

SOUTH CAROLINA DEPARTMENT OF
LABOR, LICENSING & REGULATION
SOUTH CAROLINA BOARD OF FUNERAL SERVICES

BOARD MEETING

FEBRUARY 7, 2012

BOARD MEMBERS:

EDDIE NELSON, ACTING CHAIRMAN

THOMAS BAKER

JEFF TEMPLES

BILLY HORTON

JOHN L. PETTY, III

C. BRAD EVANS

WALLACE MCKNIGHT, JR.

MARK OSTEEN

JAMES SAXON, ESQUIRE

This hearing held at the South Carolina Department of Labor, Licensing and Regulation, The Kingstree Building, 110 Centerview Drive, Columbia, South Carolina, and reconvened at the SC Convention Center, reported by Cecelia P. Englert, Verbatim Court Reporter and Notary Public in and for the State of South Carolina; said meeting/hearing being held on the 7th day of February, 2012, scheduled for 9:00 a.m.

1	CONTENTS:	
2		PAGE
3		
4	Proceedings by Acting Chairman Nelson	4
5		
6	Certificate of Reporter	79
7		
8	Word Index	

STAFF MEMBERS:

- 15 DORIS CUBITT, ADMINISTRATOR
- 17 WENDI ELROD
- 19 AMY HOLLEMAN
- 21 JEANIE ROSE
- 23 ERNEST ADAMS
- 25 BUDDY POOLE

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

EXHIBITS

PAGE

EXHIBIT NO. 1 - Cremation Permit for Christopher
Burroughs. 32

EXHIBIT NO. 1 - Carl Dickson updated Pardon dated
January 20, 2012. 52

EXHIBIT NO. 1 - David John Oglesby pardon dated
April 6, 2011. 70

Court Reporter's note:
-- indicates interruption; incomplete phrases; trailing
off; unfinished sentences

1 MR. NELSON: We're going to go ahead
2 and call this meeting of the South Carolina Board of
3 Funeral Service, February the 7th, to order. And at
4 this time, we're going to note that all records of
5 this meeting were publically posted in the Synergy
6 Business Park, and all media and publications were
7 notified of this meeting.

8 At this time, we're going to have our Pledge
9 of Allegiance, and then we're going to ask Mr. Baker
10 to do a prayer.

11 (Board members recite the Pledge of
12 Allegiance. Mr. Baker leads in prayer.)

13 MR. NELSON: At this time, we would
14 like to go ahead and have our introduction of our
15 board members and other personnel that are in
16 attendance, and we will start to my right.

17 MS. CUBITT: Doris Cubitt.

18 MR. PETTY: John Petty.

19 MR. SAXON: Jamie Saxon.

20 MR. NELSON: Eddie Nelson.

21 MR. TEMPLES: Jeff Temples.

22 MR. HORTON: Billy Horton.

23 MR. BAKER: Tommy Baker.

24 MR. OSTEEN: Mark Osteen.

25 MR. EVANS: Brad Evans.

1 MS. HOLLEMAN: Amy Holleman.

2 MS. COOK: Sharon Cook.

3 MS. WOLFE: Sharon Wolfe.

4 MR. NELSON: And we would like to
5 welcome our new board member, Mr. Osteen, as being a
6 part of our team. At this time, we will go ahead.
7 And we note that we have one person, Mr. Ken
8 Beasley, has a service today, and he has an excused
9 absence and Ms. Shelley Cooper, who we're just
10 sitting in temporarily today, and our president,
11 who's under the weather.

12 Can we get a motion to --

13 MR. BAKER: I make a motion that we
14 approve the excused absences.

15 MR. EVANS: Second.

16 MR. NELSON: All those in favor, let
17 it be known by saying aye.

18 BOARD MEMBERS: Aye.

19 MR. NELSON: Let the record show.
20 We will go ahead and have approval of the minutes
21 from October the 31st, 2011 and November 17th, 2011.

22 MR. EVANS: Mr. Chairman, I make a
23 motion we accept these minutes as they're stated.

24 MR. TEMPLES: I'll second that.

25 MR. NELSON: Been moved and properly

1 seconded that we accept the two set up meetings and
2 approving. Let me be known by saying aye.

3 BOARD MEMBERS: Aye.

4 MR. NELSON: Opposed by saying
5 nay. Let the record show that we approve those
6 meeting date's and minutes. They'll go from draft
7 to approval at this time.

8 And think we have a couple reports. Our
9 Investigative Review Committee, IRC Report.

10 MS. CUBITT: Mr. Chairman, if I
11 could make a remark.

12 MR. NELSON: Yes, ma'am, Ms. Cubitt.

13 MS. CUBITT: We do have our
14 investigator, Sharon Cook here, who's doing an
15 excellent job and also Sharon Wolfe, who's her
16 supervisor. They set in on the IRC, as well as
17 myself and a professional member. And as we were
18 conducting the IRC and going through cases and
19 looking at them, I just want to point out to y'all
20 that sometimes there are allegations in any case and
21 sometimes you might feel like you know something,
22 but you can't prove it, okay? And so in order to
23 bring something forward, we've got to have enough
24 evidence that we can prove something. And you can't
25 always get that. Just bear that in mind when you

1 look at things, for all the meetings. Not just
2 these cases, but other meetings too.

3 Of course they have broken these down for
4 y'all, but the ones that we're dismissing, we
5 continued some because we needed additional
6 information. There are some that are going to a
7 formal complaint, so they'll be handled either by a
8 consent agreement or a hearing. And a couple of
9 them that where it was a dismissal, but we're going
10 to issue a cease and desist for certain activity.
11 And those cease and desist, I'll do.

12 And then some of them are getting -- it's like
13 a dismissal, but they're getting a letter of
14 caution. Didn't rise to the level of being
15 something that would warrant a formal complaint, but
16 we wanted to caution them. So they'll get a letter
17 of caution.

18 And Mr. Osteen, since you're new to this
19 process, the board members never get anything that
20 identifies who they are, because they shouldn't know
21 that until it comes before them as an actual
22 hearing. And so they get just a little bit of
23 information about the case.

24 MR. EVANS: Doris, I have to commend
25 the investigator. Since I've been on the board,

1 this is great. This is more investigations than I
2 have seen.

3 MR. NELSON: Yeah, it is.

4 MS. CUBITT: Let me tell you, I have
5 been impressed.

6 MR. NELSON: Thank you, Sharon.

7 MR. SAXON: And I can say, I have
8 served with Ms. Cook on a number of boards and y'all
9 are awfully blessed to have her.

10 MS. COOK: Thank you very much.

11 MS. CUBITT: She does an excellent
12 job.

13 MR. TEMPLES: Very thorough.

14 MR. EVANS: If I see you coming to my
15 place, I'll leave.

16 MR. SAXON: It's like seeing the team
17 from 60 Minutes come.

18 MR. NELSON: Thank you. Can we get
19 a motion to accept this report as information?

20 MR. TEMPLES: Mr. President, I'd like
21 to make a motion that if we could please accept
22 these reports.

23 MR. BAKER: I'll second that motion.

24 MR. NELSON: Been moved and properly
25 second that we accept the report, coming from our

1 IRC. Those in favor, let it be known by saying aye.

2 BOARD MEMBERS: Aye.

3 MR. NELSON: Opposes by saying nay.

4 Let the record reflect. Then we have the OIE Report
5 and investigative reports. No, inspection; excuse
6 me.

7 MS. WOLFE: And we don't really
8 handle inspections. I have the report. We have 17
9 active investigations going on right now. We have
10 not closed any yet, because we were waiting for
11 approval. So those will be added into our closed
12 amounts. Last year we closed 11 cases.

13 MR. EVANS: And you've already got
14 how many cases right now?

15 MS. COOK: We have 17 active cases
16 right now.

17 MS. CUBITT: But that includes the
18 ones you've --

19 MR. TEMPLES: You just voted on.

20 MS. CUBITT: -- voted on.

21 MS. WOLFE: That's correct.

22 MR. NELSON: So we've had a
23 reduction since -- because it was a lot of others
24 pending prior to our last board meeting, seem like.

25 MS. CUBITT: She worked hard.

1 MS. WOLFE: She's been tearing up the
2 countryside. Excellent job. We're real lucky --

3 MR. NELSON: That's great. That's
4 one of the things that we've been very -- wanted to
5 happen, to see happen, reduce those things. And one
6 of the things --

7 MS. WOLFE: -- does a wonderful job,
8 so we are lucky.

9 MR. NELSON: One of the things Ms.
10 Wolfe and I were talking prior to, off to the
11 sidebar, before the meeting began, is that we've had
12 a lot of calls personally, persons who have called
13 me and basically wanted to know about a person, if
14 persons were doing something. And I went on record
15 and let them know that they must file a written
16 complaint, that we do not take complaints for just
17 hearsay. They must step up to the plate, to sign a
18 written complaint, before we can actively begin the
19 process.

20 MS. WOLFE: So we need to have them
21 as a witness to come to a hearing.

22 MR. NELSON: May I have a motion to
23 receive Ms. Wolfe report as information?

24 MR. BAKER: Mr. Chairman, I'll make
25 that motion that we receive Mrs. Wolfe's report as

1 information. And let the record show that we
2 commend her for the work that her office is doing.

3 MR. TEMPLES: I'll second that
4 motion.

5 MR. NELSON: Been moved and properly
6 seconded. All those in favor, let it be known by
7 saying aye.

8 BOARD MEMBERS: Aye.

9 MR. NELSON: Opposes by saying nay.
10 Let the record show. Our Division of Legal
11 Services.

12 MS. CUBITT: Mr. Chairman, I wasn't
13 sure whether we were going to take these up here or
14 at the other location. And so I am going to give
15 the report for legal. Currently, they have one case
16 that's pending and they're working on it. And they
17 closed 11 last year. And, of course, some of these
18 that said "formal complaint" on the IRC report will
19 then go to their area. She's getting rid of her
20 case load; their case load will go up some.

21 BOARD MEMBER: How about, did you get
22 an inspection report?

23 MS. CUBITT: There again, I wasn't
24 quite sure how the timing was going to work out.
25 Mr. Adams will be at the other location. We can do

1 that there.

2 MR. NELSON: Okay. That will be
3 fine. Yes.

4 MR. EVANS: Mr. Chairman, I make a
5 motion we adjourn to the Convention Center.

6 MR. HORTON: And I'll second that.

7 MR. NELSON: Been moved and properly
8 seconded that we recess and we adjourn over to the
9 Convention Center. All in favor, let it be known by
10 saying aye.

11 BOARD MEMBERS: Aye.

12 MR. NELSON: Opposes by saying nay.

13 (Off the record.)

14 MR. NELSON: May I have a motion
15 that we come out of recess, please.

16 MR. EVANS: Mr. Chairman, I make a
17 motion that we reconvene.

18 MR. NELSON: Second?

19 MR. TEMPLES: And I'll second that,
20 Mr. Chairman.

21 MR. NELSON: We make the motion
22 that we have -- and properly second that we
23 reconvene from our meeting from the Synergy Business
24 Park to this present location. All those in favor,
25 let it be known by saying aye.

1 BOARD MEMBERS: Aye.

2 MR. NELSON: Opposes by saying nay.

3 Let the record show. And for the record, I want to
4 let you know that I'm acting as chairperson today.
5 Our president, Mrs. Shelly cooper is under the
6 weather, and we ask that you would continue to keep
7 her in your thoughts and prayers at this time.

8 And we're going to digress again. And at this
9 time, we're going to begin to my right and have the
10 introduction of our board members. And persons in
11 the audience, we ask that you would stand as you
12 give your name, so our reporter can hear you,
13 because we've had problems of being able to pick up
14 person's names from our reporter. So if it would
15 not be too much of a problem, that you would just
16 stand and project your name as loud as possible. To
17 my right, Mr. Osteen.

18 MR. OSTEEEN: My name is Mark Osteen,
19 Spartanburg.

20 MR. EVANS: Brad Evans, Abbeville.

21 MR. SAXON: Jamie Saxon. I'm the
22 board's advice counsel.

23 MR. NELSON: Eddie Nelson,
24 Blythewood.

25 MR. BAKER: Tommy Baker, Kershaw.

1 MR. TEMPLES: Jeff Temples,
2 Columbia.

3 MR. HORTON: Billy Horton,
4 Kingstree.

5 MR. PETTY: John Petty, Lander.

6 COURT REPORTER: Ciel Englert, court
7 reporter.

8 MS. ROSE: Jeannie Rose, LLR.

9 MS. ELROD: Wendi Elrod, LLR.

10 MS. CUBITT: Doris Cubitt, LLR.

11 MS. HOLLEMAN: Amy Holleman, LLR.

12 MR. ADAMS: Ernest Adams, LLR.

13 MR. POOLE: Buddy Poole, LLR.

14 MR. OGLESBY: David John Oglesby.

15 MR. CRAWFORD: Glenn Crawford.

16 MR. CRAWFORD: BIG GLEN CRAWFORD.

17 MR. BURROUGHS: Chris Burroughs,
18 Murrells Inlet.

19 MR. MARING: Robert Maring,
20 Georgetown, South Carolina.

21 MR. WILLIAMS: Billy Williams,
22 Williston, South Carolina.

23 MS. BAXTER: Melinda Baxter,
24 Barnwell, South Carolina.

25 MR. DOBBINS: Jim Dobbins,

1 Charleston, South Carolina.

2 MS. KIRK: Ariail Kirk, Columbia,
3 South Carolina.

4 MR. WISE: Willie Wise, Woodford,
5 South Carolina.

6 MR. WHITE: Joe White, Honea Path,
7 South Carolina.

8 MR. WHITE: Joe White, Honea Path,
9 South Carolina.

10 MS. PYATT: Lou Ann Pyatt, SCMA,
11 Columbia, South Carolina.

12 MS. SIMMONS: Elizabeth Simmons,
13 SCMA, Williston, South Carolina.

14 MR. GOLDFINCH: George Goldfinch,
15 Conway, South Carolina.

16 MS. CLARK: Alicia Clark, Department
17 of Consumer Affairs.

18 MR. DICKSON: Carl Dickson,
19 Orangeburg, South Carolina.

20 MR. SHIVES: Randolph Shives,
21 Columbia.

22 MR. COWLER: Brooks Cowler, Atlanta.

23 MS. EGGERS: Betty Eggers, Chesnee,
24 South Carolina.

25 MR. HARRIS: Tommy Harris,

1 Chesnee, South Carolina.

2 MR. EGGERS: John Eggers, Boiling
3 Springs, South Carolina.

4 MR. NELSON: Thank you all. We'll
5 go back to our reports and complete those. And we
6 will start now and have our last report, our
7 inspections report.

8 MR. BAKER: Since our last meeting
9 -- our last meeting, our last meeting, because it's
10 been so long since Buddy and I have been to a board
11 meeting -- we've done well over 200 inspections and
12 they've been in good order.

13 MR. NELSON: Thank you, sir. Any
14 question, board members? And I would like to also
15 introduce to us at this time; our new board member
16 has come in, Mr. McKnight. Give your name and where
17 you're from, sir.

18 MR. MCKNIGHT: Wallace McKnight,
19 McKnight Fraser Funeral Home, Andrews, South
20 Carolina.

21 MR. NELSON: Thank you. And welcome
22 aboard, Mr. McKnight.

23 MR. ADAMS: Mr. Chairman.

24 MR. NELSON: Yes, sir.

25 MR. ADAMS: Also I wanted to

1 introduce Mr. Buddy Poole this is the first one he's
2 been to, Buddy Poole. Stand up, Buddy.

3 MR. POOLE: I'm still with LLR.

4 MR. NELSON: Great. We're happy to
5 have Mr. Poole on board. I think we all know him.

6 MR. POOLE: Yes, sir.

7 MR. NELSON: At this time, we're
8 going to go ahead and ask Mr. Glenn Crawford to come
9 forward for us, please, for a presentation. We want
10 to go ahead and do that at this time. And then I'm
11 going to ask that all of our board members join us
12 out front as we present it.

13 MR. BAKER: We'd like to present this
14 award of recognition to Adis Glenn Crawford for all
15 the past years of hard work that he's presented to
16 this board. And we have gained a lot of foresight
17 from him and a lot of knowledge from him and we are
18 really going to miss having him on our board. And
19 we would like to present this plaque and I'll read
20 it. It says, "Presented to Adis Glenn Crawford in
21 recognition of his hard work, enthusiasm and
22 commitment to the excellence, the board and the
23 citizens of this state, member of the Board of
24 Funeral Service, 2005 to 2011, by the South Carolina
25 Board of Funeral Service."

1 MS. CUBITT: Mr. Crawford, we're
2 going to miss you. You worked hard for that plaque.

3 MR. CRAWFORD: Thank y'all very
4 much.

5 MR. NELSON: Again, we thank Mr.
6 Crawford for all of his efforts and hard work that
7 he has done for this board. The president's
8 remarks, we are going to forego those, and now to
9 say that again, acting as chairperson today for our
10 president who is under the weather. Our
11 administrator's report, Ms. Cubitt.

12 MS. CUBITT: Yes, sir. I've just
13 got a couple of quick things. At the last board
14 meeting, I mentioned to y'all about the conference,
15 and that's the National (inaudible) Exams. And
16 they're having their conference the end of this
17 month. And I haven't heard from any of y'all if you
18 wanted to attend. But, you know, if somebody wants
19 to attend, we need to have it as a vote in the
20 minutes.

21 MR. HORTON: Mr. Chairman, I do
22 think that we should have representation from this
23 board. If not a board member, then staff attending
24 this conference. You know, I can't go. I don't
25 know if any other board members want to go. But I

1 think we ought to have at least two of our staff
2 people going.

3 MR. NELSON: I make a motion that
4 if our president can go and any other person. If
5 she can't go, that we have at least two
6 representatives from this board. So if we have any
7 persons now. I think Mr. Evans, you actually
8 expressed --

9 MR. EVANS: We can look into it.
10 I'll check the calendar.

11 MR. NELSON: Okay. So we'll let you
12 know something this afternoon -- before the end of
13 this week, maybe --

14 MS. CUBITT: I have to have an
15 official motion in the minutes. It doesn't have to
16 be the name of the person.

17 MR. NELSON: Can I get a motion that
18 we will send two persons to the conference?

19 MR. EVANS: Mr. Chairman, I make the
20 motion that we send at least two members of our
21 board to the conference.

22 MR. HORTON: Or staff.

23 MR. EVANS: Or staff.

24 MR. PETTY: Second.

25 MR. NELSON: Been second and

1 properly moved that we officially send two persons
2 from this board, if our scheduling permits. If not,
3 we have a staff member to go. All those in favor,
4 let it be known by saying aye.

5 BOARD MEMBERS: Aye.

6 MR. NELSON: Opposes by saying nay.
7 Let the record show that we would have those persons
8 to attend.

9 COURT REPORTER: I hate to
10 interrupt. We're having some issues
11 with this air over here, and my
12 recorder, it's not going up and down
13 like it's recording. So y'all need
14 to talk a little bit louder, please.
15 Thank you.

16 MR. NELSON: Ms. Cubitt, any --

17 MS. CUBITT: Oh, yes, sir. And I
18 was going to mention, Mr. Adams will be attending.
19 He's on the --

20 MR. ADAMS: Exam committee.

21 MS. CUBITT: -- exam committee. So
22 he could be one of the two if, you know, that's what
23 y'all needed. Or if two of y'all could go, that's
24 fine too.

25 MR. NELSON: I think the board

1 members.

2 MS. CUBITT: The other thing, I did
3 get an inquiry from the conference and they're
4 asking all the boards to reply. And one of their
5 questions, y'all may have heard of -- it was totally
6 new to me -- is a virtual funeral home. And people
7 are offering more services online, and some are
8 offering everything online. And so one of the
9 questions is: Do we require a brick and mortar
10 facility? And the answer, I knew that was yes. But
11 just a topic for y'all to be thinking about, since
12 that's being talked about in other areas. And
13 that's all I've got.

14 MR. NELSON: Thank you so much.

15 MR. EVANS: Mr. Chairman, may I ask
16 Ms. Cubitt. Ms. Cubitt, it's not on our agenda, but
17 financials?

18 MS. CUBITT: Yes, sir. I did send
19 y'all -- I emailed y'all all the financials.

20 MR. NELSON: Yeah.

21 MS. CUBITT: I have a hard copy
22 here. Do you want me to address a question about
23 anything in particular? I do have a copy.

24 MR. EVANS: We're onboard.

25 Everything's good?

1 MS. CUBITT: Yes, sir.

2 MR. EVANS: And this year's a
3 renewal of license, a lot of them this year? A lot
4 of renewals?

5 MR. NELSON: Yes.

6 MS. CUBITT: They'll renew this
7 June. And our current balance at the end of
8 December was \$352,000.

9 MR. EVANS: Thank you.

10 MR. HORTON: When will the renewal
11 notices go out?

12 MS. ELROD: April the 15th?

13 MS. CUBITT: Yeah. The first part
14 of April. So to get them out in plenty of time.
15 And, of course, we're encouraging online renewals.
16 It's actually easier for them. And if they renew
17 online, they immediately get a confirmation, so they
18 know that it went through. And if you don't get the
19 confirmation, you didn't do something right, and you
20 know you still need to work on it. But we'll see --
21 a few will renew, you know, right after I send them
22 out. And then the majority of them will renew in
23 the last two weeks to the first two weeks after the
24 end of the --

25 MS. ROSE: And those funeral homes

1 that like to send all -- the funeral homes that like
2 to send all of their people's renewal in at the same
3 time, the manager has to renew before the funeral
4 homes can renews. So we need that together, I mean,
5 if you want to do paper. A lot of the funeral homes
6 still do that.

7 MR. NELSON: Okay. Anything else,
8 Ms. Cubitt?

9 MS. CUBITT: No, sir.

10 MR. BAKER: Mr. Chairman, I make a
11 motion that we alter the agenda, by moving Shives
12 Funeral Home and the parent funeral home and the
13 crematory to the top of the list.

14 MR. NELSON: Can we get a second?

15 MR. TEMPLES: I'll second that, Mr.
16 Chairman.

17 MR. BAKER: And Mr. Shives is here
18 today. Mr. Shives, if you'll come up front.

19 MR. SAXON: Sit at this front table,
20 please.

21 MR. NELSON: It's been moved and
22 properly second that we alter our agenda. Those in
23 favor, let it be known by saying aye.

24 BOARD MEMBERS: Aye.

25 MR. NELSON: Opposes by saying nay.

1 And the altering of the agenda will be Mr. Randolph
2 Shives with Shives Funeral Home. And we have a
3 script.

4 This hearing is called to order. This is the
5 matter of Ernest R. Shives, III. The purpose of
6 this hearing is to determine whether Mr. Ernest R.
7 Shives, III, should be granted a license as a
8 manager of two existing facilities and one new
9 facility.

10 Everyone is reminded that these proceedings
11 are being recorded and that all witnesses must be
12 sworn in before testifying, and all remarks should
13 be directed to the chairperson.

14 Ms. Rose, is a complete packet of material in
15 order.

16 MS. ROSE: Yes, sir. Mr. Shives
17 funeral home, they have two locations now, and
18 they're purchasing these -- or repurchasing these.
19 And they're planning on opening the parent and the
20 branch again, and the crematory. But they are in
21 here for also a new branch facility. They'll put
22 them all together.

23 So it's the Shives Funeral Home Incorporated
24 with three locations. The manger is Ernest R.
25 Shives, III. He was first licensed December 4th,

1 1996. He's a funeral director and embalmer, and his
2 license is current. He does not have a criminal
3 background. He lives 6.9 miles from the funeral
4 home. And the owner will be Ernest R. Shives and
5 Shives Funeral Home, Incorporated. And Mr. Shives
6 is here to asking for approval to be a manager of
7 his facilities.

8 MR. NELSON: Mr. Shives, do you have
9 any legal representatives with you? And you do know
10 that you can have a legal representative with you.

11 THE WITNESS: I do have a
12 representative with me, but I will stand alone.

13 MR. NELSON: Okay. If you'll be
14 sworn in, please.

15 (The witness is sworn in.)

16 MR. NELSON: Thank you. Mr. Shives,
17 if you would like to address the board at this time,
18 please feel free to do so.

19 THE WITNESS: Thank you for your
20 consideration. Would appreciate being approved for
21 the change of ownership, as well as the approval as
22 manager of three facilities and the addition of a
23 new one.

24 MR. NELSON: Starting to my left,
25 board members, do they have any questions? Mr.

1 Petty.

2 MR. PETTY: I have none.

3 MR. NELSON: Mr. Horton?

4 MR. HORTON: Mr. Shives, you are
5 purchasing the two existing facilities, which is the
6 parent and the crematory?

7 THE WITNESS: Yes, sir.

8 MR. HORTON: Okay. And you asked
9 the application to build a branch.

10 THE WITNESS: That's correct.

11 MR. HORTON: Okay. You just have
12 the one funeral home and crematory now, and you're
13 going to build a branch.

14 THE WITNESS: That is correct.

15 MR. HORTON: And I see by your
16 zoning statement, all done, that all that's good.
17 And I also see that you've had a favorable report
18 from Department of Consumer Affairs; was that pre-
19 need?

20 THE WITNESS: Yes, sir.

21 MR. HORTON: I have no other
22 questions.

23 MR. NELSON: Mr. Temple?

24 MR. TEMPLE: Mr. President, I have
25 no questions.

1 MR. NELSON: Mr. Baker?

2 MR. BAKER: I have none, Mr.

3 Chairman.

4 MR. NELSON: Brad?

5 MR. EVANS: Mr. Chairman, I have no
6 questions.

7 MR. NELSON: Mr. McKnight?

8 MR. MCKNIGHT: No questions, Mr.

9 Chairman.

10 MR. NELSON: Mr. Osteen.

11 MR. OSTEEEN: No questions.

12 MR. NELSON: May I have a motion on
13 the --

14 MR. HORTON: Mr. Chairman, I want to
15 make one motion to cover three, if that's -- I make
16 a motion that we accept the applications that Mr.
17 Shives has submitted. Well, he's already got a pre-
18 need license.

19 MR. NELSON: He's got pre-need. We
20 have the pre-need information from Mrs. Alicia in in
21 here and new --

22 MR. HORTON: The operation of his
23 new facility, pending final inspections.

24 MR. EVANS: I second that, Mr.

25 Chairman.

1 MR. NELSON: It's been moved and
2 properly second that we accept the applications from
3 Mr. Shives, as stated in the motion. All those in
4 favor, let it be known by saying aye.

5 BOARD MEMBERS: Aye.

6 MR. NELSON: Opposes by saying nay.
7 Let our record show that we accept it. And Mr.
8 Shives, good luck to you.

9 THE WITNESS: Thank you.

10 *****

11 MR. SAXON: Mr. Burroughs and Mr.
12 Maring, if y'all wouldn't mind having a seat at the
13 front table.

14 MR. NELSON: This motion has been --
15 hearing is called to order. Public notice was
16 properly posted and provided to all requesting
17 persons in compliance with the South Carolina
18 Freedom of Information Act. Mr. Chris Burroughs is
19 present and his representative, Mr. Robert Maring,
20 Esquire.

21 MR. SAXON: Is it Maring? or Moring?

22 MR. MARING: It's Maring.

23 MR. SAXON: Maring.

24 MR. NELSON: Thank you, sir. At
25 this time, we would have you sworn in.

1 (The witness is sworn in.)

2 MR. NELSON: At this time, we'll
3 have Mr. Christopher Burroughs to address the board
4 or Mr. Maring.

5 MR. MARING: What I would like to do
6 if I could, just to address the concerns, not
7 necessarily concerns. As the board is aware, an
8 order was issued, granting Mr. Burroughs a permit to
9 operate a crematory in July of 2011. And we have
10 asked that this board address some operational
11 concerns regarding that, based upon -- I don't want
12 to call this confusion, but Mr. Burroughs operated
13 -- as a funeral director's license since 1990. He's
14 had no violations; he wants to keep it that way.
15 And we believe that being here today and bringing
16 these issues before this board will keep Mr.
17 Burroughs and keep the compliance where it needs to
18 be. And we certainly want to abide by this order.
19 So we just have some questions of this board, if the
20 board would be inclined to answer that.

21 First, a letter was addressed to this court.

22 MR. SAXON: Mr. Maring, the chairman
23 has allowed me to ask a question. We've got your
24 letter of December 21st to Ms. Cubitt. Are the
25 questions on which you'd like clarification

1 contained in this letter, the bulleted points?

2 MR. MARING: The questions there.

3 And we also want just a little clarification with
4 the order itself, and the order speaks for itself.
5 If I could address the order. On Page 3 of the
6 order --

7 MR. SAXON: You're going to have to
8 give us just a second to get to the order. On page,
9 which one?

10 MR. MARING: Page 3 of 3 of the July
11 22nd, 2011 order.

12 MR. SAXON: Yes.

13 MR. MARING: This board deemed fit
14 to issue -- to allow this to get the permit, based
15 under the three provisions in the order itself. The
16 first was that "he applicant may be permitted as a
17 crematory, so long as he demonstrates that he has
18 the facilities to safely engage in the range of
19 funeral practices, commensurate with the stated
20 intentions."

21 It has now been inspected. And my
22 understanding that the inspection has passed, and
23 that requirement has been met. Additionally, under
24 Item 3 --

25 MR. SAXON: Do you have a date for

1 that, Mr. Maring?

2 MR. MARING: Well, I have a copy of
3 the cremation, sir. I can let Mr. Burroughs testify
4 as to the date of when the --

5 MR. SAXON: Well, if you've -- what
6 is it you've got with you?

7 MR. MARING: Well, I've got the
8 permit issued by the board --

9 MR. SAXON: Do you have the
10 inspection report, any chance?

11 MR. MARING: I do not have the -- I
12 do not have the inspection reports with me. I have
13 the actual permit. I believe that will certainly
14 indicate that the --

15 MR. SAXON: You wish to submit that
16 as an exhibit?

17 MR. MARING: I would like to submit
18 the cremation permit as an exhibit.

19 MR. SAXON: Do you have copies for
20 the whole board?

21 MR. MARING: I don't have copies for
22 the whole board.

23 MR. SAXON: Members of the board,
24 this is a permit, with an expiration date of June
25 30th of this year, listing the board members and

1 signed by Ms. Cooper. I'll ask y'all to pass it
2 around, if you would.

3 Are there any objections to the board
4 accepting this as Movant's Exhibit No. 1?

5 MR. EVANS: So moved.

6 MR. SAXON: Okay.

7 MR. NELSON: Exhibit No. 1. We
8 accept that as --

9 [MARKED FOR IDENTIFICATION AS
10 MOVANT'S EXHIBIT NO. 1 - Cremation
11 Permit for Christopher Burroughs.]

12 MR. SAXON: You can go ahead.

13 MR. MARING: Thank you. Item 2
14 indicates that the applicant, Mr. Burroughs, may
15 provide crematory services to individuals, licensed
16 funeral homes, establishments or mortuaries in this
17 state. And this is underlined, "provided that
18 applicant meets all statutory requirements" on Page
19 2 of 3 in this order.

20 This board provided a notation to Statute 40-
21 9-2018, 40-19-2010 and 11, and then finally 40-19-
22 25. And the reason why I want to bring this to the
23 board's attention is is that under 40-19-2018, it
24 talks about practicing funeral services. Under 40-
25 19-2010 and 11, it talks about the establishment of

1 a funeral home and the requirements required by the
2 establishment of a funeral home.

3 However then, the board says, by contrast,
4 South Carolina Code Annotated 40-19-25 provides that
5 a crematory is an establishment in which the dead
6 body is -- by intense heat. The question that we
7 have is is that the board has indicated that there
8 can be by all statutory requirements, and it would
9 seem by reading this order that the requirements of
10 40-19-2010 and 11 do not apply in this particular
11 case.

12 We're just asking for clarification of that,
13 as well as what statutory requirements need to be
14 met in each of these specified permitted uses or
15 permitted activities for Mr. Burroughs. One is --

16 MR. SAXON: And your argument is
17 that the first two citations, 40-19-2018, 40-19-2010
18 and 11 do not apply?

19 MR. MARING: Well, what it says is
20 is I don't --

21 MR. SAXON: No, I'm just asking what
22 you're saying.

23 MR. MARING: My contention is is
24 that the requirements of 40-19-2010 and 11 do not
25 apply, whereas, talks about the maintaining of a

1 parlor, a preparation room for embalming. As the
2 testimony of Mr. Burroughs was at the original
3 hearing, he intends to do no embalming. He intends
4 to do none of those services. He only intends to
5 cremate. Certainly, don't believe that it would be
6 necessary for an embalming room to be a requirement
7 for him to operate a crematory.

8 And when this board says "by contrast," 40-19-
9 20, it talks about you do in a crematory. We're
10 asking for the direction of the board, that this
11 wasn't the intent for the board to say that the
12 preventions of 40-19-20 do not apply because he is
13 operating a crematory, and is not intending to
14 embalm or intending to do services that would be --
15 services that a funeral home would actually be
16 required to be present to move forward with those
17 activities.

18 MR. SAXON: All right --

19 MR. MARING: In addition --

20 MR. SAXON: -- I'm afraid you're
21 confusing me further.

22 MR. MARING: Well --

23 MR. SAXON: Are you saying that it's
24 your argument -- and I'm just asking for a
25 clarification -- that 40-19-20 in total does not

1 apply? Is that your contention?

2 MR. MARING: Well, it's not 40-19 in
3 total because it --

4 MR. SAXON: Well, you just said 20.
5 And so that's what I'm asking.

6 MR. MARING: 40-19-20 does not apply
7 to a crematory.

8 MR. SAXON: Okay.

9 MR. MARING: With the specific
10 provisions of 40-19-25, obviously does -- and 25 and
11 26 do specifically apply to a crematory.

12 MR. SAXON: All right. Thank you.

13 MR. MARING: We had indicated or
14 talked at the last hearing --

15 MR. SAXON: I apologize, I was not a
16 part of that.

17 MR. MARING: Yeah, I understand
18 that. That there was a distinction -- that this
19 board made a distinction between a wholesale
20 crematory and a -- it was called a retail crematory.
21 I don't know quite the -- that was the distinction
22 that the board made and I guess I kind of understand
23 the two.

24 The next question that we have is: What are
25 the statutory requirements for a -- what are the

1 statutory requirements for a wholesale crematory?
2 And what are the statutory requirements for a retail
3 establishment?

4 You've indicated that we have the ability
5 under our license to do either one. We're just
6 asking for the direction, to tell us what statutory
7 requirements we must meet for those, just so we can
8 have some direction. I've looked at the statute. I
9 can't find any difference between the two. And I
10 don't know if it's an interpretation of the board,
11 or if there are some -- if there's a policy that
12 this board has issued that I don't have the ability
13 of getting to, to make that distinction between what
14 a wholesale crematory is and a retail. I can't see
15 how there's any difference. Either you meet the
16 requirements of a crematory, whether it's wholesale
17 or retail, or you don't. At least there's no
18 statutory requirements that differentiate between
19 the two. And that's the important distinction that
20 I'm trying to make here today. I don't see it in
21 the statute. And, of course, that's something that
22 I deal with on a day-to-day basis. I don't know if
23 this is a policy of this board, that is the reason
24 for the basis of that decision.

25 So we're just asking for some clarification on

1 that. We certainly don't want to be in violation.
2 Obviously, Mr. Burroughs, again, has been here since
3 1990, does not want to -- you know, we're here today
4 to try to, if you will, nip this in the bud and to
5 make sure that we're in compliance, as we move
6 forward with this crematory.

7 MR. NELSON: Anything else?

8 MR. MARING: Does anybody have any
9 questions of me?

10 MR. MARING: Any questions for Mr.
11 Maring?

12 MR. SAXON: Or Mr. Burroughs?

13 MR. PETTY: Mr. Chairman, I thought
14 we covered this before when he -- I believe Mr.
15 Horton asked him what he was going to do, and he
16 told them that he was going to sell funeral
17 merchandise. And I thought that's when we went into
18 -- it fell under the law that he would have to have
19 a funeral home. Now, maybe I misunderstood that.

20 MR. SAXON: Yes, sir, you are --

21 MR. NELSON: You are correct.

22 MR. SAXON: No, that's not a correct
23 reading.

24 MR. PETTY: Is that not the
25 way it was?

1 MR. SAXON: No, sir. We have a
2 reading -- we have an order from July 22nd. And
3 that order is what Mr. Maring is asking for
4 clarification about. Plus the questions that you
5 find in his letter to Ms. Cubitt of December 21st.
6 He was granted a permit; there's no question of
7 that.

8 MR. PETTY: Okay.

9 MR. SAXON: And they're just asking
10 for the board's interpretation and clarification of
11 the order, of the statutes, and of the questions
12 found, if I'm correct, in your letter to Ms. Cubitt
13 of December 21st.

14 MR. MARING: It was a letter -- it
15 was a letter from Mr. Burroughs, individually. It
16 was not -- it was not a letter from me, yes.

17 MR. SAXON: Well, are you
18 assuming --

19 MR. MARING: No. We are presenting
20 those questions as one, for clarification.

21 MR. SAXON: So what he's got here is
22 just for some clarification.

23 MR. PETTY: Okay. Okay.

24 MR. EVANS: Mr. Chairman, I make a
25 motion that we go into executive session.

1 MR. BAKER: I second that motion,
2 Mr. Chairman.

3 MR. NELSON: It's been moved and
4 properly second that we go into executive session on
5 this matter. So those in favor, let it be known by
6 aye.

7 BOARD MEMBERS: Aye.

8 MR. NELSON: Opposes by saying nay.
9 And we're going to ask that everyone would clear the
10 room and we'll deliberate here.

11 MR. SAXON: Mr. Maring, there may
12 not be a verbal decision given today. It will
13 likely be in an order form, sent to you and Mr.
14 Burroughs.

15 MR. MARING: And that's fine.

16 MR. SAXON: Was this the only
17 exhibit you wanted made?

18 MR. MARING: Other than I would like
19 to have the record from the previous --

20 (Executive Session.)

21 MR. NELSON: May I have a motion to
22 come out of executive session back into our regular
23 session?

24 MR. EVANS: So moved.

25 MR. NELSON: At this time, for the

1 record, we would like it to be known that no votes
2 or actions were taken during our executive session.
3 At this time, we'll hear from our legal counsel.

4 MS. CUBITT: Don't we need a second
5 and a vote to come out?

6 MR. NELSON: We didn't carry a motion
7 -- backing or digressing for the record on the
8 order. All those in favor of coming out of
9 executive session into regular session let it be
10 known by saying aye.

11 BOARD MEMBERS: Aye.

12 MR. NELSON: Opposes by saying nay.

13 COURT REPORTER: Who made the
14 second?

15 MR. TEMPLES: Mr. Petty.

16 COURT REPORTER: I thought he made
17 the motion.

18 MR. BAKER: Mr. Evans.

19 COURT REPORTER: Mr. Petty second.

20 MR. NELSON: He made the second.

21 COURT REPORTER: Okay. Thank you.

22 MR. NELSON: For the record we have
23 it all in order.

24 MR. SAXON: And again, while in
25 executive session no actions or votes were taken.

1 Mr. Maring, the board has done it's best to
2 consider your clients questions and has answered
3 them to the best of its ability and those answers
4 will be forthcoming in an order.

5 MR. MARING: Thank you.

6 MR. SAXON: I can't promise you a
7 specific time.

8 MR. MARING: That's all we need to
9 know. That's all we can ask for the board is to
10 give us responses. We have been waiting, so just to
11 keep that in consideration -- waiting for this
12 board's decision.

13 MR. NELSON: Thank you, sir.

14 *****

15 MR. NELSON: We're going to move up to
16 Simplicity. This hearing is being called to order.
17 This is the matter of James L. Dobbins. The purpose
18 of this hearing is to determine whether James L.
19 Dobbins should be granted a license as a manager of
20 the facility.

21 Everyone is reminded that these proceedings
22 are being recorded and that all witnesses must be
23 sworn in before testifying. All remarks should be
24 directed to the chair. Ms. Rose.

25 MS. ROSE: Okay. This is a new

1 facility, Simplicity: Lowcountry Cremations and
2 Burial Services, Incorporated. The manager is James
3 L. Dobbins. He was first licensed 8/29/2005. He's
4 a funeral director and embalmer and his license is
5 current. He does not have a criminal background.
6 He lives 18.67 miles from the funeral home. Mr.
7 Dobbins is the owner of the facility and he's here
8 asking for approval to be the manager of this
9 facility.

10 MR. NELSON: Mr. Dobbins, do you
11 have a legal counsel with you today? You do know
12 that you can have legal counsel with you.

13 THE WITNESS: Yes, I do.

14 MS. KIRK: Yes, I'm Ariail Kirk.

15 MR. NELSON: Thank you so much. At
16 this time, would you stand and be sworn in, both of
17 you?

18 (The witness is sworn in.)

19 MR. NELSON: Mr. Dobbins, you may
20 address the board at this time.

21 THE WITNESS: Again, like I said, my
22 name is Jim Dobbins. I've been licensed in the
23 state of South Carolina about six years, now. I
24 just want to thank you-all in advance for your
25 consideration of this facility.

1 MR. NELSON: Any questions. I will
2 start to my right. Mr. McKnight.

3 MR. EVANS: Mr. Dobbins, you have
4 read and understood all the rules and regulations of
5 being a manager?

6 THE WITNESS: Yes, sir.

7 MR. EVANS: That's all I have.

8 MR. NELSON: Mr. Baker.

9 MR. BAKER: No questions.

10 MR. NELSON: Mr. Temples?

11 MR. TEMPLES: No, sir.

12 MR. NELSON: Mr. Horton?

13 MR. HORTON: Mr. Dobbins, is this an
14 existing facility? Or are you building a facility?

15 THE WITNESS: It's an existing
16 building, yes.

17 MR. HORTON: Are you planning on
18 selling pre-need?

19 THE WITNESS: At some point in the
20 future.

21 MR. HORTON: I see here on your
22 application it does have zoning.

23 THE WITNESS: Correct.

24 MR. HORTON: That's all I have Mr.
25 President.

1 MR. NELSON: Mr. Petty.

2 MR. PETTY: Looks like you've got
3 everything in here, Mr. Chairman.

4 MR. EVANS: Mr. Chairman, I make the
5 motion that we accept this application and the final
6 inspection.

7 MR. BAKER: I would second that
8 motion, Mr. Chair.

9 MR. NELSON: Been moved and properly
10 second that we accept this applicants application
11 pending the final inspection. All those in favor,
12 let it be known by saying aye.

13 BOARD MEMBERS: Aye.

14 MR. NELSON: Opposes by saying nay.
15 And let the record show that we accept this. Mr.
16 Dobbins congratulations.

17 THE WITNESS: Thank you.

18 MR. EVANS: Mr. Chairman, I make a
19 motion that we recess for lunch and return back in
20 here at 12:45.

21 MR. HORTON: I second.

22 MR. NELSON: Moved and properly
23 second that we recess for lunch and return back at
24 12:45. All in favor, let it be known by saying aye.

25 BOARD MEMBERS: Aye.

1 MR. NELSON: Opposes by saying nay.

2 (Lunch break.)

3 MR. NELSON: We'll go ahead and
4 start the meeting now. And the next order of
5 business is PWP Crematory, William Joseph White, Jr.

6 This hearing is called to order. This is the
7 matter of William J. White, Jr. The purpose of this
8 hearing is to determine whether William J. White,
9 Jr. should be granted a license as a manager of this
10 crematorium.

11 Everyone is reminded that these proceedings
12 are being recorded and that all witnesses must be
13 sworn in before testifying. All remarks should be
14 directed to the chair. Ms. Rose.

15 MR. EVANS: Mr. Chairman, before Mr.
16 White stands up, let it be known that I am in close
17 proximity of Mr. White's funeral home and know him
18 very well. If he has no problem --

19 MR. SAXON: Mr. White, would you
20 like for Mr. Evans to recuse himself?

21 THE WITNESS: I don't have a problem
22 with him sitting there. That's his job.

23 MR. SAXON: Well, but he's happy to
24 recuse himself, if you'd like.

25 THE WITNESS: I understand. Every

1 vote counts.

2 MR. NELSON: Let's see, who's the
3 manager?

4 MR. BAKER: Is your son going to be
5 the manager?

6 MR. TEMPLES: It says Junior.

7 MR. NELSON: Junior.

8 MR. BAKER: Never mine. Sorry.

9 MR. NELSON: We're waiting on --

10 MS. HOLLEMAN: Would you like me to
11 do it?

12 MR. NELSON: Yes, ma'am.

13 MS. HOLLEMAN: Let's see here. Mr.
14 White is appearing today to be the manager for PWP
15 Crematory. He is a licensed funeral
16 director/embalmer, and his license is current. He
17 does not have a criminal background. He lives one
18 mile from the funeral home. And the owner of this
19 facility is William White, Jr. and Parker White
20 Funeral Home, Incorporated. Mr. White is the
21 proposed manager.

22 MR. NELSON: Thank you. Mr. White,
23 do you have a legal representative with you?

24 THE WITNESS: I do not.

25 MR. NELSON: At this time, we ask

1 that you would stand and be sworn in, please.

2 (The witness is sworn in.)

3 MR. NELSON: Mr. White, feel free to
4 address the board at this time.

5 THE WITNESS: I think I've got all
6 my paperwork done. It may be a couple of other
7 pieces of information y'all need. But I've already
8 cleared the town and the county and DHEC, and this
9 is the final step. So I'd appreciate your
10 consideration.

11 MR. NELSON: Starting to my left,
12 Mr. Petty, do you have any questions?

13 MR. PETTY: Do you have your retort
14 on the site already?

15 THE WITNESS: No, no. I haven't
16 paid -- I haven't ordered.

17 MR. NELSON: Good.

18 THE WITNESS: I need this piece of
19 paper first.

20 MR. NELSON: Mr. Horton?

21 MR. HORTON: And maybe I missed it
22 in the application. It's going to be at the same
23 location as your funeral home?

24 THE WITNESS: Yes, sir, on the
25 premises.

1 MR. HORTON: On the premises.

2 THE WITNESS: 603 North Main in
3 Honea Path location.

4 MR. HORTON: That's all I got.

5 MR. NELSON: Jeff?

6 MR. TEMPLES: I have no questions,
7 Mr. Chairman.

8 MR. NELSON: Mr. Baker?

9 MR. BAKER: I have no questions, Mr.
10 Chairman.

11 MR. NELSON: Mr. Evans?

12 MR. EVANS: None, Mr. Chairman.

13 MR. NELSON: Mr. McKnight?

14 MR. MCKNIGHT: No questions, Mr.
15 Chairman.

16 MR. NELSON: Mr. Osteen?

17 MR. OSTEEEN: No, I have no
18 questions.

19 MR. NELSON: May I have a motion for
20 this applicant?

21 MR. EVANS: Mr. Chairman, I move that
22 we accept his application.

23 MR. MCKNIGHT: Second.

24 MR. NELSON: Been moved and properly
25 second that we accept the applicant. All those in

1 favor, let it be known by saying aye.

2 BOARD MEMBERS: Aye.

3 MR. NELSON: Opposes by saying nay.

4 Good luck, sir.

5 THE WITNESS: Thank you. I've got a
6 couple of things, if it's not out of order, I'd like
7 to leave with you.

8 MR. SAXON: Well, the time to do
9 that would have been before. But, frankly, you've
10 been approved, so you don't need to. If it's some
11 things you want the administration to have, if
12 you'll give to Ms. Cubitt, she can put in your file.

13 THE WITNESS: It's the original of
14 the certificate --

15 MS. CUBITT: I'll take it.

16 MR. NELSON: We don't need that. We
17 don't need your original; we have copies.

18 MR. EVANS: Just make copies of --

19 THE WITNESS: No, you never got a
20 copy of this.

21 MR. EVANS: Oh, okay.

22 MR. SAXON: Yeah, just give it to
23 Ms. Cubitt.

24 THE WITNESS: Okay. Just for the
25 file.

1 MS. CUBITT: Yes, sir.

2 MR. NELSON: And we will, Mr. White,
3 pending final inspection --

4 THE WITNESS: Yes, sir, I understand
5 that. Will I receive paperwork to this affect?

6 MR. SAXON: We don't do an order if
7 it's accepted.

8 MS. CUBITT: You'll -- the inspector
9 will come and inspect. Then right after that, we'll
10 issue the license.

11 THE WITNESS: Do I need to call the
12 inspector?

13 MS. CUBITT: Yes, sir.

14 MR. TEMPLES: Build it and they will
15 come.

16 THE WITNESS: Okay.

17 *****

18 MR. NELSON: Mr. Carl Dickerson.
19 This hearing is called to order. This is the matter
20 of Mr. Carl Dickerson. The purpose of this hearing
21 is to determine whether Mr. Carl Dickerson should be
22 granted a license as a funeral director and embalmer
23 apprentice.

24 Everyone is reminded that these proceedings
25 are being recorded and that all witnesses should be

1 sworn in before testifying, and all remarks should
2 be addressed to the chairperson.

3 MS. HOLLEMAN: Ms. Rose is here. I'm
4 going to let her do this, if you don't mind.

5 MR. NELSON: Ms. Rose is here now. We
6 are with Mr. Dickerson. Dickson, Carl Dickson,
7 instead of Dickerson. Dickson.

8 MS. ROSE: Dickson. Okay. Carl
9 Dickson. He's an apprentice funeral director/
10 embalmer. He has a felony on his criminal
11 background report. And Mr. Dickson has provided the
12 board with a pardon. So he's requesting the board
13 to consider his pardon and approve him to become a
14 funeral director/embalmer apprentice.

15 MR. NELSON: Mr. Dickson, do you
16 have a legal counsel with you today?

17 THE WITNESS: No, sir.

18 MR. NELSON: Okay. You know you
19 have the right to have had legal counsel with you.

20 THE WITNESS: Yes, sir.

21 MR. NELSON: Would you stand and be
22 sworn in, please.

23 (The witness is sworn in.)

24 MS. CUBITT: Mr. Chairman --

25 MR. NELSON: Yes, ma'am.

1 MS. CUBITT: -- I'd like to also
2 note that he has a statement in his package of
3 unpaid debt for a judgment.

4 MR. NELSON: And we do have the
5 pardon certificate in here, as well as file records,
6 board members.

7 MR. SAXON: Why don't we mark that
8 Applicant's Exhibit 1.

9 [MARKED FOR IDENTIFICATION AS
10 APPLICANT'S EXHIBIT NO. 1 - Updated
11 Pardon dated January 20, 2012.]

12 MR. NELSON: While that is coming
13 forward, I will start to my right with board
14 members.

15 MS. CUBITT: Mr. Saxon, are there
16 two of them? Or is it an updated one.

17 MR. SAXON: Mine says "updated."

18 MS. CUBITT: Right.

19 MR. BAKER: And then there's one
20 behind it.

21 MR. NELSON: There's one behind it.

22 MR. SAXON: So why don't we mark the
23 updated one No. 1, the regular Certificate of Pardon
24 that's number -- well, they're both the same name.

25 MR. PETTY: One's got three counts

1 and one got six counts.

2 MR. SAXON: I think I would use the
3 amended one; that would be the most accurate. So
4 let's just keep that as Exhibit 1 for the applicant.

5 COURT REPORTER: The one that says
6 "updated."

7 MR. SAXON: Yes, yes. And at the
8 top, the official writing is amended. And I think
9 that's the only one we need.

10 MR. EVANS: Chairman, may I
11 proceed with a question?

12 MR. NELSON: One moment, sir.

13 MR. EVANS: Oh, I'm sorry.

14 MR. NELSON: That's all right. We
15 are ready now to --

16 COURT REPORTER: Yes, sir, I am.
17 I'm sorry.

18 MR. NELSON: Okay. That's all
19 right. I will just start to my right, Mr. Osteen.

20 MR. OSTEEEN: I don't have any
21 questions.

22 MR. NELSON: Mr. McKnight.

23 MR. MCKNIGHT: No, not at this time.

24 MR. NELSON: Mr. Evans, now.

25 MR. EVANS: Thank you, Mr. Chairman.

1 Mr. Dickson, on your judgment, do you have plans on
2 repaying that? That's been worked out?

3 THE WITNESS: Yes, sir. The
4 punishment been worked out to pay that judgment off.

5 MR. EVANS: And pending what turns
6 out here, will you be able to provide that in
7 writing to the board?

8 THE WITNESS: Yes.

9 MR. EVANS: Thank you.

10 MR. NELSON: Mr. Baker.

11 MR. BAKER: I don't have any.

12 MR. NELSON: Mr. Temples.

13 MR. TEMPLES: Chairman, I have no
14 questions.

15 MR. NELSON: Mr. Horton?

16 MR. HORTON: No questions, Mr.
17 Chairman.

18 MR. PETTY: I've got one
19 question. Now, you haven't served your
20 apprenticeship; is that correct?

21 THE WITNESS: No, sir. I haven't
22 served my apprenticeship, just yet.

23 MR. PETTY: Okay. But this is first
24 step in your applying; is that correct?

25 THE WITNESS: Yes, sir. I am in

1 school currently, though.

2 MR. PETTY: You are?

3 THE WITNESS: Yes, sir.

4 MR. NELSON: Mr. Petty, on the
5 application, it states that he's at Piedmont.

6 MR. PETTY: Okay.

7 MR. NELSON: May I have a motion on
8 the applicant?

9 MR. PETTY: Chairman, I make a motion
10 we accept his pardon as granted, the Department of
11 Hearings and Parole.

12 MR. HORTON: I second.

13 MR. NELSON: Who second?

14 MR. HORTON: Me.

15 MR. NELSON: All those in favor, let
16 it be known by saying aye.

17 BOARD MEMBERS: Aye.

18 MR. NELSON: Opposes by saying nay.
19 Let the record show that Mr. Dickson has been
20 accepted, and good luck to you.

21 THE WITNESS: Thank you, sir.

22 *****

23 MR. NELSON: The next one is Mr.
24 Billy Albert Williams, III. This hearing is called
25 to order. This is the matter of Billy A. Williams,

1 III. The purpose of this hearing is to determine
2 whether Billy A. Williams, III should be granted a
3 license as a funeral director and embalmer
4 apprentice.

5 Everyone is reminded that these proceedings
6 are being recorded and that all witnesses must be
7 sworn in before testifying Ms. Rose.

8 MS. ROSE: Mr. Williams first
9 started his apprenticeship 7/28/2000 to 7/28/2002,
10 and he did not complete. He started again 5/30/2002
11 to 5/30/2003. Then he served another -- he extended
12 another year for 5/30/2003 to 5/30/2004, and he
13 completed the apprenticeship. After completing his
14 apprenticeship in 2004, he began taking the national
15 exams and he didn't pass the exams. And then in
16 2008, he applied for his funeral director/embalmer,
17 to take the state law -- or the state exams. And he
18 didn't take any during that time. So now in 2012,
19 he's applying to redo his apprenticeship, and this
20 would be his fourth time.

21 MS. CUBITT: Mr. Chairman, part of
22 the question that the staff has related to this file
23 is that the board has taken a position that
24 apprenticeship is only good for five years. And so
25 since he completed it in '04, we just we felt that

1 it was over the five year limit and direction from
2 the board. And if he does get his apprenticeship
3 again, how long we'd have to complete it, is another
4 question that probably needs to be addressed, so
5 that we can handle it correctly.

6 MR. NELSON: Mr. Williams, you have
7 a legal counsel with you?

8 THE WITNESS: Yeah.

9 MR. NELSON: Okay. Would you stand
10 and be sworn in, please?

11 (The witness is sworn in.)

12 MR. NELSON: Is there anything that
13 you would like to address the board with, before we
14 ask a few questions?

15 THE WITNESS: Just -- just a little
16 information about me. I -- I'm the fourth
17 generation coming up Folk Funeral Home in Williston.
18 I -- I started my family. I took my test twice and
19 failed it. Got discouraged. Family happened. I
20 got a five-year-old son and a two-year old daughter.
21 A fifth generation is born, but in order to carry on
22 the tradition, I had to step up where I could to get
23 in to help my dad because he needs all the help he
24 can get.

25 MR. NELSON: Now, Mr. Baker, you had

1 a question.

2 MR. BAKER: I do. On Page 3 of the
3 application, I see that you're employed by Folk
4 Funeral Home. I mean, that's obvious. But I don't
5 have anything -- we don't have anything listed for a
6 position and how long you've been there. Can you
7 explain that? Or exactly what do you do?

8 THE WITNESS: I'm kind of a gopher.
9 I dig graves, put up tents, flowers, hearse, I
10 pretty much do my dad's back work for him. I try to
11 help him any way I can.

12 MR. BAKER: Okay. I don't have
13 anything else, Mr. Chairman.

14 MR. TEMPLES: Ms. Rose, he has
15 completed his apprenticeship; is that correct?

16 MS. ROSE: He has.

17 MR. TEMPLES: And this is his --

18 MS. ROSE: This would be the
19 fourth --

20 MR. TEMPLES: The fourth time.

21 MS. ROSE: Well, it would be -- it
22 would be like five years, and there's a five year
23 limit.

24 MR. NELSON: I'm going to call that
25 we go into executive session for a few questions

1 that I have, that we need to have clarification on.
2 If I can get a second.

3 MR. TEMPLES: Second.

4 MR. NELSON: All those in favor, let
5 it be known by saying aye.

6 BOARD MEMBERS: Aye.

7 MR. NELSON: Opposes by saying nay.
8 Ms. Rose.

9 MS. ROSE: Just to let you know, the
10 next two are basically kind of in the same -- just
11 letting you know.

12 MR. NELSON: That's one of the
13 reasons for taking executive --

14 (Executive Session.)

15 MR. HORTON: Mr. Chairman, I make a
16 motion we come out of executive session.

17 MR. BAKER: So moved.

18 MR. NELSON: Been moved and properly
19 second that we come out of executive session. All
20 in favor, let it be known by saying aye.

21 BOARD MEMBERS: Aye.

22 MR. NELSON: Opposes by saying nay.
23 And for the record, no votes or actions were taken
24 during executive session. Do I have a motion on the
25 said applicant?

1 MR. BAKER: Mr. Chairman, I would
2 like to make a motion that we grant Billy Albert
3 Williams, III the apprenticeship that he is already
4 completed, and that we give him one year from this
5 date to become licensed.

6 MR. SAXON: That means to take and
7 successfully pass the exam and be licensed --

8 MR. BAKER: That is correct.

9 MR. SAXON: -- within one year.

10 THE WITNESS: Yes, sir. I
11 understand. Thank you.

12 MR. MCKNIGHT: I second it.

13 MR. NELSON: Been moved and properly
14 second by Mr. McKnight. All those in favor, let it
15 be known by saying aye.

16 BOARD MEMBERS: Aye.

17 MR. NELSON: Opposes by saying nay.
18 Good luck to you.

19 THE WITNESS: Thank you, sir.

20 MR. SAXON: Would you like an order
21 on that one?

22 MR. NELSON: Yes, you can.

23 MR. SAXON: I can do whatever y'all
24 like.

25 MS. CUBITT: We'd better make that

1 official, since there's a one year limitation.

2 *****

3 MR. NELSON: Mr. Willie B. Wise.

4 This hearing is called to order. This is the matter
5 of Willie B. Wise. The purpose of this hearing is
6 to determine whether Mr. Willie B. Wise should be
7 granted a license as an embalmer apprentice.

8 Everyone is reminded that these proceedings
9 are being recorded and all witnesses must be sworn
10 in before they testifying, and all remarks should be
11 directed to the chairperson. Ms. Rose.

12 MS. ROSE: Okay. Willie B. Wise, he
13 has completed an apprenticeship embalmer course, and
14 it's been five years since he completed. And he is
15 requesting now that he's able to redo his
16 apprenticeship. And during that time that he
17 completed, he was unable to go to school. So now
18 he's wanting to redo that apprenticeship.

19 MR. NELSON: Thank you, ma'am. Mr.
20 Wise, if you would stand to be sworn in, please.

21 (The witness is sworn in.)

22 MR. NELSON: And before Mr. Wise
23 begin to give any testimony, I would like the record
24 to note that I do know Mr. Wise. And if I need to
25 recuse myself at this juncture, before any votes, if

1 he deem necessary, I will do so.

2 THE WITNESS: No.

3 MR. NELSON: Okay. Mr. Wise, you
4 may address the board at this time.

5 THE WITNESS: During the time I was
6 taking the apprentice at that time, I was unable to
7 go to school. And so now I feel like now I want to
8 try to finish this course out. There was questions
9 asked, the guys in Piedmont Tech, I was asking about
10 could the -- since I have a funeral director
11 license, could we actually go to Piedmont Tech and
12 just take up the embalming part, because they stated
13 that there was several other funeral directors that
14 wanted to do the same thing, but there was no ruling
15 on it. So that's what I was concerned about, just
16 more or less going to Piedmont Tech. And if I go to
17 Piedmont Tech just to do the embalming part of it,
18 then I would, you know. But since -- since I don't
19 -- you know, say might have to go to school -- going
20 to school and take the whole course -- the embalming
21 course. But since I have a funeral director's
22 license and stuff, I was just concerned about the
23 embalming part.

24 MR. SAXON: You're here today, Mr.
25 Wise, just requesting to do your embalming

1 apprenticeship --

2 THE WITNESS: Yeah.

3 MR. SAXON: -- is that right?

4 THE WITNESS: Just -- just the
5 embalming part of it. But, yeah, there was a
6 question at Piedmont Tech that I -- I questioned
7 them --

8 MR. SAXON: Well, that's not before
9 us today.

10 THE WITNESS: Yes, sir. Okay.

11 MR. EVANS: And you said, Mr. Wise,
12 you do have your license, funeral director.

13 THE WITNESS: Yeah.

14 MR. NELSON: And he's just coming
15 before us, an apprentice embalmer.

16 MR. EVANS: As just an apprentice
17 embalmer.

18 MR. HORTON: Mr. Chairman.

19 MR. NELSON: Yes, sir.

20 MR. HORTON: Question. Mr. Wise,
21 our thing says you completed your apprenticeship
22 embalmer in 2006; is that correct?

23 THE WITNESS: Yes.

24 MR. HORTON: You've already done it.

25 THE WITNESS: Yes.

1 MR. HORTON: And now you want to go
2 to school.

3 THE WITNESS: Yeah. I'd like to go
4 to school, try to finish -- to finish it up.

5 MR. SAXON: Ms. Rose, is what we
6 have here, he finished his apprenticeship embalmer
7 in 2006, more than five years ago. So the board is
8 being asked to let him redo that apprenticeship; is
9 that right?

10 MS. ROSE: Well, he was under the
11 impression that you do have to do it again.

12 MR. SAXON: Okay. Okay.

13 MS. ROSE: Either it's approve the
14 one that's already done or either --

15 MR. SAXON: Let him redo it. Got
16 it.

17 MS. CUBITT: Mr. Saxon.

18 MR. SAXON: Yes, ma'am.

19 MS. CUBITT: The board did implement
20 the five year, and it does say May. And so he has
21 completed the apprenticeship, like the previous
22 case, and how the board chose to look at that. Once
23 his apprenticeship was finished, then we don't give
24 them another apprenticeship or a license, so they
25 can't do any embalming. And since 2006 --

1 MR. SAXON: Right.

2 MS. CUBITT: -- now it ran out. But
3 if the board is going to allow that apprenticeship
4 to stand, then he'd just has to have the education.

5 MR. SAXON: Okay. Yeah.

6 MS. CUBITT: And take the exams, I
7 guess.

8 MR. EVANS: And Ms. Cubit, may
9 I --

10 MR. NELSON: Yes.

11 MR. EVANS: -- address? So if he
12 goes to school, he'd have to get a student permit
13 then.

14 MS. CUBITT: Yes. A student permit
15 allows them to only practice while they're in a
16 school activity.

17 MR. NELSON: Right.

18 MR. HORTON: Like clinicals.

19 MS. CUBITT: Thank you.

20 MR. HORTON: Mr. Chairman, would it
21 be in order, unless any other board members have any
22 questions --

23 MR. NELSON: Do we have any other
24 board members with questions? If not, Mr.
25 Horton --

1 MR. HORTON: -- I'd like to offer a
2 motion that we recognize Mr. Wise's embalming
3 apprentice. Seems to me, if it's 2006 that he had
4 completed it in, it's just over the five year limit,
5 then I don't think any useful purpose would be
6 served, you know, for him or the state, you know, to
7 make him redo this apprenticeship. I make a motion
8 we accept his apprenticeship from 2006.

9 MR. OSTEEEN: And I'll second that.

10 MR. NELSON: Been second by Mr.
11 Osteen, that we accept his apprenticeship. All
12 those in favor, let it be known by saying aye.

13 BOARD MEMBERS: Aye.

14 MS. CUBITT: I was going to ask a
15 clarifying question --

16 MR. NELSON: Yes, ma'am.

17 MS. CUBITT: -- for staff benefit,
18 so we knew how to handle it. If you allow it to
19 stand, I understand that. But is there a period of
20 time or anything? Like two years, finish his
21 education? Or just --

22 MR. HORTON: Can I amend -- can I
23 withdraw that motion and back up and do that?

24 MR. NELSON: Yes, we can, for failed
25 for a lack of second. The motion wasn't second.

1 MR. SAXON: Yes, it was.

2 MR. NELSON: It was second?

3 MR. SAXON: It was seconded. So
4 there needs to be a vote.

5 MR. NELSON: A vote.

6 MR. SAXON: Has to be a vote.

7 MR. NELSON: Okay. I didn't hear
8 the second vote. Okay. A vote to withdraw the
9 motion and come with the --

10 MR. SAXON: No, no, no. Had we
11 voted on the motion?

12 MR. NELSON: We haven't voted on the
13 motion.

14 MR. SAXON: Right.

15 MR. NELSON: So we now go back to --

16 MR. SAXON: No. We have to vote on
17 that motion. That motion's on the table. It's been
18 seconded; it has to be voted on. If you don't want
19 it to pass, then you vote against it. And then you
20 can renew another -- have another motion.

21 MR. NELSON: All in favor, let it be
22 known by saying aye at the first motion.

23 (NO RESPONSE.)

24 MR. NELSON: All opposed?

25 BOARD MEMBERS: Nay.

1 MR. NELSON: Now --

2 MR. HORTON: Mr. Chairman, I'd like
3 to offer a motion that we grant Mr. Wise his
4 apprenticeship from 2006 and give him two years to
5 complete his schooling and get licensed.

6 MR. NELSON: Do we have a second?

7 MR. OSTEEN: Second.

8 MR. NELSON: Second, Mr. Osteen on
9 the motion. All those in favor, let it be known by
10 saying aye.

11 BOARD MEMBERS: Aye.

12 MR. NELSON: Opposes by saying nay.
13 Mr. Wise, good luck to you. Go to school. Good
14 luck to you.

15 *****

16 MR. NELSON: Is Ms. Springs present?

17 MS. ROSE: I don't think so.

18 MR. NELSON: She's not here, okay.

19 *****

20 MR. NELSON: Next, we will go to Mr.
21 Oglesby. I don't have a script for Mr. Oglesby.

22 MR. SAXON: Ms. Rose, do you have a
23 script -- do we have a script for Mr. Oglesby?

24 MS. ROSE: No, I didn't see one.
25 He didn't have any application. He has sent a

1 letter in, requesting that the board -- in other
2 words, he doesn't have an application. He appeared
3 before the board in 2011, and he was basically asked
4 to reappear when he had a pardon, because he had a
5 felony before. So he sent in a letter, requesting
6 that we accept his apprenticeship after -- it's been
7 at least ten years or more.

8 MR. NELSON: Mr. Oglesby, would you
9 stand and be sworn in, please.

10 (The witness is sworn in.)

11 MR. NELSON: Ms. Rose, would you now
12 read the applicant information on our package,
13 please, for the record.

14 MS. ROSE: Mr. Oglesby completed his
15 funeral director and embalmer apprenticeship in
16 1995. He appeared before the board October 2010.
17 The board approved Mr. Oglesby student funeral
18 director application to attend Piedmont College.
19 And they gave him an order, granting his student
20 permit, but stated in the order that he could only
21 be a student. So in the minutes that you have in
22 your packets states that until he gets a pardon,
23 that he'd have to appear before the board. So he
24 sent in a letter.

25 So he's received the pardon now and has

1 completed Piedmont Tech, and he's passed the
2 national science and the art exams. And he's
3 requesting you to consider the apprenticeship that
4 he did in '95 and approve him to take state law
5 exams. And in case you do not approve that, he's
6 provided an apprenticeship license, if he was to be
7 required to do that over.

8 MR. NELSON: Thank you, ma'am.
9 Everyone understand what actions are being taken
10 here? Pretty much cut and dry.

11 MR. SAXON: Ms. Englert, we have a
12 copy of his Certificate of Pardon. Would you mark
13 that Applicant's 1, please?

14 [MARKED FOR IDENTIFICATION AS
15 APPLICANT'S EXHIBIT NO. 1 - David
16 John Oglesby pardon dated April 6,
17 2011.]

18 MR. NELSON: Now, do we have any
19 questions from our board members? Mr. Petty?

20 MR. PETTY: No, I haven't.

21 MR. NELSON: Mr. Horton?

22 MR. HORTON: I have none.

23 MR. NELSON: Mr. Temple?

24 MR. TEMPLES: And this is directed
25 to Mr. Oglesby. And you served your apprenticeship

1 in '94 and '95? Or '95 and '96? Or what years was
2 that?

3 THE WITNESS: '94 and '95. I
4 graduated in '93, high school, so I set my
5 apprenticeship right after that. Worked in the
6 family business up till '99, when I went away.

7 MR. TEMPLES: Right.

8 THE WITNESS: Served time till
9 November '07. Been back in the business since then.
10 Completed Piedmont Tech, pretty much. I want to
11 finish my apprenticeship, so I could get my license
12 and carry on the family business.

13 MR. NELSON: Mr. Baker?

14 MR. BAKER: I have none.

15 MR. NELSON: Brad?

16 MR. EVANS: Mr. Chairman, I have no
17 questions.

18 MR. NELSON: Mr. McKnight?

19 MR. MCKNIGHT: No questions.

20 MR. NELSON: Mr. Osteen.

21 MR. OSTEEEN: (Inaudible.)

22 MR. NELSON: Could we get a motion
23 on this applicant?

24 MR. TEMPLES: Mr. Chairman, I'd like
25 to make a motion to accept his application. And if

1 he could -- since it's been since '94 and '95, it's
2 been over 15 years since he served his
3 apprenticeship, that we ask and grant him a
4 apprenticeship license to do that for the next two
5 years. And then he may take his exams.

6 MR. SAXON: I don't understand the
7 motion. Are you accepting his apprenticeship, as
8 finished in 1995?

9 MR. TEMPLES: No.

10 MR. SAXON: Okay. Tell me what you
11 mean, please, Mr. Temple.

12 MR. TEMPLES: Not accepting his
13 apprenticeship.

14 MR. SAXON: Okay.

15 MR. TEMPLES: But am granting him to
16 complete his apprenticeship, to do another
17 apprenticeship.

18 MR. BAKER: Which the application is
19 in the packet.

20 MR. TEMPLES: And the application is
21 in the packet. Is it not?

22 MS. CUBITT: No, sir.

23 MR. BAKER: Yes.

24 MS. CUBITT: Oh, I'm sorry. I saw
25 the letter. I didn't see --

1 MR. NELSON: Can we get a second to
2 that motion?

3 MR. HORTON: I'll second.

4 MR. NELSON: Been moved and properly
5 second, that we allow Mr. Oglesby the two years to
6 do an apprentice for two years. And if we have the
7 application in our packet, and after completion of
8 the two years of apprentice, you may go forth and
9 sit. All those in favor?

10 BOARD MEMBERS: Aye.

11 MR. NELSON: Opposes by saying nay.

12 THE WITNESS: One question.

13 MR. NELSON: Yes, sir.

14 THE WITNESS: A two-year student
15 permit, how is that any different than the
16 apprenticeship, other than turning in your quarterly
17 reports?

18 MR. HORTON: You have to be -- you
19 have to be full time employed to serve the
20 apprenticeship in South Carolina. You must be full
21 time employed by a funeral home, under the direct
22 supervision of a precept.

23 THE WITNESS: Yes, sir.

24 MR. HORTON: And you have to file
25 quarterly reports on each and every case that you

1 work on on the funeral director's side and the
2 embalmer's side. You can download those --

3 THE WITNESS: I see.

4 MR. HORTON: Okay. You got --
5 student permit only covers you while you're in
6 school if you have clinicals that you can be allowed
7 to take part in.

8 THE WITNESS: Okay. Thank you, sir.

9 MR. NELSON: Good luck to you,
10 Mr. Oglesby.

11 *****

12 MR. NELSON: We're down to
13 discussion items. Do we have any discussion items?

14 (NO RESPONSE.)

15 MR. NELSON: The next item is
16 authority for administrator to sign letter of
17 caution.

18 MS. CUBITT: Mr. Chairman, I serve
19 on the IRC committee. And when we look at cases,
20 sometimes there's not enough for a formal charge or
21 a disciplinary thing. But they're on a line of
22 having a problem and they need to be aware of
23 things. And so we, in those cases, want to issue a
24 letter of caution. And normally something like that
25 would be signed by the board chair.

1 However, in the interest of not tainting the
2 chairman against any future cases that they might
3 have to hear, I'm asking for the authority for me to
4 sign the letters of concern. And we're doing this
5 on all the boards.

6 MR. BAKER: Would you like that in a
7 motion form?

8 MR. NELSON: Yes.

9 MR. BAKER: I make the motion that
10 Mrs. Cubitt, the board administrator, have the
11 authority to sign letters of caution.

12 MR. EVANS: I second that.

13 MR. NELSON: Been moved and properly
14 seconded on that motion. Those in favor, let it be
15 known by saying aye.

16 BOARD MEMBERS: Aye.

17 MR. NELSON: Opposes by saying nay.
18 Thank you, Ms. Cubitt.

19 MS. CUBITT: Thank you.

20 *****

21 MR. NELSON: Then next we will defer
22 to the next meeting. We'll go into our committee
23 reports. Do we have any committee reports?
24 Anything from our Legislative Committee? And
25 however, we do probably need to restructure some of

1 the committees.

2 (NO RESPONSE.)

3 MR. NELSON: The Examination
4 Committee?

5 (NO RESPONSE.)

6 MR. NELSON: Regulatory and
7 Compliance Committee?

8 (NO RESPONSE.)

9 MR. NELSON: Publication Committee?

10 (NO RESPONSE.)

11 MR. EVANS: Mr. Chairman, I'd like
12 to form a legislative committee. I know we -- have
13 we not ever had one? Or is that just -- since I've
14 been on the board, I don't think there's ever been
15 -- I'm just asking.

16 MS. CUBITT: I don't know all the
17 history to that. But many boards do have a
18 legislative committee to monitor and check and
19 whatnot. And since the board is responsible for
20 getting legislation introduced, that would be a
21 prudent thing to do.

22 MR. EVANS: Mr. Chairman, may I have
23 that task?

24 MR. NELSON: Yes, sir.

25 MR. EVANS: If nobody else has any

1 objections.

2 MR. SAXON: So Mr. Evans will form
3 that committee?

4 MR. NELSON: Yeah. Public comments?

5 MR. BAKER: Let me back up. If it
6 is acceptable with Mr. Temples, I'd like for Mr.
7 Temples to take Mr. Crawford's place on the
8 Examination/CEU and Education Committee.

9 MR. TEMPLES: I accept.

10 MR. BAKER: Do you accept that, Mr.
11 Temples?

12 COURT REPORTER: Did he accept it?

13 MR. BAKER: He did accept it.

14 MR. NELSON: So noted.

15 MR. EVANS: Mr. Chairman, if no other
16 business, I make a motion we adjourn. Sorry.

17 MR. NELSON: We are down to our
18 public comments. And do we have anything coming
19 from the Consumer Affairs Office? We never want to
20 leave the meeting without her saying something.
21 Just standing up, waving to us or something.

22 MR. BAKER: I think Alicia is to be
23 commended for sitting through these meetings
24 diligently.

25 MS. CUBITT: She should.

1 MR. BAKER: And she has certainly
2 shown an effort -- I know she's been here at every
3 meeting that I'm here. And I don't know that it's
4 mandatory that you be here, but I think you're to be
5 commended for making the effort to be here.

6 MR. NELSON: And do we have --
7 Ms. Pyatt do we have anything from SCMA? Ms.
8 Simmons?

9 MS. CUBITT: Mr. Chairman, are y'all
10 going to have a --

11 MR. NELSON: We're going to waive.
12 We're going to defer that.

13 MS. CUBITT: -- that was what my hand
14 was up for.

15 MR. NELSON: Yes. We're deferring
16 that till the president can come back and hopefully
17 be feeling better.

18 MR. EVANS: I make a motion we
19 adjourn.

20 MR. TEMPLES: I second.

21 MR. NELSON: Moved and properly
22 second. Everyone is in favor of adjournment.

23 *****

24 (Whereupon, the hearings were concluded at
25 1:26 p.m.)

1 CERTIFICATE OF REPORTER

2 I, CECELIA P. ENGLERT, COURT REPORTER AND NOTARY
3 PUBLIC IN AND FOR THE STATE OF SOUTH CAROLINA AT LARGE,
4 HEREBY CERTIFY THAT I RECORDED AND TRANSCRIBED THE SOUTH
5 CAROLINA DEPARTMENT OF LABOR, LICENSING AND REGULATION,
6 BOARD OF FUNERAL SERVICE BOARD MEETING ON THE 7TH DAY OF
7 FEBRUARY, 2012, AND THAT THE FOREGOING 78 PAGES
8 CONSTITUTE A TRUE AND CORRECT TRANSCRIPTION OF THE SAID
9 HEARINGS.

10 I FURTHER CERTIFY THAT I AM NEITHER ATTORNEY NOR
11 COUNSEL FOR, NOR RELATED TO OR EMPLOYED BY ANY OF THE
12 PARTIES CONNECTED WITH THIS ACTION, NOR AM I FINANCIALLY
13 INTERESTED IN SAID CAUSE.

14 I FURTHER CERTIFY THAT THE ORIGINAL OF SAID
15 TRANSCRIPT WAS THEREAFTER SEALED BY ME AND DELIVERED TO
16 MICHAEL TEAGUE, ASSISTANT ADMINISTRATOR, SCLLR - BOARD OF
17 FUNERAL SERVICE, KINGSTREE BUILDING, 110 CENTERVIEW
18 DRIVE, COLUMBIA, SOUTH CAROLINA, WHO WILL RETAIN THIS
19 SEALED ORIGINAL TRANSCRIPT.

20 IN WITNESS WHEREOF, I HAVE SET MY HAND AND SEAL THIS
21 29TH DAY OF FEBRUARY, 2012.

22 _____
23 CECELIA P. ENGLERT, COURT REPORTER
24 MY COMMISSION EXPIRES JUNE 03, 2018
25