

MINUTES
South Carolina Board of Environmental Certification
Board Meeting
10:00 a.m., April 26, 2016
Synergy Business Park
Kingstree Building, Room 108
110 Centerview Drive
Columbia, South Carolina

Meeting Called to Order

Chairman, Elizabeth Williams, of Sumter, called the regular scheduled meeting of the South Carolina Environmental Certification Board to order at 10:00 a.m. Other members participating in the meeting Included: Charles Cortez, of Pelzer; Doug Kinard, of Prosperity; Ken Rentiers, of Columbia; Jimmy Rodgers, of Greenwood; and Phillip Thompson-King, of Columbia

Staff members participating during the meeting included: Molly Price, Administrator; Theresa Garner, Program Assistant; Erin Baldwin, Office of Disciplinary Counsel; Hardwick Stuart, Office of Advice Counsel, and Todd Bond, Office of Investigative Enforcement.

Mrs. Williams announced that public notice of this meeting was properly posted at the S.C. Board of Environmental Certification Office, Synergy Business Park, Kingstree Building, and provided to all requesting persons, organizations, and news media in compliance with Section 30-4-80 of the South Carolina Freedom of Information Act.

Section 40-23-40

Mrs. Williams announced the purpose of this board is to protect the general public through the regulation of persons engaged in occupations appointed by the legislature for regulation by the board. These occupations are referred to in Chapter 23 collectively as Environmental Systems Operators.

Approval of Excused Absences

MOTION

Mr. Cortez made a motion the board approve the excused absences of board members Bob Davis, and Ken Tuck. Mr. Rentiers seconded the motion which carried unanimously.

Approval of the November 10, 2015 Minutes

MOTION

Phillip Thompson-King made a motion the board approve the minutes of the November 10, 2015 meeting. Mr. Rentiers seconded the motion which carried unanimously.

Chairman's Remarks-Elizabeth Williams

Mrs. Williams gave a brief report regarding the topics that were discussed at the ABC Conference she attended in January.

- The ABC Conference was held in Denver on January 20th-22nd
- The conference held multiple technical and breakout sessions on various topics.
- Recruitment of younger operators and reciprocity were hot topics.
- How other states administer licenses- SC is advanced to many by offering online testing and renewals.
- A number of states expressed concern about politicians looking to downsize, or eliminate their certification boards.

Mrs. Williams informed board members that Dwight Johnson and David Baize had rotated off the board. Doug Kinard replaced David Baize as the DHEC representative. The board is waiting notification of Mr. Johnson's replacement.

Board Chair, Elizabeth Williams, presented Mr. Baize with a plaque for his dedicated years of service to the Environmental Certification Board from 5/17/2005 through 11/10/2015, and serving as vice-chair from 5/17/2005 through 7/10/2012.

Mr. Johnson was not present and will also be given a plaque for his years of service to the board from 1/11/2005 to 9/1/2015.

Mrs. Williams presented a plaque to Theresa Garner, for her years of service to the board from 1/17/1985 through June 30, 2016. Mrs. Garner is retiring at the end of June.

Administrator's Remarks-Molly Price

Mrs. Price welcomed the new board members, and stated she was looking forward to working with them. She thanked them for their willingness to serve.

She reminded board members about the board member reference manual listed on the board member website. She stated it contains a lot of useful information, and is updated frequently.

She asked board members when making a motion, to make sure the motion is clear, and that they speak loud enough to be heard by the court reporter and staff member who is taking the minutes.

Mrs. Price reported the board's current account balance was \$340,422.86. She stated the board has 2,562 active licensees, and 6, 587 licensees active in renewal.

She said renewals were going well, and that licensees were sent an eblast prior to the renewal reminder cards being mailed out the last week of March. She said it appears more licensees are utilizing the online renewal system with each renewal year.

She reported that the newsletter will be placed on the board's website in the next couple of weeks. The Newsletter for active licensees will be sent by eblast.

She informed board members that she had received a letter from James McDaniel, Aiken County Public Service Authority regarding math questions on the "A" Biological Wastewater Exam. She forwarded his concerns to the Association of Boards of Certification (ABC) exam representative for feedback. She recommended this item be placed on the agenda for the next meeting. Mrs. Price will invite Mr. McDaniel to attend the next board meeting. Items 1 and 4 of Mr. McDaniel's letter will be discussed at this time. Items 2 and 3 should be addressed directly with ABC. She also asked board member, Phillip Thompson-King, Biological Wastewater Representative; if he would review the questions for that exam and provide feedback at the next meeting.

Advisory Opinions, If Needed, Office of Advice Counsel

No advisory opinions were given during this meeting.

OIE Report-Office of Investigations and Enforcements

Todd Bond presented the OIE status report. He stated there were a total of 7 complaints received from 1/1/2016 through 4/26/2016, along with 5 investigations, and one closed case.

OGC Report-Office of Disciplinary Counsel-Erin Baldwin

Erin Baldwin presented the OGC Report. She stated currently, there was one closed case.

New Business

- a. Approval of IRC Report from January 6, 2016 and April 12, 2016

MOTION

Mr. Cortez made a motion the board approves the January 6, 2016, and April 12, 2016, IRC Reports. Mr. Phillip Thompson-King seconded the motion which carried unanimously.

- b. Office of Disciplinary Counsel and Office of Investigations and Enforcement Presentation

Todd Bond and Erin Baldwin made a presentation to the Board regarding the process from the initial complaint to the final resolution.

Mr. Stuart discussed the matter of recusal with the members. He referred the members to the section of the law regarding recusals.

Disciplinary Hearing-Case #2014-2

Erin Baldwin, Office of Disciplinary Counsel, informed board members that Mr. Preacher, Case #2014-2, surrendered all licenses on a permanent basis. His case was closed.

Application Hearings

These application hearings were recorded by a certified court reporter in the event a verbatim transcript is necessary. All persons testifying were sworn in by the court report.

Elizabeth Williams, Board Chair, called the Application Hearings to order.

a. Eric L. Laney-Bottled Water Application

Mr. Laney was not in attendance for this meeting.

b. Tedric Allison-Water Treatment Application

Mr. Allison appeared before the board to answer questions regarding his SLED report. He waived his right to legal counsel. He stated he made mistakes, and realizes mistakes have consequences. He said he has learned from his mistakes. He said he enjoys his job and co-workers. He asked the board to approve his request for a water treatment trainee permit.

c. Joseph V. Stone-Well Driller Application

Mr. Stone appeared before the Board to answer questions regarding his SLED report. He waived his right to legal counsel. He said that he has worked for Saedacco for eight years, and was always on time, he stated, he would like to move on with his life.

Mr. Peter Byer, company president, testified as a character witness for Mr. Stone. Mr. Byer stated that Mr. Stone was an exceptional employee, and had worked with the company for eight years. He said that he was courteous, a good employee, professional, and takes his responsibilities seriously.

Executive Session

MOTION

Phillip Thompson-King made a motion the board enter into executive session to seek legal advice regarding Mr. Laney's, Mr. Allison's and Mr. Stone's applications. Ken Rentiers seconded the motion which carried unanimously.

Return to Public Session

MOTION

Phillip Thompson-King made a motion the board return to public session. Doug Kinard seconded the motion which carried unanimously.

Chairman, Elizabeth Williams, noted for the record that no votes or actions were taken while in executive session.

MOTION

Eric L. Laney-Bottled Water

Ken Rentiers made a motion that the matter be continued, and that staff contact Mr. Laney to determine his intentions for certification. Phillip-Thompson-King seconded the motion which carried unanimously.

MOTION

Tedric Allison-Water Treatment Application

Mr. Cortez made a motion the Board approves Mr. Allison's request for a Water Treatment Trainee Permit. Phillip Thompson-King seconded the motion which carried unanimously.

MOTION

Joseph V. Stone-Well Driller Application

Jimmy Rodgers made a motion the Board approves Mr. Stone's request for a well driller's license. Mr. Cortez seconded the motion which carried unanimously.

Election of Vice-chairman

Charles Cortez nominated Ken Rentiers for Vice-chair.

MOTION

Charles Cortez made a motion that Ken Rentiers be elected as Vice-chairman of the board. Jimmy Rodgers seconded the motion which carried unanimously.

Discussion Topics

There were no discussion topics at this meeting.

Committee Reports

Education Review Committee

Elizabeth Williams, Board Chair, gave an updated report regarding the ABC Survey for exams. This would be initiated when a licensee schedules an exam. The format would be basic, twelve (12) demographic questions, either Yes/No or True/False answers. This would give the board an idea of why the pass rates are so low, how many times someone has retested, and how they prepare for the exams. The cost would be \$3,900.00.

MOTION

Phillip Thompson-King made a motion that since this would be valuable information the board should proceed but have Mrs. Price and Board Chair, Elizabeth Williams, look into getting a better price.

Public Comments

There were no public comments at this meeting.

Adjournment

MOTION

There being no further business to be discussed at this time, Ken Rentiers made a motion the meeting be adjourned. Phillip Thompson-King seconded the motion which carried unanimously.

The April 26, 2016 meeting of the S.C. Board of Environmental Certification adjourned at 11:35 a. m.

The next meeting of the S.C. Environmental Certification Board is scheduled for September 6, 2016, in room 108.