

August 11, 2017 Crematory Review Board Hearing
Room #1960, Floor 19 of the Vern Riffe Center for Government and the Arts, 77 South High
Street, Columbus, Ohio 43215

HEARING FOR CASE NUMBER 2018-1800008
SUMMARILY SUSPENDED CREMATORY FACILITY
LICENSE NUMBER CREM.000164, PREMIUM MORTUARY SERVICES, LLC.

Convening of the Board – Chairperson

Chairperson William Wappner called the hearing to order at 10:30 a.m.

Calling of the Roll

Chairperson Wappner called the roll for record of board member attendance. Members present were as follows:

Commission Members of Ohio Cemetery Dispute Resolution Commission:

Rufus Slade of Woodland Cemetery of Dayton, Ohio
C. Thomas Pfeifer of Spring Grove Cemetery & Arboretum of Cincinnati, Ohio
Jack Lee-Harris of Green Lawn Cemetery of Columbus, Ohio
Angela Berwald of National Mortuary Shipping and Cremation of Cleveland, Ohio

Board Members of Ohio Board of Embalmers and Funeral Directors:

William Wappner of Wappner Funeral Directors & Crematory of Richland County, Ohio
Thomas Taneff of Thomas Taneff Co., LPA of Columbus, Ohio
Jon Rettig, Sr. of Family Care Services of Columbiana County, Ohio

Chairperson Wappner confirmed a quorum was present.

Pledge of Allegiance

Chairperson Wappner requested all to stand and recite the Pledge of Allegiance.

Introduction of compliance case #2018-1800008

Chairperson Wappner provided a statement regarding the hearing process as defined in Ohio Revised Code.

Introduction of parties before the Crematory Review Board

Chairperson Wappner introduced each party before the board: Ms. Christie Limbert, Assistant Attorney General, representing the Ohio Board of Embalmers and Funeral Directors and Mr. Poul H. Lemasters, Attorney at Law, representing Premium Mortuary Services, LLC.

Chairperson Wappner asked if there were any preliminary matters before proceeding with the hearing. Ms. Limbert stated that each counselor agreed in advance to exhibits and stipulations.

Opening Statements

Ms. Limbert provided an opening statement.

Mr. Lemasters provided an opening statement.

Witness Testimony

Ms. Limbert called Mr. Troy Seehase, board inspector of Ohio Board of Embalmers and Funeral Directors to testify.

Ms. Limbert presented Exhibit "C" followed by questions.

Ms. Limbert presented Exhibit "A3" (photograph) followed by questions.

Ms. Limbert presented Exhibit "A4" (photograph) followed by questions.

Ms. Limbert presented Exhibit "A5" (photograph) followed by questions.

Ms. Limbert presented Exhibit "A6" (photograph) followed by questions.

Ms. Limbert presented Exhibit "A7" (photograph) followed by questions.

Ms. Limbert presented Exhibit "A8" (photograph) followed by questions.

Ms. Limbert presented Exhibit "A9" (photograph) followed by questions.

Mr. Lemasters objected to the Mr. Seehase's testimony on his knowledge of flies.

Ms. Limbert presented Exhibit "A10" (photograph) followed by questions.

Ms. Limbert presented Exhibit "A11" (photograph) followed by questions.

Ms. Limbert presented Exhibit "A12" (photograph) followed by questions.

Ms. Limbert presented Exhibit "A13" (photograph) followed by questions.

Ms. Limbert presented Exhibit "A14" (photograph) followed by questions.

Ms. Limbert presented Exhibit "A15" (photograph) followed by questions.

Ms. Limbert presented Exhibit "A16" (photograph) followed by questions.

Ms. Limbert presented Exhibit "A1" (photograph) followed by questions.

Ms. Limbert presented Exhibit "A2" (photograph) followed by questions.

Ms. Limbert requested the board to view additional exhibits labeled "A17 through A26" located in a separate file on the electronic devices and provided instruction to access them.

Ms. Limbert presented Exhibit "A17" (photograph) followed by questions.

Ms. Limbert presented Exhibit "A18" (photograph) followed by questions.

Ms. Limbert presented Exhibit "A19" (photograph) followed by questions.

Ms. Limbert presented Exhibit "A20" (photograph) followed by questions.

Ms. Limbert presented Exhibit "A21" (photograph) followed by questions.

Ms. Limbert presented Exhibit "A22" (photograph) followed by questions.

Ms. Limbert presented Exhibit "A23" (photograph) followed by questions.

Ms. Limbert presented Exhibit "A24" (photograph) followed by questions.

Ms. Limbert presented Exhibit "A25" (photograph) followed by questions.

Ms. Limbert presented Exhibit "A26" (photograph) followed by questions.

Ms. Limbert asked Mr. Seahase questions not related to the photograph exhibits.

Ms. Limbert presented Exhibit "A2" (photograph) followed by questions.

Ms. Limbert presented Exhibit "D" followed by questions.

Ms. Limbert presented Exhibit "F" followed by questions.

Ms. Limbert stated that exhibits labeled "F, G, H, I, and J" are stipulated exhibits and there will be no testimony on these exhibits.

Ms. Limbert asked Mr. Seahase questions not related to the stipulated exhibits.

Ms. Limbert presented Exhibit "E" followed by questions. Ms. Limbert rested.

Cross-Examination of Witness Testimony

Mr. Poul Lemasters asked Mr. Seahase questions not related to the exhibits.

Mr. Lemasters questioned Mr. Seahase about Exhibit "A5."

Mr. Lemasters questioned Mr. Seahase about Exhibit "A11"

Mr. Lemasters introduced an enhanced version of state's "Exhibit A11" followed by questions.

Ms. Limbert objected to attorney's question about a difference of temperature gauge markings as depicted in the photograph. Mr. Lemasters rephrased his question.

Mr. Lemasters introduced an enhanced version of state's Exhibit "A10" followed by questions.

Chairperson Wappner announced a pause in the proceedings for a time period of fifteen minutes.

RECESS at 12:05 p.m.

RECONVENE at 12:20 p.m.

Mr. Lemasters asked Mr. Seehase questions not related to the exhibits.

Ms. Limbert objected to attorney's question about conversation between board inspector and county coroner.

Chairperson Wappner overruled the objection.

Mr. Lemasters questioned Mr. Seehase about Exhibit "A17."

Mr. Lemasters questioned Mr. Seehase about Exhibit "A18."

Mr. Lemasters asked Mr. Seehase questions not related to the exhibits.

Mr. Lemasters questioned Mr. Seehase about Exhibit "A7."

Mr. Lemasters questioned Mr. Seehase about Exhibit "E."

Ms. Limbert objected to attorney's question about a funeral director's access to the State of Ohio Electronic Death Registration System (EDRS). Mr. Lemasters rephrased his question.

Redirect Examination of Witness Testimony

Ms. Limbert introduces Exhibit "K" (photograph) followed by questions.

Ms. Limbert introduces Exhibit "K1" (photograph) followed by questions.

Ms. Limbert introduces Exhibit "K2" (photograph) followed by questions.

Ms. Limbert introduces Exhibit "K3" (photograph) followed by questions.

Ms. Limbert introduces Exhibit "K4" (photograph) followed by questions.

Ms. Limbert asked Mr. Seehase questions not related to the exhibits.

Cross-Examination of Witness Testimony

Mr. Lemasters stated that he had no questions to ask Mr. Seehase about new exhibits labeled "K1 through K4."

Questions from Crematory Review Board

Mr. Thomas Taneff questioned Mr. Seehase about his investigation.

Mr. Jon Rettig questioned Mr. Seehase about his investigation.

Ms. Angela Berwald questioned Mr. Seehase about his investigation.

Mr. Thomas C. Pfeifer questioned Mr. Seehase about his investigation.

Chairperson William Wappner questioned Mr. Seehase about his investigation.

Chairperson Wappner announced a pause in the proceedings for a lunch break for a time period of thirty minutes.

RECESS at 1:40 p.m.

RECONVENE at 2:10 p.m.

Mr. Thomas Taneff made a motion to adjourn the hearing. Mr. Jon Rettig seconded Mr. Taneff's motion.

The August 11, 2017 Crematory Review Board Hearing adjourned at 7:00 p.m.