



NOVEMBER 28 2012 DRAFT General Session Meeting Minutes
(Revised January 15 2013)

Board Members Present:

Kevin Korn, President
Dwight Terry, Vice President
Erin Phelps, Secretary / Treasurer
James Campbell (late)
Laurie Goolsby
Larry Gyure (late)
Joncile Martin (late)
David Noble
Lyn Stanger
Pam Wachter

Staff Members Present:

Michelle Gaines, Executive Director
Lynne Nelson, Compliance Manager
Robert Magill, Investigator
Carla Knapp, Office / Licensing Manager
Johanna Riemenschneider, AAG

Board Members Absent:

None.

Staff Members Absent:

Brenda Biggs, Compliance Specialist

Guests:

Nancy Felton, CGC, CAO
Wally Ordeman, OFDA Lobbyist
Rick Harvey, OFDA
Kim Palmero, Metro

Chad Dresselhaus, AFCTS
Craig Collins, PCC
Rachel Fox, Metro Cemeteries

I Call to Order

The General Session of the Mortuary and Cemetery Board (MOCB) was called to order at 9:02 am.

II General Session

A Approval of Meeting Minutes

1 General Session Meeting Minutes Draft - September 25 2012

After roll call, President Korn asked if there were any corrections, questions or comments on the subject draft meeting minutes. Hearing none, he asked if there was a motion to approve the draft minutes as prepared. He recognized Member Stanger.

Member Stanger so moved. Member Wachter seconded. All others were aye and the motion carried unanimously. Those voting in favor: Members Goolsby, Korn, Noble, Phelps, Stanger, Terry, Wachter. Those voting no: none.

2 Emergency Special General Session Meeting Minutes Draft - October 30 2012

President Korn asked if there were any corrections, questions or comments on the subject draft meeting minutes. Hearing none, he asked if there was a motion to approve the draft minutes as prepared. He recognized Member Wachter.

Member Wachter so moved. Member Goolsby seconded. All others were aye and the motion carried unanimously. Those voting in favor: Members Goolsby, Korn, Noble, Phelps, Stanger, Terry, Wachter. Those voting no: none.

(For the record, Member Campbell arrived.)

B President's Comments

Board Member Updates, Presentation of Plaques

Members Korn, Martin and Wachter will have reached their term limits at the end of this year, and this would have been their last Board meeting, but a recent update from the Governor's Office notified the Board that since they have not processed the recent appointments for the December Senate confirmation hearings, all three Board members are welcomed to attend upcoming Board meetings until the Governor's Office has confirmed they have filled these vacancies.

Vice President Terry then recognized Board Member Pamela Wachter and presented her with a plaque in appreciation for her many years of dedicated public service as a member and Vice President of the Board. Ms Wachter has served on the Board since July 29 2004, filling the city / county owned cemetery operator position.

Vice President Terry then recognized Board Member Joncile Martin and presented her with a plaque in appreciation for her many years of dedicated public service as a member and Secretary / Treasurer of the Board. Ms Martin has served on the Board since January 1 2006, filling the public member position, representing a senior citizen's group.

Vice President Terry then recognized Board Member Kevin Korn and presented him with a plaque in appreciation for his many years of dedicated public service as a member, Vice President and President of the Board. Mr Korn has served on the Board since January 1 2006, filling the crematorium operator position.

Members Korn, Martin and Wachter thanked everyone and said it had been a pleasure to serve on this Board. President Korn noted that there was still a vacant public member position and asked interested persons to contact the Governor's Office for further information regarding any and all vacant positions.

C Presentation and Approval of Executive Director's Report for November 2012

Director Gaines reviewed in detail the Report that was included in the Board packet, which included the Aging Report list (approval of an extension of case reporting for up to an additional 60 days under ORS 676.165). She asked if there were any questions.

(For the record, Members Martin and Phelps arrived.)

Hearing none, President Korn asked if there was a motion to approve the Executive Director's Report. He recognized Member Terry.

Member Terry so moved. Member Wachter seconded. All others were aye and the motion carried unanimously. Those voting in favor: Members Campbell, Goolsby, Gyure, Korn, Martin, Noble, Phelps, Stanger, Terry, Wachter. Those voting no: none.

D Public Comments

President Korn stated that the Board welcomed public comments, but stipulated that questions would not be considered at this time. After members of the audience introduced themselves to the Board, and since the guests present opted out of providing public comment, President Korn thanked them for their attendance.

E General Discussion & Action Items

1 Nominating Committee Report

On behalf of the Nominating Committee comprised of Members Campbell, Goolsby and Wachter, Chair Goolsby presented the following nominations for the election of officers for 2013: Dwight Terry, President; Erin Phelps, Vice President and two nominations for Secretary / Treasurer: Laurie Goolsby and David Noble.

President Korn asked if there were any other nominations to be considered. He recognized Member Noble.

Member Noble thanked the Committee, but asked that his name be withdrawn as a candidate. President Korn thanked him and asked if there were any other comments. Hearing none, he asked if there was a motion on the floor to accept the nominations as revised. He then recognized Member Noble.

Member Noble so moved. Member Wachter seconded. All others were aye and the motion carried unanimously. Those voting in favor: Members Campbell, Goolsby, Gyure, Korn, Martin, Noble, Phelps, Stanger, Terry, Wachter. Those voting no: none.

President Korn then thanked everyone for the opportunity to serve as President.

2 2013 Board Meeting and Exam Schedule, Draft

Manager Knapp pointed out that the retreat has been moved from November to July and then asked if there were any questions regarding the proposed meeting and exam schedule for 2013.

Hearing none, President Korn asked if there was a motion to approve. He recognized Member Goolsby.

Member Goolsby so moved. Member Terry seconded. All others were aye and the motion carried unanimously. Those voting in favor: Members Campbell, Goolsby, Gyure, Korn, Martin, Noble, Phelps, Stanger, Terry, Wachter. Those voting no: none.

3 Rulemaking Update

Manager Nelson then distributed the Public Comment on Proposed Rule Amendments handout and reviewed in detail with the Board.

After review, President Korn asked if there was a motion to initiate and adopt the minor housekeeping issues brought to the Board's attention. He then recognized Member Wachter.

Member Wachter so moved. Member Goolsby seconded. All others were aye and the motion carried unanimously. Those voting in favor: Members Campbell, Goolsby, Gyure, Korn, Martin, Noble, Phelps, Stanger, Terry, Wachter. Those voting no: none.

Further Board discussion followed. The Board then decided to extend the public comment process and directed staff to notify interested persons that written comment regarding the proposed rule amendments will be accepted through 4:00 pm on December 14 2012.

4 Board Best Practices 2013 Fiscal Year

The Board Best Practices form has been updated for Fiscal Year 2013, July 1 2012 thru June 30 2013, and will be included in each Board member's packet, in order to help remind everyone when applicable topics are discussed, or should be discussed. Staff will add a comment or a symbol, , to any agenda items or minutes that could be tied to any of the Board's Best Practices Criteria, and to continue to update the form that is included in each Board member's packet with any accomplishments and dates for each question.

5 Debrief of Strategic Planning Session

Stronger effort to promote attendance from all stakeholders was achieved for broader input. Director Gaines reported that the results will be compiled and shared with the Board. She asked if there were any questions or comments.

Member Campbell said that the facilitation was appreciated, since there was a lot of material to cover. He suggested adding names to each of the criteria and finalize at the next Board meeting.

F Licensing Actions - Requests for approval of initial License, Certificate or Registration Application, transfer of Apprenticeship, Change of location, Name Changes, etc.

President Korn asked the Board to review the agenda items identified on the November 28 2012 Licensing Actions Revised document, that was distributed as a handout. He asked if there were any questions or comments. Hearing none, he directed Member Stanger to proceed.

Member Stanger recommended, and so moved, that the Board approve the Licensing Actions agenda items under **F1a-i, F2a-b, F3, F4a-b, F5, F6a - d, F8a1-7, F8b1-3, F8c1-3, and F9a-b**. Member Wachter seconded. All others were aye and the motion carried unanimously. Those voting in favor: Members Campbell, Goolsby, Gyure, Korn, Martin, Noble, Phelps, Stanger, Terry, Wachter. Those voting no: none.

After Board discussion, staff was directed to start adding details of ownership (shareholders names with percentages of ownership) to all new establishment licenses or certificates of authority.

President Korn then requested that the Board adjourn general session at 10:34 am, for the purpose of entering into executive session.

III Executive Session

After a brief break, at 10:47 am, President Korn then directed the Board to enter into executive session as authorized under ORS 192.660(2)(a), (b), (f), (h), (i) and / or (k). Executive session adjourned at 1:55 pm.

G General Session

President Korn called the general session of the Board back to order at 1:55 pm. All Board members that were in attendance for the earlier general session were present. No members of the public had returned from the earlier public session.

H Investigations

President Korn asked the Board to review the Executive Session Schedule that was included in the Board packet. He then asked Board members to report if they had a potential conflict with any of the cases before voting. Member Terry noted that he would be abstaining from a case. President Korn thanked him, and then then proceeded with the Board's recommendations.

- a **2008-1029A, B** - Member Korn reported that the full Board considered these cases during executive session and recommended that the Board initiate Disciplinary Action. Member Wachter so moved. Member Campbell seconded. Member Terry abstained. All others were aye and the motion carried. Those voting in favor: Members Campbell, Goolsby, Gyure, Korn, Martin, Noble, Phelps, Stanger, Wachter. Those voting no: none. Those abstaining: Member Terry.
- b **2012-1007** - Member Korn reported that the full Board considered this case during executive session and recommended that the Board take no action. Member Goolsby so moved. Member Martin seconded. All others were aye and the motion carried unanimously. Those voting in favor: Members Campbell, Goolsby, Gyure, Korn, Martin, Noble, Phelps, Stanger, Terry, Wachter. Those voting no: none.
- c **2012-1002A and B** - Member Korn reported that the full Board considered these cases during executive session and recommended that the Board take no action. Member Goolsby so moved. Member Wachter seconded. All others were aye and the motion carried unanimously. Those voting in favor: Members Campbell, Goolsby, Gyure, Korn, Martin, Noble, Phelps, Stanger, Terry, Wachter. Those voting no: none.
- d **2012-1016A, B, C and D** - Member Korn reported that the full Board considered these cases during executive session and recommended that the Board take no action. Member Noble so moved. Member Terry seconded. All others were aye and the motion carried unanimously. Those voting in favor: Members Campbell, Goolsby, Gyure, Korn, Martin, Noble, Phelps, Stanger, Terry, Wachter. Those voting no: none.
- e **2012-1022** - Member Korn reported that the full Board considered this case during executive session and recommended that the Board take no action. Member Gyure so moved. Member

Wachter seconded. All others were aye and the motion carried unanimously. Those voting in favor: Members Campbell, Goolsby, Gyure, Korn, Martin, Noble, Phelps, Stanger, Terry, Wachter. Those voting no: none.

- f 2012-1024A and B** - Member Korn reported that the full Board considered these cases during executive session and recommended that the Board take no action. Member Goolsby so moved. Member Martin seconded. All others were aye and the motion carried unanimously. Those voting in favor: Members Campbell, Goolsby, Gyure, Korn, Martin, Noble, Phelps, Stanger, Terry, Wachter. Those voting no: none.
- g 2012-1041** - Tabled.
- h 2012-1042** - Member Korn reported that the full Board considered this case during executive session and recommended that the Board initiate Disciplinary Action. Member Stanger so moved. Member Phelps seconded. All others were aye and the motion carried unanimously. Those voting in favor: Members Campbell, Goolsby, Gyure, Korn, Martin, Noble, Phelps, Stanger, Terry, Wachter. Those voting no: none.
- i 2012-1047** - Member Korn reported that the full Board considered this case during executive session and recommended that the Board initiate Disciplinary Action. Member Gyure so moved. Member Terry seconded. All others were aye and the motion carried unanimously. Those voting in favor: Members Campbell, Goolsby, Gyure, Korn, Martin, Noble, Phelps, Stanger, Terry, Wachter. Those voting no: none.
- j 2012-1038A, B** - Information only.
- k 2011-1060** - Member Korn reported that the full Board considered this case during executive session and recommended that the Board rescind the prior motion to initiate Disciplinary Action, and then take no action. Member Martin so moved. Member Goolsby seconded. All others were aye and the motion carried unanimously. Those voting in favor: Members Campbell, Goolsby, Gyure, Korn, Martin, Noble, Phelps, Stanger, Terry, Wachter. Those voting no: none.
- l 2012-1051** - Member Korn reported that the full Board considered this case during executive session and recommended that the Board initiate Disciplinary Action. Member Wachter so moved. Member Phelps seconded. All others were aye and the motion carried unanimously. Those voting in favor: Members Campbell, Goolsby, Gyure, Korn, Martin, Noble, Phelps, Stanger, Terry, Wachter. Those voting no: none.

President Korn asked if there were any other additional comments. Hearing none, he thanked everyone for their full participation and adjourned the meeting.

I Adjournment The meeting adjourned at 2:09 pm.