



**April 9 2019 General Session Meeting Minutes FINAL approved by Board July 9 2019**  
(Revised July 1 2019)

**Board Members Present:** Angela **McKenzie-Tucker**, Vice President; Nancy **Felton**, Secretary / Treasurer; Nancy **Corr**; Sirpa **Duoos**; Beatrice **Gilmore**; Elizabeth **Pacheco**; Randy **Tjaden**; Jane **Woodward**.

**Board Members Absent:** David **Bone**, President; Kevin **Loveland**; and **Public Member**.

**Staff Members Present:** Chad **Dresselhaus**, Executive Director; Marianne **Itkin**, Investigator; James **Liddle**, Document Compliance & Indigent Disposition Program Specialist; Carla **Knapp**, Office & Licensing Manager; and Tyler **Anderson**, AAG.

**Staff Members Absent:** **Vacant**, Compliance Specialist (Inspector); **Vacant**, Education & Compliance Program Manager.

**Guests:** John Arington; Susie Hix, Stehn's; Mark Stehn, Stehn F.H.; Rick Harvey, OFDA; Dan Hilton, Rose City FH; Susan Robinson, OR Memorial Assoc.; Charles Landis, Oregon Memorial Assn.; Suzanne Wright, Great River LLC; and Benjamin Ashe.

## **I Call to Order**

The General Session of the Mortuary and Cemetery Board (Board) was called to order at 9:07 am, in Portland. After roll call, Vice President McKenzie-Tucker welcomed members of the Board and guests.

## **II General Session**

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

Board Meeting Minutes, Draft - **January 8 2019**.

Vice President McKenzie-Tucker 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 Tjaden.

Member Tjaden so moved. Member Corr seconded. Vice President McKenzie-Tucker asked if there was discussion. Hearing none, she then asked those in favor to signify by saying aye. All others were aye and the motion passed unanimously. Those voting in favor: Members Corr, Duoos, Felton, Gilmore, McKenzie-Tucker, Pacheco, Tjaden, Woodward. Those voting no: None. Those abstaining: None.

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

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

Vice President McKenzie-Tucker announced that this would be the last meeting for both Nancy Corr and Kevin Loveland. She also announced that the Executive Director's Performance Evaluation will be conducted at the July 9 2019 Board meeting, during executive session. She asked all Board members to think of areas of improvement.

### **C Presentation and Approval of Executive Director's Report for April 2019**

Director Dresselhaus then reviewed the Report. He then asked if there were any questions. Hearing none, Vice President McKenzie-Tucker thanked him and asked if there was a motion to approve. She recognized Member Tjaden.

Member Tjaden so moved. Member Corr seconded. Vice President McKenzie-Tucker asked if there was discussion. Hearing none, she then asked those in favor to signify by saying aye. All others were aye and

the motion passed unanimously. Those voting in favor: Members Corr, Duoos, Felton, Gilmore, McKenzie-Tucker, Pacheco, Tjaden, Woodward. Those voting no: None. Those abstaining: None.

Director Dresselhaus thanked the Board.

#### **D Public Comments**

Vice President McKenzie-Tucker noted that there were no comments.

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

##### **1 Standing Item: Board Best Practices 2 min Check In for FY 2019 (July 2018 - June 2019) ☞**

The Board is required to implement performance measures and conduct an annual self-assessment against "Best Practices Criteria" as laid out by the Department of Administrative Services on an annual basis. The Board is required to report the percent of total best practices met by the Board (percent of yes responses) in the Annual Performance Progress Report as specified in the Board's budget instructions. If consensus is not achieved, the Board is required to record the response as "no."

The Board Best Practices form has been included in each Board member's packet for each Board meeting, in order to help remind Board members when applicable topics are discussed, or should be discussed. In addition, the symbol ☞ is used to flag agenda items that relate to Best Practices.

Director Dresselhaus reported that the Board will be voting on the FY 2019 at the next Board meeting. He asked if there were any questions. Hearing none, Vice President McKenzie-Tucker thanked him and asked him to proceed to the next agenda item.

##### **2 2019/2021 Legislatively Adopted Budget Update (July 1 2019 - June 30 2021) ☞**

Director Dresselhaus reported that the Board's budget made it through the Legislature and is ready for the Governor's signature. The Legislative Fiscal Analyst recommended and added a position for a second Inspector, something that was not asked for by the Board, but is appreciated.

##### **3 Health-Related Licensing Boards Audit Report ☞**

Director Dresselhaus said this audit was initiated by all the HRLBs; an outside vendor was hired for this audit, after the HRLBs' Accountant resigned. He reported that they are working on a response to the audit will provide a report to the Board once it is finalized.

##### **4 Compliance Manager and Inspector(s) Recruitment Updates**

Director Dresselhaus reported that the job posting for the Compliance Manger was listed March 28, and will close April 15. He is working with Human Resources to start the recruitment process for the two Inspector positions that are vacant.

##### **5 Chief Financial Office's Gold Star Certificate for Fiscal Year 2018 Award ☞**

The subject Certificate is awarded to state agencies that provide accurate and complete fiscal year end information in a timely manner. This Certificate is Oregon's equivalent to the nationally recognized Government Finance Officers Association (GFOA) Certificate of Achievement for Excellence in Financial Reporting. President Woodward explained that the Board earned this award because of the outstanding service provided by Board staff.

##### **6 The International Conference's Annual Meeting**

Director Dresselhaus reported that he attended this San Diego meeting and reported that this was the first time in over ten years that a representative of the Board attended. He felt that it was important to meet with other state regulators to help understand the issues and concerns that others are facing. The question was raised as to whether Board staff should send a letter to all FSPs instructing them not to do business with Heritage Cremation Provider/Legacy.

##### **7 Indigent Disposition Program 2018 Review**

Manager Little then reviewed this Memo that was included in the Board packet. He recommended that the Board leave the reimbursement rate at \$500, effective July 1 2019.

After general discussion, Vice President McKenzie-Tucker thanked him and asked the Board to discuss during Executive Session before voting.

### **8 Executive Director's Financial Transaction Review (Handout)**

Oregon Accounting Manual (OAM) policy number 10.90.00PO sets forth internal control standards for the review and approval of certain agency head financial transactions, including: time reporting, requests for vacation payoff, use of exceptional performance leave, travel expense reimbursement and Small Purchase Order Transaction System (SPOTS) card purchases.

By rule, the Board's Executive Director serves under the direction of the Board President. OAR 830-011-0010(4). The Board has delegated routine review and approval authority for agency head financial transactions to the President of the Board. At each regularly scheduled bimonthly meeting, the President reviews and approves agency head financial transactions for the previous two months. However, pursuant to OAM 10.90.00PO, at least once each year the full Board must also review the agency head financial transactions that have been approved by the President.

The current Executive Director does have a SPOTS card, has not requested vacation payoff and has not used any exceptional performance leave, so the Board's review is requested for SPOTS card purchases, time reporting and travel expense reimbursement. The Board's review and approval will be documented in the minutes.

Vice President McKenzie-Tucker announced that a copy of the Executive Director's credit card purchases, timesheets and travel expenses for 2018 was circulated amongst the Board members for their review, with the request that they initial this Memo indicating their approval. She then asked if there were any questions or comments. Hearing none, she moved to the next agenda item. (For the record, all Board members present reviewed and initialed the Memo.)

### **9 Board Treasurer Annual Review of Finances and Financial Controls Report**

All agencies are required to have Key Performance Measures (KPMs), which are reported legislatively, and are made available on a public website off of the Oregon Transparency website. As part of the Board's Annual Performance Progress Report, the Board's Best Practices requires on an annual basis that the Board's Secretary / Treasurer review and report on the Board's finances and financial controls. The Board does not have its own checking account and there is no petty cash account; all major purchases are approved by the Executive Director or Office Manager before being purchased; invoices are reviewed and approved by either the Executive Director, or the Office Manager, and then sent to the Board's accountant, who reviews it again. If the accountant has any questions, he will contact Board staff for an explanation (per diem questions on travel expense reports, missing receipts, duplicate payments, missing support documentation). Since the only credit card that the Board has is in the Office Manager's name, she does not authorize payment for the credit card statements. For deposits, there are checks and balances. Whoever creates a deposit is not allowed to make the deposit. Secretary / Treasurer Felton reported that she verified with Manager Knapp before the Board meeting that Board staff are continuing to use the same kinds of checks and balances for any monies that come into the Board's office (cashiering and deposit procedures) and the system works fine, there is no reason to change it.

### **10 Governor's 2019 Food Drive Final Report**

Manager Knapp, the Board's Food Drive Coordinator, then reported the results for the annual Governor's State Employees Food Drive, which is the largest food drive benefiting the Oregon Food Bank Network. State employees, sponsored by the Governor, volunteer to collect food and funds for the Oregon Food Bank Network. She reported that the Board won second place for Team 1, most meals per employee! For this food drive, Board staff gathered a total of \$1,503 in cash donations and payroll deductions, which equates to 6,012 pounds of food, or 720 pounds of food per Board employee, even though we are listed as having seven full time staff, we did this with only four positions filled.

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

At 9:50 am, Vice President McKenzie-Tucker 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 1:47 pm.

### **IV General Session**

Vice President McKenzie-Tucker called the general session of the Board back to order at 1:48 pm. All Board members who were in attendance for the earlier general session were present in person.

### **F Indigent Disposition Program 2018 Review**

Vice President McKenzie-Tucker asked if there was a motion to approve this agenda item as prepared. She recognized Member Tjaden.

Member Tjaden so moved. Member Felton seconded. Vice President McKenzie-Tucker asked if there was discussion. Hearing none, she then asked those in favor to signify by saying aye. All others were aye and the motion passed unanimously. Those voting in favor: Members Corr, Duoos, Felton, Gilmore, McKenzie-Tucker, Pacheco, Tjaden, Woodward. Those voting no: None. Those abstaining: None.

### **G Licensing Actions**

Vice President McKenzie-Tucker asked if there was a motion to approve this agenda item as revised. She recognized Member Woodward.

Member Woodward so moved. Member Duoos seconded. Vice President McKenzie-Tucker asked if there was discussion. Hearing none, she then asked those in favor to signify by saying aye. All others were aye and the motion passed unanimously. Those voting in favor: Members Corr, Duoos, Felton, Gilmore, McKenzie-Tucker, Pacheco, Tjaden, Woodward. Those voting no: None. Those abstaining: None.

### **H Investigations**

Vice President McKenzie-Tucker asked the Board to review the Executive Session Schedule. 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 McKenzie-Tucker reported a potential conflict. President Woodward thanked her, and then reported that the Board had considered these cases during Executive Session, and called for a motion and vote for each.

#### **1 2018-1037 - Action.**

Moved: Felton. Second: Woodward. No discussion.

For: Corr, Duoos, Felton, Gilmore, McKenzie-Tucker, Pacheco, Tjaden, Woodward.

Against: None.

Recused: None.

Motion Passes: 8 - 0.

#### **2 2018-1039A, B - Action.**

Moved: McKenzie-Tucker. Second: Corr. No discussion.

For: Corr, Duoos, Felton, Gilmore, McKenzie-Tucker, Pacheco, Tjaden, Woodward.

Against: None.

Recused: None.

Motion Passes 8 - 0.

#### **3 2018-1040 - No Action.**

Moved: McKenzie-Tucker. Second: Tjden. No discussion.  
For: Corr, Duoos, Felton, Gilmore, McKenzie-Tucker, Pacheco, Tjaden, Woodward.  
Against: None.  
Recused: None.  
Motion Passes 8 - 0.

**4 2018-1041A, B - No Action.**

Moved: McKenzie-Tucker. Second: Felton. No discussion.  
For: Corr, Duoos, Felton, Gilmore, McKenzie-Tucker, Pacheco, Tjaden, Woodward.  
Against: None.  
Recused: None.  
Motion Passes 8 - 0.

**5 2019-1002 - No Action.**

Moved: McKenzie-Tucker. Second: Woodward. No discussion.  
For: Corr, Duoos, Felton, Gilmore, McKenzie-Tucker, Pacheco, Tjaden, Woodward.  
Against: None.  
Recused: None.  
Motion Passes 8 - 0.

**6 2019-1004A, B and C - Action.**

Moved: McKenzie-Tucker. Second: Corr. No discussion.  
For: Corr, Duoos, Felton, Gilmore, McKenzie-Tucker, Pacheco, Tjaden, Woodward.  
Against: None.  
Recused: None.  
Motion Passes 8 - 0.

**7 2019-1005 - Action.**

Moved: McKenzie-Tucker. Second: Woodward. No discussion.  
For: Corr, Duoos, Felton, Gilmore, McKenzie-Tucker, Pacheco, Tjaden, Woodward.  
Against: None.  
Recused: None.  
Motion Passes 8 - 0.

**8 2019-1006A, B, C and D - Action.**

Moved: Felton. Second: Corr. No discussion.  
For: Corr, Duoos, Felton, Gilmore, Pacheco, Tjaden, Woodward.  
Against: None.  
Recused: McKenzie-Tucker.  
Motion Passes 7 - 0.

**9 2019-1009 - No Action.**

Moved: McKenzie-Tucker. Second: Corr. No discussion.  
For: Corr, Duoos, Felton, Gilmore, McKenzie-Tucker, Pacheco, Tjaden, Woodward.  
Against: None.  
Recused: None.  
Motion Passes 8 - 0.

**10 2019-1011 - No Action.**

Moved: McKenzie-Tucker. Second: Corr. No discussion.  
For: Corr, Duoos, Felton, Gilmore, McKenzie-Tucker, Pacheco, Tjaden, Woodward.  
Against: None.  
Recused: None.  
Motion Passes 8 - 0.

**11 2019-1001A, B - Ratify.**

Moved: McKenzie-Tucker. Second: Woodward. No discussion.

For: Corr, Duoos, Felton, Gilmore, McKenzie-Tucker, Pacheco, Tjaden, Woodward.

Against: None.

Recused: None.

Motion Passes 8 - 0.

**12 2019-1003 - Ratify.**

Moved: McKenzie-Tucker. Second: Corr. No discussion.

For: Corr, Duoos, Felton, Gilmore, McKenzie-Tucker, Pacheco, Tjaden, Woodward.

Against: None.

Recused: None.

Motion Passes 8 - 0.

**13 2019-1007 - Ratify.**

Moved: McKenzie-Tucker. Second: Felton. No discussion.

For: Corr, Duoos, Felton, Gilmore, McKenzie-Tucker, Pacheco, Tjaden, Woodward.

Against: None.

Recused: None.

Motion Passes 8 - 0.

Vice President McKenzie-Tucker then directed staff to add to the next Board an agenda item for a Taskforce to review the Indigent Disposition Fund Program.

As there was no further business, she thanked everyone for their time and adjourned the meeting.

**V Adjournment** - the meeting adjourned at 1:47 pm.