

MINUTES
May 18, 2010
1400 West Washington, Basement Conference Room B-1

MEMBERS PRESENT: Reverend Shindel, President
John Munden, Secretary
Samuel Bueler, Member
Phyllis Rowe, Member
James Ahearne, Member
Martin Crist, Member

TELECONFERENCE: Monsignor O'Keeffe, Member

STAFF PRESENT: Rodolfo Thomas, Executive Director
Alex Estrada, Licensing Administrator
Patricia Keith, Administrative Assistant

ATTORNEY GENERAL'S OFFICE:
Keely Verstegen, Asst. Attorney General

CALL TO ORDER

Reverend Shindel called the meeting to order at 9:00 a.m.

I. CALL TO THE PUBLIC

There was none

II. MINUTES

John Munden moved to approve the minutes of April 20, 2010.

Monsignor O'Keeffe seconded the motion. The motion passed unanimously. (7-0).

III. 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
Albert Dean McFall*	Reinstate Funeral Director, Embalmer	Approved 7-0	Munden	Ahearne
Kristen Lietz-Westwood*	Multiple Funeral Director	Approved 7-0	Munden	Crist
Lietz-Fraze Crematory & Funeral Home*	Establishment	Approved 7-0	Ahearne	Munden
Lake Havasu Mortuary & Crematory*	Establishment	Approved 7-0	Munden	Rowe
Lake Havasu Mortuary & Crematory*	Crematory	Approved 7-0	Munden	Crist
Kenia D. Conner*	Intern	Approved 7-0	Munden	Crist
Richard M. Price*	Cremationist	Approved 7-0	Munden	Ahearne
Dora M. Olsen*	Salesperson	Approved 7-0	Munden	O'Keeffe
Robert M. Olsen *	Salesperson	Approved 7-0	Bueler	Crist
Donald W. Hinkle*	Salesperson	Approved 7-0	Munden	Crist

*Albert Dean McFall did not attend the Board meeting.

*Kristen Lietz-Westwood did not attend the Board meeting.

*David Kazmar did not attend the Board meeting.

*Kenia D. Conner appeared before the Board.

*Richard M. Prince did not attend the Board meeting.

*Dora M. Olsen appeared before the Board.

*Robert M. Olsen appeared before the Board.

*Donald W. Hinkle did not attend the Board meeting.

IV. DOCKETS

A. Informal Interview

1. 2010-2 Tracy Maliva vs. Joseph Mayne RFD/Neptune Society

RFD Joseph Mayne did not appear before the Board. President Katherine Shindel at this time discussed the merits of A.S.R. 32-1367 (G.) which states “If a licensee or registrant refuses to participate in an informal interview or a formal hearing, the board may take any or all the disciplinary actions listed in subsections D and E of this section”.

Complainant alleged that RFD Joseph Mayne took her deceased mother’s urn containing her cremains to another room in the establishment to place cremains in a keepsake for which he had forgotten. RFD Mayne could not open the urn without fear of damaging the container. RFD Mayne then knowingly removed cremains from the urn of another family’s cremains and placed their cremains in the keepsake of complainant’s deceased mother’s keepsake.

At the May 18th 2010 meeting after deliberation and discussion Board Member Martin Crist motioned to offer Respondent Joseph Mayne a consent agreement to voluntarily surrender his licenses to the Board and to not apply for licenses in the State of Arizona. RFD Mayne also prepared a memo to the Board indicating that he no longer desired to be involved in the industry due to his negligence. Lastly, in the event the Respondent Joseph Mayne does not agree to the order the board will convene a Formal Interview for the same purposes. Board member John Munden seconded the motion. Motion passed unanimously 7-0.

B. Informal Interview

2. 2010-3 Dace Beechler vs. Darrin Harper, RFD/Harper Funeral Home

Present before the Board was RFD Darrin Harper and his attorney Mr. John Coll. The complainant was present via teleconference phone call.

Complainant alleges that Harper Funeral Home owner RFD Darrin Harper unlawfully obtained the estate, property and other assets that belonged to the deceased Ramona M. Clough. After receiving authorization from the complainant and four other siblings the deceased was cremated. Complainant alleges that RFD Harper attempted to collect payment for services however none of the authorizing agents would agree to pay.

At the May 18th, 2010 meeting after deliberation and discussion Board Member Martin Crist motioned that a Letter of Concern be issued to RFD Harper and Harper Funeral Home. Motioned seconded by Board Member Phyllis Rowe. Motion passed 7-0.

The nature of the Letter of Concern focused around the responsibility of the RFD to contact all individuals and give them the opportunity to accept financial responsibility and ensure that every individual has received the necessary documents required by law such as the statement of goods and services and price lists. Additionally, if there is one spokesperson that has been contacted who refuses to participate in the process then it is necessary to forward the identical information and documentation to the entire family in terms of payment requests and subsequent submission to the county fiduciary for review and possible action.

V. GENERAL

Executive Director Thomas advised members and the public that renewals are approaching for this year and that disposition survey reports are due on May 21, 2010. Additionally, notices for renewals will be distributed during the second week in June 2010.

V. ADJOURN

There being no other business, Reverend Shindel moved to adjourn at 10:50 a.m. Sam Bueler seconded the motion (7-0).

2010 BOARD MEETING SCHEDULE

JANUARY 19, 2010	MAY 18, 2010	SEPTEMBER 21, 2010
FEBRUARY 16, 2010	JUNE 15, 2010	OCTOBER 19, 2010
MARCH 16, 2010	JULY 20, 2010	NOVEMBER 16, 2010
APRIL 20, 2010	AUGUST 17, 2010	DECEMBER 21, 2010
	TELECONF.	

Rodolfo Thomas
Executive Director

APPROVED BY:

Reverend Shindel, President

Phyllis Rowe, Member

James Ahearne, Member

Samuel Bueler, Member

John Munden, Member

Martin Crist, Member

Monsignor O'Keefe, Member