

## Crematory Review Board (Tuesday, November 17, 2015)

Generated by Jarrod Williams on Wednesday, November 18, 2015

Meeting called to order at 1:04 p.m.

### 1. Convening of the Board

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#### Calling of the Roll: 1.01

Representative from Cemetery Dispute Resolution Commission:

1. Jack Lee-Harris
2. James P. Wright
3. Rufus Slade

Representatives from the Board of Embalmers and Funeral Directors:

1. Greg Boyer
2. Robert Wasko
3. Bryan Chandler

*Board meeting notation:* The following board members were present: Gregory Boyer, Bryan Chandler, Jack-Lee Harris, Rufus Slade, and James Wright. Robert Wasko was absent. Laura Monick and Vanessa Niekamp were also in attendance of the meeting.

#### 1.02 Approval of November 2014 Minutes

Motion by \_\_\_\_\_ to serve approve the minutes from November 18, 2014, seconded by \_\_\_\_\_ .

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Motion approved.

*Board meeting notation:* Vanessa Niekamp requested a motion to approve the meeting minutes from the November 18, 2014 Meeting of the Crematory Review Board. Gregory Boyer motioned to approve the meeting minutes, seconded by James Wright. Motion passed with five (5) Aye votes.

### 2. Designation of a Chairperson

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#### Designation: 2.01 Chairperson

Motion by \_\_\_\_\_ to nominate \_\_\_\_\_ to serve as Chairperson of the Crematory

Review Board, seconded by \_\_\_\_\_ .

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Motion approved.

*Board meeting notation:* Vanessa Niekamp requested a nomination to serve as Chairperson of the Crematory Review Board. Gregory Boyer motioned to nominate Bryan Chandler to serve as Chairperson, seconded by James Wright. Motion passed with five (5) Aye votes.

### Designation: 2.02 Seventh Member

Motion by \_\_\_\_\_ to nominate \_\_\_\_\_ to serve as the seventh member, who is experienced in the operation of a crematory facility and who is not affiliated with a cemetery or a funeral home, seconded by \_\_\_\_\_ .

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Motion approved.

*Board meeting notation:* Vanessa Niekamp explained the law, purpose, and role of a seventh member to the Crematory Review Board. Ms. Niekamp requested a nomination to serve as the seventh member to the Crematory Review Board; who is experienced in the operation of a crematory facility and who is not affiliated with a cemetery or funeral home. James Wright nominated R. Grant Williams to serve as the seventh member, seconded by Bryan Chandler. Motion passed with five (5) Aye votes.

## 3. New Items of Discussion

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*Board meeting notation:* Bryan Chandler, chairperson of the board, requested new item discussion from the board;

1. Gregory Boyer re-introduced discussion regarding Floral Hills Cemetery in Ross County operating without a registration and license. Mr. Boyer provided an update of information with details of past and current events regarding the facility ownership, management, licensing, and funding sources. Mr. Boyer also provided information regarding other properties in different counties affiliated to Floral Hills.

2. Rufus Slade inquired about the status of the Crematory Review Board with regards to recent proposed state legislation to abolish the Crematory Review Board. Vanessa Niekamp replied to Mr. Slade that the proposed legislation includes language to abolish the board, but cannot offer a timeline when the

legislation will be introduced, discussed or decided. Ms. Niekamp added that the proposed legislation includes language to add a crematory operator, as a board member, to the Board of Embalmers and Funeral Directors. Mr. Slade asked if the abolishment would increase duties to the funeral board. Ms. Niekamp replied that duties would be reduced by eliminating the process whereby the Crematory Review Board considers a crematory compliance issue and then recommends the compliance issue to the funeral board. Mr. Slade asked if the investigation will continue to be performed by the Crematory Review Board. Ms. Niekamp replied that the funeral board investigators investigate the compliance issue and report the findings to the Crematory Review Board for consideration of a hearing or recommendation of action. There was discussion between Laura Monick, Vanessa Niekamp and the board about the Ohio Revised Code Chapter 119 hearing process. Mr. Slade asked if the proposed legislation identifies an independent crematory owner or a funeral director with a crematory to be added as a board member to the funeral board. Ms. Niekamp replied that the proposed legislation designates a crematory operator associated to a registered cemetery as a member to the funeral board. Ms. Niekamp explained further about her communications with Representative Schaffer's office concerning the proposed legislation.

3. James Wright inquired about the number of crematory inspections in the past year. Vanessa Niekamp replied that one hundred thirty-five (135) inspections occurred.

4. Jack Lee-Harris asked if the number of crematories inspected was considered to be counted in a state fiscal year or calendar year. Vanessa Niekamp replied that the inspections were considered a calendar year.

5. James Wright inquired about Robert O. Tate, Jr. and Tate Funeral Services in Toledo, Ohio. Vanessa Niekamp replied with a summarization about the board and police investigations and provided a current status of the court proceedings leading up to Mr. Tate agreeing to surrender his licenses and be barred from the funeral industry. Jack Lee-Harris asked if Robert O. Tate, Jr. was barred from funeral industry just in Ohio or nationally. Ms. Niekamp replied that Mr. Tate would be barred in Ohio only. Rufus Slade asked if any crematory in the Toledo, Ohio area was determined to be involved or a fault in the Tate Funeral Services compliance case. Vanessa Niekamp replied that no crematories were considered to be negligent in the compliance case. Ms Niekamp added that the area crematories were likely not aware of Mr. Tate's actions. Ms. Niekamp commented that the area crematories offered assistance to any funeral home that acquired a body from Tate's Funeral Services after it's suspension. James Wright asked for confirmation that Robert O. Tate, Jr. was being prosecuted. Ms. Vanessa Niekamp replied that Mr. Tate pled guilty to charges and sentencing is expected during December 2015.

## **4. Adjournment**

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Motion by \_\_\_\_\_ to adjourn at \_\_\_\_\_ .

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Motion approved.

***Board meeting notation:*** Bryan Chandler, chairperson of the board, requested a motion to adjourn the November 17, 2015 Meeting of Crematory Review Board. Jack-Lee Harris motioned to adjourn the meeting, seconded by Gregory Boyer. Motion passed with five (5) Aye votes.

The November 17, 2015 Meeting of the Crematory Review Board adjourned at 1:25 p.m.

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