



**Minutes of the March 18, 2020**  
**The State of Ohio Board of Embalmers and Funeral Directors'**  
**Preneed Recovery Fund Committee**

**Wednesday, March 18, 2020**

**Mike DeWine**  
Governor of Ohio

**Cheryl Grossman**  
Executive Director

**William C. Wappner**  
**CFSP, CCO**  
President

**Thomas Taneff**  
Board Vice President

**Ed C. Nurre**  
Board Secretary Treasurer

**Jon W. Rettig Sr.**  
Board Member

**Adriana Sfalcin**  
Board Member

**George Horne**  
Board Member

**9:30 a.m.**

Pursuant to Section 4717.03 (A) of the Ohio Revised Code, the State of Ohio Board of Embalmers and Funeral Directors' Preneed Recovery Fund Committee convened at the Jackson Township Administrative Offices located at 3756 Hoover Road, Grove City, Ohio 43123 to discuss preneed recovery fund reimbursement applications.

1. **Convening of the Committee – Chairperson Horne**

**Calling of the Roll**

Chairperson George Horne, II called the meeting to order at 9:32 a.m. Executive Director of the Board Cheryl Grossman took roll call for the meeting. The following committee members were in attendance of the meeting:

George Horne, II; Edward C. Nurre, Jr.; Thomas Taneff

In attendance of the meeting was Derek Bogner, preneed compliance administrator/analyst; Cheryl L. Grossman, executive director of the board; Jon W. Rettig, Sr., board member; Melissa Sullivan of Ohio Funeral Directors Association; William C. Wappner, president of the board; and members of the board office staff.

Mr. Horne asked Derek Bogner which application was being reviewed first. Mr. Bogner responded to Mr. Horne by stating it was the application from H.P.

There was discussion among the committee members about the application.

Edward Nurre asked aloud if the funeral director was a licensed insurance agent at the time the alleged loss occurred. Mr. Bogner responded that the funeral director was not. He added that the insurance license appeared to have been suspended at the time and the funeral director continued to use the insurance company's paperwork.

Mr. Horne asked Thomas Taneff for his opinion on the matter. Mr. Taneff responded that he would defer judgement to the licensed persons on the committee.

Jon Rettig commented that the Board cannot have unlicensed persons keeping preneeds. He strongly suggested the Board revisit consideration of requiring a licensee to relinquish preneed funeral contracts at the closure of their business.

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Mr. Nurre asked Mr. Bogner if he had a recommendation. Mr. Bogner replied that the applicant met and satisfied all his requirements during his investigation. He recommended approval of reimbursement for the loss incurred.

Edward Nurre moved for the committee to approve the Preneed Recovery Fund Reimbursement Application Form in compliance case number CO2019-4592 and issue a payment in the amount of \$6,332.35 from the preneed recovery fund. The motion was seconded by George Horne. Mr. Horne asked for discussion on the motion.

A roll call vote was taken on Mr. Nurre's motion. All committee members voted Yes. Motion carried 3/0.

Mr. Bogner informed the committee the next application for consideration was from R.T. He added that this application was tabled at the January 15, 2020 meeting for him to obtain additional information. Derek Bogner stated that upon further request, no additional information was available from either party to the complaint. However, Mr. Bogner stated that a settlement agreement was discovered to have been entered into by the Board and the former director as a result of the applicant's complaint to the board years ago. The settlement agreement included admission from the former funeral director that the prepaid preneed funeral funds were misappropriated. Mr. Bogner recommended approval of reimbursement for the loss incurred.

Mr. Nurre recalled that the former funeral director was an elderly gentleman in the Cincinnati area who had established his own trust to deposit preneed funds in to. He added that the trust, of course, was not a legal means of trusting the preneed funds.

Edward Nurre moved for the committee to approve the Preneed Recovery Fund Reimbursement Application Form in compliance case number 2017-1700090 and issue a payment in the amount of \$2,000.00 from the preneed recovery fund. The motion was seconded by George Horne. Mr. Horne asked for discussion on the motion.

A roll call vote was taken on Mr. Nurre's motion. All committee members voted Yes. Motion carried 3/0.

Mr. Bogner informed the committee the next application for consideration was from K.D. He added that this application was tabled at the January 15, 2020 meeting for him to obtain additional information. Derek Bogner stated that upon further request, no additional information was available from either party to the complaint. Mr. Bogner replied that the applicant met and satisfied all his requirements during his investigation. He recommended approval of reimbursement for the loss incurred.

Edward Nurre moved for the committee to approve the Preneed Recovery Fund Reimbursement Application Form in compliance case number CO2018-9366 and issue a payment in the amount of \$4,430.00 from the preneed recovery fund. The motion was seconded by George Horne. Mr. Horne asked for discussion on the motion.

A roll call vote was taken on Mr. Nurre's motion. All committee members voted Yes. Motion carried 3/0.

Mr. Bogner informed the committee the next application for consideration was from N.K. Edward Nurre asked Mr. Bogner if the funeral director was a licensed insurance agent at the time the alleged loss occurred. Mr. Bogner responded that he was not certain and would need to investigate it. Mr. Nurre replied that he wished to know if the loss may be deemed a misappropriation of insurance.

Mr. Taneff suggested tabling further discussion on this application until more information is gathered. He added that it was the committee's obligation to conduct its due diligence in investigating any claim for reimbursement.

Thomas Taneff moved for the committee to table discussion on the application submitted by N.K. to provide Derek Bogner with opportunity to gather additional information. The motion was seconded by Edward Nurre. Mr. Horne asked for discussion on the motion. There was no discussion.

A roll call vote was taken on Mr. Taneff' s motion. All committee members voted Yes. Motion carried 3/0.

Mr. Bogner informed the committee the next application for consideration was from J.W. There was discussion among the committee members on the preneed funeral contract. There was discussion on the total amount of payments made.

George Horne opined that the statement of goods and services was poorly written, but the payments towards the services appears to be for two persons. He added that it was a common practice in his area.

William Wappner stated that the statement of goods and services was written with only one name applied. He added that the reimbursement application is seeking a loss for a person not identified on the contract.

Mr. Taneff suggested tabling further discussion on this application until more information is gathered. He recommended that Derek Bogner coordinate with board counsel about adding more questions to his investigative packet.

Thomas Taneff moved for the committee to table discussion on the application submitted by J.W. to provide Derek Bogner with opportunity to gather additional information. The motion was seconded by Edward Nurre. Mr. Horne asked for discussion on the motion. There was no discussion.

A roll call vote was taken on Mr. Taneff' s motion. All committee members voted Yes. Motion carried 3/0.

Mr. Horne asked if there was any further discussion before the committee. There was none.

Thomas Taneff moved for the committee to adjourn its meeting. The motion was seconded by Edward Nurre. Motion carried 3/0.

March 18, 2020 meeting of the Preneed Recovery Fund Committee adjourned at 10:12 a.m.