

MINUTES
May 17, 2011
1400 West Washington, Basement Conference Room B-1

MEMBERS PRESENT: Reverend Shindel, President
Kristina Dyr, Member
Samuel Bueler, Member
James Ahearne, Member
Martin Crist, Member
John Munden, Member

MEMBER ABSENT: Monsignor O’Keeffe, Member

STAFF PRESENT: Rodolfo Thomas, Executive Director
Alex Estrada, Licensing Administrator
Patricia Keith, Programs & Project Specialist

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

II. MINUTES
Martin Crist motioned to approve the minutes of April 19, 2011. John Munden seconded the motion. James Ahearne motioned to approve the committee minutes of April 19, 2011. Sam Bueler seconded the motion. The motion passed unanimously. (6-0).

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
*Teri E. Miranda-Pullen	Reinstate Funeral Director, Embalmer	Approved 6-0	Munden	Crist
*Robert T. Holland	Multiple Funeral Director	Table for 1 month. Approved 6-0	Crist	Bueler
*Bring's Memorial Chapel	Establishment	Approved 6-0	Ahearne	Bueler
*Bring's Broadway Chapel	Establishment	Approved 6-0	Ahearne	Bueler
*Black's Show Low Mortuary	Establishment	Approved 6-0	Ahearne	Crist
*Robert T. Holland's Safford Funeral Home	Establishment	Approved 6-0	Ahearne	Crist
*Bring's Crematory	Crematory	Approved 6-0	Ahearne	Crist
*Darrick D. Parton	Cremationist	Approved 6-0	Munden	Bueler
*Matthew J. Noakes	Salesperson	Approved 6-0	Ahearne	Crist
*Junas Darron Khan	Salesperson	Approved 6-0	Munden	Bueler
*Stephen Wilk	Salesperson	Approved 6-0	Crist	Munden
*Laura J. DeMarzo	Salesperson	Approved 6-0	Munden	Bueler
*Terry W. Fletcher	Salesperson	Approved 6-0	Munden	Bueler
*Jon D. Venzor	Salesperson	Approved 6-0	Crist	Munden
*Peter A. Muth	Salesperson	Approved 6-0	Bueler	Munden
*David L. Gunlikson	Salesperson	Approved 6-0	Crist	Bueler

*Jesus P. Hermosillo	Salesperson	Approved 6-0	Munden	Bueler
*Kandace Levi	Salesperson	Approved 6-0	Crist	Bueler
*Michelle L. Morrison	Salesperson	Approved 6-0	Munden	Bueler

- * Teri E. Miranda-Pullen did not attend the Board meeting.
- * Robert T. Holland appeared before the Board.
- * Paul Neville, RFD appeared before the Board.
- * Darrick D. Parton appeared before the Board.
- * Matthew J. Noakes did not attend the Board meeting.
- * Junas Darron Khan appeared before the Board.
- * Stephen Wilk did not attend Board meeting.
- * Laura J. DeMarzo appeared before the Board.
- * Terry W. Fletcher appeared before the Board.
- * Jon D. Venzor appeared before the Board.
- * Peter A. Muth appeared before the Board.
- * David L. Gunlikson appeared before the Board.
- * Jesus P. Hermosillo appeared before the Board.
- * Kandace Levi appeared before the Board.
- * Michelle L. Morrison appeared before the Board.

V. DOCKETS: 1. 2011-1 AZ STATE BOARD OF FUNERAL DIRECTORS AND EMBALMERS V. FRANKLIN LAMBERT/ALLSTATE CREMATORY

Present before the Board were Funeral Director/Embalmer and Responsible Cremationist Franklin Lambert and his attorney Ray Hannah. Complainant is the State Board of Funeral Directors and Embalmers.

Complaint emanated from an undercover operation conducted by channel 15 ABC News investigators working with information from an anonymous informant. The informant provided graphic information and pictures from his cell phone depicting unsanitary conditions of the aforementioned crematory and disrespect for the handling of human remains in the care of the facility. The ABC news investigator took videos of a van left over night for approximately 20 hours containing several human remains parked in the front of the crematory. Additionally, the respondent was observed returning to the location with five human remains which he had driven home because he had no more room to store the remains at his facility. Based upon the information received by Board staff, a complaint and subsequent investigation was initiated into possible violations of statutes and/or administrative codes.

At the May 17, 2011 board meeting an Initial Review was conducted. Mr. Franklin Lambert and his attorney Ray Hannah advised the Board that Respondent had waived his rights to due process and requested to proceed to an informal interview and possible consent agreement in an effort to expedite conclusion of the findings. Following deliberation and discussion Board President Katherine Shindel motioned for a determination of the Findings and Facts, seconded by Board member Martin Crist. Motion passed unanimously 6-0. At this point Conclusions of Laws were discussed and a motion by Board President Katherine Shindel was made seconded by Board member Martin Crist. Motion passed unanimously 6-0.

The proposed disciplinary actions discussed included the following: (1) Revocation of Respondents Cremationist License number CR161. (2) Revocation of All State Crematory License number C0079. (3) Civil penalties in the amount of \$3,000 to be paid within 60 days after signing agreement. (4) Payment of Administrative fees for the cost of the investigation yet to be determined. (5) Failure to sign consent agreement within 30 days will result in an Formal Hearing.

EXECUTIVE SESSION:

James Ahearne motion for the Board to go into executive session at 11:10 a.m. Sam Bueler seconded the motion. The Board resumed regular session at 11:20 a.m.

VI. GENERAL

A. Executive Director's Report

1. Board approved committee's recommendations for rule changes concerning cremation. Board member John Munden motioned for approval seconded by Board member Martin Crist. Motion passed 6-0.

VII. ADJOURN

There being no other business, Reverend Shindel moved to adjourn at 11:25 a.m. John Munden seconded the motion (6-0).

2011 BOARD MEETING SCHEDULE

JANUARY 18, 2011	MAY 17, 2011	SEPTEMBER 20, 2011
FEBRUARY 15, 2011	JUNE 21, 2011	OCTOBER 18, 2011
MARCH 15, 2011	JULY 19, 2011	NOVEMBER 15, 2011
APRIL 19, 2011	AUGUST 16, 2011	DECEMBER 20, 2011
	TELECONF.	

Rodolfo Thomas
Executive Director

APPROVED BY:

Reverend Shindel, Member

John Munden, Secretary

James Ahearne, Member

Samuel Bueler, Member

Martin Crist, Member

Kristina Dyr, Member