



January 21, 2025, General Session Meeting Minutes (Approved April 8, 2025)

Board Members Present: Robert **Gaskill** Present; Ruggiero **Canizares**, Vice President; Nancy **Felton**, Secretary / Treasurer; Craig **Collins**; Debra **Harris**; Holly Houston; Kevin **Loveland**; Angela **McKenzie-Tucker**; Neal **Naigus**; Elizabeth **Pacheco**; Melissa **Porter**.

Board Members Absent: None

Staff Members Present: Chad **Dresselhaus**, Executive Director; Mallory **Kenney**, Education and Compliance Manager; Marianne **Itkin**, Investigator; James **Liddle**, Compliance Specialist; Ryan **Christopher**, Office & Licensing Manager; Sylvie **Huhn**, Program Administrator Indigent Disposition Fund; Greg **Brown**, Compliance Specialist, and Catriona **McCracken**, AAG

Staff Members Absent: None

Guests:

I Call to Order

The General Session of the Mortuary and Cemetery Board (Board) was called to order at 9:05 am, via Microsoft Teams.

Staff member Christopher took roll call. Secretary Treasurer Felton was not present for roll call.

II General Session

A Approval of Meeting Minutes

October 8, 2024

December 12, 2024

President Gaskill asked if there were any question or comments regarding the October 8, 2024, General Minutes draft as presented.

There were no comments.

Vice-President Canizares made a motion to approve the October 8, 2024, General Session Minutes as presented.

Vice President Canizares so moved. Member McKenzie Tucker seconded

President Gaskill asked those in favor to signify by saying aye. All others were aye, and the motion passed unanimously. Those voting in favor: Members Canizares, Collins, Gaskill, Harris, Houston, Loveland, McKenzie-Tucker, Naigus, Pacheco, Porter.

There were none opposed.

President Gaskill asked if there was a motion to approve the December 12, 2024, General Session Minutes as presented.

There were no comments.

President Gaskill recognized Vice President Canizares.

Member Canizares so moved. Member McKenzie-Tucker seconded.

President Gaskill asked those in favor to signify by saying aye. All others were aye, and the motion passed unanimously. Those voting in favor: Members Canizares, Collins, Gaskill, Harris, Houston, Loveland, McKenzie-Tucker, Naigus, Pacheco, Porter.

There were none opposed.

B. President's Comments

President Gaskill welcomed new member Holly Houston.

C. Presentation and Approval of Executive Director's Report for January 2025

Director Dresselhaus covered some of the budget details of the report which covered reporting up through November 2024. He indicated that we were right on track. He mentioned that Hari our CFO with the Department of Administrative Services would soon be joining the meeting and giving a presentation related to our budget. He indicated that he would be presenting our agency's budget in a couple of weeks for the Joint Ways and Means committee. He briefly covered the license details of the report. He briefly covered the compliance/ inspection details of the report and indicated that we were on track.

Member McKenzie-Tucker provided positive feedback related to a recent inspection and interactions with staff member Liddle.

He briefly covered the inspection details of the report. He asked if there were any licensees in the meeting that wanted to share.

Member McKenzie-Tucker expressed positive experience with inspector Staff member James Liddle.

President Gaskill provided positive feedback.

Director Dresselhaus stated that we don't go out looking for deficiencies. He briefly covered Investigation details of the report. He focused on the Indigent Disposition Program details of the report. He indicated that it was interesting to him that there was an increase in claims between calendar years 2021 to 2024. He mentioned that based on being forced into what he described as a border line of not being able to continue the IDP fund and taking action to temporarily lower the payment. He indicated that we were able to recoup and add to the IDP fund based on the allocations. He stated that in working with the governor's office we were able to get a bill passed that increased the death filing fee. He indicated that in working with our CFO and our policy advisor we are assured our IDP fund will remain sustainable for at least several more years. He stated that he believed it would be a good time to establish a committee at some point to maybe have full review of the program and see how it's doing and see if possibly we could increase that pay out.

D. Public Comments

President Gaskill asked if there were any public comments. There were none.

E. General Discussion & Action Items

1. Agency Budget Introduction

Director Dresselhaus confirmed that this topic would be addressed when Hari Vellaipandian joined the meeting.

(At 9:37am it was acknowledged that Hari Vellaipandian with DAS had joined the meeting, he gave his presentation at that time.)

Hari introduced himself as the DAS Chief Financial Office analyst assigned to the Board and that Director Dresselhaus had asked him to come and give some background related to our budget. He gave an overview of the 2 year-biennial budget process. He indicated that he and Director Dresselhaus were working on OMCB's 2025 2027 budget to ensure funds for when the current budget expires. He discussed details related to OMCB being an "Other funded" agency compared to most other agencies which are "General Funded" agencies. He indicated that he didn't see a need for a fee increase any time soon. He stated that there were no Policy Option Packages "POPS" added to our Agency Requested Budget. He mentioned details related to the Legislative Concept for expanding Boards disciplinary options and the consideration for adding a Key Performance Measure related to licensing processing speed. He stated that the Governor's Recommend Budget for OMCB was 3.5 million to cover from July 1, 2025 until July 1, 2027, which is a 9.6% increase over the legislatively adopted budget. He indicated that a lot of the difference was due to the cost of inflation and staffing costs. He mentioned Oregon getting two COLAs (Cost of Living Adjustment) being the biggest in over a decade for a total of 13% over two years. He provided details relating to the presentation he and Director Dresselhaus would be giving in front of a Joint Ways and Means Committee on February 13, 2025. He then concluded his presentation for this meeting.

There were no questions.

2. Standing Item: Board Best Practices 2 min. Check In for FY 2024 (July 2024 – June 2025)

Staff member Kenny reminder members to provide their response to her if they had not already. She confirmed that new member Houston would not need to do this because it pertains to fiscal year 2024 which ended in June 2024.

3. Welcome New Board Member: Holly Houston

Director Dresselhaus expressed excitement and welcomed new Board member Holly Houston. He asked her to introduce herself and provide

Member Houston introduced herself and gave some background information about herself and stated that she has been involved in the industry for over 20 years. She mentioned that she owns a funeral establishment and a cemetery and was past president for the OFDA.

4. Election of Board Officers

President Gaskill mentioned that we need a nominating committee. Member Felton and Member Houston agreed to act as the committee.

5. License Renewal Update

Staff member Christopher stated that All Facility licenses and Certificates of Apprenticeship were due for renewal by December 31, 2024. If a renewal application was not submitted and renewal fees were not paid by December 31, 2024, the Facility licenses and Certificates of Apprenticeship have expired/ lapsed. Facility licenses that have expired/ lapsed should not be operating. Individuals with Certificates of Apprenticeship that have expired/ lapsed should not be working under the Scope of Practice of an Apprentice. It is possible to reinstate Facility licenses and Certificates of

Apprenticeship that have expired/lapsed. However, a \$50 reinstatement fee will be applied to any Facility licenses or Certificates of Apprenticeship renewed after December 31, 2024.

President Gaskill asked if there were any questions. There were none.

6. OMCB Newsletter

President Gaskill complimented the recent newsletter.

Staff member Kenney mentioned that the Newsletter went out last Thursday and that is was a group effort. She encouraged those who know of facilities that may want to be featured to reach out.

Member Harris suggested adding the city to go with the name of the cemetery or facility in the photos.

7. Agency's 2024 Key Performance Measures Update

Dresselhaus mentioned that not all Board members had responded to the previous survey and that this was need in order to provide a proper update.

President Gaskill encouraged all member that had not yet provided there feedback to do so.

8. M365 IT Update (Board Meeting Materials)

Director Dresselhaus mentioned that we had been looking into options for moving away from I-pads.

Director Dresselhaus mentioned that he looking into options and would have an update on this topic for the April 2025 Board meeting.

Vice President Canizares mentioned concern for increasing costs of on things with a silicon chip.

9. Outstanding Accounts Receivable Update

Staff member Kenney stated that there were 11 active debts totaling a little over \$161, 000. She stated that we wrote off 2 debts last fiscal year for a total of \$32,000.

There were no questions or comments.

10. Administrative Rulemaking Update

Staff member Kenney mentioned that we had a hearing last week regarding apprenticeship requirements. She acknowledged Serena Trexler with Renew Natural Organic Reduction who acted as the Chair for the Rules Advisory Committee and will be the Chair of the committee as we continue to refine the rule. She mentioned that the rule change will go into effect on February 25, 2025. She stated there would be a financial impact of \$4,100 as a result of this rule change which was related to the need to republish the agencies FSP Laws exam.

There were no questions or comments.

The General session was adjourned at 9:57 am.

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

At 9:57 am, President Gaskill then directed the Board to enter into executive session. The executive session was held pursuant to ORS 192.660(2)(a), (b), (f), (h), (i) and / or (l). If present, representatives of the news media and designated staff would have been allowed to attend the executive session, but all other members of the audience would have been asked to leave the room. Representatives of the news media would have been 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. Note that no decision can be made in executive session. At the end of the executive session, the Board returned to open session. Executive session adjourned at 4:15 pm.

IV General Session

President Gaskill called the general session of the Board back to order at 4:17 pm.

Staff member Christopher took roll call. All Board members who were in attendance for the earlier general session were present. It was acknowledged that member Collins was unable to use audio and may not be able to participate in the voting. Staff members, Brown, Huhn, and Liddle were excused.

F. Licensing Actions

Vice President made a motion to approve this agenda item. President Gaskill recognized Vice President Canizares.

Moved: Canizares. Second: Naigus

For: Canizares, Felton, Gaskill, Harris, Houston, Loveland, McKenzie-Tucker, Naigus, Pacheco, Porter.

Against: None

Recused: None

Motion Passes: 10-0

G. Special Requests

a. Cullison, Denise: request for extension of apprenticeship

b. Kiger, Bryton: request for extension of apprenticeship

c. Aubry, Jean-Christophe: request to manage

d. Coomer, Joey: request to manage

Vice President made a motion to approve these agenda items. President Gaskill recognized Vice President Canizares.

Moved: Canizares. Second: Naigus

For: Canizares, Felton, Gaskill, Harris, Houston, Loveland, McKenzie-Tucker, Naigus, Pacheco, Porter.

Against: None

Recused: None

Motion Passes: 10-0

Member Collins rejoined the meeting via phone.

H. Board Inspection Report (BIR)

Vice President made a motion to approve this agenda item. President Gaskill recognized Vice President Canizares.

Moved: Canizares. Second: Naigus

For: Canizares, Collins, Felton, Gaskill, Harris, Houston, Loveland, McKenzie-Tucker, Naigus, Pacheco, Porter.

Against: None

Recused: None

Motion Passes: 11-0

I. Executive Session Minutes – October 8, 2024

Vice President made a motion to approve this agenda item with edits as noted. President Gaskill recognized Vice President Canizares.

Moved: Canizares. Second: Naigus

For: Canizares, Collins, Felton, Gaskill, Harris, Houston, Loveland, McKenzie-Tucker, Naigus, Pacheco, Porter.

Against: None
Recused: None
Motion Passes: 11-0

OGE policy and procedures as presented by council

Moved: Canizares. Second: Naigus
For: Canizares, Collins, Felton, Gaskill, Harris, Houston, Loveland, McKenzie-Tucker, Naigus, Pacheco, Porter.
Against: None
Recused: None
Motion Passes: 11-0

H. Investigations

- 1. 23-1043 A1**
 - 24-1012 A**
 - 24-1013 A**
 - 24-1014 A**

Motion to Rescind for all

Moved: Canizares. Second: Naigus
For: Canizares, Collins, Felton, Gaskill, Harris, Houston, Loveland, McKenzie-Tucker, Naigus, Pacheco, Porter.
Against: None
Recused: None
Motion Passes: 11-0

2. 24-1017ABC

A1 – Action Civil Penalty – \$500 Civil Penalty for violation of ORS 432.133(1)(a)

Moved: Canizares. Second: Naigus
For: Canizares, Felton, Gaskill, Harris, Houston, McKenzie-Tucker, Naigus, Pacheco, Porter.
Against: Loveland
Recused: Collins
Motion Passes: 9-1

A2 – Action \$500 Civil Penalty for violation of ORS 432.133(2)(c)

Moved: Canizares. Second: Naigus
For: Canizares, Felton, Gaskill, Harris, Houston, McKenzie-Tucker, Naigus, Pacheco, Porter.
Against: Loveland
Recused: Collins
Motion Passes: 9-1

A3 - Action Civil Penalty \$500 for violation of ORS 432.158(2)

Moved: Canizares. Second: Naigus
For: Canizares, Felton, Gaskill, Harris, Houston, McKenzie-Tucker, Naigus, Pacheco, Porter.
Against: Loveland
Recused: Collins
Motion Passes: 9-1

A4b) – Action Civil Penalty \$500 for violation of OAR 830-040-0000(7) and OAR 830-030-0090(4)(g)

Moved: Canizares. Second: Naigus
For: Canizares, Felton, Gaskill, Harris, Houston, Loveland, McKenzie-Tucker, Naigus, Pacheco, Porter.

Against: None
Recused: Collins
Motion Passes: 10-0

A4c) - Action Civil Penalty \$500 for violation of OAR 830-040-0000(7) and OAR 830-030-0090(4)(g)

Moved: Canizares. Second: Naigus
For: Canizares, Felton, Gaskill, Harris, Houston, Loveland, McKenzie-Tucker, Naigus, Pacheco, Porter.
Against: None
Recused: Collins
Motion Passes: 10-0

A5 - Action \$500 for violation of OAR 830-030-0010(4)

Moved: Canizares. Second: Naigus
For: Canizares, Felton, Gaskill, Harris, Houston, McKenzie-Tucker, Naigus, Pacheco, Porter.
Against: Loveland
Recused: Collins
Motion Passes: 9-1

A6 - Action Civil Penalty \$1000 for violation of OAR 830-030-0090

Moved: Canizares. Second: Naigus
For: Canizares, Felton, Gaskill, Harris, Houston, McKenzie-Tucker, Naigus, Pacheco, Porter.
Against: Loveland
Recused: Collins
Motion Passes: 9-1

A7 - Action Civil Penalty \$1000 for violation of ORS 97.170(3)(a)(C)

Moved: Canizares. Second: Naigus
For: Canizares, Felton, Gaskill, Harris, Houston, McKenzie-Tucker, Naigus, Pacheco, Porter.
Against: Loveland
Recused: Collins
Motion Passes: 9-1

A8 – Action Civil Penalty \$500 for violation of ORS 97.170(3)(a)(A-G)

Moved: Canizares. Second: Naigus
For: Canizares, Felton, Gaskill, Harris, Houston, McKenzie-Tucker, Naigus, Pacheco, Porter.
Against: Loveland
Recused: Collins
Motion Passes: 9-1

B1 – Action Civil Penalty \$500 for violation of ORS 432.133(1)(a)

Moved: Canizares. Second: Naigus
For: Canizares, Felton, Gaskill, Harris, Houston, McKenzie-Tucker, Naigus, Pacheco, Porter.
Against: Loveland
Recused: Collins
Motion Passes: 9-1

B2 - Action Civil Penalty \$500 for violation of ORS 432.133(2)(c)

Moved: Canizares. Second: Naigus
For: Canizares, Felton, Gaskill, Harris, Houston, McKenzie-Tucker, Naigus, Pacheco, Porter.
Against: Loveland

Recused: Collins
Motion Passes: 9-1

B3 – Action Civil Penalty \$500 for violation of ORS 432.158(2)

Moved: Canizares. Second:
For: Canizares, Felton, Gaskill, Harris, Houston, McKenzie-Tucker, Naigus, Pacheco, Porter.
Against: Loveland
Recused: Collins
Motion Passes: 9-1

B4a – Action Civil Penalty \$500 for violation of OAR 830-030-0090(4)(g) and OAR 830-040-0000(7)

Moved: Canizares. Second: Naigus
For: Canizares, Felton, Gaskill, Harris, Houston, Loveland, McKenzie-Tucker, Naigus, Pacheco, Porter.
Against: None
Recused: Collins
Motion Passes: 10-0

B4b Action Civil Penalty \$500 for violation of OAR 830-030-0090(4)(g) and OAR 830-040-0000(7)

Moved: Canizares. Second: Naigus
For: Canizares, Felton, Gaskill, Harris, Houston, Loveland, McKenzie-Tucker, Naigus, Pacheco, Porter.
Against: None
Recused: Collins
Motion Passes: 10-0

B4c Action Civil Penalty \$500 for violation of OAR 830-030-0090(4)(g) and OAR 830-040-0000(7)

Moved: Canizares. Second: Naigus
For: Canizares, Felton, Gaskill, Harris, Houston, Loveland, McKenzie-Tucker, Naigus, Pacheco, Porter.
Against: None
Recused: Collins
Motion Passes: 10-0

B5 – Action Civil Penalty \$500 for violation of 830-030-0010(4)

Moved: Canizares. Second: Naigus
For: Canizares, Felton, Gaskill, Harris, Houston, McKenzie-Tucker, Naigus, Pacheco, Porter.
Against: Loveland
Recused: Collins
Motion Passes: 9-1

B6 – Action Civil Penalty \$1000 for violation of OAR 830-030-0090

Moved: Canizares. Second: Naigus
For: Canizares, Felton, Gaskill, Harris, Houston, McKenzie-Tucker, Naigus, Pacheco, Porter.
Against: Loveland
Recused: Collins
Motion Passes: 9-1

B7 - Action Civil Penalty \$500 for violation of ORS 97.170(3)(a)(C)

Moved: Canizares. Second: Naigus
For: Canizares, Felton, Gaskill, Harris, Houston, McKenzie-Tucker, Naigus, Pacheco, Porter.
Against: Loveland
Recused: Collins

Motion Passes: 9-1

B8 - Action Civil Penalty \$500 for violation of ORS 97.170(3)(a)(A-G)

Moved: Canizares. Second: Naigus

For: Canizares, Felton, Gaskill, Harris, Houston, McKenzie-Tucker, Naigus, Pacheco, Porter.

Against: Loveland

Recused: Collins

Motion Passes: 9-1

C1 – Action Civil Penalty \$500 for violation of OAR 830-030-0090(4)(g) and OAR 830-040-0000(7)

Moved: Canizares. Second: Naigus

For: Canizares, Felton, Gaskill, Harris, Houston, McKenzie-Tucker, Naigus, Pacheco, Porter.

Against: Loveland

Recused: Collins

Motion Passes: 9-1

(Member Collins was no longer present after the vote was done for the above case)

3. 24-1020 A1 – no action

Moved: Canizares. Second: Gaskill

For: Canizares, Felton, Gaskill, Harris, Houston, McKenzie-Tucker, Naigus, Pacheco, Porter.

Against: none

Recused: none

Motion Passes: 10-0

24-1020 A2 – no action

Moved: Canizares. Second: Gaskill

For: Canizares, Felton, Gaskill, Harris, Houston, McKenzie-Tucker, Naigus, Pacheco, Porter.

Against: none

Recused: none

Motion Passes: 10-0

24-1020 A3- Action \$100 civil penalty for violation of ORS 692.180(1)(d)

Moved: Canizares. Second: Naigus

For: Canizares, Felton, Gaskill, Harris, Houston, McKenzie-Tucker, Naigus, Pacheco, Porter.

Against: none

Recused: none

Motion Passes: 10-0

5. 24-1022 – action \$1000 civil penalty if not in compliance within 30 days for violation of OAR 830-030-0000(13)(a)

Moved: Canizares. Second: Naigus

For: Canizares, Felton, Gaskill, Harris, Houston, McKenzie-Tucker, Naigus, Pacheco, Porter.

Against: none

Recused: none

Motion Passes: 10-0

6. 24-1023 – no action

Moved: Canizares. Second: Naigus

For: Canizares, Felton, Gaskill, Harris, Houston, McKenzie-Tucker, Naigus, Pacheco, Porter.

Against: none
Recused: none
Motion Passes: 10-0

7. 24-1024 A1 A2 – no action

Moved: Canizares. Second: Naigus
For: Canizares, Felton, Gaskill, Harris, Houston, McKenzie-Tucker, Naigus, Pacheco, Porter.
Against: none
Recused: none
Motion Passes: 10-0

24-1024 A3 – action \$500 civil penalty for violation of OAR 830-030-0090

Moved: Canizares. Second: Naigus
For: Canizares, Felton, Gaskill, Harris, Houston, McKenzie-Tucker, Naigus, Pacheco, Porter.
Against: none
Recused: none
Motion Passes: 10-0

24-1024 A4 - action \$500 civil penalty for violation of OAR 830-040-0005(2)

Moved: Canizares. Second: Naigus
For: Canizares, Felton, Gaskill, Harris, Houston, McKenzie-Tucker, Naigus, Pacheco, Porter.
Against: none
Recused: none
Motion Passes: 10-0

24-1024 B1 B2 – no action

Moved: Canizares. Second: Naigus
For: Canizares, Felton, Gaskill, Harris, Houston, McKenzie-Tucker, Naigus, Pacheco, Porter.
Against: none
Recused: none
Motion Passes: 10-0

24-1024 B3 – action \$500 civil penalty for violation of OAR 830-030-0090

Moved: Canizares. Second: Naigus
For: Canizares, Felton, Gaskill, Harris, Houston, McKenzie-Tucker, Naigus, Pacheco, Porter.
Against: none
Recused: none
Motion Passes: 10-0

24-1024 B4 – no action

Moved: Canizares. Second: Naigus
For: Canizares, Felton, Gaskill, Harris, Houston, McKenzie-Tucker, Naigus, Pacheco, Porter.
Against: none
Recused: none
Motion Passes: 10-0

8. 24-1025 A1 B1 C1 – no action

Moved: Canizares. Second: Naigus
For: Canizares, Felton, Gaskill, Harris, Houston, Naigus, Pacheco, Porter.
Against: none

Recused: McKenzie-Tucker
Motion Passes: 9-0

9. 24-1026 Action Deny due to violation of ORS 692.180(1)(a)

Moved: Canizares. Second: Naigus

For: Canizares, Felton, Gaskill, Harris, Houston, McKenzie-Tucker, Naigus, Pacheco, Porter.

Against: none

Recused: none

Motion Passes: 10-0

10. 24-1027 A1 ab – no action

Moved: Canizares. Second: Naigus

For: Canizares, Felton, Gaskill, Harris, Houston, McKenzie-Tucker, Naigus, Pacheco, Porter.

Against: none

Recused: none

Motion Passes: 10-0

After voting the meeting was adjourned.

V Adjournment - the meeting adjourned at 4:55 pm.