

MINUTES

Tuesday - August 20, 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 1:03 P.M.. Other Board members present were: Virginia Cheney, Ross C. DeJohn, John J. Hadley, Robert L. Shank, and David B. Tobias. 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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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 the employment of a public employee. Roll call vote: Cheney, Aye; DeJohn, Aye; Hadley, Aye; Jones, Aye; Shank, Aye; Tobias, Aye.

Mr. Tunnell joined the other Board members at this point in the meeting.

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, Tunnell, Aye.

There was no action to report.

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Executive Session

On a motion by Mr. DeJohn, seconded by Mr. Hadley, 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.

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; Tunnell, Aye.

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On a motion by Mr. Hadley, seconded by Mr. DeJohn, the minutes of the July 16-17, 2002 meeting were approved as amended. Ayes: 7. Nays: 0. Motion approved.

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Unfinished Business

Ms. Cunningham informed that Board that CAVU, the new licensing system, was progressing. Computer Services employees responsible for the system have received training and the initial meeting with the Cosmetology Board occurred. There have been discussions of security and the requirements of E-License system

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New Business

On a motion by Mr. Shank, seconded by Mr. Hadley, the Board approved the following applications for funeral home license. Ayes: 7. Nays: 0. Motion approved.

Pennington-Bishop Funeral Home, New Boston

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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 July 2002:

Craver-Riggs Funeral Home Milford	Jeffrey K. Tarvin
Eisnaughle-Lewis Funeral Home, Inc. Jackson	Stanley D Lewis
Fisher Funeral Home Pomeroy	Ralph R Martin
Jerry Jones Jr. Funeral Service Akron	Jerry Jones, Jr.
Joseph R Garr Services Inc Cincinnati	Arlene J Lawrence
Jump & Pfeil Funeral Home Monroeville	Don Welschenbach

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Kuhner-Lewis Funeral Home, Inc Oak Hill	Spencer B. Cheek
Lindsey Kocher Funeral Service Willard	Lee K. Smith
R A Franklin Memorial Chapel Alliance	Joseph E. Scott
Rawlings-Coats-Fisher Funeral Home Middleport	Bruce R. Fisher
Schoedinger East Chapel Columbus	Bradley T. Kopp

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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 July 2002:

Fisher Funeral Home, Pomeroy	Bruce R Fisher
Rawlings-Coats-Fisher Funeral Home, Middleport	Bruce R Fisher

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The following funeral homes closed because of cessation of business, a new owner, or new location during the month of July 2002:

Fox Mortuary Services, Wauseon	new owner
Jamison & Jamison, Jr., Inc., Cincinnati	new owner

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There were no applicants for embalmer and/or funeral director licenses.

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

Applicant	Embalmer Registration	Funeral Director Registration	Date issued
Terry Adkins	D-6982	C-8800	0701/02
Jeffrey Edwards	D-6983	C-8801	07/01/02
Vincent Johnson	D-6984	C-8802	07/01/02
Vanessa Ross	D-6985	C-8803	07/01/02
Philip Kirksey	D-6986	C-8804	07/01/02
Kevin McIntyre	D-6987	C-8805	07/19/02

M I N U T E S

Julius Moore	D-6988	C-8806	07/19/02
Phillip Pierri	D-6989	C-8807	07/19/02
Brian Gray	D-6990	C-8808	07/23/02

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

apprentice	type	funeral home
Terry Adkins	Emb/FD	Roger W. Davis Funeral Home West Portsmouth
Louis Chisley	Emb/FD	Thompson-Hall & Jordan Funeral Home Forest Park
Jeffery Edwards	Emb/FD	Henderson, Van Atta & Johnson FH Newark
Aaron Esposito	Emb/FD	Ansberg-West Funeral Home Toledo
Vincent Johnson	Emb/FD	Jon Deitloff Funeral Centre Cincinnati
Philip Kirksey	Emb/FD	Toothman Funeral Home St. Clairsville
Kevin McIntyre	Emb/FD	Charles H. McIntyre Funeral Home Felicity
Philip Pierri	Emb/FD	Zechar-Bailey Funeral Home Greenville
Pamela Pinkston	FD	R. A. Franklin Funeral Service Cleveland
Vanessa Ross	Emb/FD	Kreighbaum-Sanders Funeral Home Canton
John Stroup	Emb/FD	Belton Funeral Home Fairborn

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

Embalming case reports	132
Embalming master reports	22
Embalmer interviews	8
Funeral Director progress reports	188
Funeral Director master reports	38

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Funeral Director interviews 12

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The Board reviewed various news articles related to the funeral profession.

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On a motion by Mr. DeJohn, seconded by Mr. Shank, the Board tabled an application for funeral director's license submitted by Jonathan Carl to allow the Assistant Attorney General sufficient time to review Mr. Carl's college transcript . Ayes: 7. Nays: 0. Motion approved.

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Correspondence

1. A letter from Jason Jardine concerning continuing education. On a motion by Mr. Tunnell, seconded by Mr. DeJohn, the Board approved Mr. Jardine's request for eighteen hours of credit for MBA classes at Case Western Reserve University Weatherhead School of Management. Ayes: 7. Nays: 0. Motion approved.
2. A letter from L. Lamont Beck concerning firm title. The Board approved change from "Hollingshead Funeral Home" to "Hollingshead-Beck Funeral Home, Inc." Secretary to amend Board records and inform Mr. Beck that all advertisements and signage must reflect the new title.
3. A letter from Will R. Book informing the Board of the dosing of Simminger-Book Funeral Home at 3330 Parkcrest Lane in Cincinnati. Secretary to thank Mr. Book for the return of the display license and license card along with the clearly enumerated account of all preneed.
4. A letter from Cora A. Walker concerning the Walker Funeral Home. On a motion by Mr. Hadley, seconded by Mr. Shank, the Board voted to table any action until the September Board meeting. Ayes: 7. Nays: 0. Motion approved.
5. A letter Chris J. Besoiu requesting reinstatement of his embalmer and funeral director licenses. On a motion by Mr. DeJohn, seconded by Mr. Hadley, the Board approved Mr. Besoiu's request for reinstatement provided he fulfills the requirements of Section 4717.08 of the Revised Code. Ayes: 7. Nays: 0. Motion approved.

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Persons Before the Board

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Brian K. Marry, reciprocal applicant from Michigan appeared before the Board. On a motion by Mr. Shank, seconded by Mr. Tunnell, the Board approved Mr. Marry's applications for reciprocal embalmer and funeral director licenses. Mr. Marry will be scheduled for the next available examination.

Daria L. Narducci, reciprocal applicant from Pennsylvania, appeared before the Board. On a motion by Mr. DeJohn, seconded by Mr. Tunnell, the Board approved Ms. Narducci's applications for reciprocal embalmer and funeral director licenses. Ms. Narducci will be scheduled for the next available examination.

Jolene Winter, reciprocal applicant from Wisconsin, appeared before the Board. On a motion by Mr. DeJohn, seconded by Mr. Tunnell, the Board approved Ms. Winter's applications for reciprocal embalmer and funeral director licenses. Ms. Winter will be scheduled for the next available examination.

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T. Scott Gilligan, attorney for Bruce A. Sampson, appeared before the Board to present his position statement on the reinstatement of Bruce A. Sampson's licenses. Board members had received a written copy of the statement. Ms Oklok reminded Mr. Gilligan, and he acknowledged, that the appearance did not toll his deadline to appeal the subject order under Section 119 of the Revised Code.

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Inspectors' Reports

Inspector Savage reported that he drove 1,674 miles in the counties of Ashland, Columbiana, Cuyahoga, Mahoning, Stark, Summit, Trumbull, and Tuscarawas. He inspected 30 funeral homes and no crematory facilities. He conducted 10 investigations, found no violations, and monitored one apprentice. Mr. Savage and Mr. Hadley participated in the Pittsburgh Institute of Mortuary Science Law Seminar on August 14, 2002. Mr. Hadley was reimbursed for travel and paid per diem.

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Inspector Wisby reported that he drove 2,404 miles in the counties of Butler, Hamilton, Miami, Montgomery, Preble, and Scioto. He inspected 27 funeral homes and no crematory facilities. He conducted 2 investigations, found no violations, and monitored one apprentice

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

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On a motion by Mr. Tobias, seconded by Mrs. Cheney, the Board voted to close six (6) investigatory files. Roll call vote: Cheney, Aye; DeJohn, Aye; Hadley, Aye; Jones, Aye; Shank, Aye; Tobias, Aye; Tunnell, Aye.

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Fiscal

The Board reviewed the July Monthly Transaction Register, the voucher journal for July, and the revenue journal for July. Also, the Board reviewed a newly developed format for reporting fiscal matters.

Board members reviewed the July 1, 2002 email from Chandra Sams, BankOne that stated that all lockbox charges for inactive boards have been waived and will continue to be waived until their next renewal starts effective June 2002.

A memorandum from Joe Swinehart, Senior Budget Analyst with Office of Budget and Management, explaining the transfer of a total of \$4.0 million dollars from the 4K9 Fund to the General Revenue Fund pursuant to legislation was discussed. There was a two-step approach. The first transfer was based upon five percent of each board's FY 2003 appropriation, and

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yielded resulted approximately \$1.1 million. The second transfer allocated the balance of \$2.9 million based upon each board's fiscal status in the fund. OBM estimated the fund status as of the FY 2003 for each board and allocated the balance proportionately between those boards that had a positive balance in excess of one and one half times their FY 2003 appropriation. Based upon this formula the Board of Embalmers and Funeral Directors' share of the \$4.0 million transfer was \$26,677. OBM calculated the Board's balance in the 4K9 Fund as of the end of FY 2002, and after deducting the Board's share of the transfer to be \$197,444.

The Board received a FY 2004-2005 Budget Process timeline and chronology of the budget process. To support current operations, the Board will request \$585,715 for FY 04 and \$625,241 for FY 05 which include the total Core, as defined by OBM, and supplemental requests under the cap of \$586,895 for FY 04 and \$645,585 for FY 05. The Board believes the core funding and additional supplemental requests are required and should be implemented. The rising cost of required state services have impacted the Board as reductions in other state agencies' budgets are passed on to the Board as increased costs. Recognizing the correlation between revenue and fee structures and the budget request, the only way the Board can maintain current operations and accomplish these tasks is by adjusting revenue to accomplish these priorities. The budget request includes the funding for an additional investigative support staff position as recommended by the Inspector General.

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The Board recessed at 4:10 P.M.

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Wednesday - August 21, 2002

The Board reconvened at 8:00 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, Kate Oklok, A.A.G.; 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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Executive Session

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On a motion by Mr. DeJohn, seconded by Mr. Shank, 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.

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

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Continuing Education

With the assistance of Alpheratta Small, the Board reviewed applications for continuing education.

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

Prior Approval:

Date	Sponsor	Title	Hours
020709	CONRAD	"Practical Applications for OSHA Standards" (Review and Update) Approved as blanket order 8-20-02 Akron, OH	02
020716	MILSO	"Milso Casket Factory Tour" - "Maximizing Opportunity" - "Creating Unique Celebrations" - "Personal Impressions" Approved as blanket order 8-20-02 Richmond, IN	06
020724	AURORA	"Marketing Today & tomorrow" - "Aurora Plant Tour" - "Clarksburg Plant Tour" Approved as blanket 089-20-02 Clarksburg, WV	04
020726	BATES	"Product Knowledge" - "Meaningful Memories" - Approved as blanket 0820-02 Batesville, Indiana	06
020807	Baxter	"Vault College II" - Cincinnati - Approved as blanket order 7-17-02.	02
020814	Clark	"Making Memories Last Longer" - "Questions Of Need" - Approved as blanket order 7-17-02.	02
020815	Baxter	"Vault College II" - Cincinnati - Approved as blanket order 7-17-02	02
020824	FreeLance	"Grieving Hearts" - "Tiffin , OH	06
020905	Columbia	"Operation of Columbiana C. Coroner's Office" Lisbon, Oh	02
020905	Promedica	"Grief Through the Life Cycle" - Perrysburg, OH	06
020909	Ohio Vault	"Manufacturing Tour of Plant" - "Graveside set-up start to finish" - "Marketing Products & Services to" -	03

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		Cleveland OH	
020911	OFDA #4	"Understanding Generational Diversity in the FH - Middletown, OH	02
020911	Mahoning	"The Unseen Cost, death unfolding before our eyes" "Grief goes Public" - Boardman, OH	02
020916	FDNWO	"Obituaries and Funeral Home Marketing" - Toledo, OH	02
020917	Rollings	"Family Succession Planning" - "Estate Planning For Funeral Directors" - Erlanger, KY	06
020918	FDAK	"Embalming Lower Extremity Long Bone Donors" - Approved UK Medical Center-Lexington, KY	04
020918	York	September 18-19, 2002 - "The Future Of Funeral Cemetery & Memorial Product Merchandising" - York PA - Approved as blanket order 6-19-02	13
020919	BELMONT	"30 Days at Ground Zero" - Martins Ferry, OH	04
020919	Dist-#16	"Sept. 11, 2001 - Disaster & Clean-up" - North Canton	02
020921	TriCounty	"Seminar For Death Scene First Responders" - Washington CH	04
020924	Glor	"Phoenix Center For Grieving Children" - Elyria	03
020922	MKJ	September 22-24, 2002 - "PFDI 2002 Fall Convention" - Cabo San Lucas, Mexico	04
021002	ICFA	"Fall Management Conf. Oct. 2-5, 2002 Indian Wells, California	08
021002	SIFH	October 2-3-4-5-6, 2002 - "Open Forum" - "Presidential Address" - "Headlines" - "Structured Agenda - Topics Vary" - "Legislative Session" - "America's Promise: the Alliance For Youth" - "Buying From A chain: How We Bought A Cemetery" - "Past Leaders' Briefing" - "Developing Critical Management Systems" - "How To Establish Staffing & Performance Expectations for the Coming Years Of Declining Revenues" - "Balance: Your Family, Your Profession And Your Life" - "Connecting With Hospice" - "The Restructuring & Re-Emergence Of the Consolidators" - "Installing A Crematory" - "Financial Strength For Your Preneed Future" - "Local Affinity Marketing" - "Marketing to Your Community - 10 Great Ideas For Your Funeral Home Website" - "Creating A Relevant Professional Future" - "Structured Regional Agenda" - "New President's Address" - "Journey: A Powerful Look At Life In A One Act Play" - Boston Ma	14
021009	Busch	October 9-10-11, 2002 - "The Power Of Presence" - "Gifts For The Journey" - "A Chance To Touch, A chance to Serve, A Chance To Heal..." - Cleveland (open meeting)	15
021011	NEOBC	"Helping Adult Persons with Intellectual Disabilities Cope with Grief" - Mayfield Hts., OH	01
021011	HOSPICE	"Seminar" Moving On: Using Pain as a Road to Healing - Akron, OH	06
021015	PUTNAMCG	"Grief Workshop Helping Others" - "Grief Workshop for Family, Friends and Professionals" - "Grief Workshop" - Ottawa, OH	11
021015	Dodge	"Embalming & Restoration Of Today's Challenging Cases" - Pittsburgh PA	06
021023 021030	UNIT WAY	"Workplace Violence" - "Handling the Individual" - "Personal Safety" - "Dealing With Your Emotions" - Green Springs, OH	02

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021108	BATES	"Caring for the Caregiver" - Captivia Island, Florida	08
021110	Nurre	"Holiday Help Program" - Amelia	02
021113	Dist - #7	"Implications of Long T3rm Care: Factors effecting Funeral Service" - Arlington, OH	03
021123	UnitedFDEG	"How To Arrange Floral Tributes" - Cincinnati	02

On a motion by Mr. DeJohn, seconded by Mr. Hadley, the Board approved the following blanket requests. Ayes: 7. Nays: 0. Motion approved.

BLANKET: indicate **Y** - yes or **N** no in the right column

Sponsor	Title	Hours
American	"Plant Tour"	01
American	"Merchandising Burial Vaults"	02
Central	"The History Of The Funeral Service Flower Car"	01
Central	"Developing Healthy Attitudes In the Arrangements Conference Room" - Self Study Course	02
Central	"Developing Healthy Attitudes In the Arrangements Conference Room" - Seminar	02

On a motion by Mr. DeJohn, seconded by Mr. Tunnell, the Board approved the following individual requests for credit. Ayes: 7. Nays: 0. Motion approved.

INDIVIDUAL:

DATE	LICENSEE NAME	TITLE	Hours
000701	John W Fairless 42-00-8628	"OSHA" - WV	04
000701	Charles E. Huber 41-00-8541	August 19, 2002 IS Insurance Schools, Inc." - Charleston, V	denied
000701	Delmos L. Newsome 42-00-7057	July 9, 2002 - "FTC - #0005906	17
000701	Laura J. Thornell 42-00-8985	"Safety Program Administration" - Austin, TX	03

On a motion by Mr. DeJohn, seconded by Mr. Hadley, the Board approved the following exemptions and waivers. Ayes: 7. Nays: 0. Motion approved.

APPLICATION FOR WAIVERS OR EXEMPTION 2000-2002

Waiver	Exemption	Licensee Name	Granted/Denied
X		Linda Jo Keller	denied
X		Jeffrey A. Kocher	granted

On a motion by Mr. DeJohn, seconded by Mr. Shank, the Board approved the following exemptions and waivers. Ayes: 6. Nays: 0. Motion approved.

APPLICATION FOR WAIVERS OR EXEMPTION 2002-2004

Waiver	Exemption	Licensee Name	Granted/Denied
X		Thomas C Hoening	granted
X		Brooks E. Sherwood	granted

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Executive Session

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On a motion by Mr. DeJohn, seconded by Mr. Shank, 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.

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

At this time, the Board read and considered the proposed Order of Summary Suspension and Notice of Opportunity For Hearing in the matter of Raymond G. Rossi, specifically for the following violations:

1. On or about April 1, 2002, the Board received two written complaints alleging that Mr. Rossi had accepted funds representing preneed funeral arrangements as defined by R.C. 1111.19 (A)(2) under contract serial numbers NG 21342 and NG 21341.
2. On or about April 1, 2002, the Board received a written complaint alleging that Mr. Rossi had accepted funds representing preneed funeral arrangements as defined by R.C. 1111.19(A)(2), under contract serial number NG24953, a copy of which is attached.
3. The Board opened investigations of these complaints resulting in Mr. Rossi's April 29, 2002 letter of admission to taking possession of funds totaling \$10,089.00 and failing to maintain 100% of said funds in trust for the benefit of the person for whose benefit the contract was made in accordance with R.C. 1111.19. Mr. Rossi admitted that he had taken the funds, that he had disposed of the funds and that he did not presently have the means to make the harmed individuals whole. The Board found Mr. Rossi's continued practice presents a danger of immediate and serious harm to the public..

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Mr. Shank moved to approve the order of summary suspension pursuant to R.C. 4717.14(C) and to send the notices of opportunity for hearing to Raymond G. Rossi, Mr. Hadley seconded the motion. Roll call vote: Cheney, Aye; DeJohn, Aye; Jones, Aye; Shank, Aye; Tobias, Aye; Tunnell, Aye. Motion approved.

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The Board decided to establish a committee to set up guidelines for staff regarding summary suspension. Members will be appointed at the September meeting, and meet after adjournment on Wednesday.

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The Board reviewed the grades of the embalmer Ohio laws examinations and the Funeral Service Arts and Science examinations written, July 30-31, 2002. Motion by Mr. DeJohn, seconded by Mr. Hadley, that applicants with a score of 75% or higher on the examinations will be issued an embalmer license number, pending receipt of a properly completed application and the initial license fee. Motion approved. A list of applicants, their scores, and license numbers will be entered into the journal. Roll call vote: Cheney, Aye; DeJohn, Aye; Hadley, Aye; Jones, Aye; Shank, Aye; Tobias, Aye.

The Board reviewed the funeral director Ohio Laws, Sanitation, and Funeral Service Arts examinations written on July 31, 2002. Motion by Mr. DeJohn, seconded by Mr. Tobias that applicants with a score of 75% or higher on these examinations be granted a funeral director license number, pending receipt of a properly completed application and the initial license fee. Motion approved. A list of licensees, their scores, and license numbers will be entered into the journal. Roll call vote: Cheney, Aye; DeJohn, Aye; Hadley, Aye; Jones, Aye; Shank, Aye; Tobias, Aye.

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On a motion by Mr. DeJohn, seconded by Mrs. Cheney, the Board meeting adjourned at 9:49 A.M. Ayes: 6. Nays: 0. Motion approved.