



**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, October 19, 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 9:00 a.m.

<b>Members Present:</b>	Samuel Bueler	Chairman/Industry Member
	Amie Gazda	Secretary/Industry Member
	Lemuel Cannon	Public Member

<b>Members Telephonically Present:</b>	Helene Bergeon	Public Member
	Joe Hornat	Public Member

<b>Members Not Present:</b>	Harold Adair	Industry Member
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<b>Board Staff Present:</b>	Natasha Culbertson	Executive Director
	Marisa Zavala	Licensing Administrator

<b>Attorney General’s Office Present:</b>	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 member Amie Gazda recused herself from agenda item 5(F)(1), Multiple Funeral Director license application for David J. Long.

Board member Helene Bergeon recused herself from agenda item 5(A)(1), Funeral Director license application for Cheryl M. Tipton.

**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 Joe Hornat recused himself from approving the September 21, 2021 Board meeting minutes since he did not attend the September meeting.

Board member Amie Gazda moved to approve the minutes of the September 21, 2021 Board meeting. Board member Lemuel Cannon seconded this motion. Motion passed unanimously 4-0.

Board member Amie Gazda moved to approve the Executive Session minutes of the September 21, 2021 Board meeting. Board member Lemuel Cannon seconded this motion. Motion passed unanimously 4-0.

**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.

NAME	TYPE OF LICENSE	ACTION	MOTION BY	SECOND BY
Cheryl M Tipton	Funeral Director	Approved 4-0 Helene Bergeon recused herself	Gazda	Cannon
Nathan Douglas Jenkins	Funeral Director (Universal Recognition)	Approved 5-0	Gazda	Cannon
Heather Dawn Kreider	Funeral Director Embalmer	Approved 5-0	Gazda	Cannon
Greer Ellen Van Zanten	Funeral Director Embalmer Cremationist	Approved 5-0	Cannon	Gazda
Sandra Kay Schroeder	Funeral Director Embalmer	Approved 5-0	Cannon	Gazda
Allison Ami Soto	Funeral Director Cremationist	Approved 5-0	Cannon	Gazda
David B Allen	Funeral Director Embalmer Cremationist	Approved 5-0	Cannon	Gazda
*Marshall Vaughn Loring	Funeral Director Embalmer	Postponed 5-0 * See notes below	Joe Hornat motioned to postpone and request additional documentation regarding the 2017 and 2021 criminal incidents.	Cannon
Corrin Jewel Harrison	Intern	Approved 5-0	Gazda	Cannon
Kennedy Rae Theabold	Intern	Approved 5-0	Cannon	Gazda
Logan Gerald Kruse	Intern	Approved 5-0	Cannon	Gazda
Kiara Nicole Blas Villalva	Intern	Approved 5-0	Cannon	Gazda
Carolline Rosalind Biscoe	Intern	Approved 5-0	Cannon	Gazda
Charles Christopher Slade	Salesperson	Approved 5-0	Gazda	Cannon

Gaye Lynne Denny	Salesperson	Approved 5-0	Gazda	Cannon
Marisol Lynn Ryner	Salesperson	Approved 5-0	Gazda	Cannon
Judith Mercado	Salesperson	Approved 5-0	Bergeon	Cannon
Ivelisse Borges	Cremationist	Approved 5-0	Gazda	Cannon
Juan Carlos Nunley	Cremationist	Approved 5-0	Gazda	Cannon
Rafael Anthony de la Torre	Cremationist	Approved 5-0	Hornat	Gazda
**David J Long	Multiple Funeral Director	Continued 4-0 ** See notes below Amie Gazda recused herself	Joe Hornat motioned to continue the matter to the next Board meeting if a special meeting could not be scheduled by Board staff.	Cannon
Karl K Koenig	Multiple Funeral Director	Approved 5-0	Amie Gazda motioned to grant the license based on the establishments only being 2.6 miles apart, the lower case volume, and years of experience Mr. Koenig has as a Funeral Director.	Hornat
Abrazo Funeral Home	Establishment	Approved 5-0	Gazda	Bergeon

\* Marshall Vaughn Loring was telephonically present for the discussion of his applications for licensure.

Board member Joe Hornat motioned to continue this matter since there is a pending criminal incident. The motion was seconded by Board member Lemuel Cannon; however, no rollcall vote was taken and the motion was left on the Board floor.

\* Executive Session

Board Chairman Samuel Bueler moved to go into executive session to receive legal advice regarding applicant Marshall Vaughn Loring's criminal history. The motion was seconded by Board member Amie Gazda and carried unanimously 5-0. The open session meeting recessed at 9:25 a.m. for Board members to go into executive session.

\* Open Session

Board members returned to open session at 9:58 a.m.

Board member Joe Hornat withdrew his previous motion to continue and instead motioned to request additional information regarding the 2017 and 2021 criminal incidents. The motion was seconded by Board member Lemuel Cannon and carried unanimously 5-0. Board member Amie Gazda noted that Mr. Loring's application would be placed on the next available Board agenda once Board staff receives the additionally requested information from the applicant. Board staff was instructed to draft a written request for additional information and provide it to Mr. Loring.

\*\* David J. Long was present for the discussion of his application for licensure.

\*\* Executive Session

Board member Amie Gazda was recused from this agenda item and discussion.

Board member Joe Hornat moved to go into executive session to receive legal advice regarding applicant David J. Long. The motion was seconded by Board Chairman Samuel Bueler and carried unanimously 4-0. The open session meeting recessed at 10:18 a.m. for Board members to go into executive session.

\*\* Open Session

Board members returned to open session at 10:37 a.m.

Board member Joe Hornat motioned to deny David J. Long's application for licensure due to a lack of necessity. The motion was not seconded and therefore failed.

Board member Helene Bergeon motioned to approve David J. Long's application for licensure and Board member Lemuel Cannon seconded the motion. A rollcall vote was held; Board member Joe Hornat and Board Chairman Samuel Bueler voted "nay" and Board members Helene Bergeon and Lemuel Cannon voted "aye".

Assistant Attorney General Justin Larson requested a brief recess to conduct legal research regarding the Board's next steps.

Recess taken at 11:08 a.m.

Open session resumed at 11:13 a.m.

Mr. Larson explained that since a majority of the quorum is required to take action and the vote on the motion was divided, no majority was achieved and therefore the motion failed. Mr. Larson further explained that the failure of the motion to approve the application does not mean that the application is denied; instead, at this stage the Board has simply taken no action on the application. Mr. Larson also explained that the Board members may continue to discuss Mr. Long's application to sway votes or the matter may need to be continued until Board member Harold Adair is available.

Board member Joe Hornat motioned to have Mr. Long's application tentatively moved to the next Board meeting if a special meeting could not be scheduled by Board staff. Board member Lemuel Cannon seconded the motion and it carried unanimously 4-0. Board staff was instructed to schedule a special Board meeting when Board member Harold Adair would be available to attend.

**6) REVIEW, DISCUSSION, AND POSSIBLE ACTION REGARDING CREMATION LOG REQUIREMENTS IN A.A.C. R4-12-631**

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 Helene Bergeon left the Board meeting at 11:44 a.m.

Assistant Attorney General Justin Larson informed the Board that due to the lack of clarity in how Arizona Administrative Code (A.A.C.) R4-12-631 reads, the Board could instruct Board staff on how the rule should be interpreted and applied during inspections.

Board member Lemuel Cannon motioned to have Board staff interpret A.A.C. R4-12-631(B)-(D) as only applying to crematories and not establishments and applying the requirements stated in A.A.C. R4-12-631(B)-(D) only on responsible cremationists and crematories. The motion also requested that A.A.C. R4-12-631(B)-(D) be added to a potential future rule package to be changed. The motion was seconded by Board member Amie Gazda and carried unanimously 4-0.

## **7) 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.

## **8) 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. Continued employment of Brandon Eaden and hiring of Board Investigator and Administrative Assistant

Executive Director Culbertson informed the Board that the former Investigator Brandon Eaden would not be returning to the Board to assist temporarily while the Board works on filling his vacancy. Instead, the Licensing Administrator Marisa Zavala and the Director will cover the duties until the Board is able to hire a new Investigator. The Board is also working to fill the Administrative Assistant vacancy.

## **9) FUTURE AGENDA ITEMS**

Marshall Vaughn Loring's applications for Funeral Director and Embalmer licensure.  
David J. Long's application for Multiple Funeral Director licensure.

## **10) REVIEW OF SCHEDULED BOARD MEETINGS**

NOVEMBER 16, 2021    DECEMBER 21, 2021

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

## **11) ADJOURNMENT**

Board member Amie Gazda moved to adjourn the meeting. This motion was seconded by Board member Lemuel Cannon and carried unanimously 4-0. The Board adjourned at 12:28 p.m.