

STATE BOARD OF FUNERAL AND CEMETERY SERVICE  
BOARD MEETING  
THURSDAY MAY 31, 2012  
INDIANA GOVERNMENT CENTER SOUTH  
302 W WASHINGTON STREET, W064  
INDIANAPOLIS, IN 46204

MINUTES OF THE MEETING

**BOARD MEMBERS PRESENT:** Paul St. Pierre, Chairman  
David McComb, Vice Chairman  
Samuel Frain  
James Todd  
Theodore Mau  
Matthew Drury  
John Gerlach  
Anne M. Patterson  
Erin Kellam, State Department of Health

**BOARD MEMBER ABSENT:** Roland Cutter

**STATE OFFICIALS PRESENT:** Tracy Hicks, Board Director  
Kevin McDowell, Deputy Attorney General

**MINUTES TRANSCRIBED AND  
COMPILED BY:** Tracy Hicks, Board Director

**MINUTE NO. 12-40  
CALL TO ORDER**

The meeting was called to order at 11:00 a.m. by P.St Pierre, pursuant to public notice posted at the principal office of the board at least forty-eight (48) hours before the time of the meeting.

**MINUTE NO. 12-41  
ADOPTION OF THE MAY 31, 2012 AGENDA**

T. Mau moved to adopt the April 12, 2012 agenda as amended. M. Drury seconded the motion. Motion carried.

**MINUTE NO. 12-42  
ADOPTION OF THE MINUTES OF APRIL 12, 2012 MEETING OF THE BOARD**

J. Todd moved to adopt the minutes of the April 12, 2012 meeting of the board as amended. E. Kellam seconded the motion. Motion carried.

**MINUTE NO. 12-43  
ADMINISTRATIVE HEARING IN THE MATTER OF RICHARD DUANE PYKE, FD08800208, SBFCS 10-06**

The Administrative hearing in the matter of Richard Duane Pyke, FD08800208, SBFCS 10-06 was continued.

M. Drury moved to extend the summary suspension for 90 days in the matter of Richard Duane Pyke, FD08800208, SBFCS 10-06. S. Frain seconded the motion. Motion carried.

**MINUTE NO. 12-44**

**ADMINISTRATIVE HEARING IN THE MATTER OF JEFFREY NATHAN SACHS, FD29800086, SBFCS 11-13**

Administrative hearing in the matter of Jeffrey Nathan Sachs, FD29800086, SBFCS 11-13.

S. Frain moved to find Jeffrey Nathan Sachs, FD29800086, SBFCS 11-13 in default. E. Kellam seconded the motion. Motion carried.

S. Frain moved to revoke the license, impose the costs of the proceedings, and impose the \$5.00 Office of the Attorney General fee in the matter of Jeffrey Nathan Sachs, FD29800086, SBFCS 11-13. J. Todd seconded the motion. Motion carried.

**MINUTE NO. 12-45**

**OFFICE OF THE ATTORNEY GENERAL REPORT**

The board reviewed the Office of the Attorney General report of the number of complaints processed as of May 31, 2012. There are 34 open complaints and 44 complaints that have been closed as of May 31, 2012. There are 8 open litigation files for 2012.

**MINUTE NO. 12-46**

**CONSIDERATION OF PROPOSED FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER**

J. Todd moved to accept the Proposed Findings of Fact, Conclusions of Law and Order in the matter of David Culberson, FD01001594, SBFCS 11-12. A. Patterson seconded the motion. Motion carried.

**MINUTE NO. 12-47**

**CONSIDERATION OF FINDINGS OF FACT, CONCLUSIONS OF LAW AND RECOMMENDED ORDER**

J. Todd moved to accept the Proposed Findings of Fact, Conclusions of Law and Order in the matter of Richard Duane Pyke, FD08800208, SBFCS 10-06. E. Kellam seconded the motion. Voting in favor: A. Patterson, E. Kellam, S. Frain, J. Todd. Abstained: M. Drury. Motion carried.

**MINUTE NO. 12-48**

**CONSIDERATION OF APPLICATIONS FOR RENEWAL OF FUNERAL DIRECTOR LICENSE**

J. Todd moved to approve the application for funeral director license in the matter of Kevin Bryant Nordyke, FD29600005 with the continuing education he presented to the board. E. Kellam seconded the motion. Motion carried.

S. Frain moved to approve the application for funeral director license in the matter of Shirley Pippens-Baker, FD01016351 pending proof of 30 hours of continuing education with no less than 15 hours live courses. E. Kellam seconded the motion. Motion carried.

**MINUTE NO. 12-49**

**CONSIDERATION OF APPLICATION FOR FUNERAL DIRECTOR LICENSE**

S. Frain moved to approve the application for funeral director license and issue a license on indefinite probation with no right to petition for removal of probation until released from criminal probation in the matter of Cynthia Stevens. E. Kellam seconded the motion. Motion carried.

S. Frain moved to approve the application for funeral director license in the matter of J. Douglas Bell. M. Drury seconded the motion. Motion carried.

S. Frain moved to approve the application for funeral director license in the matter of John V. Fleig. J. Todd seconded the motion. Motion carried.

**MINUTE NO. 12-50  
CONSIDERATION OF APPLICATION FOR FUNERAL DIRECTOR INTERN LICENSE**

S. Fain moved to table the application for funeral director intern license in the matter of Nicholas Henson pending a personal appearance before the board. E. Kellam seconded the motion. Motion carried.

**MINUTE NO. 12-51  
DISCUSSION OF CREMATION AUTHORITY REGISTRATION/ANNUAL REPORT FORM**

Add to the form, "This is not an area that the board currently regulates (pets) and answering is optional."

**MINUTE NO. 12-52  
DISCUSSION OF FUNERAL SERVICE EDUCATION FUND FOR INSPECTION/AUDIT PURPOSES**

It was the consensus of the board to allow \$2500.00 for travel reimbursement in addition to the previously approved amount of compensation. If it becomes evident that \$2500.00 is not enough, the board may revisit the matter at that time.

**MINUTE NO. 12-53  
VERIFIED COMPLAINTS REQUESTING RESTITUTION FROM THE PRENEED CONSUMER PROTECTION FUND**

**A. Steinke Funeral Home for Margaret Allen**  
Re: Lang Funeral Home, FH19300014 (Revoked)

**B. Steinke Funeral Home for Garnita Webb**  
Re: Lang Funeral Home, FH19300014 (Revoked)

It was the consensus of the board to deny the requests based on information submitted and attested to in person by Mr. and Mrs Steinke. Pursuant to IC 30-2-13-17, Steinke Funeral Home is responsible for shortages in the trust.

**MINUTE NO. 12-54  
CORRESPONDENCE**

Pilgrims Rest Cemetery of Huntington, Inc. asked the board if there is any grant money or other assistance available through the state to assist them with their perpetual care fund shortages. The board suggested they increase their prices for goods and services to supplement the fund.

**MINUTE NO. 12-55  
PRENEED CONSUMER PROTECTION FUND BALANCE**

The balance of the preneed consumer protection fund is \$548,951.16.

**MINUTE NO. 12-56  
REVIEW OF CONTINUING EDUCATION SPONSORS AND COURSES, APPROVED**

M. Drury moved to approve the Continuing Education as follows. S. Frain seconded the motion. Motion carried.

**MINUTE NO. 12-57  
ADJOURNMENT**

There being no further business to discuss, the meeting was adjourned at 1:45 p.m.

Dated: 8-2-12

*Paul St Pierre*

Paul St. Pierre,  
Chairman

Attest: *Tracy Hicks*  
Tracy Hicks, Board Director