

MINUTES

Environmental Certification Board
Tuesday, November 13, 2012
110 Centerview Drive, South Carolina 29210

Meeting Called to Order:

William Armes, Chairman, of Simpsonville, called the regular scheduled meeting of the S. C. Environmental Certification Board to order at 10:01 a.m. Other board members participating in the meeting included Vice-Chair, Elizabeth Williams, of Sumter; David Baize, of Columbia; Dwight Johnson of Jefferson, and Jimmy Rodgers, of Greenwood. Absent were excused board members, Mitch Dew, of Latta, and Hank Rutland, of Orangeburg.

Staff members participating during the meeting included Lenora Addison-Miles, Administrator; Georgia Lewis, Advice Counsel; Theresa Garner, Program Assistant; and Sharon Wolfe, OIE.

Public Notice

Chairman Armes 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.

The invocation was given by Jimmy Rodgers, followed by the Pledge of Allegiance.

LLR Director, Holly Pisarik

The Director introduced herself, and distributed her business cards to the members. She emphasized that she was here to provide support and resources to the board members.

Approval of the July 10, 2012 Minutes

MOTION

Dwight Johnson made a motion to approve the July 10, 2012, meeting minutes. David Baize seconded the motion which carried unanimously.

Chairman's Remarks-William Armes

Mr. Armes wished everyone a safe and joyous season, and thanked board members for their representation at conferences and professional events, and time spent on various committee assignments. He also thanked staff for the work they do in keeping the board moving in the right direction.

Approval to attend the ABC Conference

Chairman Armes asked for input and approval from the board members regarding, him and Elizabeth attending the 26th annual ABC conference in January 2013.

MOTION

Dwight Johnson made a motion to approve Mr. Armes request for Elizabeth and him to attend the ABC Conference in January 2013. The motion was seconded by Jimmy Rodgers, which carried unanimously.

Administrator's Remarks-Lenora Addison-Miles

Mrs. Miles stated there were currently 8,910 licensees that are active through June 30, 2013; since July 1, 2012, 172 New licenses have been issued. Fiscal year 2013 Beginning Cash Balance was \$189,069.36, the balance as of October was \$191,922.38. The S. C. Tort's Claim Act power point that was presented by Advice Counsel, Darra Coleman, at the Insurance Reserve Fund Class on September 14th was emailed to board members on November the 6th; since Mr. Johnson does not have an email address his information was placed in his board folder for review. Mrs. Miles reported on the Office of Investigative Enforcement (OIE) cases. The board has (3) "Active" investigations, (1) Do Not Open Case, (1) case that is pending board action, and (1) closed case, for a total of six cases this year. She reminded board members who are interested in purchasing board member license plates to submit their fees and information to DMV.

Advisory Opinions, If Needed, Office of General Counsel

There were no advisory opinions given.

Legislature Updates, If Needed, Legislative Liaison Office

There was no report given.

IRC Report

The IRC report was given by Sharon Wolfe. She stated OIE is awaiting board approval for two formal complaints.

MOTION

Dwight Johnson made a motion to approve the IRC report. Jimmy Rodgers seconded the motion which carried unanimously.

Sharon Wolfe-Office of Investigations and Enforcement-OIE Process Presentation

Sharon gave an overview of the Investigative Process to give board members a better understanding of how OIE works. She stated that OIE receives an initial complaint; which is reviewed by a complaint analyst who will determine if there is a licensing law violation involved. If so, then it will be opened and assigned to an investigator who will investigate the complaint. Once all the facts, exhibits, and other information has been gathered; the investigator will write a summary and present the report to the Investigative Review Committee consisting of Sharon Wolfe, the board administrator, the investigator, LLR legal counsel, and the board IRC representative. The information and facts are gone over in detail, and a recommendation is presented at that time. Once that is approved by the board, OIE proceeds with the necessary actions. The dismissals, letters of caution, or letters of concern that come out of that meeting are drafted and sent out by the Administrator. Once those cases have been approved they will be forwarded to Office of General Counsel who proceeds with their activity from that point. Sharon stated it was important to note that they try to maintain a distance between the board and the investigators so that there is no possibility of a taint. If it has to go to a hearing, and the case has been discussed with a board member, then they would have to recuse themselves. Sharon also gave a brief overview of the consent agreement parameters.

Committee Reports

Bottled Water Exam Committee Updates-Elizabeth Williams

Vice-Chair, Elizabeth Williams, gave an update on the Vended Water Exams. She stated the committee which consisted of Coy Watts, and Chris Saul, of DHEC, and herself, met three times before finalizing the exam. Basically they reviewed the exam, rewrote any questions they felt should be rewritten or thrown out, and deleted any questions that did not apply. A lot of the questions on the exam were written for bottled water and not vended water, and those questions were replaced with vending water questions. The exam consists of (75) questions; the committee also had three other individuals from DHEC review the exam for additional feedback. Elizabeth presented the committee's recommendations:

- 1) The board accepts the exam being implemented
- 2) The board approves the continuing education guidelines, along with the suggested study reference material to be placed on the website
- 3) The board agrees that these operators should also be required to meet twelve (12) hours of continuing education every two years, which would not go into effect until July 1, 2013 through June 30, 2015.

Elizabeth asked Lenora to contact the board's exam provider, Applied Measurement Professionals (AMP), and ask them to provide a quote for implementing an additional exam for Bottled Water operators. She also requested that AMP provide examinees with a printout of categories they missed.

MOTION

Elizabeth Williams made a motion the board accept the committee's recommendations for bottled water exams. Dwight Johnson seconded the motion which carried unanimously.

Chairman Armes asked Mr. Baize if he had any further information regarding DHEC individuals being issued certifications during emergency situations; which was discussed by the board at the last meeting. Mr. Baize stated right now it is not a top priority, but possibly could be revisited at a later date.

Advice Counsel

Advice Counsel, Georgia Lewis, encouraged board members to use their legal avenue of issuing citations for unlicensed practice, which is a viable option that can be used in the investigative process. She said it appears in the past that the board has not taken full advantage of this option which would be very beneficial. Mr. Armes requested that Mrs. Lewis do further research and evaluate the possibilities, and report to board members, either by memorandum or at the next board meeting.

Joshua Castleberry, Academic Program Manager-Central Carolina Technical College

Mr. Castleberry, Academic Program Manager, CCTC, informed board members that in October of 2011 Central Carolina Technical College applied for a grant through the National Science Foundation to create the next generation of training material for operators, specifically for wastewater operators in the beginning, and later on expanding to water treatment. He said as part of that, the board agreed to help them, and wrote a letter of support. He stated the grant did go forward, and currently CCTC is waiting on a start date.

Mr. Castleberry stated that through their relationships with Dr. Feldon, and the University of Virginia; CCTC was looking at expanding the grant and asked the board if they were willing to help in that expansion to increase the value of this project across all of the organizations for the board, the college, and the wastewater and water operator's in general. He introduced Dr. Feldon, from the University of Virginia.

Dr. Feldon gave a further explanation of the program. He said the first step is to conduct a series of cognitive task analyses with expert operators. At the outcome of that project they will have a lot of analysis on how people engage in their jobs and how they make effective decisions. They would like to take that information and turn it into a survey that they could distribute to operators so they can get a sense of the rank in file, what those identifying practices and decision making processes are, and see how those responses line up with people's certification exam scores. This comparison would establish the extent to which there is alignment between actual industry practices and the exam itself.

The second step would be to look at how each of those sets of information might predict the performance of how well operator knowledge can be linked directly with post-treatment water quality.

He stated they would recruit operators from around the state to complete the survey. They would have their identities by virtue of them providing them with the survey responses but they would keep those in close confidence under lock and key. They would coordinate with the exam provider that has the individual's exam scores, and ask them to match the exam scores to the survey responses that they have, and drop the names out. At that point the individual would be assigned a unique numerical identifier.

Chairman Armes stated he did not think the Board had all the information they needed to make a decision at this time, he said the board would review the information they received and take it into consideration, possibly exploring it further. He suggested that Mr. Castleberry and Dr. Feldon approach the board in the future, and provide in writing; some guidelines as to what they needed from the board.

Public Comments

There were no Public Comments.

Executive Session

The board did not enter into Executive session

Adjournment

Dwight Johnson made a motion to adjourn the meeting at 11:05 a.m. David Baize seconded the motion which carried unanimously.

NOTE: These minutes are a brief summary of the meeting recordings of the motions, and official actions taken by the Board. A transcript providing more details of this meeting is on file in the board office.