



**December 13 2016 General Session Meeting Minutes FINAL approved by Board February 14 2017**

(Revised February 7 2017)

**Board Members Present:** Jane **Woodward**, President; Nancy **Corr**, Secretary / Treasurer; Sirpa **Duoos**; Larry **Gyure**; Judy **Juntunen**; Kevin **Loveland**; RCA **Moore**; Corrina **Patzer**.

**Board Members Absent:** David **Bone**, excused; Morris **Pearson**, excused; **Vacant**, Cemetery Operator (For Profit).

**Staff Members Present:** Michelle **Sigmund-Gaines**, Executive Director; Marianne **Itkin**, Investigator; Chad **Dresselhaus**, Education & Compliance Program Manager; Brenda **Biggs**, Compliance Specialist; Sarah **Casey**, Document Compliance and Indigent Disposition Program Specialist; Carla **Knapp**, Office & Licensing Manager; and Tyler **Anderson**, AAG.

**Staff Members Absent:** None.

**Guest:** Rick Harvey, OFDA.

## **I Call to Order**

The General Session of the Mortuary and Cemetery Board (Board) was called to order at 9:30 am, in Portland.

## **II General Session**

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

#### **1 Board Meeting Minutes, Draft – September 20 2016.**

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

Member Corr so moved. Member Loveland seconded. President Woodward asked if there was discussion. Hearing none, she then asked those in favor to signify by saying aye. All were aye and the motion passed unanimously. Those voting in favor: Members Corr, Duoos, Gyure, Juntunen, Loveland, Moore, Patzer, Woodward. Those voting no: none.

### **B President Comments**

#### **1 Board Member Positions Update**

President Woodward reported that Member Moore's term will end December 31 2016, but requested his continued attendance for future Board meetings, until the Public member position he represented is filled by the Governor's Office, and confirmed by the Senate. She then thanked him for accepting a position as a member of an Advisory Committee that she is forming. She then presented him with a plaque and thanked him on behalf of the Board for his years of dedicated public service as a Board member.

President Woodward then noted for the record that the Cemetery Operator (For Profit) position is still vacant and was hopeful that it would be filled soon.

### **C Presentation and Approval of Executive Director's Report for December 2016**

Director Sigmund-Gaines reviewed in detail the Report that was distributed as a handout, after the Board packet was issued. For the first time ever, she reported that there were no open cases. She then asked if there were any questions.

Hearing none, President Woodward asked if there was a motion to approve the Report, noting that since January 2015, for the tenth 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. She then recognized Member Moore.

Member Moore so moved. Member Duoos seconded. President Woodward asked if there was discussion. Hearing none, she then asked those in favor to signify by saying aye. All were aye and the motion passed unanimously. Those voting in favor: Members Corr, Duoos, Gyure, Juntunen, Loveland, Moore, Patzer, Woodward. Those voting no: none.

#### **D Public Comments**

President Woodward stated that the Board welcomed public comments, but stipulated that questions would not be considered at this time.

Rick Harvey, Executive Director of the Oregon Funeral Directors Association, asked the Board to consider partnering with OFDA for the formation of a committee to discuss the impact of a Mass Casualty / Cascadia Rising incident.

President Woodward thanked him and recognized Member Corr.

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

##### **1 Election of Officers**

Member Corr reported that the members of the Nominating Committee would meet before the start of the second General Session and will then provide the Board with a recommendation.

##### **2 Board Best Practices Report Discussion & Results for FY 2016**

Manager Dresselhaus reported on the results of Fiscal Year 2016 - the Board achieved 100%. He then thanked all the Board members for their commitment and dedication.

##### **3 2017 Legislative Schedule & Planning**

Director Sigmund-Gaines reported that the Governor's Office will be submitting the Board's legislative concept regarding Board member representation as a bill for this Legislative Session.

##### **4 Accounts Receivable Management, Uncollectible Accounts**

Director Sigmund-Gaines distributed an Oregon Accounting Manual excerpt Number 35.50.10, Section D, regarding Uncollectible Accounts, and reviewed the criteria for accounts that are uncollectible.

After discussion, she asked the Board to adopt these criteria, to help clear out old accounts.

President Woodward asked if there were any questions. Hearing none, she asked if there was a motion. She recognized Member Gyure.

Member Gyure recommended, and so moved, that the Board adopt the requested excerpt from the OAM. Member Moore seconded. President Woodward asked if there was discussion. Hearing none, she then asked those in favor to signify by saying aye. All were aye and the motion passed unanimously. Those voting in favor: Members Corr, Duoos, Gyure, Juntunen, Loveland, Moore, Patzer, Woodward. Those voting no: none.

##### **5 2017-19 Budget Process Update**

Director Sigmund-Gaines then distributed budget process papers and the Governor's Proposed Budget. The budget is confidential, until the Governor has publicly released it.

##### **6 APPR FY 2016**

Director Sigmund-Gaines then distributed the Board's Annual Performance Progress Report for Fiscal Year 2016 (July 2015 - June 2016), which was recently submitted to the Legislature.

## **7 Executive Director Delegation of Authority Policy Review**

Director Sigmund-Gaines then distributed OMCB Delegation of Authority for 2016 Review and requested additional specific delegations to improve service levels and allow staff to proceed in writing off uncollectible debt.

After detailed Board discussion and review, President Woodward recognized Member Patzer.

Member Patzer recommended, and so moved, that the Board allow staff discretion to issue a license in cases where the applicant does properly disclose and or does accurately answer background questions, with the understanding that the disclosed information does not pose a potential nexus with licensure. All such actions must be reported to the Board and ratified at the next available meeting. Member Moore seconded. President Woodward asked if there was discussion. Hearing none, she then asked those in favor to signify by saying aye. All were aye and the motion passed unanimously. Those voting in favor: Members Corr, Duoos, Gyure, Juntunen, Loveland, Moore, Patzer, Woodward. Those voting no: none.

Member Corr then recommended, and so moved, that the Board allows staff to proceed with writing off debt where a person or entity has unpaid civil penalties, and where the account has been properly handled consistent with Oregon Revised Statutes (ORS) 293, and the Board adopted criteria. Any such action must be reported to the Board at the next meeting. Member Juntunen seconded. President Woodward asked if there was discussion. Hearing none, she then asked those in favor to signify by saying aye. All were aye and the motion passed unanimously. Those voting in favor: Members Corr, Duoos, Gyure, Juntunen, Loveland, Moore, Patzer, Woodward. Those voting no: none.

## **8 2017 Board Meeting Schedule Options**

Manager Knapp then reviewed the two meeting schedules that were included in the Board packet. One option would be to continue with meeting every two months, second Tuesday. The other option was meeting every three months, keeping with the second Tuesday, except for the Board's Strategic Planning Retreat off-site meeting, which is scheduled for a Friday.

After detailed Board discussion on how staff will handle applications in between meetings, President Woodward asked if there was a motion. She then recognized Member Moore.

Member Moore recommended, and so moved, that the Board adopt the 2017 Quarterly Board Meeting schedule. Member Duoos seconded. President Woodward asked if there was discussion. Hearing none, she then asked those in favor to signify by saying aye. All were aye and the motion passed unanimously. Those voting in favor: Members Corr, Duoos, Gyure, Juntunen, Loveland, Moore, Patzer, Woodward. Those voting no: none.

President Woodward thanked the Board and requested that the Board adjourn for a brief ten minute break before entering into Executive Session. The General Session adjourned at 10:33 am.

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

At 10:48 am, President Woodward 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). Representatives of the news media and designated staff are 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. No decision can be made in executive session. At the end of the executive session, the Board would return to open session and welcome the audience back into the room. Assistant Attorney General Advice would be provided. A Board working lunch was provided. Executive session adjourned at 2:32 pm.

#### **IV General Session - Board actions as result of Executive Session.**

President Woodward called the general session of the Board back to order at 2:33 pm. All Board members who were in attendance for the earlier general session were present. None of the public from the earlier session general session was present.

#### **F Licensing Actions**

President Woodward asked if there were any questions or comments on the Licensing Actions and agenda items that was distributed with the Board packet. Hearing none, she asked if there was a motion on the floor to approve the subject Licensing Actions, agenda items F1 - 14. She recognized Member Corr.

Member Corr so moved. Member Loveland seconded. President Woodward asked if there was discussion. Hearing none, she then asked those in favor to signify by saying aye. All were aye and the motion passed unanimously. Those voting in favor: Members Corr, Duoos, Gyure, Juntunen, Loveland, Moore, Patzer, Woodward. Those voting no: none.

#### **G Investigations**

President Woodward asked the Board to review the Executive Session Schedule that was distributed with the Board packet. She then asked Board members to report if they had an actual or potential conflict with any of the cases before voting on each item. Member Loveland reported that he would be recusing from one case, due to perceived or potential conflict. President Woodward then reported that the Board had considered these cases during Executive Session, and called for a motion and vote for each.

##### **1 2016-1024 - No Action.**

Moved: Woodward. Second: Corr. No discussion.

For: Corr, Duoos, Gyure, Juntunen, Loveland, Moore, Patzer, Woodward.

Against: None.

Recused: None.

Motion Passes 8 - 0.

##### **2 2016-1029A - D - No Action.**

Moved: Woodward. Second: Moore. No discussion.

For: Corr, Duoos, Gyure, Juntunen, Loveland, Moore, Patzer, Woodward.

Against: None.

Recused: None.

Motion Passes 8 - 0.

##### **3 2016-1044A, B - Ratify.**

Moved: Woodward. Second: Corr. No discussion.

For: Corr, Duoos, Gyure, Juntunen, Loveland, Moore, Patzer, Woodward.

Against: None.

Recused: None.

Motion Passes 8 - 0.

##### **4 2016-1047 - Disciplinary Action.**

Moved: Woodward. Second: Patzer. No discussion.

For: Corr, Duoos, Gyure, Juntunen, Loveland, Moore, Patzer, Woodward.

Against: None.

Recused: None.

Motion Passes 8 - 0.

##### **5 2016-1055 - Ratify.**

Moved: Woodward. Second: Moore. No discussion.

For: Corr, Duoos, Gyure, Juntunen, Loveland, Moore, Patzer, Woodward.

Against: None.

Recused: None.

Motion Passes 8 - 0.

- 6 2016-1059 - Disciplinary Action.**  
Moved: Woodward. Second: Duoos. No discussion.  
For: Corr, Duoos, Gyure, Juntunen, Loveland, Moore, Patzer, Woodward.  
Against: None.  
Recused: None.  
Motion Passes 8 - 0.
- 7 2016-1060 – Ratify.**  
Moved: Woodward. Second: Patzer. No discussion.  
For: Corr, Duoos, Gyure, Juntunen, Loveland, Moore, Patzer, Woodward.  
Against: None.  
Recused: None.  
Motion Passes 8 - 0.
- 8 2016-1063 – Ratify.**  
Moved: Woodward. Second: Patzer. No discussion.  
For: Corr, Duoos, Gyure, Juntunen, Loveland, Moore, Patzer, Woodward.  
Against: None.  
Recused: None.  
Motion Passes 8 - 0.
- 9 2016-1067 – Disciplinary Action.**  
Moved: Woodward. Second: Moore. No discussion.  
For: Corr, Duoos, Gyure, Juntunen, Loveland, Moore, Patzer, Woodward.  
Against: None.  
Recused: None.  
Motion Passes 8 - 0.
- 10 2016-1075 - Ratify.**  
Moved: Woodward. Second: Corr. No discussion.  
For: Corr, Duoos, Gyure, Juntunen, Loveland, Moore, Patzer, Woodward.  
Against: None.  
Recused: None.  
Motion Passes 8 - 0.
- 11 2016-1076 - Disciplinary Action.**  
Moved: Woodward. Second: Moore. No discussion.  
For: Corr, Duoos, Gyure, Juntunen, Loveland, Moore, Patzer, Woodward.  
Against: None.  
Recused: None.  
Motion Passes 8 - 0.
- 12 2016-1082 - Disciplinary Action.**  
Moved: Woodward. Second: Moore. No discussion.  
For: Corr, Duoos, Gyure, Juntunen, Loveland, Moore, Patzer, Woodward.  
Against: None.  
Recused: None.  
Motion Passes 8 - 0.
- 13 2016-1089 - Ratify.**  
Moved: Woodward. Second: Corr. No discussion.  
For: Corr, Duoos, Gyure, Juntunen, Loveland, Moore, Patzer, Woodward.  
Against: None.  
Recused: None.

Motion Passes 8 - 0.

**14 2016-1090 - Disciplinary Action.**

Moved: Woodward. Second: Moore. No discussion.

For: Corr, Duoos, Gyure, Juntunen, Loveland, Moore, Patzer, Woodward.

Against: None.

Recused: None.

Motion Passes 8 - 0.

**15 2016-1092 - Disciplinary Action.**

Moved: Woodward. Second: Corr. No discussion.

For: Corr, Duoos, Gyure, Juntunen, Loveland, Moore, Patzer, Woodward.

Against: None.

Recused: None.

Motion Passes 8 - 0.

**16 2016-1093A and B - Disciplinary Action.**

Moved: Woodward. Second: Loveland. No discussion.

For: Corr, Duoos, Gyure, Juntunen, Loveland, Moore, Patzer, Woodward.

Against: None.

Recused: None.

Motion Passes 8 - 0.

**2016-1093C - No Action.**

Moved: Woodward. Second: Loveland. No discussion.

For: Corr, Duoos, Gyure, Juntunen, Loveland, Moore, Patzer, Woodward.

Against: None.

Recused: None.

Motion Passes 8 - 0.

**17 2016-1094 - No Action.**

Moved: Woodward. Second: Duoos. No discussion.

For: Corr, Duoos, Gyure, Juntunen, Loveland, Moore, Patzer, Woodward.

Against: None.

Recused: None.

Motion Passes 8 - 0.

**18 2016-1095 - Ratify.**

Moved: Woodward. Second: Corr. No discussion.

For: Corr, Duoos, Gyure, Juntunen, Loveland, Moore, Patzer, Woodward.

Against: None.

Recused: None.

Motion Passes 8 - 0.

**19 2016-1096 - Disciplinary Action.**

Moved: Woodward. Second: Gyure. No discussion.

For: Corr, Duoos, Gyure, Juntunen, Loveland, Moore, Patzer, Woodward.

Against: None.

Recused: None.

Motion Passes 8 - 0.

**20 2016-1097 - Disciplinary Action.**

Moved: Woodward. Second: Gyure. No discussion.

For: Corr, Duoos, Gyure, Juntunen, Loveland, Moore, Patzer, Woodward.

Against: None.

Recused: None.

Motion Passes 8 - 0.

**21 2016-1098 - Disciplinary Action.**

Moved: Woodward. Second: Gyure. No discussion.

For: Corr, Duoos, Gyure, Juntunen, Loveland, Moore, Patzer, Woodward.

Against: None.

Recused: None.

Motion Passes 8 - 0.

**22 2016-1099 - Ratify.**

Moved: Woodward. Second: Moore. No discussion.

For: Corr, Duoos, Gyure, Juntunen, Loveland, Moore, Patzer, Woodward.

Against: None.

Recused: None.

Motion Passes 8 - 0.

**23 2016-1100 - Ratify.**

Moved: Woodward. Second: Patzer. No discussion.

For: Corr, Duoos, Gyure, Juntunen, Moore, Patzer, Woodward.

Against: None.

Recused: Loveland.

Motion Passes 7 - 0.

**24 2016-1101 - Tabled**

**25 2016-1102 - Ratify.**

Moved: Woodward. Second: Moore. No discussion.

For: Corr, Duoos, Gyure, Juntunen, Loveland, Moore, Patzer, Woodward.

Against: None.

Recused: None.

Motion Passes 8 - 0.

**H Election of Officers**

Chair Corr reported to the Board that the Nominating Committee met prior to the start of the second General Session and she recommended that the Board continue with the current slate of officers, unless there was another recommendation. President Woodward asked if there was another motion. Hearing none, she asked if there was a motion on the floor. She then recognized Member Moore.

Member Moore recommended, and so moved, that the Board continue with Member Woodward as Board President, Member Pearson as Vice President and Member Corr as Secretary / Treasurer. Member Patzer seconded. President Woodward asked if there was discussion. Hearing none, she then asked those in favor to signify by saying aye. All were aye and the motion passed unanimously. Those voting in favor: Members Corr, Duoos, Gyure, Juntunen, Loveland, Moore, Patzer, Woodward. Those voting no: none.

President Woodward then directed the Board to enter into Executive Session for an update from AAG Tyler.

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

At 2:46 pm, President Woodward 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). Assistant Attorney General Advice would be provided. Executive session adjourned at 2:49 pm.

Having no further business, President Woodward adjourned the meeting.

**V Adjournment** - the meeting adjourned at 2:49 pm.