



Douglas A. Ducey – Governor

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

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, June 15, 2021 • 9:00 a.m. • 1<sup>st</sup> 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 9:03 a.m.

|                         |               |                           |
|-------------------------|---------------|---------------------------|
| <b>Members Present:</b> | Samuel Bueler | Chairman/Industry Member  |
|                         | Amie Gazda    | Secretary/Industry Member |
|                         | Joe Hornat    | Public Member             |
|                         | Harold Adair  | Industry Member           |
|                         | Lemuel Cannon | Public Member             |

|  |                |               |
|--|----------------|---------------|
| <b>Members Telephonically Present:</b> | Helene Bergeon | Public Member |
|--|----------------|---------------|

|                             |                    |                         |
|-----------------------------|--------------------|-------------------------|
| <b>Board Staff Present:</b> | Natasha Culbertson | Executive Director      |
|                             | Brandon Eaden      | Investigator            |
|                             | Yazmin Bustamante  | Licensing Administrator |

|   |                 |                            |
|---|-----------------|----------------------------|
| <b>Attorney General’s Office Present:</b> | Justin Larson   | Assistant Attorney General |
|   | Seamus Monaghan | Assistant Attorney General |

## **2. STATEMENT OF PURPOSE**

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

## **3. DECLARATION OF CONFLICTS OF INTEREST**

Board Chairman Samuel Bueler recused himself for agenda item 9(C).  
Industry Member Harold Adair recused himself for agenda item 8(A).

## **4. MINUTES**

Board member Amie Gazda moved to approve the minutes of the May 18, 2021 Board meeting. Board member Joe Hornat seconded this motion. Motion passed unanimously 6-0.

Board member Amie Gazda moved to approve the executive session minutes of the May 18, 2021 Board meeting. Board member Lemuel Cannon seconded this motion. Motion passed unanimously 6-0.

## **5. 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 |
|--|--|---|-----------|-----------|
| Brandi Marie Nilles                                  | Funeral Director and Embalmer          | Motion to combine vote for approval of Funeral Director and Embalmer License<br><br>Carried 6-0   | Bueler    | Adair     |
| Ramon Villagomez                                     | Funeral Director Universal Recognition | Motion to Continue to July 20, 2021 Board Meeting<br><br>Carried 6-0  | Hornat    | Bueler    |
| Mary Jane Pietrovich                                 | Cremationist                           | Approved 6-0  | Cannon    | Bergeon   |
| Debbie Jo Donahue                                    | Salesperson                            | Approved 6-0  | Adair     | Gazda     |
| Gerald Hanosh  | Salesperson                            | Approved 6-0  | Adair     | Gazda     |
| Holly Ann Karpiak                                    | Salesperson                            | Approved 6-0  | Cannon    | Adair     |
| Jacqueline S. Wade                                   | Multiple Funeral Director              | Motion to Continue to July 20, 2021 Board Meeting<br><br>Carried 6-0  | Hornat    | Gazda     |
| Tucson Cremation, LLC, dba Tucson Cremation Services | Establishment                          | No action was taken at this time since the Establishment listed Jacqueline S. Wade (whose application for a Multiple Funeral Director License is still pending) as its Responsible Funeral Director on its application. |           |           |

|  |               |              |        |         |
|--|---------------|--------------|--------|---------|
| Choma Connections LLC, dba CremationOnly.com         | Establishment | Approved 6-0 | Gazda  | Adair   |
| Tucson Cremation, LLC, dba Tucson Cremation Services | Crematory     | Approved 6-0 | Hornat | Bergeon |

**6. REVIEW, CONSIDERATION AND POSSIBLE ACTION REGARDING EXECUTIVE DIRECTOR DRAFTING AND ADMINISTRATION OF CONSENT AGREEMENTS**

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.

Recess taken at 9:27 a.m.

Open Session resumed at 9:29 a.m.

Executive Director Natasha Culbertson discussed the current practice of how the Board and Attorney General’s Office handles drafting and extending consent agreements to licensees and what possible changes can be implemented.

In past practice, a motion to provide a consent agreement would be made by the Board in open session and what terms should be included in said consent agreement would be discussed and agreed upon. The Board’s assigned legal counsel at the Attorney General’s Office would then generate and draft the consent agreement, provide the agreement to the Executive Director for final review and then the agreement would be extended to the licensee by the Executive Director on behalf of the Board.

Moving forward, since the Board does not have a current Interagency Service Agreement (ISA), the Executive Director will be generating and drafting the consent agreements, providing the agreements to the Board’s legal counsel for review and then the agreements will be returned to the Executive Director. As a new procedure, the Executive Director will then provide the consent agreements to Board members for review and the matter will be placed on the next available Board agenda as a consent agenda item for approval. Once the consent agreement has been approved by the Board, it will be extended to the licensee for review and signature by the Executive Director.

**7. REVIEW, CONSIDERATION AND POSSIBLE ACTION REGARDING COMMONWEALTH INSTITUTE OF FUNERAL SERVICE’S ONLINE ASSOCIATE OF APPLIED SCIENCE DEGREE PROGRAM**

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.

After a discussion by Board members, it was agreed that the Commonwealth Institute of Funeral Service’s online degree program was already considered an accredited option for schooling and no Board action was taken.

**8. REVIEW, DISCUSSION, AND POSSIBLE ACTION REGARDING ANNUAL TRUST REPORT DEFICIENCIES**

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. Adair Funeral Home Dodge (EST-00863/END-06676)

Executive Director Natasha Culbertson discussed with Board members why this matter was placed on the Board's agenda and explained that Erica Jenkins from Foundation Partners Group (FPG) corporate office had requested an additional month to fully prepare and submit the Annual Trust Report and required fees.

A motion to continue the matter to July's Board meeting for an update if the deficiencies have not been addressed was made by Board member Amie Gazda, seconded by Joe Hornat and carried unanimously 5-0. Harold Adair recused himself from the vote and discussion.

**9. 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-0021 Abel Funeral Services Inc.

Appearing telephonically on behalf of Abel Funeral Services Inc. for the discussion and review of this docket were Responsible Funeral Director (RFD) Marty Thompson and Funeral Arranger Darrin Harper. The Complainant, Tim Owen, was also telephonically present.

After a review of all the documentation and discussion, Board member Amie Gazda moved to dismiss the complaint, the motion was seconded by Joe Hornat and carried unanimously 6-0.

B. Docket 2020-FDE-0034 Avenidas Funeral Chapel

Appearing in person on behalf of Avenidas Funeral Chapel for the discussion and review of this docket was Responsible Funeral Director (RFD) Erica Hickey. Also appearing telephonically on behalf of Avenidas Funeral Chapel was owner and Funeral Arranger Brandon Walls. The Complainant, Tina Shosie, was also telephonically present.

After a review of all the documentation and discussion, Board Chairman Samuel Bueler moved to dismiss the complaint, the motion was seconded by Harold Adair and carried unanimously 6-0.

Recess taken at 10:26 a.m.

Open Session resumed at 10:30 a.m.

C. Docket 2021-FDE-0007 Samuel R. Bueler

Appearing in person on behalf of himself for the discussion and review of this docket was Responsible Funeral Director (RFD) Samuel R. Bueler. The Complainant, Dr. Dheeraj Kumar Bobba was not present.

After a review of all the documentation and discussion, Board member Joe Hornat moved to dismiss the complaint, the motion was seconded by Harold Adair and carried unanimously 5-0. Board Chairman Samuel R. Bueler recused himself from the vote and discussion.

D. Docket 2021-FDE-0019 Phoenix Memorial Park & Mortuary

No one was present for the discussion and review of this docket from Phoenix Memorial Park and Mortuary. The Complainant, Zora Milesic was also not present.

Board member Joe Hornat 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 6-0.

**10. REVIEW AND DISCUSSION REGARDING SECOND QUARTER INSPECTION UPDATE**

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.

- During the second quarter of 2021, 54 inspections were completed by Board staff. Of those 54 inspections, three were for new establishments and one was for a new crematory.
- Gary Hendrix completed 38 inspections.
- Brandon Eaden completed 15 inspections.
- One inspection was completed by Gary Hendrix and Brandon Eaden together.
- As of June 15, 2021, 65 inspections have been done this year.
- Twenty-three establishments still require inspection to meet compliance.
- Currently, there are 239 licensed establishments, 57 crematories and 182 funeral establishments.

**11. REVIEW AND DISCUSSION REGARDING LEGAL TRAINING FOR BOARD MEMBERS AND STAFF**

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.

Since the Board has newer members, a new Executive Director and new legal counsel, the Executive Director thought it would be beneficial for all involved parties to receive legal training. Executive Director Natasha Culbertson and Assistant Attorney General Justin Larson discussed with the Board members what type of training and structure of

training they would like to receive. The last legal training was conducted three years ago and specifically covered Board Meeting Procedures. It was agreed upon that legal counsel would put together a general training to begin with and additional topics would be added as needed.

## **12. 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.

John Hassett, an owner of multiple funeral establishments and crematories in Mohave County came forward to speak on how the Board oversees complaints and the complaint process; he would like for the process to be improved if possible to eliminate matters that should not be heard by the Board.

Donna Backhaus addressed Board members from the audience with an update regarding the reaccreditation of the Mortuary Science Program.

## **13. EXECUTIVE REPORT (REVIEW, 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.

### **1. Update to the Assumption of Responsibility form**

Executive Director Natasha Culbertson informed Board members that Board staff will be updating the Assumption of Responsibility form for establishments and crematories. Board staff will be updating the form so that it clearly indicates which individuals should be signing. The Executive Director also used this time to remind the industry members that only the licensed individual that is becoming the Responsible Funeral Director or Responsible Cremationist should be signing these forms; other parties should not be signing these forms on behalf of the Responsible Funeral Director or Responsible Cremationist. The updated form will be provided to the Board members at the July Board meeting for review.

**14. FUTURE AGENDA ITEMS**

1. Ramon Villagomez Universal Recognition Funeral Director license application
2. Jacqueline S. Wade Multiple Funeral Director license application
3. Tucson Cremation, LLC, dba Tucson Cremation Services establishment license application
4. Annual Trust Report Deficiencies regarding Adair Funeral Home Dodge (EST-00863/END-06676)
5. General Legal Training for Board members and staff

**15. REVIEW OF SCHEDULED BOARD MEETINGS:**

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

**2021 BOARD MEETING SCHEDULE**

|                  |                   |                   |                    |
|------------------|-------------------|-------------------|--------------------|
| JUNE 15, 2021    | JULY 20, 2021     | AUGUST 17, 2021   | SEPTEMBER 21, 2021 |
| OCTOBER 19, 2021 | NOVEMBER 16, 2021 | DECEMBER 21, 2021 |                    |

**16. ADJOURNMENT**

Board member Harold Adair moved to adjourn the meeting. This motion was seconded by Board member Lemuel Cannon and carried unanimously 6-0. The Board adjourned at 11:08 a.m.



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Natasha Culbertson  
Executive Director