

**OFFICIAL BOARD MINUTES FOR May 6, 2015  
BOARD MEETING**

Members Present:           Howard Sogn, President  
                                  Stuart W. Barns, Vice-President  
                                  Sue Bentsen, Secretary-Treasurer  
                                  D. Scott Isburg, Member  
                                  Tim Bachman, Member  
                                  Alfred Rude, Lay Member  
                                  David Volk, Lay Member  
                                  Mariah Pokorny, Dept of Health(Non-voting member)

Members Absent:           None

Others Present:           Carol Tellinghuisen, Executive Secretary  
                                  Paula Spargur, Executive Assistant  
                                  John Strohman, Office of the Attorney General  
                                  Terry Spitzenberger, Brookings  
                                  Myron Nohava, Baltic  
                                  Gary Maass, Sioux Falls

President Sogn called the meeting to order at 1:00 PM CT.

**Corrections or additions to the agenda:** Sogn requested to move Items #5, 9, 10 and 11 above Item #2.

**North Carolina US Supreme Court Case:** Strohman provided the board with details of the North Carolina US Supreme Court Case. He reminded the board that “we are not interested in marketing the profession; we are interested in enforcing statutes and protecting the public”.

Volk moved and Barns seconded to enter executive session at 1:10 PM CT to discuss complaints/investigations, applicant 2015-10, and the Executive Secretary contract. Motion carried by unanimous vote. Spitzenberger and Nohava exited the meeting. Volk moved and Bentsen seconded to exit executive session at 1:45 PM CT. Motion carried by unanimous vote.

**Complaints/Investigations:**

#159: Bachman recommended to dismiss complaint #159 based on lack of substantive evidence. Volk moved and Bentsen seconded to dismiss complaint. Motion carried by unanimous vote.

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#161: Bachman recommended to dismiss complaint #161 based on lack of substantive evidence. Rude moved and Bentsen seconded to dismiss complaint. Motion carried by unanimous vote.

#160: Sogn recommended to dismiss complaint #160 based on lack of substantive evidence. Bachman moved and Rude seconded to dismiss complaint. Motion carried by unanimous vote with one abstention.

#162: Sogn reported complaint #162 as pending.

Applicant 2015 – 10: Bachman moved and Volk seconded to approve application based on the passing of the state written examination. Motion carried by majority vote.

Maass joined the meeting and Spitzenberger and Nohava rejoined the meeting at 1:51 PM CT. The Board took a brief break and reconvened at 1:58 PM CT.

Election of Officers: Bachman moved and Barns seconded to keep the slate of officers the same. Motion carried by unanimous vote.

**Approval of Minutes from December 18, 2014:** Volk moved and Isburg seconded to approve the minutes from December 18, 2014. Motion carried by unanimous vote.

**FY Financial Update:** Spargur reported fiscal year to date figures as of March 31, 2015: year to date revenue of \$71,788.75; expenditures of \$46,835.50 and cash balance of \$110,462.58. Bachman moved and Rude seconded to approve the financial report as presented. Motion carried by unanimous vote.

**Portability of Guaranteed Price Preneed Contracts and Funds:** Nohava and Maass voiced concerns on the language regarding the transferring of funds from a trust outside of your service area. They both also recommended adding language where an establishment is required to report all balances from all trust yearly not just the prior year. The Association will draft legislation to address these concerns. The Board is supportive of revising these areas and agreed to review the language. Spitzenberger, Maass and Nohava exited the meeting at 2:41 PM CT.

**Reciprocity Issues:** A licensee had voiced concerns with how Wyoming was treating reciprocity. The board discussed and agreed the individual would need to contact Wyoming to voice his concerns.

**SD Funeral Directors Association Contract:** Bachman moved and Volk seconded to sponsor a technical speaker for \$1000 for the 2016 convention. Motion carried by unanimous vote.

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**Executive Secretary Contract:** Tellinghuisen asked for a 2% increase on her contract. Volk moved and Barns seconded to approve the increase. Motion carried by unanimous vote.

**Schedule next meeting:** The next meeting will be scheduled as needed. Volk moved and Isburg seconded to adjourn. Motion carried by unanimous vote. Meeting adjourned at 3:09 PM CT.

Respectfully submitted,

Susan Bentsen  
Secretary/Treasurer