

State Board of Embalmers and Funeral Directors

December 16, 2010

Fletcher Daniels State Office Building
615 E 13th St., Suite 502
Kansas City, MO 64106

Open Meeting Minutes

Thursday, December 16, 2010 – 2:30 p.m.

The meeting of the Missouri State Board of Embalmers and Funeral Directors was called to order by Martin Vernon, Member, at 2:36 p.m. on Thursday December 16, 2010 at the Fletcher Daniels State Office Building, 615 E 13th St., Suite 502, Kansas City, MO 64106.

Roll Call

Board Members Present

Martin Vernon, Member
James Reinhard, Member
Archie Camden, Public Member
D. Todd Mahn, Vice Chairman, by phone
Gary Fraker, Chairman, by phone Joined at 4:46 p.m.

Staff Present

Sandy Sebastian, Executive Director
Tabatha Lenzini, Administrative Assistant
Lori Hayes, Inspector, by phone
Don Eggen, CIU, by phone
Randall Jennings, Examiner, by phone
Kevin Lager, Inspector
Ed Frownfelter, Assistant Attorney General

Ronald Marts/Martron LLC, dba Marts Memorial Services

The purpose of the meeting was to continue the probation violation hearing relating to Ron Marts and Marton LLC dba Marts Memorial Services that began during the Board's December 8-9, 2010 meeting. Sharon Euler, Division Legal Counsel, represented the State of Missouri and Ed Frownfelter Assistant Attorney General was advisor to the Board on procedural and evidentiary matters.

Prior to the hearing starting, Sam Mirable, counsel for Ron Marts/Martron LLC dba Marts Memorial Services approached the Board and requested a closed session to attempt to settle the matter.

Closed Meeting

Motion was made by James Reinhard and seconded by Archie Camden to move into closed session and that all records and votes, to the extent permitted by law, pertaining to and/or resulting from the closed meeting be closed pursuant to Section 610.021

Subsection (14) and 324.001.8 RSMo for discussing educational transcripts and/or test scores and/or complaints and/or audits and/or investigative reports and/or other information pertaining to the licensee or applicant for licensure; Section 610.021 Subsection (1) RSMo for discussing general legal actions, causes of action or litigation and any confidential or privileged communications between this agency and its attorney; Section 610.021 Subsection (1) RSMo and 324.001.9 RSMo for deliberation on discipline. Motion carried with James Reinhard, Archie Camden, D. Todd Mahn and Martin Vernon voting in favor with no votes in opposition. Gary Fraker and John McCulloch were not present for the vote.

The Board reconvened in open session at 3:52 p.m. and announced that the probation violation hearing would proceed as scheduled. At that time Ron Marts and his counsel, Sam Mirable, left the meeting by their choice and did not participate in the hearing.

The Board continued the probation violation hearing with Sharon Euler, Division legal counsel, requesting the Board to withdraw any exhibits presented by Sam Mirabile, counsel for Ron Marts/Marton Memorial Services, LLC, in the portion of the probation violation hearing that took place on December 8-9, 2010 as there were no copies left for the court reporter or the Board.

Closed Meeting

Motion was made and seconded to move into closed session and that all records and votes, to the extent permitted by law, pertaining to and/or resulting from the closed meeting be closed pursuant to Section 610.021 Subsection (14) and 324.001.8 RSMo for discussing educational transcripts and/or test scores and/or complaints and/or audits and/or investigative reports and/or other information pertaining to the licensee or applicant for licensure; Section 610.021 Subsection (1) RSMo for discussing general legal actions, causes of action or litigation and any confidential or privileged communications between this agency and its attorney; Section 610.021 Subsection (1) RSMo and 324.001.9 RSMo for deliberation on discipline. Motion carried with James Reinhard, Archie Camden, D. Todd Mahn and Martin Vernon voting in favor with no votes in opposition. Gary Fraker and John McCulloch were not present for the vote.

A motion was made by Martin Vernon and seconded by Archie Camden to adjourn the meeting. Motion carried with Gary Fraker, D. Todd Mahn, Martin Vernon, James Reinhard and Archie Camden voting in favor with no votes in opposition. John McCulloch was not present for the meeting. The meeting adjourned at 5:15 p.m.

Executive Director: Sandy Sebastian

Approved by the Board on: 9/27-29/2011