

NEVADA FUNERAL AND CEMETERY SERVICES BOARD

MINUTES OF PUBLIC MEETING

Thursday, June 12, 2014, at 9:00a.m.

Meeting Location:

Legislative Building
401 South Carson Street, Room 3137
Carson City, Nevada 89701

1. Call to order, roll call, establish quorum

Meeting was called to order by chairman Wayne Fazzino at 9:10 a.m.

Members Present

Wayne Fazzino, Chair
Todd Noecker
Tammy Dermody
Lorretta Gauzzini

Board Staff Present

Jennifer Kandt, Executive Director
Henna Rasul, Senior Deputy Attorney General

Members Absent

Bart Burton
Lisa Franqui
Wendy Simons

Public

John Lawrence
Walt Hartley
Gerald Hitchcock
Monica Giese
Kevin Stiles
Diane Shaffer

2. Public comment

Loretta Gauzzini stated she had received a letter regarding an audit from the Division of Insurance and the letter indicated that she would be responsible for the costs of the audit. Todd stated that he thought they have the authority to charge for the audit. Henna stated that this would be better discussed under Board member comments if there were additional comments needing to be made on this matter.

<p>Note: No vote may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action may be taken. (NRS 241.020)</p>
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3. Discussion, recommendation, and possible action regarding review and approval of May 6, 2014 meeting minutes (For possible action)

Tammy Dermody moved to approve the minutes. The motion was seconded by Todd Noecker and carried unanimously.

4. Discussion, recommendation, and possible action to issue a Funeral Establishment Permit to Janus Nevada, Inc. DBA Sonoma Funeral Home located at 47 West First Street, Winnemucca, Nevada 89445 and to tie Jamie McIntosh's Funeral Director license #230 to the establishment (For possible action)

There was discussion and information from Kevin Stiles that the escrow paperwork was not yet finalized and there were questions on whether a temporary permit should be issued or whether the permit should be granted effective upon closing.

Todd Noecker moved to approve the permit effective upon escrow closing with paperwork provided to the Board. The motion was seconded by Loretta Gauzzini and carried unanimously.

5. Discussion, recommendation, and possible action to issue an Apprentice Embalmer Certificate to Monica Kay Giese (For possible action)

There was discussion on whether a background check had been completed, and Jennifer indicated that this application had been received prior to her being hired, but that the previous Executive Director indicated that a background check had been completed.

Todd Noecker moved to approve the application. The motion was seconded by Loretta Gauzzini. Motion carried unanimously with Tammy Dermody abstaining.

6. Discussion, recommendation, and possible action regarding request from The Hardy Consulting Group LLC for the Board to issue an annual list of funeral establishments and distribute the list (For possible action)

Jennifer stated that there had been a request from The Hardy Consulting Group for the Board to issue an annual list of funeral establishments and to distribute the list to various entities throughout the State. She stated that she did not see any issues with the Board issuing this annual list as an annual list of all licensees is required to be sent to the State Library and Archives.

There was discussion and general consensus that the list be added to the website, but that there was no duty for the Board to distribute the list.

Tammy Dermody moved to approve adding a list of funeral establishments to the Board website. The motion was seconded by Todd Noecker and was carried unanimously.

7. Discussion, recommendation, and possible action regarding request from the Governor's Office to send a letter to all licensed funeral directors regarding Assembly Bill 124 (For possible action)

Jennifer stated that the request from the Governor's Office was to send out a letter reminding funeral directors and establishments of Assembly Bill 124 regarding unclaimed remains of veterans and their obligations under the new requirements.

Tammy Dermody stated that she had already seen that letter and perhaps the Governor's Office had already sent it out. She questioned some of the other Board members and public attendees as to whether they had received that letter and some indicated that they had not received such letter. Tammy stated that there would be a cost to send this out, so she recommended that it be added to the Board website.

Todd Noecker moved to post the letter to the Board website. The motion was seconded by Lorretta Gauzzini and carried unanimously.

Henna Rasul recommended that the Board reconsider this item, as the Governor's Office had requested that the letter be sent out and posting to the website would not fulfill the request, and she recommended that the Board consider emailing the letter which would be a method of sending out without incurring costs.

Todd Noecker amended the motion to send the letter to licensees by email and post to the Board website. Lorretta Gauzzini seconded the amended motion and it carried unanimously.

8. Discussion, recommendation, and possible action regarding request from Diane Shaffer for back pay (For possible action)

Diane Shaffer requested back pay in the amount of \$15,300. The amount was calculated at \$900 per month for the period of August 2012 until November 2013.

Todd Noecker moved to approve the request and it was seconded by Lorretta Gauzzini. The motion was carried unanimously.

9. Discussion, recommendation, and possible action regarding hiring/contracting with an Investigator/Inspector. This item may include discussion of qualifications, draft solicitation, and timeline (For possible action)

Jennifer stated that the solicitation that she had drafted and which was included in the packet was written for the investigator to be a contractor. She stated that she felt that should be changed to an employee due to how the legislation was worded. She recommended that the solicitation be rewritten for the position to be an employee with 10-20 hours per week at a rate of \$25 to \$30 per hour depending upon experience.

There was discussion on whether the Board should hire an investigator in the north and in the south. Jennifer recommended that the Board hire one investigator initially and see how things proceed. She stated that the travel budget would be created according to where the investigator was located in the State.

Gerald Hitchcock commented that he did not see why the Board was discussing rate of pay and number of hours when it wasn't established what the investigator would do.

Jennifer stated that the solicitation defined the duties to be the required inspections of agencies and investigation of complaints. Additionally, she stated that the solicitation defined minimum qualifications and necessary skills.

Tammy Dermody questioned how many establishments were currently licensed and Jennifer indicated that there were approximately sixty. Tammy stated that an inspection would probably only take about two hours, so she wondered if 10-20 hours would be too many. Jennifer stated that the investigator would also be utilized for investigation of complaints, and they would need to complete investigative reports and testify at any hearings.

Tammy questioned whether the Board would have to participate in interviews and Jennifer stated that she would complete the interviews and bring the final recommended candidate to the Board for their final approval.

Todd stated that he thought it may be more cost effective to have just one investigator and he requested that the position include inspection of crematories and cemeteries. He moved to approve the solicitation as an employee for 10 to 20 hours per week covering both north and south and to post the solicitation on the State website. The motion was seconded by Loretta Gauzzini and carried unanimously.

10. Discussion, recommendation, and possible action regarding creation of a legislative subcommittee to review existing laws and suggest changes (For possible action)

Wayne Fazzino stated that Bart Burton was interested in leading the legislative subcommittee to review existing laws and suggest changes. There was general consensus that the subcommittee include 5 people with 3 members of the Board and 2 other industry individuals. Tammy Dermody and Todd Noecker agreed to join Bart Burton on the subcommittee. John Lawrence stated that he would be interested in serving on the subcommittee. There was general consensus that the remaining member be selected from the south.

Loretta Gauzzini moved to establish the subcommittee with Bart Burton, Todd Noecker, Tammy Dermody, John Lawrence and one additional member to be selected from the south. The motion was seconded by Tammy Dermody and carried unanimously.

11. Discussion, recommendation, and possible action regarding approval to proceed with GL Simple for online licensing (For possible action)

Jennifer stated that she had participated in a meeting with GL Suites personnel and Diane Shaffer regarding new licensing software that would eventually allow for online licensing and collection of regulatory fees. Jennifer stated that the current system for tracking licensees was extremely outdated and that this would be a beneficial system for the Board and for licensees. She stated that there was a cost of \$1301 to begin setting up and then there would be \$1301 per month in subscription fees once the system was up and running.

Todd Noecker moved to approve proceeding with GL Simple. The motion was seconded by Loretta Gauzzini and carried unanimously.

12. Discussion, recommendation, and possible action regarding Board approval of furniture and equipment purchases for the new Board office location in Reno (For possible action)

Jennifer stated that she was requesting approval to purchase up to \$5,000 of Board equipment and furnishings for the new Board office space to be located in Reno. Lorretta Gauzzini moved to approve purchasing furnishings and equipment for the new office location. The motion was seconded by Tammy Dermody and carried unanimously.

Gerald Hitchcock said that the motion should include the requested amount.

Henna Rasul stated that the Board could amend the motion to add the requested amount.

Lorretta Gauzzini amended her motion to state that the furnishings and equipment purchases could not exceed \$5,000. Tammy Dermody seconded the amended motion and it carried unanimously.

13. Discussion, recommendation, and possible action regarding compensatory time off and vacation time structure for incoming Executive Director (For possible action)

Jennifer stated that in her offer letter for the position, the Board had agreed to three weeks of vacation, but that she would not be eligible for any time for the first six months. She stated that she would like to request the ability to take up to one week within the first six months. Additionally, she stated that she was requesting three days compensatory time for the time spent on Board duties prior to June 1st. She said she had attended various meetings with the Chair, legal counsel, and GL Suites personnel, and that she had spent considerable time viewing leasing options for Board office space.

Lorretta Gauzzini moved to approve up to one week vacation for the Executive Director in the first six months at her discretion. The motion was seconded by Tammy Dermody and carried unanimously.

14. Discussion, recommendation, and possible action regarding Board policies and procedures (For possible action)

Jennifer stated that the document contained in the packet detailed the current policies and procedures that were provided and that she would be working on a new policies and procedures manual for the Board for approval at an upcoming meeting.

Tammy Dermody moved to approve proceeding with updating the policies and procedures manual. The motion was seconded by Lorretta Gauzzini and carried unanimously.

15. Discussion, recommendation, and possible action regarding approval of FY2015 Board budget (For possible action)

Jennifer stated that she would request that the Board not approve the FY2015 budget at this point as it needed revisions to address the investigator travel and employee status.

16. Discussion, recommendation, and possible action regarding approval of audit services for the Board (For possible action)

Lorretta Gauzzini reported that the audit group she had contacted had not responded so there had not been any work completed toward the audit. Jennifer stated that she would get a recommendation and subsequent proposal for the next Board meeting. Tammy Dermody stated that the Board could not utilize the CFO Group as she was related to the owner.

17. Report from Board Treasurer

- **Status of Board funds**
- **Status of regulatory fee collection to date**

Lorretta reported that there was \$132,000 currently in the account and that the regulatory fee had brought in \$85,020 to date.

18. Report from Executive Director, Jennifer Kandt

Jennifer stated that she had filled out the paperwork for requesting an office location with Buildings and Grounds Leasing Services, but was told the process could take 90 to 120 days. She said that she had established a new Board phone number which was a call forwarding number going to her cell phone until the Board could get office space. Additionally, she stated she was working on getting a State issued email address.

Jennifer reported that the current Board forms did not appear to comply with current State laws and that she would be working toward form revisions and a comprehensive policy and procedures manual.

19. Report from Senior Deputy Attorney General

Henna reported that she had spent considerable time reviewing Board statutes and various materials and was becoming acquainted with various Board issues.

20. Board member comments

Tammy Dermody requested that the regulatory fee reporting form be added to the Board website.

21. Discussion regarding future agenda items and future meeting dates

The next Board meeting was tentatively scheduled for August 5th dependent upon Board member availability and meeting space availability.

22. Public comment

Gerald Hitchcock stated that he felt that if the Board ends up with considerable funds from the collection of the regulatory fee that they should consider lowering licensing fees. Additionally, he stated that just because the Board has funds they shouldn't spend them, but save them for a rainy day.

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23. Adjournment (For possible action)

Loretta moved to adjourn the meeting. The motion was seconded by Tammy and carried unanimously.