

**Arkansas State Board of Embalmers, Funeral Directors, Cemeteries, and Burial Services  
Board Meeting Minutes**

Tuesday, July 16, 2019  
1200 West Third Street  
1<sup>st</sup> Floor Hearing Room  
Little Rock, AR  
9 a.m. – 11:24 a.m.

Chairman Bill Booker called the meeting to order. Members present: Billy Curl, Professional Member, Chuck Dearman, Professional Member, Commissioner, Allen Kerr, Stephanie Neipling, Consumer Member, Josephine Perry, Senior Citizens Member, and James Bruce Smithson, Professional Member. Member(s) absent: Rausch Hodges, Professional Member and Steve Whitwell, Professional Member and Vice-Chair. Staff present: Amy Goode, Executive Secretary, Lorin Hillery, Auditor, Amelia Vestal, Senior Securities Examiner, and Amanda Gibson, Arkansas Insurance Department, Associate Counsel. Staff absent: Robert Akers, Director, Funeral Services Division.

1. **Call to Order** – Introduction of Board members and staff.
2. **Approval of the Agenda**

Chairman Booker inquired if there was any desire to change or deviate from the proposed agenda. Hearing none, the Board proceeded with the agenda as prepared by staff.

3. **Administrative**

- a. **Approval of the May 7, 2019, meeting minutes;**

Motion made by Kerr to approve the minutes of the May 7, 2019 meeting, as submitted by staff, seconded by Smithson, all in favor. Motion carried.

4. **New Business**

- a. **Embalmers & Funeral Directors – Establishments Seeking Approval**

[[A.C.A. §17-29-304 Funeral Establishment – Requirements](#) and [§17-29-305 Examinations – Licenses](#)]

- i. **Cremations Only, LLC – Board ID No. 25144.** Requests a **Type A** establishment license and is located at 2009 Arkhola Dr., Springdale, Arkansas. Interim Inspector Smithson inspected the Type A Full-Service establishment, owned by Donald “Skip” White, on **Tuesday, July 9, 2019**. The manager of record will be Donald “Skip” White, Board ID No. 20841 and Ozark Embalming Service, Inc., Board ID No. 20459 in Gentry, Arkansas, is to be performing the embalming under the direction of Richard Boles, Board ID No. 23372 and Denita Metcalf, Board ID No. 24129. Ozark Crematory, Board ID No. 20562 in Gentry will perform cremations, as well as, White Funeral Home and Crematory in Cassville, Missouri. All required documentation submitted is pending Board approval.

Skip White was present representing Cremations Only, LLC.

Motion made by Smithson to approve the Type A establishment license request from Cremations Only, LLC., seconded by Dearman, all in favor. Motion carried.

5. **Hearing – 9:12 a.m.**

**a. In the matter of: Julia Carmella Myers, Applicant for Apprentice Embalmer; Board ID No. 25101; Case No. 19-18.**

William “Bill” R. Lacy, Insurance Department Property & Casualty Manager, served as Hearing Officer;

Amanda Gibson, Board Counsel, represented the Board;

Tiffanie Harrison, Court Reporter;

Julia Carmella Myers, Respondent, represented herself;

Court Reporter swore in witnesses.

Hearing Officer, Bill Lacy called the hearing on the record and explained the purpose of the hearing. Mr. Lacy noted Respondent Myers was present and had received notice of hearing. Mr. Lacy explained the hearing would be conducted pursuant to the Arkansas Administrative Procedures Act. The strict rules of introducing evidence do not apply and will be given latitude in presenting testimony and evidence, to promote a fair hearing. This hearing is subject to the Arkansas Freedom of Information Act and therefore all parts of the hearing, including deliberations, are open to the public. The Board will base its decision solely on evidence presented today.

Ms. Gibson gave a brief summary of exhibits 1 – 4 and inquired if she had permission to publish the Board’s Exhibit Packet. There were no objections and exhibits 1-4 were entered into the record. Respondent had no further exhibits.

Motion made by Curl to find factual allegations 1-4 be found proven, charge 1 found proven, and to approve the embalmer apprentice application for Julia Carmella Myers, seconded by Dearman, all in favor. Motion carried.

Hearing was closed at 9:45 a.m.

**b. In the matter of: Vickie Blake, Registered Funeral Director Apprentice and Applicant for Apprentice Embalmer; Board ID No. 24783; Case No. 19-05.**

William “Bill” R. Lacy, Insurance Department Property & Casualty Manager, served as Hearing Officer;

Amanda Gibson, Board Counsel, represented the Board;

Tiffanie Harrison, Court Reporter;

Vickie Blake, Respondent, represented herself;

Court Reporter swore in witnesses.

Hearing Officer, Bill Lacy called the hearing on the record and explained the purpose of the hearing. Mr. Lacy noted Respondent Blake was present and had received notice of hearing. Mr. Lacy explained the hearing would be conducted pursuant to the Arkansas Administrative Procedures Act. The strict rules of introducing evidence do not apply and

will be given latitude in presenting testimony and evidence, to promote a fair hearing. This hearing is subject to the Arkansas Freedom of Information Act and therefore all parts of the hearing, including deliberations, are open to the public. The Board will base its decision solely on evidence presented today.

Ms. Gibson gave a brief summary of exhibits 1 – 4 and inquired if she had permission to publish the Board’s Exhibit Packet. There were no objections and exhibits 1-4 were entered into the record. Respondent had no further exhibits.

Motion made by Kerr to find factual allegations 1-6 be found proven, charge 1 found proven and charge 2 unproven, seconded by Smithson, all in favor. Motion carried.

Motion made by Kerr to deny request for an embalmer apprenticeship and allow to continue funeral director apprenticeship, may reapply for embalmer apprenticeship two years from today’s date, seconded by Dearman, all in favor. Motion carried.

Hearing was closed at 10:25 a.m.

**c. In the matter of: Larron McClure, Applicant for Apprentice Funeral Director; Case No. 19-19.**

William “Bill” R. Lacy, Insurance Department Property & Casualty Manager, served as Hearing Officer;

Amanda Gibson, Board Counsel, represented the Board;

Tiffanie Harrison, Court Reporter;

Larron Gilbert McClure, Respondent, represented himself;

Marcus Joe Robison, Owner of Willis Funeral Service in Batesville and Witness for Respondent;

Court Reporter swore in witnesses.

Hearing Officer, Bill Lacy called the hearing on the record and explained the purpose of the hearing. Mr. Lacy noted Respondent McClure was present and had received notice of hearing. Mr. Lacy explained the hearing would be conducted pursuant to the Arkansas Administrative Procedures Act. The strict rules of introducing evidence do not apply and will be given latitude in presenting testimony and evidence, to promote a fair hearing. This hearing is subject to the Arkansas Freedom of Information Act and therefore all parts of the hearing, including deliberations, are open to the public. The Board will base its decision solely on evidence presented today.

Ms. Gibson gave a brief summary of exhibits 1 – 4 and inquired if she had permission to publish the Board’s Exhibit Packet. There were no objections and exhibits 1-4 were entered into the record. Respondent had no further exhibits.

Motion made by Kerr to find factual allegations 1-4 be found proven, charge 1 found proven, and to approve his application for funeral director apprentice, seconded by Neipling, all in favor. Motion carried.

Hearing was closed at 10:50 a.m.

6. **Break – 10:50 – 11:00 a.m.**

7. **New Business**

a. **Perpetual Care Cemeteries Application for Permit Amendment** ([§20-17-1011 Permit-Amendment](#))

- i. To consider the transfer of ownership of **Woodlawn Memorial Park Cemetery**, Fairfield Bay (License No. 11802) from JoAnn Olmstead, Olmstead, Inc., to T. Russell Olmstead and R. Waren Olmstead, Olmstead, Inc.

Motion made by Curl to approve the request to transfer, seconded by Dearman, all in favor.  
Motion carried.

Ms. Vestal noted that Mr. Olmstead will become the individual trustee and if he feels he should need to change it, she would work him in the future.

b. **Perpetual Care Cemeteries Annual Report** ([§20-17-1023 Annual report](#))

- i. **Woodlawn Memorial Park #11802, Fairfield Bay (License No. 11802):** failure to submit the 2018 Annual Cemetery and Trustee Report as required by §20-17-1023 Annual report of condition of the cemetery company.

Motion made by Kerr to waive the late fees and fines that could be imposed and would like to not see them late again, seconded by Smithson, all in favor. Motion carried.

8. **Complaints**

a. **Funeral Directors and Embalmers – To consider the complaint(s) on-file with the State Board**

[[A.C.A. §23-61-1111 Duties of the State Insurance Department](#)]

Ms. Gibson stated she has three complaints to present to the board.

**Case No. 18-18.** Recommended closed by board staff and counsel.

**Case No. 19-14.** Recommended closed by board staff and counsel.

**Case No. 19-15.** Recommended closed by board staff and counsel.

Motion made by Kerr to accept staff's recommendation to close the above referenced cases, seconded by Curl, all in favor. Motion carried.

9. **Legal Administrative Update**

Opposing counsel for Roy Lyles and Lyles Funeral Home requested another extension due to his wife being ill. The brief is now due on September 15, 2019 and our response would be due within thirty (30) days from Sept 15<sup>th</sup>.

10. **Future Meeting Date(s)**

- a. **Tuesday, September 17, 2019 (9:00 a.m.)**

11. **Comments and Announcements**

- a. **Williams Funeral Home, Arkadelphia, Arkansas** – Quarterly report requested by the Board March 20, 2019.

Quarterly report was received from Roland Gosey and Williams Funeral Home timely. He is currently working out of the temporary facility. Plans to rebuild in the same location. Currently still using Welch Funeral Home for embalming.

12. **Adjournment**

Motion made by Smithson to adjourn the meeting at approximately 11:40 a.m., seconded by Kerr, all in favor. Motion carried.