

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE CEMETERY BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

SQUAW CREEK CEMETERY,
RESPONDENT.

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:

FINAL DECISION AND ORDER

ORDER 0002163

Division of Legal Services and Compliance Case No. 12 RLC 001

The parties to this action for the purpose of Wis. Stat. § 227.53 are:

Squaw Creek Cemetery
W13156 County Road P
Black River Falls, WI 54615

Wisconsin Cemetery Board
P.O. Box 8935
Madison, WI 53708-8935

Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 8935
Madison, WI 53708-8935

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final disposition of this matter, subject to the approval of the Cemetery Board (Board). The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent Squaw Creek Cemetery is licensed in the State of Wisconsin as a Cemetery Authority-Religious, having license number 102-7, first issued on June 16, 1992. Squaw Creek Cemetery's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is W13156 County Road P, Black River Falls, WI 54615.

2. On or about May 16, 2012, the Department received a complaint alleging that Squaw Creek Cemetery moved two urns from their original location of interment to another location without approval of the family member in charge of the urns. Division of Legal Services and Compliance case number 12 RLC 001 was subsequently opened for investigation.

3. The Department's investigation revealed that in October 2011, two urns ("Husband") and ("Wife") were interred into a plot occupied by Husband's brother ("Brother.")

4. Several days later Respondent was notified by the family member in charge of Brother's burial plot that the urns needed to be removed because the family member did not want the urns placed there.

5. Husband and Wife's urns were disinterred and reinterred into a different burial plot.

6. Respondent failed to notify the family member in charge of Husband and Wife's urns of the move.

7. In resolution of this matter, Respondent consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Wisconsin Cemetery Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 440.93, and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

2. By the conduct described in the Findings of Fact, Respondent violated Wis. Stat. § 157.112(3)(b) by failing to notify the decedent's adult child by registered mail of the reburial.

3. As a result of the above violation, Respondent is subject to discipline pursuant to Wis. Stat. § 440.93(1)(g).

ORDER

1. The attached Stipulation is accepted.

2. Respondent Squaw Creek Cemetery is REPRIMANDED.

3. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent's license. The Board in its discretion may in the alternative impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order.

4. This Order is effective on the date of its signing.

WISCONSIN CEMETERY BOARD

by: WEd Greenfield
A Member of the Board

11-20-12
Date