

1 **MINUTES**
2 **South Carolina Board of Funeral Service**
3 **Board Meeting**

4 10:00 a.m., May 23, 2011
5 Synergy Business Park
6 110 Centerview Drive, Kingstree Building Room 108
7 Columbia, South Carolina
8

9 **Thursday, May 23, 2011**

10 **1. Meeting Called to Order**

11 Eddie Nelson, President, of Blythewood, called the regular meeting of the SC Board of Funeral
12 Service to order at 10:05 a.m. Other Board members present for the meeting included:
13 Michelle Cooper, Vice-President, of Moncks Corner, Glen Crawford, secretary, of Lancaster; C.
14 Brad Evans, of Abbeville; Billy Horton, of Kingstree; John Petty, III, of Landrum; Thomas Baker,
15 of Kershaw; Kenneth Beasley, of Fountain Inn; Jeff Temples, of Columbia and Margery
16 McWhorter, of Columbia.

17
18 Staff members participating in the meeting included: Doris Cubitt, Administrator; Jeanie Rose,
19 Administrative Specialist; Wendi Elrod, Program Assistant; Christa Bell, Division of Legal
20 Services and Sheridan Spoon, Division of Legal Services.

21
22 Members of the public attending the meeting included: Christopher Burroughs, of Cremation
23 Services of the Strand and Robert Maring of Maring & Moody, LLC.

24
25 **A video of this meeting can be viewed at www.lfr.state.sc.us/POL/Funeral. On the Board's**
26 **home page, click 'Board Information' and follow the link to the video.**

27
28 a. **Public Notice**

29 Mr. Nelson announced that public notice of this meeting was properly posted at the SC Board of
30 Funeral Service office, Synergy Business Park, Kingstree Building, and provided to all
31 requesting persons, organizations, and news media in compliance with Section 30-4-80 of the
32 South Carolina Freedom of Information Act.

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34 b. **Pledge of Allegiance**

35 All present recited the Pledge of Allegiance.

36
37 **MOTION**

38 Mr. Petty made a motion the Board adopt the agenda as presented. Ms. Cooper seconded the
39 motion which carried unanimously.

40
41 **Unfinished Business**

42 1. **Cremation Services of the Strand LLC - Christopher Scott Burroughs**

43 This matter was recorded by a court reporter in order to produce a verbatim transcript should
44 one be necessary.

45
46 Ms. Cubitt informed the Board that after the last Board meeting, she had a discussion with one
47 Board member regarding crematory permits and if the Board was properly following the statute
48 and regulations. They requested a meeting to discuss the matter, so she called Mr. Nelson who
49 decided to call the meeting.

50
51 Mr. Nelson asked Christopher Burroughs to come forward.

52
53 The purpose of this hearing is to determine if Christopher S. Burroughs shall be granted a
54 license to manage this facility.

55
56 Ms. Bell said that this would be the appropriate time in the meeting for any Board member
57 needing to recuse him or herself to do so.

58
59 Mr. Temples said that, as stated in the previous Board meeting on May 5, 2011, he and Mr.
60 Burroughs had spoken. Previously Mr. Temples asked if Mr. Burroughs would like for him to
61 recuse himself, and Mr. Burroughs said that he was comfortable with Mr. Temples remaining.
62 Ms. Bell asked Mr. Burroughs if he was still comfortable with Mr. Temples sitting on the Board in
63 consideration of this matter, and Mr. Burroughs replied that he was.

64
65 Ms. Cubitt told the Board that the facility is Cremation Services of the Strand, LLC, and the
66 proposed manager is Mr. Burroughs. Mr. Burroughs is licensed in the state of South Carolina
67 as a Funeral Director and Embalmer, and his license number is FDE.2065. Mr. Burroughs's
68 license is current; he does not have a criminal background; he lives 6.58 miles from the facility;
69 and, he is the owner of the facility.

70
71 Mr. Burroughs and his attorney, Robert Maring, were both sworn in.

72
73 Mr. Burroughs addressed the Board. He told them he was proposing to open a stand-alone
74 crematory in Garden City, SC. He told the Board that he only wants to open a crematory, and
75 that he wants to advertise to the public for direct cremations. He would like to sell urns. Mr.
76 Burroughs told the Board that he has been licensed since 1990 and that he had a stand-alone
77 crematory, which the Board approved in 2000, Grand Strand Cremation Services.

78
79 Mr. Burroughs provided the minutes from the meeting in 2000 where the Board unanimously
80 approved his stand-alone crematory. He operated as a stand-alone crematory for just a couple
81 of months before he opened a funeral home and combined the two to make a full service funeral
82 home with a crematory. On February 4, 2000, the Board granted a license for Grand Strand
83 Cremation Service, his stand-alone crematory; in 2000 he opened the funeral home; and, in
84 2005 he sold the funeral home and crematory to Goldfinch. At present, he is asking to open
85 another stand-alone crematory in Garden City.

86
87 Ms. Cooper asked Mr. Burroughs if he ever provided copies of the blueprints when he applied
88 for the crematory license in February 2000. Mr. Burroughs said that he did not. He stated that
89 the minutes show that Lou Ann Pyatt told the Board that she did not ask for the blueprints.

90
91 Ms. Cooper next asked Mr. Burroughs about his appearance before the Board on June 15,
92 2000, concerning the new facility and the showroom with end-caps counting as the caskets as
93 required by law. Mr. Burroughs said that he would have to see a copy of those minutes to know
94 what she is asking about.

95
96 Ms. Bell added, as a point of reference, that Ms. Cubitt went through the minutes from the
97 meetings, and that is the document the Board is referring to. She noted that Ms. Cubitt could
98 put that in perspective if needed once you have a chance to review it. It gives a chronological
99 history.

100

101 He believes in February he opened the stand-alone crematory, and he believes his appearance
102 in June was to open the funeral home. He pointed out that in February 2000, he came for
103 Grand Strand Cremation Services, and in June 2000, he came for Grand Strand Funeral Home,
104 as noted in the minutes for each meeting. He reiterated the fact that he was granted his stand-
105 alone crematory in February. He quickly saw the need for a full service funeral home, so he
106 came before the Board seeking approval for that in June 2000. With the funeral home, he
107 bought a new building, and he installed a new crematory. He kept the old building, and he used
108 that as a pet crematory.

109
110 He believes the question about the six end-caps was a question about when Batesville came
111 out with showrooms and whether or not the Board would allow the end-caps on display with the
112 six caskets stored out back or if the full-sized caskets had to be on display. Mr. Burroughs
113 believes the Board said he just had to have the six caskets on-site plus the end-caps. He noted
114 that the two are totally separate approvals and licenses. One was for Grand Strand Cremation
115 Services and the other was for Grand Strand Funeral Home.

116
117 Ms. Cooper asked Ms. Cubitt if we had record of when Grand Strand Funeral Home actually
118 applied. Ms. Cubitt told the Board that the funeral home application was dated the first of June
119 2000, and she told the Board they had the application in their packets. She said it appeared he
120 came back May 15, 2001, and this is when he moved the crematory to the funeral home. She
121 asked if they were in separate places to begin with, and she asked Mr. Burroughs to let her
122 know if that was correct. Mr. Burroughs told her that he had the stand-alone crematory in
123 February 2000, which the Board approved, Grand Strand Cremation Services. In June of 2000,
124 he found a new building, purchased a new crematory from IEE in Florida, and moved the new
125 crematory to the facility. At that time, he dissolved Grand Strand Cremation Service and turned
126 the old unit into a pet crematory, and that unit still functions as a pet crematory. He reiterated
127 that they are talking about two different licenses.

128
129 Ms. Cooper noted that it appeared that there was not an inspector for the Board when she read
130 the February 2000, and June 2000, meeting minutes. She asked Ms. Cubitt if the Board had an
131 inspector in 2000. Ms. Cubitt said that they did. She went back and checked that, but she
132 believes Charlie Jones was the inspector during that period. Ms. Cooper asked if he was the
133 one who conducted the final inspection, and Ms. Cubitt affirmed that he did. Mr. Burroughs
134 recalls meeting the inspector there, and he had the inspection report with him. He said that Bill
135 Whitby came out on March 2, 2010. Ms. Cooper asked if Mr. Whitby was employed by the
136 Board, and Ms. Cubitt said that he was.

137
138 Ms. Cooper told Mr. Burroughs that he talks about wanting to sell urns and such, and she asked
139 what he intends to cremate human remains in. Mr. Burroughs answered that he will use the
140 minimum corrugated container that is required by law. Ms. Cooper explained that he would
141 have to sell those to the family which would be selling funeral goods. Mr. Burroughs said that if
142 the Board considers corrugated containers funeral goods, then yes. Ms. Cooper said that they
143 do, and Mr. Horton explained that the Federal Trade Commission considers the corrugated
144 containers to be funeral goods.

145
146 Mr. Petty asked if the first crematory was for pets only when Mr. Burroughs originally opened.
147 Mr. Burroughs said that it was not.

148
149 Mr. Crawford asked Mr. Burroughs if it was his intent to only sell cremation urns and corrugated
150 containers. Mr. Burroughs answered that those were all he planned to sell, but if a family

151 wanted a guest register book for a memorial service or prayer cards, he would sell those to
152 them as well.

153
154 Mr. Crawford asked what about a completely dressed body. Mr. Burroughs said that if a family
155 wanted to see the remains of the deceased on a stretcher before, then he would do that. Mr.
156 Crawford asked if he would do services. Mr. Burroughs said there would be no chapel at his
157 facility, but if a family wanted a service at a church he would be glad to assist them as a Funeral
158 Director.

159
160 Mr. Horton asked that Mr. Burroughs explain to the Board what he would be willing to do from
161 the time he received a call to the time he cremated the body. Mr. Burroughs said from the initial
162 death call he would pick up the remains from a home or hospital or wherever. He would house
163 and shelter the remains until the time of cremation. He would obtain the documents required for
164 the cremation such as the death certificate, the cremation permit, and the Burial Transit permit.
165 He would get the cremation permit from the coroner's office. If the family wished to have an
166 obituary placed in the newspaper, he would assist them with that. He would assist the family in
167 lining up a memorial service at the church or place of their choice. He would file the death
168 certificate and get the requested copies as required by DHEC.

169
170 Mr. Burroughs asked the Board if there were any licensed free-standing crematories in this
171 state. Ms. Cooper said that there were none that she knew of and asked Ms. Cubitt if she was
172 aware of any. Ms. Cubitt said that she had been researching the matter and that she had not
173 found one that was not associated with a funeral home. Mr. Burroughs asked about Wilbert
174 Vault's crematory in Summerville. He wanted to know if they were associated with a funeral
175 home. Ms. Cooper said that they were not, but that they are wholesale and that they only
176 contract with funeral homes not with the public. Ms. Cubitt told Mr. Burroughs that when Wilbert
177 Vault's crematory was approved, according to the minutes, they were only approved for
178 wholesale cremations and not to sale to the public. Mr. Maring asked if Wilbert Vault performed
179 any other services that fall into the definition of the practice of funeral service such as housing a
180 body. Ms. Cooper said they do, but they do so as agents of the funeral home, they do not do so
181 for the public, and the funeral homes meet the requirements for licensure as a funeral home.
182 Wilbert Vault sells urns, vaults, etc., but they only do so wholesale. Mr. Maring asked if they had
183 refrigeration or other means in which to shelter the remains. Ms. Cooper answered that she did
184 not know.

185
186 Mr. Maring reminded the Board that they approved Mr. Burroughs's application for Cremation
187 Services of the Stand at their May 5, 2011 meeting. Mr. Maring expressed concern over the
188 Board asking Mr. Burroughs to present the same application he presented on May 5, 2011, and
189 he asked if the Board was considering withdrawing the permit they approved at the last meeting.
190 Mr. Nelson said it was a possibility, and he said that Ms. Cubitt and Mr. Burroughs discussed
191 the meeting. Mr. Maring reiterated that what actions the Board was considering had not been
192 presented to his client, and he felt that he was unprepared to present a valid explanation of the
193 services Mr. Burroughs will provide other than to say he previously applied to the Board for a
194 license equal to the one he was approved for on May 5, and he was granted the license then.
195 He pointed out that the Board granted him a permit to do the same things in February 2000. He
196 said that the law seems to be a little bit unclear what a stand-alone crematory can and cannot
197 do, and he would like the Board to clarify that when they return from executive session.

198
199 **Executive Session**
200 **MOTION**

201 Mr. Crawford made a motion the Board enter executive session. Ms. Cooper seconded the
202 motion which carried unanimously.

203

204 **Return to Public Session**

205 **MOTION**

206 Mr. Crawford made a motion the Board return to public session. Mr. Baker seconded the
207 motion which carried unanimously. Mr. Nelson noted for the record that no official action was
208 taken during executive session.

209

210 The Board asked that, unless Mr. Burroughs and Mr. Maring had objection, Mr. Spoon state the
211 motion for the record. Mr. Spoon told them that after he stated the motion, the Board would
212 vote. Mr. Spoon also asked them to bear in mind that what they announce verbally in the
213 motion they will also receive in a written order.

214

215 **MOTION**

216 After reconsideration of their decision of May 5, 2011, the Board having reconsidered the
217 evidence presented then as well as the evidence presented today, the Board will offer an
218 alternative.

219

220 The first alternative being that Mr. Burroughs will be approved so long as and at such time as he
221 becomes licensed as a funeral home.

222

223 The second alternative being that Mr. Burroughs may be approved on his application today so
224 long as he operates as an agent for a licensed funeral home. He may operate as a crematory in
225 that fashion.

226

227 Ms. Cooper seconded the motion which carried unanimously.

228

229 Mr. Nelson asked Mr. Burroughs if he understood the motion, and Mr. Burroughs said that he
230 did. Mr. Nelson reiterated Mr. Spoon's statement that the Board's legal counsel will draft an
231 order which Mr. Burroughs will receive.

232

233 Mr. Burroughs's attorney, Mr. Maring, said Mr. Burroughs wanted to know that, in the event he
234 chooses the first option and decided to license as a funeral home, would he have to come back
235 before the Board and would he have to submit another application fee. The Board said that Mr.
236 Burroughs could amend the application. Mr. Burroughs explained to the Board that he has
237 come back and forth from Columbia several times. Ms. Cooper said he would have to appear
238 again with the funeral home application, but he would not have to pay a new application fee.
239 Mr. Burroughs said that he could meet the requirements for a new funeral home in thirty (30)
240 days. He again asked if he would have to appear before them again, and the Board said he
241 would.

242

243 **13. Public Comments**

244 No comments were made during the meeting.

245

246 **14. Adjournment**

247 **MOTION**

248 Mr. Horton made a motion the Board adjourn. Mr. Crawford seconded the motion which carried
249 unanimously.

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251 The May 23, 2011 meeting of the SC Board of Funeral Service adjourned at 11:50 a.m.

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The next meeting of the SC Board of Funeral Service is scheduled for June 30, 2011.