



August 14, 2024, General Session Meeting Minutes – FINAL (approved October 8, 2024)

Board Members Present: Robert **Gaskill** Present; Ruggiero **Canizares**, Vice President; Nancy **Felton**, Secretary / Treasurer; Craig **Collins**; Debra **Harris**; Kevin **Loveland**; Neal **Naigus**; Elizabeth **Pacheco**;

Board Members Absent: Angela **McKenzie-Tucker**; Melissa **Porter**.

Staff Members Present: 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; and Catriona **McCracken**, AAG

Staff Members Absent: Greg **Brown**, Compliance Specialist; Chad **Dresselhaus**, Executive Director;

Guests: None

I Call to Order

The General Session of the Mortuary and Cemetery Board (Board) was called to order at 9:02 am and was being held online via Microsoft Teams.

II General Session

After roll call President Gaskill confirmed there would be a discussion regarding the Board's delegated authority during the general session following the executive session should take place in public session. He concluded the first portion of the general session and entered directly into executive session.

President Gaskill adjourned the general session at 9:04 am.

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

At 9:06 am, President Gaskill 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 1:49 pm.

IV General Session

President Gaskill called the general session of the Board back to order at 1:59 pm.

Roll call was taken. Member Naigus was not present. All other Board members previously present were currently present.

H. Investigations

(Member Naigus not present for vote)

1. 23-1059 – Table

24-1006 – Table

24-1007 – Table

24-1008 – Table

24-1012AB – Table

24-1013AB – Table

24-1014AB – Table

Moved: Canizares. Second: Collins

For: Canizares, Collins, Felton, Gaskill, Harris, Loveland, Pacheco,

Against: None.

Recursed: None.

Motion Passes: 7 – 0.

2. 24-1005 – Rescind previous action of No Action, to Action Letter of Education

Moved: Canizares. Second: Collins

For: Canizares, Collins, Felton, Gaskill, Harris, Loveland, Pacheco,

Against: None.

Recursed: None.

Motion Passes: 7 – 0.

3. 23-1040A1 – Rescind previous Action of \$50 civil penalty and change to civil penalty of \$1000

Moved: Canizares. Second: Collins

For: Canizares, Collins, Felton, Gaskill, Harris, Loveland, Pacheco,

Against: None.

Recursed: None.

Motion Passes: 7 – 0.

4. 23-1041 A1 – Action – Civil Penalty \$1000, for violation of OAR 830-040-0040(1) in that prior to a change of ownership, the Respondent did not apply to the Board for a new license.

23-1041 B1 – Action – Civil Penalty \$50 for violation of OAR 830-030-0040(2) in that in that the facility did not receive Board approval prior to the sale.

Moved: Canizares. Second: Collins

For: Canizares, Collins, Felton, Gaskill, Harris, Loveland, Pacheco,

Against: None.

Recursed: None.

Motion Passes: 7 – 0.

5. 23-1042 A1 – Action – Civil Penalty \$1000, for violation of OAR 830-040-0040(1) in that prior to a change of ownership, the Respondent did not apply to the Board for a new license.

23-1042 B1 – Action – Civil Penalty \$50 for violation of OAR 830-030-0040(2) in that in that the facility did not receive Board approval prior to the sale.

Moved: Canizares. Second: Collins

For: Canizares, Collins, Felton, Gaskill, Harris, Loveland, Pacheco,

Against: None.

Recursed: None.

Motion Passes: 7 – 0

6. 23-1043 A1 – Action – Civil Penalty \$1000, for violation of OAR 830-040-0040(1) in that prior to a change of ownership, the Respondent did not apply to the Board for a new license.

23-1043 A2 Action \$1000 per day for 17 days, total \$17,000 - for violation of ORS 692.275(3) in that it was operating without a license for 17 days from the date it began operating under its new license.

23-1043 B1 – Action – \$50 Civil Penalty for violation of OAR 830-030-0040(2) in that in that the facility did not receive Board approval prior to the sale.

Moved: Canizares. Second: Collins

For: Canizares, Collins, Felton, Gaskill, Harris, Loveland, Pacheco,

Against: None.

Recursed: None.

Motion Passes: 7 – 0

7. 23-1044 A1 – Action – Civil Penalty \$1000, for violation of OAR 830-040-0040(1) in that prior to a change of ownership, the Respondent did not apply to the Board for a new license.

A2 – Action – Civil Penalty \$1000 per day for 144 days, total \$144,000 - Respondent violated ORS 692.025(4)(a) in that it was operating without a license for 144 days from the date it began operating under its new license.

B1 – Action – Civil Penalty \$50 for violation of OAR 830-030-0040(2) in that in that the facility did not receive Board approval prior to the sale.

Moved: Canizares. Second: Collins

For: Canizares, Collins, Felton, Gaskill, Harris, Loveland, Pacheco,

Against: None.

Recursed: None.

Motion Passes: 7 – 0

8. 23-1049AB – Table

Moved: Canizares. Second: Collins

For: Canizares, Collins, Felton, Gaskill, Harris, Loveland, Pacheco,

Against: None.

Recursed: None.

Motion Passes: 7 – 0

9. 23-1050 – Table

Moved: Canizares. Second: Collins

For: Canizares, Collins, Felton, Gaskill, Harris, Loveland, Pacheco,

Against: None.

Recursed: None.

Motion Passes: 7 – 0

10. 23-1058 – No action – LEO

Moved: Canizares. Second: Collins

For: Canizares, Collins, Felton, Gaskill, Harris, Loveland, Pacheco,

Against: None.

Recursed: None.

Motion Passes: 7 – 0

11. 24-1009 – Action – Deny for violation of OAR 830-030-0090(5)(f) in that a principal applicant failed to provide the requested documents within the Board’s justification.

Moved: Canizares. Second: Collins

For: Canizares, Collins, Felton, Gaskill, Harris, Loveland, Pacheco,

Against: None.
Recused: None.
Motion Passes: 7 – 0

12. 23-1051 – Table

Moved: Canizares. Second: Collins
For: Canizares, Collins, Felton, Gaskill, Harris, Loveland, Pacheco,
Against: None.
Recused: None.
Motion Passes: 7 – 0

Vote to continue all the tabled investigations.

Moved: Canizares. Second: Collins
For: Canizares, Collins, Felton, Gaskill, Harris, Loveland, Pacheco,
Against: None.
Recused: None.
Motion Passes: 7 – 0

After voting President Gaskill thanked everyone and concluded the meeting.

V Adjournment - the meeting adjourned at 2:10 pm.