

MINUTES

SC BOARD OF ENVIRONMENTAL CERTIFICATION

10:00 A. M., January 13, 2015

Synergy Business Park

110 Center view Drive, Kingstree Building, Room 108

Columbia, South Carolina

Meeting Called to Order

Vice Chair, Elizabeth Williams, called the regular meeting of the S. C. Environmental Certification Board to order at 10:10 a.m. Other members participating in the meeting included: David Baize, of Irmo; Charles Cortez, of Belton; Mitch Dew, of Latta; Jimmy Rodgers, of Greenwood; Ken Rentiers, of Columbia; and Hank Rutland, of Orangeburg.

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

Ms. 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

Ms. 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.

Hank Rutland delivered the invocation followed by the Pledge of Allegiance.

Approval of Excused Absences

MOTION

Hank Rutland made a motion the Board approves the excused absences of board members, William Armes, and Dwight Johnson. Mitch Dew seconded the motion, which carried unanimously.

Approval of the November 4, 2014 Minutes

MOTION

Mitch Dew made a motion the Board approves the minutes of the November 4, 2014 teleconference meeting. Hank Rutland seconded the motion, which carried unanimously.

Vice Chair's Remarks-Elizabeth Williams

Ms. Williams reminded board members of the March 30th deadline for filing the Statement of Economic Interest Forms. She welcomed Board Administrator, Molly Price, and new board member, Charles Cortez.

Administrator's Remarks-Molly Price

Ms. Price said she was glad to be present at the meeting, and be able to meet each of them in person; since she had only spoken with them by telephone over the past year.

She informed board members that information relating to filing their Statements of Economic Interest, along with a contact number, had been placed in their board member folders, and could be taken with them after the meeting. Ms. Price stated she would also be sending out an email reminder regarding the Statement of Economic Interest.

She said that Board Chair, William Armes, had requested board members review ABC's Model Standards of Operator Certification; which is available on the ABC Website. He asked for suggestions, and input, regarding enhancement to the South Carolina program.

She reported William Armes, and Hank Rutland had reviewed the ABC Exams for Water Treatment, Water Distribution, and Physical/Chemical Wastewater, and would give a report at the next meeting.

She reminded the board that renewal reminder cards will be mailed out the first week of April. She encouraged everyone to submit renewal payments online; since it allows for a more efficient and quicker method of processing.

She reported the Year End Balance was \$348,481.19, and currently the board has 8,937 "Active" licensees.

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

Todd Bond stated OIE had four complaints during 2014; three cases were forwarded to the IRC. (1) Dismissal, (1) Complaint, and (1) Letter of Caution.

OGC Report-Office of Disciplinary Counsel-Erin Baldwin

Erin Baldwin reported there were no cases pending at this time. She informed board members they could request to have a standardized Presentation of Disciplinary Processes be given at the next board meeting; for a better understanding of how the process works. The length of the presentation would last from forty-five minutes to an hour.

New Business

Investigative Review Committee (IRC) Report, December 11, 2014

MOTION

Chuck Cortez made a motion to accept the IRC as presented. Mitch Dew seconded the motion, which carried unanimously.

Application Hearings

Caldwell A. Murray-Biological Wastewater Application

This application hearing was recorded by a certified court reporter in the event a verbatim transcript is necessary. Mr. Murray and all witnesses were sworn in by the court reporter.

The application hearing was called to order.

Theresa Garner informed board members that the board received Mr. Murray's application on May 2, 2014. He answered "Yes", to the question on the application that asks "Have you ever been convicted of or pled guilty to any felony or crime involving drugs or moral turpitude". Included in his application package was a current SLED report, listing his charges. He currently is serving time at the Allendale correctional Institutional Facility.

Mr. Murray was notified in writing on May 5, 2014, that based on his convictions, his application could not be approved at the staff level, and that he or someone on his behalf would need to appear before the board to answer any questions board members might have regarding his charges. His file was complete.

Mr. Murray was not represented by legal counsel, and waived his right for legal representation.

Mr. Murray thanked the board for allowing him to appear before them. He presented board members with a letter from Warden, John R. Pate, stating that Mr. Murray has proven to be a valuable asset for properly maintaining and testing their facility.

He stated for the past three years he has worked outside of the wastewater treatment plant, one of three people out of 1300, trusted to go outside the institution without supervision or escort. He is currently studying to take the exam, and has been in prison for the last eighteen years. Mr. Murray stated that when he was sixteen, he was young and immature, and made some foolish mistakes. He said he has changed and is looking forward to making a positive impact in his return to society. He stated that every opportunity the department has given him, he has taken advantage of, and he has taken an interest in learning the treatment processing. He would like to pursue this interest by furthering his training at a Biological Wastewater Treatment facility in the upstate. He has twenty-one months left, and when he is released he will be participating in the "Jump Start" program headed by Tim Terry, in Spartanburg.

Mr. James Wood spoke on Mr. Murray's behalf. He stated that Mr. Murray has been in prison for a long time, and has not gotten into any trouble since he arrived. He made a mistake as a teenager. Mr. Wood said that Mr. Murray was very intelligent, and has served his time. He said after Mr. Murray is released, a job would be the best thing for him. Mr. Cortez asked Mr. Wood, if he owned his own business outside the institution, would he hire Mr. Murray knowing his past history. Mr. Wood stated, yes.

Mr. Fred Wrigley spoke on Mr. Murray's behalf. He stated the department encourages the inmates to develop skills, while they are being rehabilitated through programs being offered under the direction of Governor Haley. He said when an inmate seeks help, the department helps in any way they can to encourage them to be successful, and participate in any of the programs being offered through the institution. He asked the board to give Mr. Murray an opportunity to fulfill his dreams, and consider issuing him a wastewater treatment license.

Executive Session (If Needed)

The board entered into Executive Session at 10:30 a.m.

MOTION

David Baize made a motion the board enter into Executive Session for legal advice. Mitch Dew seconded the motion, which carried unanimously.

Return to Public Session

The board returned to Public Session at 10:35 a.m.

It was noted for the record that no votes or actions were taken while in executive session

MOTION

Hank Rutland made a motion to return to Public Session. David Baize seconded the motion, which carried unanimously.

MOTION

Chuck Cortez made a motion the board accepts Mr. Murray's request for a Biological Wastewater license. Hank Rutland seconded the motion, which carried unanimously.

Discussion Topics

There were no discussion topics at this meeting.

Committee Reports

There were no committee reports given at this meeting.

Public Comments

There were no public comments.

Adjournment

MOTION

There being no further business to be discussed at this time, David Baize made a motion the meeting be adjourned. Mitch Dew seconded the motion, which carried unanimously.

The January 13, 2015 meeting of the S. C. Board of Environmental Certification adjourned at 10:37 a.m.

The next meeting of the S. C. Board of **Environmental Certification** is scheduled for May 12, 2015, in room 108.