

STATE BOARD OF FUNERAL AND CEMETERY SERVICE
BOARD MEETING
THURSDAY MARCH 4, 2010
INDIANA GOVERNMENT CENTER SOUTH
402 W WASHINGTON STREET, ROOM W064
INDIANAPOLIS, IN 46204

MINUTES OF THE MEETING

BOARD MEMBERS PRESENT: Theodore Mau, Chairman
Paul St. Pierre, Vice Chairman
Matthew Drury
James Todd
Samuel Frain
John Gerlach
Anne M. Patterson
~~Dawn Adams~~, State Board of Health
Erin Kellam

BOARD MEMBERS ABSENT: David McComb
Roland Cutter

STATE OFFICIALS PRESENT: Tracy Hicks, Board Director
Christina Wiseley, Assistant Board Director
Kevin McDowell, Deputy Attorney General
Jeanne Tucker, Inspector
Jeri Archer, Inspector
Kathleen Hopper-Parkhurst, Inspector

**MINUTES TRANSCRIBED AND
COMPILED BY:** Tracy Hicks, Board Director

**MINUTE NO. 10-16
CALL TO ORDER**

The meeting was called to order at 11:00 a.m. by T. Mau, pursuant to public notice posted at the principal office of the board at least forty-eight (48) hours before the time of the meeting.

**MINUTE NO. 10-17
ADOPTION OF THE MARCH 4, 2010 AGENDA**

S. Frain moved to adopt the March 4, 2010 agenda. J. Todd seconded the motion. Motion carried.

**MINUTE NO. 10-18
ADOPTION OF THE MINUTES OF FEBRUARY 4, 2010 EXECUTIVE SESSION AND FEBRUARY 4,
2010 MEETING OF THE BOARD**

A. Patterson moved to adopt the minutes of the February 4, 2010 Executive Session and meeting of the board. S. Frain seconded the motion. Motion carried.

**MINUTE NO. 10-19
ADMINISTRATIVE HEARING TO CONSIDER PETITION FOR SUMMARY SUSPENSION IN THE
MATTER OF RICHARD DUANE PYKE, FD08800208, SBFC 10-06**

S. Frain moved to summarily suspend the funeral director license for 90 days in the matter of Richard Duane Pyke, FD08800208. T. Mau seconded the motion. Opposed: A. Patterson, M. Drury, D. Adams. Motion carried.

**MINUTE NO. 10-20
PERSONAL APPEARANCE**

Emmanual Smith from Levenia Smith and Summers appeared before the board to explain the relationship they have with Williams & Bluit Funeral Home. He explained that Mr. Bluit's embalming staff have a key to their funeral home and have their license posted at the funeral home.

It was the decision of the board to inform Mr. Bluit that the funeral home license may not be renewed until an embalming room is added.

**MINUTE NO. 10-21
RECONSIDERATION OF PETITION FOR SUMMARY SUSPENSION IN THE MATTER OF RICHARD DUANE PYKE, FD08800208, SBFCS 10-06**

Due to the vote in minute number 10-19 being 5 to 3 in favor, pursuant to IC 25-15-9-11, official action of the board requires six votes to pass, therefore the motion in minute number 10-19 failed.

S. Frain moved to summarily suspend the funeral director license for 90 days in the matter of Richard Duane Pyke, FD08800208. J. Gerlach seconded the motion. Opposed: A. Patterson and D. Adams. Motion carried.

**MINUTE NO. 10-22
MOTION FOR VOLUNTARY DISMISSAL BY PETITIONER IN THE MATTER OF NORTHEAST INDIANA CREMATORY SOCIETY, SBFCS 08-19**

P. St. Pierre moved to grant the Motion for Voluntary Dismissal By Petitioner In The Matter of Northeast Indiana Crematory Society, SBFCS 08-19. J. Todd seconded the motion. Motion carried.

**MINUTE NO. 10-23
CORRESPONDENCE REGARDING HICKEY FUNERAL HOME, FH83007699 and FH88700010**

Hickey Funeral Home a letter via certified mail requesting a copy of the notification the funeral home sent to the purchasers of preneed contracts, notifying them that the funeral home licenses were terminated.

**MINUTE NO. 10-24
VERIFIED COMPLAINTS REQUESTING RESTITUTION FROM THE PRENEED CONSUMER PROTECTION FUND**

A. Patterson moved to approve without interest due to the fact that the current cost of the funeral from Levenia Smith and Summers Home for Funerals did not exceed the contract. M. Drury seconded the motion. Motion carried.

Levenia, Smith & Summers Home for Funerals for Thelma Dedmon
Re: Marvin L. Boatright Funeral Service, FH10500002 (closed)

**MINUTE NO. 10-25
CORRESPONDENCE**

- A. Peoples Funeral Home, FH83003433, is being purchased by Herb Walker. Felix Ross, FD01009217 is currently serving as the managing funeral director for the funeral home.
- B. Gordon D. Wiesjahn, FD01050713, is now serving as managing funeral director for Dykes Funeral Home, FH83006813
- C. Yuill Shoemaker Funeral Home, FH83000508, is closed
- D. Stephanie Coates, FD20800055, is now managing Victoria Grace Funeral Home, FH10800014
- E. Patrick R. Chamberlain, FD20700096, is now working at Matthews Mortuary, FH83000621

- F. Brian Christman, FI20900089, is interning at Walker & Glancy Funeral Home, FH10600008, under Jeff Glancy, FD01009835
- G. StoneMor Operating LLC entered into a stock purchase agreement to purchase the stock of certain entities from Ansure Mortuaries of Indiana LLC and its shareholder, Robert E. Nelms. They need to file for new licenses, CA's, etc.

**MINUTE NO. 10-26
REVIEW OF APPLICATIONS**

M. Drury moved to approve the application for funeral director license by reciprocity in the matter of Bryon L. Adkins. S. Frain seconded the motion. Motion carried.

**MINUTE NO. 10-27
REVIEW OF CONTINUING EDUCATION SPONSORS AND COURSES, APPROVED**

P. St. Pierre moved to approve the continuing education sponsors and courses as follows. R. Cutter seconded the motion. Motion carried.

**MINUTE NO. 10-28
RULES COMMITTEE**

The rules committee will meet April 29, 2010.

**MINUTE NO. 10-29
ADJOURNMENT**

There being no further business to discuss, the meeting was adjourned at 1:30 p.m.

Dated: 6/3/10

Theodore E. Mau, IV

Theodore Mau,
Chairman

Attest: Tracy Hicks
Tracy Hicks, Board Director