

**Special Meeting (Tuesday, July 26, 2016)**

Generated by Jarrod Williams on Friday, August 5, 2016

**Members present**

Tommy Taneff, Jon Rettig, William A Dodson, William C Wappner, Jill Pugh

*Board meeting notation:* Mr. Bryan Chandler was absent.

**Meeting called to order at 1:01 p.m.****1. Convening of the Board - President**

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**Action, Procedural: 1.01 Calling of the Roll****Procedural: 1.02 Pledge of Allegiance**

*Board meeting notation:* Mr. Jon Rettig welcomed all in attendance of the meeting and offered apology for the outcome of the prior board meeting.

**Action: 1.03 Personnel Matters**

*Board meeting notation:* Mr. Thomas Taneff motioned for the board to ratify and accept the July 22, 2016 letter from board president Jon Rettig, Sr. accepting the resignation from Vanessa Niekamp as the executive director to the Ohio Board of Embalmers and Funeral Directors. The motion was seconded by Mr. William Dodson. Mr. Rettig asked the board for any discussion. The vote commenced.

Motion by Tommy Taneff, second by William Dodson.

Final Resolution: Motion Carries

Yes: Jon Rettig, William C Wappner, Tommy Taneff, William A Dodson, Jill Pugh

*Board meeting notation:* Mr. Jon Rettig introduced new board member Mrs. Jill Pugh. He stated that Mrs. Pugh is from Columbus and has been a licensed embalmer and funeral director for about 20 years and is employed with Schoedinger Funeral Homes. Mr. Rettig welcomed her to the board.

Mr. Rettig motioned the board to move into executive session pursuant to Ohio Revised Code 121.22(G)(1): To consider appointment of a public employee; and pursuant to Ohio Revised Code 121.22(G)(3): To confer with the board's attorney regarding a matter that is subject of pending or imminent court action. The motion was seconded by Mr. Thomas Taneff. The vote commenced.

Motion by Jon Rettig, second by Tommy Taneff

Final Resolution: Motion Carries

Yes: Jon Rettig, William C Wappner, Tommy Taneff, William A Dodson, Jill Pugh

*Board meeting notation:* The board entered an executive session at 1:05 p.m. Mr. Jon Rettig announced that the participants of the executive session would exit the meeting room to convene elsewhere to alleviate inconvenience to meeting attendees.

The board exited executive session and reconvened to its regular meeting at 1:17 p.m. Mr. Thomas Taneff stated that pursuant to Ohio Revised Code 4717.03, I hereby move to appoint Eric Griffin as the interim executive director of the Ohio Board of Embalmers and

Funeral Directors effective immediately. The interim executive director shall have the authority and responsibility as the executive director of the board until such time is modified by the board. Ms. Jill Pugh seconded the motion. Mr. Rettig asked the board for any discussion. The vote commenced.

Motion by Tommy Taneff, second by Jill Pugh

Final Resolution: Motion Carries

Yes: Jill Pugh, William A Dodson, Tommy Taneff, William C Wappner, Jon Rettig

*Board meeting notation:* Mr. Thomas Taneff stated that I hereby move for the board to enter an inner-exchange agreement with the Ohio Board of Pharmacy in accordance with section 124.389 of the Ohio Revised Code to allow for the assignment of Eric Griffin from the Ohio Pharmacy Board to the Ohio Board of Embalmers and Funeral Directors to act as the interim executive director of the "OBEFD." The motion was seconded by William Dodson. Mr. Jon Rettig asked the board for any discussion. The vote commenced.

Motion by Tommy Taneff, second by William A Dodson

Final Resolution: Motion Carries

Yes: Tommy Taneff, William A Dodson, Jill Pugh, Jon Rettig, William C Wappner

*Board meeting notation:* Mr. Jon Rettig introduced Mr. Eric Griffin and invited him to join the meeting.

Mr. Jarrod Williams, board staff, asked Mr. Rettig for a few moments to help Mr. William Dodson in troubleshooting his computer.

Mr. Rettig welcomed Mr. Griffin to the board. Mr. Griffin expressed thanks for the opportunity to serve and stated his desire to serve the board in the best capacity possible.

## 2. Recognition of Visitors and Individuals Appearing Before the Board

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**Action: 2.01 Appearing Before the Board** - James I. Warren, Applicant for DUAL Apprenticeship

The applicant has made application for initial registration of apprenticeship. The applicant was asked to come before the board to address any questions the board may have regarding the information obtained in the background check.

Criminal History Record of the Applicant:

05/29/2000 - The applicant was charged with "Domestic Violence" and later convicted of "Disorderly Conduct" on 07/12/2000.

04/10/2003 - Warrant issued in Lawrenceville, Georgia, on a misdemeanor charge.

Specifics of charge not provided. Confirmed with the Lawrenceville Sheriff's Office that the warrant is still outstanding.

11/11/2005 - The applicant was charged with "Aggravated Vehicular Assault" and later convicted of "Unauthorized Use Vehicle" on 11/22/2005.

*Board meeting notation:* Mr. James Warren stood before the board and introduced himself by stating that he was

a Pittsburgh Institute of Mortuary Science graduate and received his undergraduate degree from Point Park University. He went on to say that he was originally from Toledo, Ohio and is employed with Bersticker-Scott Funeral Home in his hometown. Mr. Warren continued to state that he was unaware of the outstanding citation in the State of Georgia until he applied to the board. He admitted to driving a vehicle without an operator's license because it had been suspended. He expressed regret for his past behavior and declared that the warrant had been taken care of. Mr. Warren recounted his upbringing to contrast his amended life of today. Mr. Jon Rettig questioned Mr. Warren if the warrant issued in Georgia was taken care of. Mr. Warren replied that the fines have been paid and would provide certified verification, if needed. Mr. Rettig clarified his question to concern the warrant from 2003. Mr. Warren answered affirmatively. Mr. Rettig asked the board if there were any questions. Mr. William Wappner asked Mr. Warren if an approval from the board would be a life-changing event. Mr. Warren replied affirmatively. Mr. Rettig asked the board for any further questions or comments. Mr. Wappner motioned to accept the application for dual apprenticeship. Ms. Katherine Bockbrader, board counsel, suggested the motion says the word, "grant." Mr. Wappner restated his motion again as "grant" the application for dual apprenticeship. Mr. William Dodson seconded the motion. Mr. Rettig asked the board for further discussion. The vote commenced.

Motion by William C Wappner, second by William A Dodson

Final Resolution: Motion Carries

Yes: William C Wappner, Tommy Taneff, William A Dodson, Jill Pugh, Jon Rettig

*Board meeting notation:* Mr. Rettig congratulated Mr. Warren. Mr. Warren expressed his gratitude in return. Mr. Thomas Taneff informed Mr. Warren that he was welcome to remain in attendance of the meeting, but not obligated to. Mr. Warren replied that he would stay.

### 3. Licensure

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#### Action: 3.01 Recommended for Licensure

##### *Initial Licenses to be granted:*

License #	Name	Location
Fd.009805	Anderson, Rae A.	Columbus
Emb.009693 Fd.009806	Broberg, Christine K.	Portage, MI
Emb.009694 Fd.009807	Dawson, Brooklyn D.	Coshocton
Emb.009695 Fd.009808	Furey, Erika T.	Columbus
Emb.009696	Hakeem, Shaiyla B.	Youngstown
Emb.009697 Fd.009809	Katsanis, Kelsey E.	Hamilton

*Board meeting notation:* Mr. Jon Rettig introduced the agenda item. Mr. William Wappner motioned to approve the licenses listed. The motion was seconded by Mr. Jill Pugh. The vote commenced.

Motion by William C Wappner, second by Jill Pugh

Final Resolution: Motion Carries

Yes: Jon Rettig, William C Wappner, Tommy Taneff, William A Dodson, Jill Pugh

### **Action: 3.02 Recommendation to Extend Apprenticeship**

Tracy Armstrong, Funeral Director Only Apprentice

Started apprenticeship with Edwards Funeral Services, 1166 Parsons Ave., Columbus, Ohio, under Master Jim Bishop, from February 20, 2012, through September 30, 2012. Restarted apprenticeship with Caliman Funeral Services, 3700 Refugee Rd., Columbus, Ohio, under Master Tom Caliman, from February 24, 2014 through May 31, 2015. Continued apprenticeship with Day and Manofsky Funeral Services, 471 Morrison Rd., Columbus, Ohio, under Master Richard Day, starting July 7, 2015 to present.

Apprenticeship is serving 36 months and is scheduled to terminate on August 18, 2016.

#### *Concerns*

- September 17, 2012 – Board Member Pamela Williams-Briggs conducted an interview and the apprentice had completed three months, but there was a lot she still needed. She writes the apprentice is averaging only 16 hours per week and would need more to be able to complete her apprenticeship.
- August 28, 2015 – Board Member Thomas Fleming conducted an interview and noted Ms. Armstrong works full-time. He goes on to write she is not getting enough exposure in any area.
- Funeral Director Reports from September 22, 2015, through April 13, 2016, continue to show the apprentice has only 21% of the overall experience needed to complete the apprenticeship and has little to now experience in numerous areas as listed on the attached spreadsheet.
  - Experience for each task has been calculated as follow:
    - For Performing the task 1 credit
    - For Assisting with the task 0.50 credit
    - For Observing the task 0.25 credit
  - Tasks associated to funeral service was calculated by totaling the credits earned and then divided by ½ of the total required services, or 25 services out of 50 required.
  - Tasks associated to cremation service was calculated by totaling the credits earned and then divided by less than 1/3 of the total required services, or 15 services out of 50 required.

The Executive Director asked the apprentice to attend a special Board Member Interview on 06/21/2016. The above concerns were shared with the board member conducting the interview.

On 06/23/2016, Inspector Seehase spoke with the apprentice and her current master. He emphasized the importance of more exposure with meeting families and office work along

with other tasks. The master showed concern state he believed the apprentice would be able to get more training during her summer break from her full-time job.

### *Recommendation*

Recommend the board extends the apprenticeship by 6 months to 1 year with required quarterly interviews with a board member to gauge if further extension is necessary.

Investigator with follow-up at funeral with apprentice and master bi-monthly, during extended apprenticeship.

Would like the board to review the Funeral Director and Master Report format for revision which will calculates experience as referenced above.

*Board meeting notation:* Mr. Jon Rettig introduced the agenda item. Mr. Rettig requested that Ms. Linda Clark, board staff, join the table and explain the history of Tracy Armstrong's apprenticeship. Ms. Clark detailed that Ms. Armstrong has been an apprentice many years and was an inspiration to a past board to change a rule for apprentices allowing them to serve as part-time apprentices. Ms. Clark stated that although she handles the paperwork of the apprentices, it was Inspector Seehase who reviewed Ms. Armstrong's funeral director apprenticeship reports and discovered deficiencies. Mr. Rettig requested Mr. Troy Seehase, board inspector, to join the table and provide explanation of his findings. Mr. Seehase described what he looks for while reviewing the apprenticeship reports and stated that he did not see growth in Ms. Armstrong's experience and knowledge. Mr. Rettig spoke of his recent apprentice interview with Tracy Armstrong and shared three concerns about her apprenticeship: Ms. Armstrong relocation to three funeral homes thus far, the deficiencies of completing her task list, and questioned the role of the master funeral director not fulfilling his/ her responsibility, resulting in a request for Mr. Seehase to meet with the apprentice and her master. Mr. Rettig motioned to extend the apprenticeship by six months with a stipulation that she has twice monthly meetings with an inspector to gauge her progress. And she must have the quarterly meetings with a board member to further gauge her progress. Mr. Thomas Taneff seconded the motion. Mr. Rettig asked the board for further discussion. Mr. William Dodson informed the board that he was an acquaintance of Ms. Armstrong and would abstain from voting. Mr. Rettig stated to the board secretary to note that Mr. Dodson has recused himself. The vote commenced.

Motion by Jon Rettig, second by Tommy Taneff

Final Resolution: Motion Carries

Yes: Jill Pugh, Jon Rettig, William C Wappner, Tommy Taneff

Abstain: William A Dodson

*Board meeting notation:* Mr. Jon Rettig instructed Ms. Linda Clark to notify Ms. Tracy Armstrong of the motion and inform her that Mr. Seehase will work with her on any further issues.

## **Action: 3.03 Ratification of Facility Licenses**

*New Building / New Facility License:*

<b>License #</b>	<b>Firm Title</b>	<b>Location</b>
FH 003463	Brown Funeral Home	Wilmington

*Name Changes:*

<b>License #</b>	<b>Current Name</b>	<b>New Name</b>	<b>Location</b>
FH 003375	Mannasmith FH	Wilson Funeral Home and Monuments, Mannasmith Chapel	Marysville
FH 003376	Mannasmith-Schurrenberger FH	Wilson Funeral Home and Monuments, Schurrenberger Chapel	West Mansfield
FH 001012	ROSSI FUNERAL HOME INC	ROSSI FAMILY FUNERAL HOME, INC.	Canton
CREM 000178	BARKDULL FH & CREMATORY	Richland Cremation Services	Shelby
FH 000407	SCHOEDINGER FUNERAL HOME	Hope & Heart Funeral Home by Schoedinger	Columbus
FH 003220	GEDNETZ-RUZEK FH	Gednetz-Ruzek-Brown Funeral Home	Salem

*Board meeting notation:* Mr. Jon Rettig introduced the agenda item. Mr. Rettig instructed Ms. Jill Pugh to recuse herself from the vote because her employer is listed in the agenda.. Mr. Thomas Taneff motioned to ratify the facility licenses. The motion was seconded by Mr. William Wappner. The vote commenced.

Motion by Tommy Taneff, second by William C Wappner

Final Resolution: Motion Carries

Yes: Jon Rettig, William C Wappner, Tommy Taneff, William A Dodson

Abstain: Jill Pugh

### **Information: 3.04 No Motion Items**

#### *Individuals issued a Registration number in May/June*

<b>Type</b>	<b>Name</b>	<b>City</b>
Dual	Bentley, Lorenzo	Portsmouth
Dual	Boesinger, Alexandra	Akron
Dual	Briggs, Taylor	Columbus
Dual	Cornist, Jessica	Cincinnati
Dual	Fos, Edward	Bellevue
Dual	Jones, Amanda	Loveland
Dual	Kirby, Carl	Cleveland
Dual	Kirk, Meriah	Akron
Dual	Mackey, Miranda	Twinsburg

FD	Reid, Robert	Ironton
FD	Routsong, Samuel	Oakwood
Dual	Schaffer, Rachael	Fremont
Dual	Srnovrsnik, Alex	Eastlake
Dual	Workman, Charlotte	Gallipolis
Dual	Workman, Wallace	Gallipolis

*Individuals Certified as an Apprentice in May/June*

Type	Name	Funeral Home	City
Dual	Bentley, Lorenzo	Wolfe-Nelson FH	Portsmouth
Dual	Briggs, Taylor	OR Woodyard Co	Columbus
Dual	Foos, Edward	Foos & Foos FS	Bellevue
Dual	Jones, Amanda	Tufts-Schildmeyer FH	Loveland
Dual	Kirby, Carl	Gaines Funeral Home	Cleveland
Dual	Kirk, Meriah	Adams-Mason FH	Akron
Dual	Mackey, Miranda	Blessing-Hine FH	Twinsburg
FD	Reid, Robert	Phillips Funeral Home	Ironton
Dual	Schaffer, Rachael	Herman-Karlovetz FH	Fremont
Dual	Watkins, Queen	Arthur L Rogers FS	Cleveland
Dual	Workman, Charlotte	McCoy, Moore FH	Gallipolis
Dual	Workman, Wallace	McCoy-Moore FH	Gallipolis

*Change the manager and/or AIC (name will need to be added to funeral home sign within 24 months):*

License #	Firm Title	Licensee Name	Type	Location
FH 001038	DUNN-QUIGLEY FHS	Oziomek, Robert A.	Manager	Stow

FH 003366	Newcomer Funeral Home	Rees, David S	Manager	Cincinnati
FH 003255	Davis-Becker FH	BECKER, KELLY L	AIC	Boardman
FH 003255	Davis-Becker FH	MADDEN, DANIEL P	Manager	Boardman

*Board meeting notation:* Mr. Jon Rettig introduced the agenda item. Mr. Rettig asked the board for any questions or comments.

## 4. Continuing Education

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### Action: 4.01 Continuing Education Exemption(s)

#### *Exemption:*

License #	Name
FD.009431	SWOGGER, STEPHANIE L

*Board meeting notation:* Mr. Jon Rettig introduced the agenda item. Mr. Rettig asked Ms. Linda Clark, board staff, to define an exemption. Ms. Clark deferred the question to Mr. Danny Finfrock, board staff. Mr. Finfrock described the meaning of an exemption and why someone would apply for it. Mr. Thomas Taneff questioned Mr. Finfrock if he had any objection to approval of the application. Mr. Finfrock replied that he had no objection. Mr. Taneff motioned to approve the continuing education exemption. The motion was seconded by Mr. William Dodson. Mr. Rettig asked the board for any discussion. The vote commenced.

Motion by Tommy Taneff, second by William A Dodson

Final Resolution: Motion Carries

Yes: Tommy Taneff, William A Dodson, Jill Pugh, Jon Rettig, William C Wappner

### Action: 4.02 Continuing Education Programs - Recommendation to Approve

The board was provided the lists of applicants by means of a pdf file format in the agenda item details for review. The documents provided may be located in the agenda online at the following link: [http://www.boarddocs.com/oh/boefd/Board.nsf/files/ABVM9259B1FB/\\$file/2016%20July%20CE%20Programs.pdf](http://www.boarddocs.com/oh/boefd/Board.nsf/files/ABVM9259B1FB/$file/2016%20July%20CE%20Programs.pdf)

*Board meeting notation:* Mr. Jon Rettig introduced the agenda item. Mr. Rettig asked Mr. Danny Finfrock, board staff, if all was in order for the list of applications. Mr. Finfrock replied that all was in order. Mr. Thomas Taneff motioned to approve the continuing education programs. The motion was seconded by Ms. Jill Pugh. Mr. Rettig asked the board for any discussion. The vote commenced.

Motion by Tommy Taneff, second by Jill Pugh

Final Resolution: Motion Carries

Yes: William A Dodson, Jill Pugh, Jon Rettig, William C Wappner, Tommy Taneff

## 5. Compliance

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### **Action: 5.01 Ratification of Settlement #1**

The board was provided a settlement by means of a pdf file format in the agenda item details for review. The documents provided may be located in the meeting agenda online at the following link: [http://www.boarddocs.com/oh/boefd/Board.nsf/files/ABUL5C54DA57/\\$file/Settlement%201.pdf](http://www.boarddocs.com/oh/boefd/Board.nsf/files/ABUL5C54DA57/$file/Settlement%201.pdf)

*Board meeting notation:* Mr. Jon Rettig introduced the agenda item. Mr. Thomas Taneff questioned Ms. Katherine Bockbrader, board counsel, if she was in agreement with the settlements. Ms. Bockbrader responded that she could not comment on the substance of the agreements, but that she approved them as to form. She added that former board president Mr. Gregory Boyer decided the terms, but she wrote the language in the agreements. Mr. William Wappner motioned to ratify settlement number 1. The motion was seconded by Mr. Taneff. Mr. Rettig asked the board for any discussion. The vote commenced.

Motion by William C Wappner, second by Tommy Taneff

Final Resolution: Motion Carries

Yes: Jon Rettig, William C Wappner, Tommy Taneff, William A Dodson, Jill Pugh

### **Action: 5.02 Ratification of Settlement #2**

The board was provided a settlement by means of a pdf file format in the agenda item details for review. The documents provided may be located in the meeting agenda online at the following link: [http://www.boarddocs.com/oh/boefd/Board.nsf/files/ABULCK55E691/\\$file/Settlement%202.pdf](http://www.boarddocs.com/oh/boefd/Board.nsf/files/ABULCK55E691/$file/Settlement%202.pdf)

*Board meeting notation:* Mr. Jon Rettig introduced the agenda item. Mr. Thomas Taneff motioned to ratify settlement number 2. The motion was seconded by Mr. William Wappner. Mr. Rettig asked the board for any discussion. The vote commenced.

Motion by Tommy Taneff, second by William C Wappner

Final Resolution: Motion Carries

Yes: William C Wappner, Tommy Taneff, William A Dodson, Jill Pugh, Jon Rettig

### **Action: 5.03 Ratification of Settlement #3**

The board was provided a settlement by means of a pdf file format in the agenda item details for review. The documents provided may be located in the meeting agenda online at the following links: [http://www.boarddocs.com/oh/boefd/Board.nsf/files/AC2RHL6B0E52/\\$file/Settlement%203.pdf](http://www.boarddocs.com/oh/boefd/Board.nsf/files/AC2RHL6B0E52/$file/Settlement%203.pdf) and [http://www.boarddocs.com/oh/boefd/Board.nsf/files/AC4QTE6AD6FC/\\$file/Attachement%20A%20-%204.pdf](http://www.boarddocs.com/oh/boefd/Board.nsf/files/AC4QTE6AD6FC/$file/Attachement%20A%20-%204.pdf)

*Board meeting notation:* Mr. Jon Rettig introduced the agenda item as presented with an attachment "A" and is a two-part settlement associated to settlement number 4 of the agenda. Mr. Rettig questioned who is responsible to follow up with the licensee to ensure the forfeiture payment is paid and the license is surrendered. Ms. Katherine Bockbrader, board counsel, suggested that it should be the board staff; likely Jarrod Williams. Mr. Williams

confirmed to Mr. Rettig that Ms. Bockbrader was correct. Mr. Rettig motioned to ratify settlement number 3. The motion was seconded by Mr. William Dodson. Mr. Rettig asked the board for any discussion. The vote commenced.

Motion by Jon Rettig, second by William A Dodson

Final Resolution: Motion Carries

Yes: William C Wappner, Tommy Taneff, William A Dodson, Jill Pugh, Jon Rettig

#### **Action: 5.04 Ratification of Settlement #4**

The board was provided a settlement by means of a pdf file format in the agenda item details for review. The documents provided may be located in the meeting agenda online at the following links: [http://www.boarddocs.com/oh/boefd/Board.nsf/files/AC2LG9540223/\\$file/Settlement%204.pdf](http://www.boarddocs.com/oh/boefd/Board.nsf/files/AC2LG9540223/$file/Settlement%204.pdf) and [http://www.boarddocs.com/oh/boefd/Board.nsf/files/AC4QRY6AA0BF/\\$file/Attachement%20A.pdf](http://www.boarddocs.com/oh/boefd/Board.nsf/files/AC4QRY6AA0BF/$file/Attachement%20A.pdf)

*Board meeting notation:* Mr. Jon Rettig introduced the agenda item. Mr. Rettig asked Ms. Katherine Bockbrader, board counsel, to explain the association between settlements numbers 3 and 4 of the agenda. Ms. Bockbrader responded that this settlement coincides with settlement number 3 because this person worked for the funeral home involved. Mr. Rettig asked the board for any discussion. Mr. Rettig motioned to ratify settlement number 4. The motion was seconded by Mr. Thomas Taneff. The vote commenced.

Motion by Jon Rettig, second by Tommy Taneff

Final Resolution: Motion Carries

Yes: Tommy Taneff, William A Dodson, Jill Pugh, Jon Rettig, William C Wappner

#### **Action: 5.05 Ratification of Settlement #5**

The board was provided a settlement by means of a pdf file format in the agenda item details for review. The documents provided may be located in the meeting agenda online at the following link: [http://www.boarddocs.com/oh/boefd/Board.nsf/files/AC4QTT6AE679/\\$file/Settlement%205.pdf](http://www.boarddocs.com/oh/boefd/Board.nsf/files/AC4QTT6AE679/$file/Settlement%205.pdf)

*Board meeting notation:* Mr. Jon Rettig introduced the agenda item. Mr. Rettig asked Ms Bockbrader, board counsel, to explain the settlement. Ms. Bockbrader stated that this licensee reported two locations on one pre-need report and was charged by the board for failing to submit a report for one of their facilities. The licensee admitted to reporting the facilities incorrectly and agreed to a settlement. Ms. Jill Pugh motioned to ratify settlement number 5. The motion was seconded by Mr. William Dodson. Mr. Rettig asked the board for any discussion. The vote commenced.

Motion by Jill Pugh, second by William A Dodson

Final Resolution: Motion Carries

Yes: Jill Pugh, Jon Rettig, William C Wappner, Tommy Taneff, William A Dodson

#### **Action: 5.06 Recommendation to Dismiss 1600089**

On April 26, 2016, the board charged Brooks Owens Funeral Home (FH.002365), case

1600089 with a violation of 4717.14(A)(4). Specifically the licensee failed to file an annual preneed report, which is required to be filed no later than the thirtieth (30th) day of March.

Since the meeting, the board staff have been provided a receipt for a courier service that was paid to deliver the report on March 30, 2016. The lateness of the report was determined to be a failure by the delivery services, not the licensee.

We respectfully request the board dismiss these cases.

*Board meeting notation:* Mr. Jon Rettig introduced the agenda item. Mr. Rettig explained that this case involved a licensee who contracted a courier to deliver their pre-need report to the board office and that courier failed to deliver on time. Mr. William Dodson motioned to dismiss the compliance case. The motion was seconded by Mr. Thomas Taneff. Mr. Rettig asked the board for any discussion. The vote commenced.

Motion by William A Dodson, second by Tommy Taneff

Final Resolution: Motion Carries

Yes: Jon Rettig, William C Wappner, Tommy Taneff, William A Dodson, Jill Pugh

### Information: 5.07 Closed Cases

#### Report of Closed Cases

Case Number	Inspector	Allegations	Board Status
1600156	Anderson, Eric	Complainant alleges funeral home has not paid church for services provided, as per terms of the funeral goods and services selected.	The GPL includes a price to go to the church, this price is not a cash advance to be paid to the church. No violation identified.
1600163	Anderson, Eric	The deceased died in the state of North Carolina. The body was prepared and transferred to the state of Ohio by a North Carolina funeral home. Complainant alleges the Ohio funeral home receiving the body has not paid North Carolina funeral home for services rendered as agreed.	This complaint regard a billing dispute between funeral homes. The board does not operate a a debt collector. No violation identified.
1600073	Seehase, Troy	Consumers met with an unlicensed person to purchase cremation packages. Licensee signed them without meeting the consumers.	Funeral Director was present and signed the documents. No violation identified.

<b>Case Number</b>	<b>Inspector</b>	<b>Allegations</b>	<b>Board Status</b>
1600074	Anderson, Eric	Complainant alleges rude behavior from funeral director. Complainant alleges FD provided false information and employed aggressive sales tactics to gain business.	Consumer used an out of state vendor who advertises online with the same name as this licensee. The FTC currently has a case to address this unlicensed business operating online. No violations identified against an Ohio licensee.
1600077	Anderson, Eric	Activities of licensed insurance agent require funeral directors license.	Licensed insurance agent provides price lists and materials to assist the purchaser in determining the cost of funeral goods and services. Insurance agent also discusses the cost of good and services to assist in selection of appropriate amount of insurance coverage. In doing so, the agent completes a worksheet. No evidence the agent offers advice or makes recommendations. No violations identified.
1600078	Seehase, Troy	Activities of licensed insurance agent requires funeral directors license.	Licensed insurance agent provides price lists and materials to assist the purchaser in determining the cost of funeral goods and services. Insurance agent also discusses the cost of good and services to assist in selection of appropriate amount of insurance coverage. In doing so, the agent completes a worksheet. No evidence the agent offers advice or makes recommendations. No violations identified.
1600149	Anderson, Eric	Complainant alleges funeral home failed to notify purchaser that the guaranteed pre-need funeral trust agreement was a non-interest bearing account and is billing family for difference of merchandise costs.	The difference in the cost for the service is explained in the items chosen by the consumer. No violation identified.

*Board meeting notation:* Mr. Jon Rettig introduced the agenda item and explained that this was an information only item because the closed cases were reviewed by the board inspectors and they found no violations.

**Information: 5.08 Pending Investigations****Pending Cases**

<b>Case Number</b>	<b>Inspector</b>	<b>Date Received</b>	<b>Allegations</b>
150005701	Anderson, Eric	2/17/2015	Misappropriation of preneed (FH Suspended-All records with law enforcement)
150005702	Anderson, Eric	4/1/2015	Misappropriation of preneed (FH Suspended-All records with law enforcement)
150005703	Anderson, Eric	3/30/2015	Misappropriation of preneed (FH Suspended-All records with law enforcement)
1600029	Anderson, Eric	6/1/2015	Misappropriation of preneed (FH Suspended-All records with law enforcement)
1600041	Anderson, Eric	9/17/2015	Misappropriation of preneed (FH Suspended-All records with law enforcement)
1600042	Anderson, Eric	9/17/2015	Misappropriation of preneed (FH Suspended-All records with law enforcement)
1600046	Seehase, Troy	9/30/2015	Funeral home is advertising facility with unapproved name.
1600056	Seehase, Troy	11/23/2015	Misappropriation of preneed funds.
1600155	Seehase, Troy	5/20/2016	Complainant alleges funeral home failed to provide services as contracted. To date, the footstone marker at gravesite of the deceased has not been engraved with date of death.
1600164	Anderson, Eric	6/22/2016	Complainant alleges unprofessional conduct by the funeral home director.
1600157	Seehase, Troy	6/14/2016	Complainant alleges respondent is practicing funeral directing without a funeral director license.
1600158	Seehase, Troy	6/14/2016	Complainant alleges funeral home forged the signature of actual-in-charge on the 2016 Annual Preneed Funeral Contract Report.
1600159	Anderson, Eric	6/15/2016	Complainant alleges funeral home failed to file death certificates in a timely manner resulting in burials occurring without burial permits.
1600160	Anderson, Eric	6/15/2016	Complainant alleges funeral home allowed an unlicensed person conduct a funeral on its behalf.
1600161	Anderson, Eric	6/15/2016	Complainant alleges discovery of misappropriation of prepaid pre-need funeral funds during audit.
1600162	Anderson, Eric	6/15/2016	Complainant alleges funeral home misappropriated prepaid pre-need funeral funds by delaying deposit to funding company.

Case Number	Inspector	Date Received	Allegations
1700001	Seehase, Troy	7/5/2016	Complainant alleges funeral home employees opened a locked box, in which visitors of the viewing placed cards into, without supervision.
1700002	Seehase, Troy	7/8/2016	Complainant alleges funeral home failed to contract with next of kin, file death certificate with correct information, provide viewing to all family members, and failed to deliver cremains.
1700003	Seehase, Troy	7/12/2016	Complainant alleges the funeral director actually in charge of the funeral home allows embalming and funeral directing to be performed by unlicensed staff.
1600067	Anderson, Eric	2/11/2016	Misappropriation of preneed (FH Suspended-All records with law enforcement)
1600069	Anderson, Eric	3/1/2016	Misappropriation of preneed (FH Suspended-All records with law enforcement)
1600076	Seehase, Troy	4/18/2016	Complainant alleges misappropriation of prepaid preneed funeral funds.
1600152	Seehase, Troy	5/9/2016	Complainant alleges funeral home misappropriated prepaid preneed funeral funds.
1600153	Seehase, Troy	5/9/2016	Complainant alleges funeral home misappropriated prepaid pre-need funeral funds.

*Board meeting notation:* Mr. Jon Rettig introduced the agenda item and explained that this was an information only item because it only lists the pending investigations of the board inspectors.

### **Action, Information: 5.09 Attorney General Case Status Update**

*Board meeting notation:* Mr. Jon Rettig introduced the agenda item and explained that this was an information only item because it contains privileged attorney to client information. Mr. Rettig asked Ms. Bockbrader, board counsel, if she wished to comment on her update. Ms. Bockbrader stated that she had no comment.

## **6. Board Operations**

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### **Action, Minutes: 6.01 Consideration of the May 2016 Minutes**

The board was provided a link ("View Minutes" Icon) to view the meeting minutes in the agenda item details for review.

*Board meeting notation:* Mr. Jon Rettig introduced the agenda item. Mr. Thomas Taneff stated for the record that his computer display indicates the meeting minutes were generated and drafted by Jarrod Williams. Mr. Taneff questioned if Ms. Vanessa Niekamp, former executive director, had any part of drafting the minutes. Mr. Jarrod Williams, board staff, confirmed to Mr. Taneff that he alone was responsible for generating and drafting the minutes.

Mr. Rettig suggested obtaining advice from board counsel before proceeding. He has concern about the action on the task lists for apprentices at the May meeting. Mr. Rettig stated that changes to the task lists during the May meeting were not included in the minutes and a copy of the amendments cannot be located. Mr. Rettig stated that he has a working copy of his own from the meeting noting the changes. Mr. Rettig asked Ms. Katherine Bockbrader, board counsel, if the board should move past the minutes because there is no clear evidence of what was accepted in the minutes. Ms. Bockbrader questioned if there was an attachment to the minutes since the changes were accepted? She also asked if those changes were displayed on the screen? Mr. Williams responded that after his review of the May meeting video, the changes were shown on the screen during discussion, but a copy of those changes has yet to be found.

Mr. Rettig stated to Ms. Bockbrader that he doesn't want to approve minutes that are not correct. Ms. Bockbrader suggested that Mr. Rettig could pass copies of his working copy to the other board members and if all can agree what changes were accepted, the board can amend the minutes. Mr. Rettig mentioned that Ms. Bockbrader, Mr. Taneff, and himself were the only persons at the table now who saw those changes on the screen. Mr. Rettig distributed copies of his working copy while narrating the Task Lists Committee's recommendations of amendments. He said the significant amendment was removing all tours and conventions. Other changes included requiring only one seminar of the funeral industry instead of two; adding attendance to one board meeting; and adding memorial services to the documents. He concluded that there was consensus among the committee to reduce hardship on the apprentices of travel and expense associated to the task lists.

Mr. Rettig recalled that the discussion of adding the language of attending one seminar of choice and attend one board meeting occurred at the May meeting. The decision to remove the tours and conventions requirements was by the committee. Ms. Jill Pugh asked Mr. Rettig if the language about tours and conventions was to be removed from the embalmer task list, too. Mr. Rettig replied that those requirements are removed from all task lists. Mr. Rettig added that the documents were modernized as well by adding the word, "memorial" anywhere it referenced to "Participation in at least twenty-five funeral services," to bring the language up to date with today's offerings.

Mr. Rettig recalled the motion in the May minutes gave apprentices a choice to which task list to follow. Mr. Rettig consulted Ms. Linda Clark, board staff, about this action and together they decided it would be difficult to monitor. Ms. Clark suggested a solution. Mr. Rettig asked Ms. Clark to join the table again and share her suggestions. Ms. Clark stated that her changes would affect the embalmer only, the funeral director only, and the embalmer and funeral director (dual) task lists and be effective today (July 26, 2016). She suggested that one-year apprentices should follow the new task lists if their apprenticeship start date is on February 1, 2016 or beyond. All other apprentices whose start date is prior to February 1, 2016 should follow the former task lists. Ms. Clark suggested that two-year apprentices should follow the new task lists if their apprenticeship start date is on February 1, 2015 or beyond. All other apprentices whose start date is prior to February 1, 2015 should follow the former task lists.

Ms. Bockbrader clarified that the minutes should reflect what was moved at the meeting. She recalled the motion did include giving the apprentices a choice of task lists. Mr. Rettig responded that he would like to remove that action. Ms. Bockbrader stated that if the board believes the changes marked on Mr. Rettig's working copy accurately reflect the motion at the last meeting, the board may amend the meeting minutes. She added that the board may then move to change the task lists today to reflect Ms. Clark's suggestions. Ms. Bockbrader restated that the minutes should reflect what happened at the May meeting. Mr. Rettig stated that the board cannot prove what reflected at the May meeting without documentation of the changes and he was not about to ask the board to rely solely on his working copy. He went to say that he wished to rid of the action done in May to better clean up the matter. Ms. Bockbrader responded by saying the minutes are supposed to be a summary of what was discussed. Ms. Bockbrader asked Mr. Williams if the minutes stated the motion was, "move to approve" without further detail. Mr. Williams replied affirmatively. Mr. Rettig provided a copy of the section of minutes for her reference.

Ms. Bockbrader read the copy and remarked that the motion was approved, "as proposed." Ms. Bockbrader confirmed that the minutes are a summary. She added that ideally a copy of the actual documentation would be more detailed, but the board can only rely on the motion wording. Ms. Bockbrader suggested the board leave the minutes as written, since the board proposed to change the task lists today. She suggested the board add an exhibit of any changes to future minutes so it will be clear what was done.

Mr. William Dodson motioned to accept the May 2016 Minutes. The motion was seconded by Mr. William Wappner. Mr. Rettig asked the board for further discussion. The vote commenced.

Motion by William A Dodson, second by William C Wappner

Final Resolution: Motion Carries

Yes: Jon Rettig, William C Wappner, Tommy Taneff, William A Dodson, Jill Pugh

*Board meeting notation:* Mr. Jon Rettig declared that he wanted to add an agenda item. Mr. Thomas Taneff asked board counsel if the board needed a motion to amend, or add an item to the agenda. Ms. Bockbrader replied that no motion was needed.

### **Action, Minutes: 6:01 (A) Clarify the May discussion of Task Lists**

*Board meeting notation:* Mr. Jon Rettig announced his intention to clarify the May discussion by amending items listed on the task lists. Mr. Rettig distributed copies of the task lists to the board members for all to follow. The modifications to the task lists documents may be located online at the following link: [http://www.boarddocs.com/oh/boefd/Board.nsf/files/ACQJS34DF45A/\\$file/TASK%20LISTS-%20deletion%20%26%20addition%20markups%2007-26-2016.pdf](http://www.boarddocs.com/oh/boefd/Board.nsf/files/ACQJS34DF45A/$file/TASK%20LISTS-%20deletion%20%26%20addition%20markups%2007-26-2016.pdf)

Mr. Rettig motioned to modify the apprenticeship task lists documents (embalmer only, funeral director only, and embalmer and funeral director (dual)) to include the changes. The modifications will affect one-year apprentices with a start date of February 1, 2016 or beyond; and the modifications will affect two-year apprentices with a start date of February 1, 2015 or beyond. These modifications are effective July 26, 2016. The motion was seconded by Mr. Thomas Taneff. Mr. Rettig asked the board for further discussion. The vote commenced.

Motion by Jon Rettig, second by Tommy Taneff

Final Resolution: Motion Carries

Yes: William C Wappner, Tommy Taneff, William A Dodson, Jill Pugh, Jon Rettig

### **Information: 6.02 Inspections**

<b>Name</b>	<b>City</b>	<b>County</b>	<b>Inspection Date</b>
LUCAS - BATTON FUNERAL HOME	Upper Sandusky	Adams	6/14/2016
BAUKNECHT-ALTMAYER FH	POWHATAN	Belmont	6/14/2016

BAUKNECHT-ALTMAYER FH	SHADYSIDE	Belmont	6/14/2016
BECK-ALTMAYER FUNERAL HOME	ST CLAIRSVILLE	Belmont	6/6/2016
BEAM-FENDER FUNERAL HOME	SARDINIA	Brown	6/28/2016
CAHALL FUNERAL HOME	MT ORAB	Brown	6/28/2016
CAHALL FUNERAL HOME INC	GEORGETOWN	Brown	6/30/2016
CAHALL FUNERAL HOME INC	RIPLEY	Brown	6/30/2016
MEEKER FUNERAL HOME	RUSSELLVILLE	Brown	6/30/2016
MEGIE FH	MT ORAB	Brown	6/28/2016
AVANCE FUNERAL HOME	FAIRFIELD	Butler	6/27/2016
CHARLES C YOUNG FUNERAL HOME	Ross	Butler	6/27/2016
CREMATION CONCEPTS	FAIRFIELD	Butler	6/27/2016
WEBSTER FUNERAL HOME	FAIRFIELD	Butler	6/10/2016
FISCHER FUNERAL HOME	WARSAW	Coshocton	6/2/2016
BROWN-FORWARD INC	SHAKER HTS	Cuyahoga	6/30/2016
ERIC J WILLIAMS FUNERAL HOMES	Cleveland	Cuyahoga	6/30/2016
GAINES FH	CLEVELAND	Cuyahoga	6/30/2016
STROWDER FH	CLEVELAND	Cuyahoga	6/29/2016
THOMAS G SMITH FH	CLEVELAND	Cuyahoga	6/29/2016
WANTON-HORNE CHAPEL OF PEACE FH	CLEVELAND	Cuyahoga	6/30/2016
BRAUND-POPE FH	NEW MADISON	Darke	6/27/2016
OBERLIN-TURNBULL FH	SHERWOOD	Defiance	6/3/2016
DWAYNE R SPENCE FUNERAL HOME	PICKERINGTON	Fairfield	6/7/2016
DWAYNE R SPENCE FUNERAL HOME	PICKERINGTON	Fairfield	6/7/2016
SHERIDAN FUNERAL HOME INC	LANCASTER	Fairfield	6/7/2016
TAYLOR FH	AMANDA	Fairfield	6/7/2016

GREATER CINCINNATI CREMATORY	CINCINNATI	Hamilton	6/27/2016
PIORKOWSKI FUNERAL HOME	CINCINNATI	Hamilton	6/27/2016
BELL CR	MIAMISBURG	Montgomery	6/9/2016
BROUGH-GETTS- STAVEN FH	MIAMISBURG	Montgomery	6/9/2016
GEBHART-SCHMIDT- PARRAMORE FH	MIAMISBURG	Montgomery	6/9/2016
E & J CREMATORY	ZANESVILLE	Muskingum	6/28/2016
SRS SERVICES	HOPEWELL	Muskingum	6/28/2016
CHANDLER FUNERAL HOME	CALDWELL	Noble	6/8/2016
MCVAY-PERKINS FUNERAL HOME	CALDWELL	Noble	6/8/2016
ARNOLD FUNERAL SERVICE	CANTON	Stark	6/15/2016
BARTLEY FUNERAL HOME	MINERVA	Stark	6/15/2016
GOTSCHALL- HUTCHISON FUNERAL HOME INC	MINERVA	Stark	6/15/2016
HOPKINS LAWVER FH	AKRON	Summit	6/7/2016
NEWCOMER FH	AKRON	Summit	6/7/2016
KOCH FH LLC	GNADENHUTTEN	Tuscarawas	6/2/2016
LINN-HERT-GEIB FUNERAL HOME INC	NEW PHILADELPHIA	Tuscarawas	6/2/2016
INGRAM FUNERAL HOME	MARYSVILLE	Union	6/6/2016
STOFHECK BALLINGER FH INC	RICHWOOD	Union	6/6/2016
UNDERWOOD FUNERAL HOME	MARYSVILLE	Union	6/6/2016
MATTESON FUNERAL HOME	WEST SALEM	Wayne	6/27/2016
MURRAY FUNERAL HOME INC	CRESTON	Wayne	6/27/2016
REMEMBRANCE CREMATION CENTER	WOOSTER	Wayne	6/27/2016
ROBERTS FUNERAL HOME-SHERWOOD CHAPEL	WOOSTER	Wayne	6/27/2016
KRILL FS INC	BRYAN	Williams	6/3/2016
NORTHWEST OHIO CREM SVC	BRYAN	Williams	6/3/2016

OBERLIN-TURNBULL FH	WEST UNITY	Williams	6/3/2016
OBERLIN-TURNBULL FH	BRYAN	Williams	6/3/2016
OBERLIN-TURNBULL FH	BRYAN	Williams	6/3/2016
TRIBUTE CREM SVC	BRYAN	Williams	6/3/2016
EGGLESTON MEINERT PAVLEY FH	MILLBURY	Wood	6/2/2016
SUJKOWSKI FUNERAL HOME	ROSSFORD	Wood	6/2/2016
WITZLER-SHANK FUNERAL HOME	Walbridge	Wood	6/2/2016
WITZLER-SHANK FUNERAL HOME	Perrysburg	Wood	6/2/2016
BEACH FUNERAL HOME	CAREY	Wyandot	6/24/2016
BRINGMAN CLARK & CO INC FUNERAL HO	UPPER SANDUSKY	Wyandot	6/14/2016
STOMBAUGH-BATTON FH	CAREY	Wyandot	6/24/2016
WALTON-MOORE FUNERAL HOME	SYCAMORE	Wyandot	6/24/2016

The board was provided a summary of Inspector's Report by means of a pdf file format in the agenda item details for review. The document provided may be located in the agenda item located online at the following link: [http://www.boarddocs.com/oh/boefd/Board.nsf/files/ABTNN8607C94/\\$file/Inspection%20Summary%20SFY16.pdf](http://www.boarddocs.com/oh/boefd/Board.nsf/files/ABTNN8607C94/$file/Inspection%20Summary%20SFY16.pdf)

*Board meeting notation:* Mr. Jon Rettig introduced the agenda item and explained that it was an information only item because it lists the recent inspections by board inspectors.

### **Action, Information: 6.03 Budget Overview**

#### Overview of SFY2016 Budget

<b>SFY16</b>	<b>Budget</b>	<b>Expense</b>	<b>Encumbrance</b>	<b>Available Budget</b>	<b>Percent Available</b>
510	\$36,680.63	\$10,137.50	\$21,594.00	\$4,949.13	13.49%
520	\$194,635.65	\$149,519.62	\$28,162.10	\$16,953.93	8.71%
530	\$5,000.00	\$1,250.02	\$0.00	\$3,749.98	75.00%
595	\$1,000.00	\$0.00	\$0.00	\$1,000.00	100.00%
500 - QTR1	\$139,455.79	\$139,455.79	\$0.00	\$0.00	0.00%

500 - QTR2	\$110,908.56	\$110,908.56	\$0.00	\$0.00	0.00%
500 - QTR3	\$133,171.37	\$133,171.37	\$0.00	\$0.00	0.00%
500 - QTR4	\$129,160.00	\$115,168.46	\$0.00	\$13,991.54	10.83%
Budget	\$750,012.00	\$659,611.32	\$49,756.10	\$40,644.58	5.42%

### Vouchers from June 2016

Voucher ID	Vendor Name	Accounting Date	Account	Voucher Distrib Amount
00002566	DEPARTMENT OF ADMINISTRATIVE SERVICES	6/2/2016	527751	4,796.36
00002568	DEPARTMENT OF ADMINISTRATIVE SERVICES	6/2/2016	527751	496.00
00002569	DEPARTMENT OF ADMINISTRATIVE SERVICES	6/2/2016	527751	612.00
00002570	DEPARTMENT OF ADMINISTRATIVE SERVICES	6/2/2016	527751	496.00
00002571	DEPARTMENT OF ADMINISTRATIVE SERVICES	6/2/2016	527751	14.20
00002572	DEPARTMENT OF ADMINISTRATIVE SERVICES	6/2/2016	527751	280.84
00002573	OFFICE OF BUDGET & MANAGEMENT	6/2/2016	527751	115.00
00002574	DEPARTMENT OF ADMINISTRATIVE SERVICES	6/2/2016	527751	375.20
00002574	DEPARTMENT OF ADMINISTRATIVE SERVICES	6/2/2016	527751	757.73
00002576	CINCINNATI BELL ANY DISTANCE INC	6/2/2016	524067	74.44
00002577	VERIZON WIRELESS	6/2/2016	524067	333.43
00002578	GREENE INC	6/2/2016	526052	30.00
00002579	BENESCH FRIEDLANDER COPLAN &	6/3/2016	510053	4,208.85
00002580	EMERALD DATA SOLUTIONS INC	6/3/2016	526070	2,000.00
00002581	ETHICS COMMISSION	6/21/2016	527751	60.00
00002582	US BANK NATIONAL ASSOCIATION	6/15/2016	521050	768.75
00002583	DEPARTMENT OF ADMINISTRATIVE SERVICES	6/22/2016	527751	1,345.32
00002584	SUNSET ENTERPRISES LLC	6/21/2016	521088	28.88

00002585	BENESCH FRIEDLANDER COPLAN &	6/21/2016	510053	165.40
00002586	ZASHIN & RICH CO LPA	6/21/2016	510053	1,559.00
00002587	GREENE INC	6/21/2016	526052	30.00
00002588	UNITED PARCEL SERVICE	6/21/2016	524053	6.14
00002589	VERIZON WIRELESS	6/22/2016	524067	333.43
00002589	VERIZON WIRELESS	6/22/2016	521053	784.70

#### Overview of SFY2016 Revenue

Application	30,350.00
Certification	1,150.00
Duplicate Display	340.00
Exam	0
Forfeitures	50,900.00
Late Fees	3,000.00
Re-Certification	70.00
Registration	3,025.00
Renewals	450.00
As of 06/30/2016	89,285.00

*Board meeting notation:* Mr. Jon Rettig introduced the agenda item and explained that it was an information only item detailing the board's expenditures. Mr. Rettig requested that Mr. Eric Griffin clarify the budget at the next meeting.

#### **Action, Information: 6.04 Copy of E-2 Assessment and Plan**

This item has been added to the agenda at the request of Tommy Taneff

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From the agenda and approved minutes of the board for April 26, 2016

Action: 6.08 E-2 Assessment and Plan

As part of the FY 2016-2017 biennium budget (HB64), changes were implemented to the E-1 salary schedule. In October 2015, the Department of Administrative Services (DAS) provided all boards and commissions an opportunity to address potential compression issues for positions in the E-2, E-3 and/or E-4 salary schedule. The State's goal is to ensure that each position is properly compensated for the work being performed, in light of the new pay tables in July 2015. With this in mind, boards and commissions were asked to consider various workforce planning tools (i.e., span of control, value of position to board or commission, classification options, organizational structure) when completing the E-2/E-3/E-4 assessment criteria.

*Board meeting notation:* Mr. Gregory Boyer, board president, introduced the agenda item. A motion was made and seconded. Mr. Boyer asked the board for discussion. The vote commenced.

Motion to approve the E-2 Assessment and Plan.

Motion by Robert Wasko, second by Gregory Boyer.

Final Resolution: Motion Carries

Yes: Gregory Boyer, Robert Wasko, Bryan E Chandler, Tommy Taneff, Jon Rettig, Jack R Marchbanks

The board was provided a copy of the E-2 Assessment and Plan by means of a pdf file format in the agenda item details for review. The documents may be located online at the following link: [http://www.boarddocs.com/oh/boefd/Board.nsf/files/A95KFK4D47E6/\\$file/DAS%20Board%20E-2%20Assessment%20and%20Plan.pdf](http://www.boarddocs.com/oh/boefd/Board.nsf/files/A95KFK4D47E6/$file/DAS%20Board%20E-2%20Assessment%20and%20Plan.pdf)

*Board meeting notation:* Mr. Jon Rettig introduced the agenda item. Mr. Thomas Taneff stated that he did not need to discuss the agenda item.

### **Information: 6.05 Committee Appointments**

Pursuant to Section 4717.03(D) of the Ohio Revised Code, the President appointed members to the following committees as follow:

1. Crematory Review Board

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

2. Operations Committee:

1. Board President
2. Board Vice-President
3. Board Secretary-Treasurer

*Board meeting notation:* Mr. Jon Rettig introduced the agenda item. Mr. Rettig appointed Mr. William Wappner and Mr. William Dodson to join him to comprise the Crematory Review Committee. Mr. Dodson and Mr. Wappner accepted their nominations. Mr. Rettig motioned that the Operations Committee will continue to consist of the board president, board vice president, and board secretary-treasurer. In the same motion, Mr. Rettig requested William Wappner, Jill Pugh, and Thomas Taneff to form a committee to assist in future JCARR (Joint Committee on Agency Rule) meetings. Mr. Wappner will chair this committee. The motion was seconded by Ms. Jill Pugh. Mr. Rettig asked the board for any discussion. The vote commenced.

Motion by Jon Rettig, second by Jill Pugh

Final Resolution: Motion Carries

Yes: Tommy Taneff, William A Dodson, Jill Pugh, Jon Rettig, William C Wappner

### **Action, Discussion: 6.06 Meeting Schedule**

<b>2016</b>	<b>Meeting Dates (open to the public)</b>	<b>Apprentice Interviews</b>
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<b>JAN</b>	01/21/2016 - 1:00 p.m.. Regular Session, Room South A	01/22/2016 - Conducted by Bryan Chandler and Robert Wasko
<b>FEB</b>	02/19/2016 - 11:30 a.m.. Operations Committee, Room 1640	02/19/2016 - Conducted by Greg Boyer, Robert Wasko, and Bryan Chandler
<b>MAR</b>		
<b>APR</b>	04/26/2016 - 11:30 a.m. Operations Committee, Room 1640 04/26/2016 - 1:00 p.m.. Regular Session, Board Room	04/25/2016 - Conducted by Greg Boyer, Robert Wasko, and Bryan Chandler 04/26/2016 - Conducted by Bryan Chandler and Jon Rettig
<b>MAY</b>	05/15/2016 - Apprenticeship Task List Committee 05/16/2016 - 1:00 p.m.. Regular Session, Room South A	05/17/2016 - Conducted by Robert Wasko, Bryan Chandler, and Jon Rettig
<b>JUN</b>		06/21/2016 - Conducted by Jon Rettig
<b>JUL</b>	07/18/2016 - 1:00 p.m.. Regular Session, Room South A	07/19/2016 - Conducted by Bryan Chandler
<b>AUG</b>	08/15/2016 - 11:30 a.m.. Operations Committee, Room 1640 08/15/2016 - 1:00 p.m.. Regular Session, Room South A	08/16/2016 - Conducted by Robert Wasko and Bryan Chandler
<b>SEP</b>	09/19/2016 - 11:30 a.m.. Operations Committee, Room 1640 09/19/2016 - 1:00 p.m.. Regular Session, Room South A	09/20/2016 - Conducted by William Wappner
<b>OCT</b>	10/17/2016 - 11:30 a.m.. Operations Committee, Room 1640 10/17/2016 - 1:00 p.m.. Regular Session, Room South A	10/18/2016 - Conducted by Jon Rettig
<b>NOV</b>	11/21/2016 - 11:30 a.m.. Operations Committee, Room 1640 11/21/2016 - 1:00 p.m.. Regular Session, Room South A	11/22/2016 - Conducted by Bryan Chandler
<b>DEC</b>	12/19/2016 - 11:30 a.m.. Operations Committee, Room 1640 12/19/2016 - 1:00 p.m.. Regular Session, Room South A	12/20/2016 - Conducted by Robert Wasko

*Board meeting notation:* Mr. Jon Rettig introduced the agenda item. Mr. Rettig shared concern that the board cannot conduct business without quorum. He added that it was unfair to applicants and licensees waiting for

decisions from this board. Mr. Rettig vowed to do all in his power to continue to hold meetings as scheduled or will call for special meetings to reach quorum, if needed. Mr. Rettig stated that no adjustments will be made to the board meetings already scheduled for the remainder of calendar year 2016; except for maybe substitutions of apprentice interviewers. Mr. Rettig asked the other board members if there were any conflicts in their schedules. Mr. Thomas Taneff suggested the board consider adding a future agenda item to discuss changing the date and time of the monthly board meeting and requested the interim executive director to do so.

Mr. Rettig requested the interim executive director to review board policies and procedures, and the new board member handbook as well, for possible amendments.

Mr. Taneff requested board counsel and the interim executive director to review the policy regarding the five-day rule for meetings for possible amendment. Mr. Taneff would like to modify it to twenty-four hours notice. Mr. Rettig responded that the future JCARR meetings may touch on this topic because the board cannot amend rules without JCARR. Mr. Rettig asked the board for any further items of discussion.

Mr. Taneff read aloud Ohio Administrative Code 4717-2-3 Duties of the officers. (C) The secretary-treasurer of the board shall supervise the executive director... Mr. Taneff opined that it should be the chairman of the board. He requested the interim executive director to review for possible amendment. Mr. Rettig remarked that the secretary-treasurer verifies their hours worked. Mr. Taneff responded that as the chairman of the Cosmetology Board, his executive director reports his hours to the chair for approval. Mr. Rettig suggested to add this request to the JCARR list.

Mr. Taneff reminded the board that a "Tele-working" policy was adopted by the board allowing the executive director to work offsite. Mr. Taneff opined that he never like this because there was no verification nor accountability of the work, as well as no supervision of the office staff. Mr. Taneff requested the interim executive director to review the policy for possible amendment.

Mr. Taneff requested the interim executive director and board counsel to review and clarify the record retention policy for possible amendment. He added that prior to his appointment to the board, the former executive director had exchanged emails with a newspaper reporter concerning a published expose article. Mr. Taneff requested copies of those emails and discovered the emails sent to him did not match the emails sent to the reporter.

Mr. Taneff reminded the board that a policy found on page twenty of the board manual authorizes the executive director to negotiate settlement agreements. Mr. Taneff requested the interim executive director and board counsel to review and clarify that this policy is incorrect. Mr. Taneff opined that this was the unauthorized practice of law. Mr. Taneff reminded the board that an attorney/ client privileged memo, dated July 22, 2015, was provided to the board by the Ohio Office of the Attorney General regarding the unauthorized practice of law. Mr. Taneff declared his belief in transparency, accountability, and the right for the public to know if the executive director did in fact engage in the unauthorized practice of law. Mr. Taneff motioned for the board to waive the attorney/ client privilege on the Attorney General's memo that was provided to this board, dated July 22, 2015, regarding the unauthorized practice of law. The motion was seconded by Ms. Jill Pugh. Mr. Rettig asked the board for any further discussion. Ms. Katherine Bockbrader, board counsel, responded that the Attorney General's Office, as a general practice, does not recommend to waive. She added that it is the board's choice to do so, even against advice of counsel, but reminded that she does not advise to waive attorney/ client privilege. Ms. Bockbrader explained that a waive can become broader than intended to be. She added that the board thinks the board will waive this one memo, but it can be considered to be about the entire topic and it could impact other things. Ms. Bockbrader reminded that it was the board's privilege to waive, but must be done by a valid vote of the full board. Mr. Taneff reminded all that the board has waived privilege before. Mr. Rettig confirmed the board has

previously waived privilege against advice of counsel and wished to remind all that it affects each member of the board. Mr. Rettig asked the board for any further discussion on this motion. The vote commenced.

Motion by Tommy Taneff, second by Jill Pugh

Final Resolution: Motion Carries

Yes: Tommy Taneff, William A Dodson, Jill Pugh, Jon Rettig

No: William C Wappner

*Board meeting notation:* Mr. Thomas Taneff recited aloud the second paragraph of the last page from the waived attorney/ client privileged memo; "This Office is concerned that the Executive Director's actions constitute the unauthorized practice of law and it is our duty to inform the Board of this concern and advise that the Board specifically delineate the Executive Director's role with regard to settlement negotiations so that the Board is in full compliance with Ohio law." Mr. Taneff requested board counsel to provide a clean copy of the memo to the board members. Mr. Jon Rettig added to Mr. Taneff's request that the secretary-treasurer receive a copy for the record. Mr. Rettig asked the board for any further items to discuss.

## 7. Adjournment

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### **Action Item Requiring Vote: 7.01 Adjourn the Meeting**

*Board meeting notation:* Mr. Jon Rettig asked for a motion to adjourn. Mr. William Dodson motioned for the board to adjourn the meeting. The motion was seconded by Mr. Thomas Taneff. The vote commenced.

Motion by William A Dodson, second by Tommy Taneff

Final Resolution: Motion Carries

Yes: William C Wappner, Tommy Taneff, Jill Pugh, William A Dodson, Jon Rettig

*Board meeting notation:* Mr. Rettig thanked all in attendance of the meeting for their service. The July 26, 2016 Special Meeting of the Board adjourned at 2:39 p.m..