

MINUTES

Tuesday - September 17, 2002

The regular meeting of the Board of Embalmers and Funeral Directors was held at the Riffe Center located in Columbus. President Pernel Jones, Sr. called the meeting to order at 1:00 P.M. Other Board members present were: Virginia Cheney, Ross C. DeJohn, John J. Hadley, Robert L. Shank, David B. Tobias, and Kurtis A. Tunnell. Also present were: Kate Oklok, Assistant Attorney General, Frank J. Savage, Inspector, Charles H. Wisby, Inspector, and Ann Cunningham, Executive Director.

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On a motion by Mr. Hadley, seconded by Mr. DeJohn, the minutes of the August 20-21, 2002 meeting were approved as amended. Ayes: 7. Nays: 0. Motion approved.

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Inspectors' Reports

Inspector Savage reported that he drove 1,670 miles in the counties of Cuyahoga, Huron, Mahoning, Ottawa, Sandusky, Stark, Summit, and Trumbull. He inspected 30 funeral homes and no crematory facilities. He conducted 7 investigations, found three violations, and monitored two apprentices. Mr. Savage and Mr. Hadley participated in the Pittsburgh Institute of Mortuary Science Law Seminar on August 14, 2002.

Inspector Wisby reported that he drove 2,820 miles in the counties of Champaign, Darke, Defiance, Delaware, Fayette, Lucas, Montgomery, Williams, and Wood. He inspected 50 funeral homes and no crematory facilities. He conducted 2 investigations, found four violations, and monitored three apprentices.

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Executive Session

On a motion by Mr. Hadley, seconded by Mr. DeJohn, the Board went into executive session pursuant to Section 121.22(G)(1) of the Revised Code, to consider complaints and possible disciplinary action against licensees, and Section 121.22(G)(3) of the Revised Code to conference with the Board's counsel to consider pending litigation. Roll call vote: Cheney, Aye; DeJohn, Aye; Hadley, Aye; Jones, Aye; Shank, Aye; Tobias, Aye; Tunnell, Aye.

Mr. Tunnell left the meeting at 1:40 P.M.

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On a motion by Mr. DeJohn, seconded by Mr. Hadley, the Board came out of executive session. Roll call vote: Cheney, Aye; DeJohn, Aye; Hadley, Aye; Jones, Aye; Shank, Aye; Tobias, Aye.

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On a motion by Mr. Hadley, seconded by Mrs. Cheney, the Board voted to close five (5) investigatory files. Roll call vote: Cheney, Aye; DeJohn, Aye; Hadley, Aye; Jones, Aye; Shank, Aye; Tobias, Aye.

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On a motion by Mr. Shank, seconded by Mr. DeJohn, the Board voted to remove from the table the August 0, 2002 motion concerning the Walker Funeral Home. Roll call vote: Cheney, Aye; DeJohn, Aye; Hadley, Aye; Jones, Aye; Shank, Aye; Tobias, Aye.

On a motion by Mr. Hadley, seconded by Mr. Tobias, the Board voted to allow the Board staff to resolve the issue of Walker Funeral Home according to the Revised Code. Roll call vote: Cheney, Aye; DeJohn, Aye; Hadley, Aye; Jones, Aye; Shank, Aye; Tobias, Aye.

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On a motion by Mr. Shank, seconded by Mr. DeJohn, the Board removed from the table an August 20, 2002 motion concerning the application for funeral director's license submitted by Jonathan Carl. Roll call vote: Cheney, Aye; DeJohn, Aye; Hadley, Aye; Jones, Aye; Shank, Aye; Tobias, Aye.

On a motion by Mr. Shank, seconded by Mr. Hadley, the Board voted to accept Jonathan Carl's transcript evidencing a Bachelor of Arts Degree for the graduating year 1997. Roll call vote: Cheney, Aye; DeJohn, Aye; Hadley, Aye; Jones, Aye; Shank, Aye; Tobias, Aye.

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On a motion by Mr. Hadley, seconded by Mrs. Cheney, to charge the following funeral homes for violation of Section 4717.14 (A)(4) of the Revised Code and Section 4717-1-25 of the Administrative Code as the sections incorporate Section 1111.19 of the Revised Code, for unprofessional conduct, specifically for failure to file an annual preneed

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contract report for the calendar year 2001. Roll call vote: Cheney, Aye; DeJohn, Aye; Hadley, Aye; Jones, Aye; Shank, Aye; Tobias, Aye.

<u>ID</u>	<u>Actually-in-charge/funeral home</u>	<u>City</u>
41-00-8187	Charles R Blessing	Mentor
43-00-2394	Blessing Funeral Home	
42-00-8045	Brent A Miller	St. Marys
43-00-2493	Miller-Long & Folk Funeral Home	
42-00-8045	Brent A Miller	New Knoxville
43-00-1821	Vornholt-Miller Funeral Home	
41-00-7283	Miriam M Mosinski	Cleveland
43-00-1724	Mosinski Funeral Home Inc	
41-00-6778	Wayne T Lee Jr	Mansfield
43-00-1688	Wayne T Lee Funeral Service	
41-00-7253	Richard J Reidy Jr	Lorain
43-00-1447	Richard J Reidy Funeral Home Inc	
41-00-5034	Thomas H Routsong	Centerville
43-00-0836	Routsong F H Centerville Chapel	
41-00-5034	Thomas H Routsong	Dayton
43-00-0837	Routsong Funeral Home Inc	
41-00-5034	Thomas H Routsong	Kettering
43-00-1686	Routsong F H Kettering Chapel	
43-00-7564	Michael J Ryan	West Chester
43-00-1902	Shorten & Ryan Funeral Home Inc	
41-00-5353	Teddy B Strawser	Blue Ash
43-00-0526	Strawser Funeral Home Inc	

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The following motions were made pursuant to the report and recommendation of hearing officer, Marc E. Myers, on the hearing held May 3, 2002 concerning the charge against Wendell C. Brogdon and the Brogdon & Son Funeral Home for violation of Section 4717.13(B)(3)) of the Revised Code failure to place in the vessel containing the cremated remains a tag bearing the name, date of birth, date of death and social security number of the decedent; and Section 4717.14(A)(4) of the Revised Code for unprofessional conduct relative to the cremations and final dispositions of Homer S. House and Otis O. Givens. Specifically, Wendell C. Brogdon and the Brogdon and Son Funeral Home represented to the family of Homer S. House that the cremated remains provided to them were of Homer S. House when they were in fact the cremated remains of Otis O. Givens. Moreover, Mr. Brogdon represented to the family of Otis O. Givens that his cremated remains were

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interred on October 2, 2000, when in fact on April 5, 2001, the urn was disinterred and found to be empty.

Motion by Mr. Hadley, seconded by Mrs. Cheney, to approve the hearing officer's findings of fact. Roll call vote: Cheney, Aye; DeJohn, Aye; Hadley, Aye; Jones, Aye; Shank, Aye; Tobias, Aye.

Motion by Mr. Shank, seconded by Mr. DeJohn to approve the hearing officer's conclusions of law. Roll call vote: Cheney, Aye; DeJohn, Aye; Hadley, Aye; Jones, Aye; Shank, Aye; Tobias, Aye.

Motion by Mr. DeJohn, seconded by Mr. Hadley to approve the hearing officer's recommendations that funeral director license held by Wendell C. Brogdon be suspended for a period of thirty (30) days and that the funeral home license held by the Brogdon and Son Funeral Home be suspended for thirty (30) days. Roll call vote: Cheney, Aye; DeJohn, Aye; Hadley, Aye; Jones, Nay; Shank, Aye; Tobias, Aye.

Order of the Board:

That funeral director license number 7097 held by Wendell C. Brogdon. be suspended for a period of thirty (30) days, that funeral home license number 43-00-1949 held by the Brogdon and Son Funeral Home be suspended for thirty (30) days. The suspension/revocation will begin October 10, 2002

Persons Before the Board

Christopher Williams, reciprocal applicant from West Virginia appeared before the Board. On a motion by Mr. Shank, seconded by Mr. Hadley, the Board approved Mr. Williams' applications for reciprocal embalmer and funeral director licenses. Mr. Williams will be scheduled for the next available examination. Roll call vote: Cheney, Aye; DeJohn, Aye; Hadley, Aye; Jones, Aye; Shank, Aye; Tobias, Aye.

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The Board received samples of the renewal return envelope and a special notice to alert licensees of the new biennial renewal. Board members were reminded that all licenses will be billed for two calendar years, 2003 and 2004.

The Board received a sampled copy of the revised facilities book prepared by State Data for use by the inspectors and office staff.

The Board was informed that 300 certified letters were mailed to licensees who failed to earn the required eighteen hours of continuing education by the June 30, 2002 deadline.

Ms. Cunningham reported that the Department of Insurance would provide us with a copy of their Request for Proposal and contract for third-party administration of the continuing education program. Upon receipt of the material, it will be forwarded to the Board committee and Assistant Attorney General for modification .

On a motion by Mr. DeJohn, seconded by Mr. Hadley, the Board voted to pay the monthly parking pass for Ms. Cunningham, Executive Director. Ayes: 6. Nays: 0. Motion approved.



New Business

On a motion by Mr. Hadley, seconded by Mr. DeJohn, the Board approved the following applications for funeral home license. Ayes: 6 Nays: 0. Motion approved.

Firm Title	Address	County
Robert L. Crooks Funeral Center	West Alexandria	Preble
Blaschalk-Wilson Funeral	Mingo Junction	Jefferson
Lane Funeral Home	Austintown	Mahoning
Lane Funeral Home	Canfield	Mahoning
Lane Funeral Home	Mineral Ridge	Mahoning
Kreighbaum-Sanders Funeral Home	Canton	Stark
Kreighbaum-Sanders Funeral Home	East Canton	Stark

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Reed Funeral Home Inc	Canton	Stark
Ripepi Funeral Home, Inc	Cleveland	Cuyahoga
Ripepi Funeral Home, Inc.	Parma	Cuyahoga

In a separate motion by Mr. Shank, seconded by Mr. DeJohn, the Board voted to deny a request by Charles D. Appenzeller and Robert L. Crook to use "Preble Memory Gardens/Chapel" in the firm title. Ayes: 6. Nays: 0. Motion approved.

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On a motion by Mr. Hadley, seconded by Mr. Shank, the Board approved the following application for funeral home license pending receipt of the occupancy permit and final inspection by the Board. Ayes: 7. Nays: 0. Motion approved.

Burrell Funeral Service, Zanesville

Monreal Funeral Home, Eastlake

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The following funeral homes submitted an amendment to change the manager during the month of August 2002:

I.D.#	Firm Title	Licensee Name
43-00-0809	Blackburn Funeral Home Bergholz	Eric E. Anderson
43-00-2281	Ingling-Williams Funeral Home South Charleston	Trent E. Zerkle
43-00-2565	Porter-Qualls Funeral Home Columbus	Jarina B. Harris

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The following funeral homes submitted an amendment to change the funeral director actually in charge of and ultimately responsible for the funeral home during the month of August 2002:

Ingling-Williams Funeral Home South Charleston	Trent E. Zerkle
Donald Martens & Sons Funeral Home, Inc. Cleveland	Donald A. Martens, Sr. Daniel L. Berry, III
H. H. Birkenkamp Funeral Home Toledo	Donald P. Balazs

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There were no funeral homes closed because of cessation of business, a new owner, or new location during the month of August 2002:

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On a motion by Mr. Hadley, seconded by Mr. DeJohn, that the following individuals met the licensure requirement and are issued a license number. Ayes: 6. Nay: 0. Motion approved.

Name	Emb Lic. #	Fd Lic. #
Myron Amstutz		8871
Patrick Campbell		8872
Hallie Gordon		8873
Marie Gross		8874
Theresa Headley	8996 A	8875
David Hodapp		8876
Donald Jordan Jr.	8997 A	8877
Diana Kirkpatrick		8878
Andrew Kucner	8998 A	8879
Chassidy Lippert	8999 A	8880
Thomas McGranor		8881
Andrea Moses	9000 A	8882
Brian Schlosser	9001 A	8883
Joseph Sciuva	9002 A	8884
Milagros Smith	9003 A	8885
Monique Smoot		8886
Mellissa Walker	9004 A	8887
Travis Weigel		8888

Reciprocals

Christopher Dunmore	9005 R	
Jeffrey Hay	9006 R	8889 R
Michael Kirchner	9007 R	8890 R
Robert MacKinnon	9008 R	8891 R
Adam McDaniel	9009 R	8892 R
Yuri Sikkema	9010 R	8893 R

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The following individuals qualified and were issued registration numbers during the month of August 2002:

Applicant	Embalmer Registration	Funeral Director Registration	Date issued
Dena James	D-6991	C-8809	08/06/02
Janet Ransom		C-8810	08/20/02
Erin Schwanitz		C-8811	08/20/02

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The following individuals certified apprenticeships during the month of August 2002.

apprentice	type	funeral home
Name	Type Apprenticeship	Funeral Home Address
Moore, Julius	Emb/FD	Stewart & Calhoun FH 529 W Thornton St Akron Ohio 44307
Ransom, Janet	FD	Ransom Funeral Home 610 S Washington St Castalia Ohio 44824
Reed, Dennis	Emb/FD	Reed Funeral Home 705 Raff Rd SW Canton Ohio 44710

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The Board was informed that the Board office received and processed the following reports during the month of August 2002:

Embalming case reports	66
Embalming master reports	10
Embalmer interviews	7
Funeral Director progress reports	93
Funeral Director master reports	15
Funeral Director interviews	9

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The Board reviewed various news articles related to the funeral profession. In addition, the Board given a copy of a report on the Rhodes Tower Bomb Threat.

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Correspondence

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1. A letter from Joseph Marsaglia, Pittsburgh Institute of Mortuary Science, expressing his thanks for the presentation made by Mr. Hadley and Inspector Savage. The Board decided to send Mr. DeJohn and Inspector Savage to the December 11, 2002 Law Seminar.
2. A letter from Brett T. Zingle, Vice President of Zingle and Associates, representing the Lincoln Heritage Life Insurance Company of Phoenix, Arizona. Mr. Zingle's request for approval of forms was referred to the Assistant Attorney General.
3. A letter from David H. Dicken requesting permission for Jessica Pepper Mudguard, an apprentice, to serve her embalmer apprenticeship under Richard P. Dakers at the Dickens Funeral Home. On a motion by Mr. Shank, seconded by Mr. Tobias, the Board approved the request. Ayes: 7. Nays: 0. Motion approved.
4. A letter from Travis J. Wiegel requesting reconsideration of an examination question concerning Attending Physician and Certifying Physician. On a motion by Mr. Hadley, seconded by Mr. DeJohn, the Board denied Mr. Wiegel's request, and stands by the definition found in Rule 3701-1-01 of the Administrative Code. Ayes: 7. Nays: 0. Motion approved.
5. A letter from Larry Sheridan informing the Board of the closure of the Sheridan Funeral Home in Baltimore. The Board office received display license and renewal license and a clearly enumerated list of preneed accounts.

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Fiscal

The Board reviewed the August Monthly Transaction Register, the voucher journal for August, the revenue journal for August, the newly developed percentage chart, and a comparison of revenue and disbursements. The Board received a copy of the annual report on the financial status and licensing activities submitted to the Legislative Service Commission.

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The Board recessed at 4:08 P.M.

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Wednesday - September 18, 2002

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The Board reconvened at 8:04 A.M. at in the Board office. Present were: Virginia Cheney, Ross C. DeJohn, John J. Hadley, Pernel Jones, Sr., Robert L. Shank, David B. Tobias, Kurtis A. Tunnell, Embalmer/Funeral Facility Inspectors Frank J. Savage and Charles H. Wisby, and Executive Director; Executive Director, Ann Cunningham; and guest, Barbara Hadley.

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On a motion by Mr. Hadley, seconded by Mr. DeJohn, the Board approved the calendar for 2003. Three meeting were changed from Tuesday and Wednesday to Wednesday and Thursday; March 19-20, 2003, June 18-19, 2003 and September 17-18, 2003. Ayes: 6. Nays: 0. Motion approved.

Continuing Education

On a motion by Mr. Hadley, seconded by Mr. Tunnell, the Board approved, and where indicated modified or denied, the following continuing education programs. Ayes 7. Nays: 0. Motion approved.

PRIOR APPROVAL GROUP: indicate **Y** - yes or **N** - no in the right column.

	SPONSOR	TITLE	Hour
020913	Methodist	"Learning to be a Leader" - Salem Methodist Church (via Satellite) 09-13-02	02
020924	COFDA	Columbus City Health Dept procedure & Policy - Sept 24, 2002 Columbus OH	02
020926	Woodlawn	"Lakeside Mausoleum Introduction & Tour Mausoleum Entombment and Options"	01
021001	Minnick	"Disaster Mortuary Operational Response Teams (DMORT) - Response to 9-11 & Family Assistance" 2 sessions Oct 1 & 2, 2002	08
021003	Mahoning	"Forensic Medicine Update" October 3, 2002 Niles OH	02
021005	Ohio Hospice	The Fearless Caregiver - "Caring for the Caregiver" - Panel Discussion of Caregiver Issues - "Care for the Caregiver - Demonstrations & Experiences" - Columbus OH October 5, 2002	04
021008	Black Family	"CFG - Pre-Need Funding" - "Cremation" 10-08-02 Byersville OH	06
021008	Reynolds Cas	"Tour of Reynoldsville Casket Co. Inc - "Detailed tour of how a Casket is manufactured" - Merchandising Products from Metal Caskets to the Quarter Casket Showroom"	04
021008	Reynoldsville	"Tour of Reynoldsville Casket Co Inc. - "Detailed Tour of How a Casket is Manufactured" - "Merchandising Products from Metal Caskets to the" - Reynoldsville PA October 8 & 9, 2002	04
021009	PCEO	Perinatal Consortium for Educational Opportunities "Sensitivity Seminar" "When a Baby dies" Herman Menapace Center, Green Memorial Hospital, Xenia, OH	07
021010	OUTLOOK	"Interpreting Body Language" - "How to Better Understand Consumers Investments" -	03

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021010	TRI-CO	"Presentation Skills" - 10-10-02 Lexington KY "Heartland Home Hospice" - Operations of Heartland Home Hospice in Tiffin/Seneca Co. Ohio -Oct 10, 2002 Tiffin OH	02
021016	YORK	"The Future of Funeral Cemetery & Memorial Produ. Mer. Oct 16 & 17, 2002 York PA	13
021017	Leavitt FH	Discover the Secret to managing Grief that won't go away - "Living with Death Seminar Parkersburg WV	03
021019	Buckeye State	"BSFDEA Fall Board Meeting - FTC General Price List Emp Responsibility Via the Phone - "Forms Clinic" - 2 sessions Oct. 19, 2002 - Toledo OH	02
021019	NFDA	Annual Convention October 19-23, 2002 (43 Sessions) See Request Info San Antonio TX	56
021021	FDANWO	Ottawa Hills Memorial Pk - Catholic Cemeteries - October 21, 2002 - Toledo OH	02
021021	JFDA	Executive Seminar "How do you maintain the relevance of Jewish Funerals" Pittsburgh, PA	03
021021	JFDA	JFDA Executive Seminar - "How do you maintain the relevance of Jewish Funerals" Pittsburgh PA October 21, 2002	03
021022	JFDA	Executive Seminar "Grief-Appropriate Statements you can and cannot make to a Family during the arrangements conference"	02
021022	JFDA-1	Executive Seminar "Street-Fighter Marketing for Funeral Homes - Improving Market share" Pittsburgh, PA	04
021023	JFDA	Executive Seminar "Interfaith Marriage and the ways in which it affects the Jewish Funeral Business" Pittsburgh, PA	03
021023	JFDA-1	Executive Seminar "The Economics of the Funeral Industry and its Future" Pittsburgh, PA	02
021025	OEA	History of the Coroner's Office in Hamilton Co - Legal Issues - Restorations and West Nile Virus & Cruetzfeld-Jacob Disease October 25, 2002 Cinti OH	06
021028	EAC	"Embalms Mtg - "Updated technology for entering death notices" October 30, 2002 Cleveland OH	03
021029	GLCFDA	Changes in the Funeral Service Profession Changers over the years in supplies & services Elyria OH October 29, 2002	03
021120	Ohio Valley	"Tissue Banking Wet Workshop" November 19 & 20, 2002 (2 days same program 8 CE each) Cincinnati OH	08
021126	OFDA #17	Shipping Human Remains & Cremation - History of shipping organizations - Nat'l & Intern'l regulations & requirements for shipping & cremating remains Lorain OH November 26, 2002	03
030227	OFDA	Annual Educational Conference - "Creating A Vision for your Firm" - "Employees Becoming Owners" - "Communications" Feb 27, 2003 Costa Rica	12

On a motion by Mr. Shank, seconded by Mr. Tobias, the Board approved the following blanket programs. Ayes: 6. Nays: 0. Motion approved.

BLANKET:

Sponsor	Title	Hour
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OFDA	Educational Programming - It's all about consumers Location and date to be determined	02
OFDA	OFDA Regional and/or District Education Program Location and date to be determined	01

On a motion by Mr. Hadley, seconded by Mrs. Cheney, the Board approved the following individual programs. Ayes: 6. Nays: 0. Motion approved.

INDIVIDUAL:

DATE	LICENSEE NAME	TITLE	Hour
020701	J Peter Ducro 42-00-6241	""Domestic Terrorism & Weapons of Mass Destruction: A CISM Perspective (critical Incident stress mgt)" KSU Ashtabula OH 09-28-02 & 09-29-02	14
020701	Sue Curtis Ducro 41-00-7979	""Domestic Terrorism & Weapons of Mass Destruction: A CISM Perspective (critical Incident stress mgt)" KSU Ashtabula OH 09-28-02 & 09-29-02	14
020701	Robert Rusu 41-00-8597	October 4, 2002 "22nd Annual Probate Practice Program Warren OH	06
020701	Edward E. Strowder 42-00-5645	August 27, 2002 "After Walker Co. Ga " - Florida FD Mtg Hollywood FA	01

On a motion by Mr. Hadley, seconded by Mr. Tunnell, the Board approved the following exemptions and waivers. Ayes: 6. Nay: 0. Motion approved.

Applications for waivers and exemption for 2000-2002

Waiver	Exemption	Licensee Name
	X	Terry L Alexander
	X	Richard A Baker
	X	James A Brell Jr
X		George E Chapman
X		James H Folk
X		Elden A. Good
	X	Linda Jo Keller
	X	John W Long
X		Wayne E Morton
	X	Victor P Simiele
	X	Joel Terbrueggen
	X	Kimberley Floyd Waldman
	X	Randy E Fisher
X		William Gaines
	X	Eric Indermuhle
	X	J Stewart Monihon
X		William A Turner
X		Franklin D VanHove

Applications for waivers and exemption for 2002-2004

Waiver	Exemption	Licensee Name
X		Thomas C Hoening
X		Brooks E Sherwood
X		Howard W Edwards

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On a motion by Mr. DeJohn, seconded by Mrs. Cheney, the Board meeting adjourned at 8:42 A.M. Ayes: 6. Nays: 0. Motion approved.