



**JANUARY 27 2015 General Session Meeting Minutes DRAFT**  
(Revised March 4 2015)

**Board Members Present:** Dwight Terry, President; Jane Woodward, Vice President (late); Laurie Goolsby, Secretary / Treasurer; Nancy Corr; Sirpa Duoos; Larry Gyure; Kevin Loveland; David Noble; and Jane Woodward.

**Board Members Absent:** None.

**Staff Members Present:** Michelle Gaines, Executive Director; Marianne Itkin, Investigator; Merrill Creagh, Investigator; Brenda Biggs, Compliance Specialist; Chad Dresselhaus, Compliance & Education Program Manager; Tyler Anderson, AAG; and Carla Knapp, Office & Licensing Manager.

**Staff Members Absent:** None.

**Guests:** Melisa J McDonald, Metro; Nancy Felton, Crescent Grove; Rick Harvey, OFDA; and Deon Strommer, First Call Mortuary Services.

## **I Call to Order**

The General Session of the Mortuary and Cemetery Board (Board) was called to order at 9:03 am.

## **II General Session**

### **A Approval of Meeting Minutes**

#### **1 Board Regular Meeting - November 18 2014**

After roll call, President Terry asked if there were any corrections, questions or comments on the subject draft meeting minutes. Hearing none, he then asked if there was a motion on the floor to accept the subject minutes as prepared. He then recognized Member Noble.

Member Noble so moved. Member Goolsby seconded. President Terry asked if there was discussion. Hearing none, he then asked those in favor to signify by saying aye. All were aye and the motion carried unanimously. Those voting in favor: Members Corr, Duoos, Goolsby, Gyure, Loveland, Pearson, Noble, Terry. Those voting no: none.

#### **2 METRO Presentation**

Ms McDonald provided a status update via a power point presentation of Metro's Historic Cemetery Program.

### **B President's Comments**

#### **1 Board Member & Position Updates**

President Terry then welcomed and introduced the Board's newest member, Morris Pearson, who will be filling the Embalmer position on the Board, formerly held by Mr Phelps.

Due to Member Dresselhaus' resignation as a Board member, President Terry then presented him with a plaque, thanking him for his years of dedicated public service as a Board member and Vice President of the Board. He had served on the Board since April 1 2013, representing the public member position.

President Terry then announced that Member Noble would need to resign from his position, since he no longer operates a for profit cemetery. Member Noble has graciously agreed to remain on the Board until the Governor's office has appointed a replacement.

President Terry then reported that Member Campbell's public member position is now vacant, since he has not applied for his second term.

## **2 Executive Director Financial Transactions Review**

President Terry announced that a copy of the Executive Director's timesheets and travel expenses for 2014 would be circulated amongst the Board members for their review, with the request that they initial the January 27 2015 Memo indicating their approval. President Terry asked if there were any questions or comments. Hearing none, he moved to the next agenda item.

## **3 2015 Sub Committee Approach**

President Terry then announced that he would not be creating any Subcommittees for 2015; rather, all content would be covered in full board meetings.

## **4 March Meeting in Salem**

President Terry then announced that the Board would be holding their next Board meeting in Salem, so as to facilitate interactions with the legislative process.

## **C Executive Director's Report for January 2015**

Director Gaines reviewed in detail the Report that was included in the Board packet. She then asked if there were any questions.

After brief Board discussion, President Terry asked if there was a motion to approve the Report as prepared, noting that for the first time in the Board's history, that the approval of an extension of case reporting for up to an additional 60 days under ORS 676.165 would not be required as there were no cases that needed an extension. He then recognized Member Corr.

Member Corr so moved. Member Loveland seconded. President Terry asked if there was discussion. Hearing none, he then asked those in favor to signify by saying aye. All were aye and the motion carried unanimously. Those voting in favor: Members Corr, Duoos, Goolsby, Gyure, Loveland, Noble, Pearson, Terry, Woodward. Those voting no: none.

## **D Public Comments**

Noting that no one had signed up for public comment, President Terry then welcomed and thanked each of the members of the audience for their attendance, as well as attendees via teleconference.

## **E General Discussion & Action Items**

### **1 2015 Legislative Session**

Director Gaines reported that the Board has three bills for this session, two policy bills and the Board's budget bill. She then reviewed House Bill (HB) 2471, HB 2472 and HB 5023.

### **2 2013-15 Limitation & Governor's Budget for 2015-17**

Director Gaines reported that this was already covered in the Executive Director's Report.

### **3 2015 Governor's Food Drive**

Manager Dresselhaus reported that he has been assigned as the Board's Food Drive Coordinator, and if anyone was interested in contributing, he would accept donations and or checks payable to the Oregon Food Bank during the month of February.

### **4 Election of Officers**

President Terry then recognized Chair Corr.

On behalf of the Nominating Committee comprised of Members Corr, Duoos and Gyure, Chair Corr presented the following nominations as individual recommendations from each of the committee

members for the election of officers for 2015: Dwight Terry, President; Jane Woodward, Vice President; and Laurie Goolsby for Secretary / Treasurer.

President Terry then asked if there were any other nominations to be considered. Hearing none, he then asked if there was a motion on the floor to accept the nominations as presented. He recognized Member Loveland.

Member Loveland so moved. Member Noble seconded. President Terry asked if there was discussion. Hearing none, he then asked those in favor to signify by saying aye. All were aye and the motion carried unanimously. Those voting in favor: Members Corr, Duoos, Goolsby, Gyure, Loveland, Noble, Pearson, Terry, Woodward. Those voting no: none.

President Terry then asked if there were any questions. Hearing none, he directed the Board to take a break at 10:19 am, before entering into executive session.

### **III Executive Session as authorized by ORS 192.660(2)(a), (b), (f), (h), (i) and / or (k)**

President Terry then directed the Board to enter into executive session to consider information obtained as part of an investigation of licensee or applicant conduct. The executive session is held pursuant to ORS 192.660(2)(a), (b), (f), (h), (i) and / or (k). Representatives of the news media and designated staff are allowed to attend the executive session, but all other members of the audience would be asked to leave the room. Representatives of the news media would be specifically directed not to report on any of the deliberations during the executive session, except to state the general subject of the session as previously announced. No decision can be made in executive session. At the end of the executive session, the Board will return to open session and welcome the audience back into the room. Assistant Attorney General advice would be provided. Executive session adjourned at 3:56 pm.

### **IV General Session**

President Terry called the general session of the Board back to order at 3:57 pm, noting that Member Goolsby left before the start of general session; all other Board members who were in attendance for the earlier general session were present. No members of the public had returned from the earlier public session.

### **F Licensing Actions**

President Terry asked if there were any questions or comments on this agenda item. Hearing none, he asked if there was a motion on the floor to accept the subject Licensing Actions as prepared, excluding Item # 12, since the Board is not able to waive operation of law by allowing an exception. He recognized Member Loveland.

Member Loveland so moved. Member Corr seconded. President Terry asked if there was discussion. Hearing none, he then asked those in favor to signify by saying aye. Majority was aye and the motion carried. Those voting in favor: Members Corr, Duoos, Gyure, Loveland, Noble, Pearson, Woodward. Those voting no: none. Those abstaining: Terry.

### **G Investigations**

President Terry asked the Board to review the Executive Session Schedule which was included in the Board packet. He then asked Board members to report if they had an actual or potential conflict with any of the cases before voting on each item. President Terry reported that the Board had considered these cases during Executive Session, and not called for a motion and vote for each.

#### **1 2014-1029A and B - Disciplinary Action.**

Moved - Terry. Second - Corr. No discussion.

For: Corr, Duoos, Gyure, Loveland, Noble, Pearson, Terry, Woodward.

Against: None.

Motion Passes 8 - 0.

- 2 2014-1054A and B** - Disciplinary Action.  
Moved - Terry. Second - Loveland. No discussion.  
For: Corr, Duoos, Gyure, Loveland, Noble, Pearson, Terry, Woodward.  
Against: None.  
Motion Passes 8 - 0.
- 3 2014-1056A and B** - No Action.  
Moved - Woodward. Second - Corr. No discussion.  
For: Corr, Duoos, Gyure, Loveland, Noble, Pearson, Woodward.  
Against: None.  
Abstained: Terry.  
Motion Passes 7 - 0.
- 4 2014-1069A and B** - No Action.  
Moved - Terry. Second - Corr. No discussion.  
For: Corr, Duoos, Gyure, Loveland, Noble, Pearson, Terry, Woodward.  
Against: None.  
Motion Passes 8 - 0.
- 5 2014-1070A and B** - Disciplinary Action.  
Moved - Terry. Second - Loveland. No discussion.  
For: Corr, Duoos, Gyure, Loveland, Noble, Pearson, Terry, Woodward.  
Against: None.  
Motion Passes 8 - 0.
- 6 2014-1077A and B** - No Action.  
Moved - Terry. Second - Gyure. No discussion.  
For: Corr, Duoos, Gyure, Loveland, Noble, Pearson, Terry, Woodward.  
Against: None.  
Motion Passes 8 - 0.
- 7 2014-1067A and B** - Disciplinary Action.  
Moved - Terry. Second - Woodward. No discussion.  
For: Corr, Duoos, Gyure, Loveland, Noble, Pearson, Terry, Woodward.  
Against: None.  
Motion Passes 8 - 0.
- 8 2014-1066** - Ratify Staff's actions.  
Moved - Terry. Second - Woodward. No discussion.  
For: Corr, Duoos, Gyure, Loveland, Noble, Pearson, Terry, Woodward.  
Against: None.  
Motion Passes 8 - 0.
- 9 2014-1076A and B** - Ratify Staff's actions.  
Moved - Terry. Second - Noble. No discussion.  
For: Corr, Duoos, Gyure, Loveland, Noble, Pearson, Terry, Woodward.  
Against: None.  
Motion Passes 8 - 0.
- 10 2014-1073** - Disciplinary Action.  
Moved - Terry. Second - Duoos. No discussion.  
For: Corr, Duoos, Gyure, Loveland, Noble, Pearson, Terry, Woodward.  
Against: None.  
Motion Passes: 8 - 0.

- 11 2014-1078** - Disciplinary Action.  
Moved - Terry. Second - Woodward. No discussion.  
For: Corr, Duoos, Gyure, Loveland, Noble, Pearson, Terry, Woodward.  
Against: None.  
Motion Passes 8 - 0.
- 12 2015-1002** - No Action.  
Moved- Terry. Second - Duoos. No discussion.  
For: Corr, Duoos, Gyure, Loveland, Noble, Pearson, Terry, Woodward.  
Against: None.  
Motion Passes 8 - 0.
- 13 2015-1004** - No Action.  
Moved - Terry. Second - Corr. No discussion.  
For: Corr, Duoos, Gyure, Loveland, Noble, Pearson, Terry, Woodward.  
Against: None.  
Motion Passes 8 - 0.
- 14 2015-1005** - Disciplinary Action.  
Moved - Terry. Second - Woodward. No discussion.  
For: Corr, Duoos, Gyure, Loveland, Noble, Pearson, Terry, Woodward.  
Against: None.  
Motion Passes 8 - 0.
- 15 2014-1040** - Disciplinary Action.  
Moved - Terry. Second - Loveland. No discussion.  
For: Corr, Duoos, Gyure, Loveland, Noble, Pearson, Terry, Woodward.  
Against: None.  
Motion Passes 8 - 0.
- 16 2014-1061A** - Disciplinary Action.  
Moved - Terry. Second - Corr. No discussion.  
For: Corr, Duoos, Gyure, Loveland, Noble, Pearson, Terry.  
Against: None.  
Abstained: Woodward  
Motion Passes 7 - 0.

Having no further business, President Terry adjourned the meeting.

**V Adjournment** - the meeting adjourned at 4:16 pm.