

APPROVED MINUTES

Vermont Board of Funeral Service
National Life Building North Fl 2,
Montpelier, VT 05620-3402

March 8, 2011

8:00 a.m. – Curriculum Committee

8:30AM – Board Meeting

Board Members present: Lyndon Mann, Chairman; Peter Beck, Robert Covey, Emma Pudvah, Ad-Hoc Member; Michael Donahue Ad-Hoc Member
Board Member(s) Absent: Larry Gile, Ercel Harvey

Staff Attending: Dan Vincent, OPR Inspector, Terry Gray, Unit Administrator, Aprille Morrison, Administrative Assistant, Colin Benjamin, Board Counsel, and Carla Preston, Case Manager.

Visitors: Lucien Hayes

1. Meeting called to order at 8:32 am by Chairman Mann.
2. Mr. Beck moved to approve the minutes of the February 8, 2011 meeting. The motion passed unanimously.
3. Case Manager Report:

Carla Preston, Case Manager, reported to the Board there are thirteen (13) pending cases, nine (9) are set for hearings, three (3) are under investigation and one (1) is pending for a closing report.

.
4. Discipline:
 - a. A stipulation and consent order for Raymond Levesque/Brady and Levesque, docket numbers 2009-505, 2008-225 and 2008-231 was presented to the Board. Peter Beck recused himself from the presentation of this stipulation and consent order. The board entered into deliberation session and voted unanimously to reject the stipulation and consent order. The Board recommended the order to include Raymond Levesque of Brady and Levesque Funeral Home shall send a written follow up response to the board after each of the contracts had been completed. State Prosecuting Attorney Greg Meyer will make the changes and present the Board recommendations to the respondent.
 - b. In the matter of John Workman/A.W. Rich Funeral Home, docket numbers 2008-239 and 2008-240 the state withdrew the stipulation and consent orders. The

Board recommended the same changes to the stipulation and consent order be revised to include the above changes.

Peter Beck and visitors rejoined the Board meeting.

5. Discussion:
 - a. 8:30 CE Committee Report – Chairman Mann will remain on the CE Committee until May. Once Mr. Gile returns he will take Chairman Mann’s place on the Committee.
 - b. Funeral Establishment Inspection Report – Mr. Vincent provided the members of the Board with a copy of a blank inspection report. He asked the Board members to review the report and at the next meeting the Board can address any concerns they may have. A question was posed by Mr. Beck regarding the State Statutes stating that the “Board shall be provided with a copy of the inspection reports” at the last Board meeting. Mr. Benjamin, Board Counsel, recommended that Mr. Vincent be added to the agenda for each meeting and he recommends that Dan give the board an overview/summary of the inspections he has performed. Colin expressed to the board, by the inspector sharing his inspection reports with the Board this would or could cause a conflict. If any of the inspection reports are viewed by the Board and end in a disciplinary action the entire Board would be recused and an ad hoc board would have to be formed. The Board agreed, Mr. Vincent will provide the Board with a written report summarizing the inspections he has done and any problem areas.
 - c. Mr. Beck would like to schedule time at the next Board meeting for a general discussion on Board goals.
7. Adjournment at 11:05 am
8. Next Meeting – April 12, 2011

Respectfully Submitted,

Aprille Morrison, Administrative Assistant