant Attorney General
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2) STATEMENT OF PURPOSE

Board Chairman Samuel Bueler read the Board's Statement of Purpose.

3) DECLARATION OF CONFLICTS OF INTEREST- A.R.S. § 38-503

Board Chairman Samuel Bueler recused himself from agenda item 5(A)(1), Funeral Director License Application for Daniel John Taylor.

4) REVIEW, DISCUSSION, AND POSSIBLE ACTION REGARDING APPROVAL OF BOARD MEETING MINUTES

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.

Board member Amie Gazda moved to approve the minutes of the July 20, 2021 Board meeting. Board member Lemuel Cannon seconded this motion. Motion passed unanimously 5-0.

Board member Amie Gazda moved to approve the Executive Session minutes of the July 20, 2021 Board meeting. Board member Lemuel Cannon seconded this motion. Motion passed unanimously 5-0.

5) REVIEW, DISCUSSION, AND POSSIBLE ACTION REGARDING APPLICANTS

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.

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
Daniel John Taylor	Funeral Director	Approved 4-0 Samuel Bueler recused himself.	Adair	Cannon
Fredrick McCauley	Funeral Director Embalmer Cremationist	Approved 5-0	Adair	Hornat
Megan Marie Guidera McCauley	Funeral Director Embalmer Cremationist	Approved 5-0	Adair	Hornat
Mark Lane Hendriksen	Funeral Director Embalmer (Universal Recognition)	Approved 5-0	Adair	Hornat
John P Schroeder	Funeral Director Embalmer	Approved 5-0	Adair	Cannon
Isabel Brubach	Funeral Director	Approved 5-0	Adair	Cannon
Curtis Patrick Crosby	Funeral Director Embalmer (Universal Recognition)	Approved 5-0	Adair	Hornat
Natalie Shuey	Funeral Director Embalmer	Approved 5-0	Cannon	Adair
Michael R McNeil	Funeral Director Embalmer (Universal Recognition)	Postponed 5-0	Harold Adair motioned to postpone and request additional written documentation regarding the disciplinary action and criminal incident.	Gazda
Jordan Scott Meacham	Embalmer	Approved 5-0	Adair	Gazda
Emmily Lynn Garcia	Intern	Approved 5-0	Cannon	Adair
Monica Gonzales	Intern	Approved 5-0	Hornat	Adair
Nichole Marie Aranda	Intern	Approved 5-0	Hornat	Cannon

Eli DeWitt Carr	Intern	Approved 5-0	Cannon	Hornat
Tiffany Dawn Killman	Intern Cremationist	Approved 5-0	Hornat	Adair
Marisa Lee Rosales	Intern Cremationist	Approved 5-0	Cannon	Adair
Victoria Diane Shaffery	Intern	Approved 5-0	Hornat	Adair
Samantha Spasiano	Intern	Approved 5-0	Hornat	Adair
Nancie Lee Scalercio	Salesperson	Approved 5-0	Hornat	Cannon
Raymi Thomas Wright	Cremationist	Approved 5-0	Gazda	Adair
Thomas O Moore	Cremationist	Approved 5-0	Cannon	Hornat
Hanna Elizabeth Harpold	Cremationist	Approved 5-0	Hornat	Adair
Joseph James Peters	Cremationist	Approved 5-0	Hornat	Adair
Emilio Axel Garcia	Cremationist	Approved 5-0	Adair	Cannon
Robert Elanden Rachel	Cremationist	Approved 5-0	Hornat	Cannon
Creta Raquell DiFilippo	Cremationist	Approved 5-0	Hornat	Cannon
Shauna Ashley Henry	Cremationist	Approved 5-0	Cannon	Adair
Scott Gregory Umphrey	Cremationist	Approved 5-0	Hornat	Cannon
Blair Erica Smiley	Cremationist	Approved 5-0	Hornat	Cannon
Serenity Memorial Group	Establishment	Approved 5-0	Gazda	Adair
Mohave Memorial Funeral Home and Crematory LLC	Establishment	Approved 5-0	Gazda	Cannon

6) REVIEW, DISCUSSION, AND POSSIBLE ACTION REGARDING INVESTIGATION FILES

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 2020-FDE-0055 Abbey Funeral Chapel

Appearing telephonically on behalf of Abbey Funeral Chapel for the discussion and review of this docket were Responsible Funeral Director (RFD) Douglas Mostyn. Gary Carolan, the former RFD for Abbey Funeral Chapel was not present. The Complainant, Heather Mullenberg, was also telephonically present.

After a review of all the documentation and discussion, it was determined that Mr. Carolan had failed to notify the Board within ten (10) days of his change in employment as required in A.R.S. § 32-1333(C). Board member Joe Hornat motioned to issue a letter of concern to Mr. Carolan regarding his violation of A.R.S. § 32-1333(C). The motion was seconded by Amie Gazda and carried unanimously 5-0.

7) CONSENT AGENDA ITEM - REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING DISMISSAL OF CEMETERY DOCKETS

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 2020-FDE-0025 Resthaven Carr-Tenney Mortuary & Memorial Park

No one was present for the discussion and review of this docket from Resthaven Carr-Tenney Mortuary & Memorial Park. The Complainant, Louie Padilla Jr., was also not present.

Board member Harold Adair moved to dismiss the complaint since it falls under the jurisdiction of the Arizona Department of Real Estate and not this Board. The motion was seconded by Lemuel Cannon and carried unanimously 5-0.

8) REVIEW, DISCUSSION, AND POSSIBLE ACTION REGARDING POTENTIAL COMMUNICATION TO LICENSEES REGARDING THE ORDER OF AUTHORIZING AGENTS IN A.R.S. § 36-831

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.

The Board requested to have Board staff send out a mass email as a friendly reminder that A.R.S. § 36-831 is the standard and to review the statute if they have any questions regarding the order of authorized agents.

9) CALL TO THE PUBLIC

Public input is encouraged. Those wishing to address the Board do not need to request permission in advance; however, the Board may limit those persons speaking during this time to a reasonable number on any public comment matter. In addition, each person wishing to address the Board will be given five (5) minutes to do so. Pursuant to A.R.S. § 38-431.02(H), the Board can only take action on matters listed on the agenda. Action on public comment matters that are not listed on the agenda will be limited to directing staff to study the matter or to schedule the matter for further review at a later date.

No one came forward to speak.

10) EXECUTIVE REPORT (REVIEW AND DISCUSSION)

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. FY23 Budget Asks

The Board's budget is due on September 1, 2021. Director Culbertson discussed what Budget Asks would be submitted as part of the Board's budget for fiscal year 2023. The main Budget Asks will include requesting appropriations to add a fifth full-time employee, entering into an Interagency Service Agreement (ISA) with the Attorney General's Office and additional funds to cover software licensing increases.

Recess taken at 10:45 a.m.

Open Session resumed at 10:51 a.m.

B. Licensee data for Senators, part of Sunset Audit review

As part of the Boards Sunset Audit, the Commerce Committee has asked for 1) the number of individuals licensed each year, by license type, since 1990; and 2) the number of licenses issued to individuals coming from other states through reciprocity, by year, since 1990 as part of their general research. The Committee would like this information from Board staff by no later than October 1, 2021. After reviewing the Board's files, the Board's Licensing Administrator and Executive Director have only been able to locate Board minutes dating back to 1995 and will need to hand-count the amount and type of licenses that have been granted per year. Board staff is hoping to locate any data for 1990-1994 but as of now have not found the Board's records for these four years.

C. Extension for Sunset Audit response to House Commerce and Senate Commerce Committee of Reference

Due to various reports being due on or around September 1st, Director Culbertson requested an extension for the Board's response to the House Commerce and Senate Commerce Committee of Reference regarding the Sunset Audit. The Board was granted a two week extension and the new due date is now September 15, 2021.

D. Notification to licensees regarding Board's move to electronic communication only

Director Culbertson was informed when she started with the Board in May that at the April Board meeting, the Board agreed to move to electronic communication only with licensees. To ensure that all licensees are aware of this change, Board staff will be sending out one final mass mailing within the next month.

11) FUTURE AGENDA ITEMS

Board member Harold Adair asked if there was an update regarding the appointment of the fourth consumer member. Board staff will provide an update at the September 21, 2021 Board meeting.

Assistant Attorney General Justin Larson explained that he was still in the process of developing materials for the training on disciplinary actions previously requested by the Board and stated that he would have the materials ready in time to present the training at the next Board meeting.

12) REVIEW OF SCHEDULED BOARD MEETINGS

SEPTEMBER 21, 2021 OCTOBER 19, 2021 NOVEMBER 16, 2021 DECEMBER 21, 2021

Subject to appropriate notice, the Board reserves the right to change meeting dates.

13) ADJOURNMENT

Board member Harold Adair moved to adjourn the meeting. This motion was seconded by Board member Amie Gazda and carried unanimously 5-0. The Board adjourned at 11:12 a.m.