

SOUTH CAROLINA BOARD OF ENVIRONMENTAL CERTIFICATION
BOARD MEETING AND RENEWAL APPLICATION HEARING

In the Matter of:)
)
WILLIAM D. MOORE,)
)
_____)

BOARD MEETING

AND

ADMINISTRATIVE HEARING

Tuesday, September 13, 2011
10:04 a.m. - 11:12 a.m.

The Board Meeting and Administrative Hearing before the South Carolina Board of Environmental Certification Board was taken at the Synergy Office Park, Kingstree Building, Room 111, 110 Centerview Drive, Columbia, South Carolina, on the 13th day of September, 2011 before Margaret S. Smith, Court Reporter and Notary Public in and for the State of South Carolina.

APPEARANCES:

BOARD MEMBERS:

William Armes, Chairman
David Baize, Vice Chairman
David "Mitch" Dew
Dwight Johnson
James "Jimmy" Rodgers
Henry "Hank" Rutland
Elizabeth Williams

ADVICE COUNSEL:

Dean Grigg, Staff Counsel
South Carolina Department of Labor,

Licensing and Regulations
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Columbia, South Carolina 29211-1329
Attorney for the South Carolina Department
of Labor, Licensing and Regulation

Lenora-Addison-Miles, Board Administrator

STAFF:

Theresa Garner, Program Assistant

Robert Treacy, Jr., Esquire

George Sink, P.A.

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North Charleston, South Carolina 29406

Attorney for William D. Moore

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STIPULATIONS

It is stipulated and agreed that this hearing is being taken pursuant to the Administrative Procedures Act, the Practice Act and Regulations of the Board.

CHAIRMAN: I think we have enough board members to go ahead and get started. It's a little bit after 10:00. I want to go ahead and call the meeting to order. I'm William Armes, the chairman of the Environmental Certification Board. A meeting has been called to order. Public notice of this meeting was properly posted at the South Carolina 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. In accordance with Section 40-23-40, 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 the chapter

collectively as environmental system operators.
At this time, Hank, would you lead us in ... if
we could stand and lead us in the invocation and
pledge of allegiance.

MR. RUTLAND: Let us pray. Lord, creator and
sustainer of this world, we thank you for the
many blessings and the many opportunities that
we have each and every day. As we discuss
these matters concerning the environmental
certification board today, we ask for your
guidance and wisdom to discern what is fair for
all concerned. We ask all these things in your
Holy name, amen.

CHAIRMAN: If we could stand a minute for the pledge
of allegiance. I pledge allegiance to the flag
of the United States of America and to the
republic for which it stands, one nation, under
God, indivisible with liberty and justice for
all. Thank you. Our first item on the agenda,
approval of the July 12, 2011, minutes. Have
all members had a chance to review those
minutes and do we have any questions or
concerns at this time?

MR. DEW: I make a motion that we approve.

CHAIRMAN: Do we have a second?

MR. RUTLAND: Second.

CHAIRMAN: Any discussion? No. Then all in favor
say aye.

BOARD: Aye.

CHAIRMAN: No opposition. The next thing on our
agenda, we have a hearing today, a renewal
hearing. I believe William D. Moore is here
today. And, Mr. Moore, if you and your legal
representation would come forward, I'll open up
the hearing. This hearing is called to order
in the matter of William D. Moore. He has a
biological waste water license 10082, physical
chemical waste water license 4287, water
treatment license 6581. And the purpose of the
hearing is to determine whether the applicant
should be allowed to renew his licenses. Actually, it's a
renewal at this point, if I understand
correctly. This is ... everyone is reminded
that the proceedings are being recorded. All
witnesses must be sworn in before they testify.
All remarks should be directed to me, the
chairman. At this time the ... I think staff
has already at the last meeting stated why we
... the staff could not renew this application.
But for the record today, Theresa, would you go
ahead and explain it again to us.

MS. GARNER: Yes, sir. On June 9th, the board
received a SLED report and check #3630 in
the amount of \$120.00 for payment of four license

renewals. Mr. Moore's water distribution license lapsed in 2002 and was not eligible for renewal. Therefore, a refund of \$30 was issued. Because of the January 27th convictions listed on the SLED report, the renewal applications could not be approved at the staff level. On June 16th, Mr. Moore was notified in writing that this would require board approval. This notification was sent to his mailing address. The board did not receive a response from Mr. Moore, and he was not present at the July 12th board meeting. Therefore, the board issued an order to deny Mr. Moore's request for renewal and the order was sent to the mailing address on file. On August 1st, the board received a letter from Mr. Moore's employer, Mr. Andrew Ferry, chief operating officer of Charleston Water Systems, on his behalf. Mr. Ferry stated that Mr. Moore had been on leave of absence, and the company had received his letter from the board and forwarded to Mr. Moore in care of his attorney. Also, on August 1st, the board received a letter from Mr. Robert Treacy, Mr. Moore's attorney, requesting that Mr. Moore be allowed to appear before the September 13th board. On August 9th, administrator Lenora Miles, notified Mr. Treacy that Mr. Moore would be scheduled to appear before the board on September 13th.

CHAIRMAN: Okay, and my understanding is the complete package of all the information was submitted to each board member. So there shouldn't be any surprises while we're here today, okay. Did staff subpoena any other person to be here today to answer questions you might have?

MS. GARNER: No.

CHAIRMAN: At this time let's go ahead and let's hear from the applicant. Before we start, could we have you sworn in, please, sir? Well, before I have you sworn in, let me back up. Mr. Moore, you have legal representation here today?

MR. MOORE: Yes, sir.

CHAIRMAN: And your legal representation, would you state your full name, please?

MR. TREACY: My name is Robert Treacy. I'm in North Charleston.

CHAIRMAN: Okay, thank you. Good, thank you. I appreciate that. And with that, if we could have you sworn in.

COURT REPORTER: If you'll raise your right hand. Do you solemnly swear that the testimony you are about to give in this matter is the truth, the

whole truth and nothing but the truth?

MR. MOORE: Yes, ma'am.

CHAIRMAN: Do you have any other witnesses, Mr. Moore?

MR. MOORE: No, sir.

CHAIRMAN: Okay. Mr. Moore, would you like to speak on behalf of yourself or your legal representation?

MR. TREACY: Mr. Chairman, if I could make just a brief opening ...

CHAIRMAN: Yes, sir.

MR. TREACY: ... remark on his behalf and then allow him to answer any questions you all might have.

CHAIRMAN: Okay.

MR. TREACY: Mr. Moore is an 18 year employee with Charleston Water Systems. He has no convictions on his record at all. He was involved in a very tragic and unfortunate incident on January 27th of 2011, where he was allowing his 24 year old son to live in his home to try to improve his life. He had been in some trouble. And Mr. Moore is the ... one of the primary care givers for that 24 year old son's two year old daughter; so Mr. Moore's grandchild. Mr. Moore's grandchild stays in the home. His son was staying in the home at the time. And on this day, Mr. Moore was working at Charleston Water Systems which is on James Island. He received a phone call from a friend of his son's indicating that his son had called this woman and said that he was on the side of the road with the child and made some very bizarre comments. Mr. Moore became very concerned for the welfare of his granddaughter, tried to reach his son by phone, could not reach him, asked to leave work. He actually had already worked his shift and was covering for somebody else at that time. He had already worked a full shift and was, I think, three hours into another shift. Left James Island to go back to Moncks Corner to his home. When he got home he found his two year old granddaughter unattended while his 24 year old son and a girlfriend were in bed intoxicated and unconscious or, you know, not awake while the two year old was being unattended. He and his son got into a dispute. He ordered his son to leave and his son attacked him. As a result of that attack, Mr. Moore defended himself, and unfortunately had to shoot his son. There is no evidence contradictory to this. He has ... he was ... his son died of those wounds, and the police department charged him with manslaughter. However, he was released on a

very low bond.

MR. MOORE: \$1,500.

MR. TREACY: \$1,500 bond. He has received the support of his employer. His employer understands that he is a good employee and has been for 18 years. He has renewed all of his licenses for those 18 years. His employer has been cooperating with Mr. Moore in trying to allow him to maintain his employment in the face of the fact that Charleston Water Systems has a very rigid policy that if you are arrested for a potential felony, you must be dismissed immediately, which seems to fly in the face of our Constitution and what we think would be right, that you're innocent until proven guilty, but that is their policy. They have tried to bend that policy as much as possible. They have allowed him to stay on while being out on temporary disability under the care of a mental health counselor for post traumatic stress disorder. And that took place ... that happened until very recently. He was actually ... after FMLA ran out, they told him that he could reapply once the charges are disposed of. I have communicated with the solicitor's office trying my ... I'm in a very difficult position because I'm trying to encourage a government prosecutor to step forward and make a formal dismissal of the charge rather than simply letting the file sit there and run its course for two years and decide to dismiss it when they realize they don't have a case. And it's very difficult to get a prosecutor's office to do that. However, to my knowledge, Mr. Moore has not been indicted, which is very unusual. He normally would have been indicted by now. And I expect that these charges will be dismissed under the argument that it's self defense and all the evidence indicates that. It is in that light ... and also, Mr. Moore has not been at work. The notices for the license renewals always go to his work. He received two envelopes through me that work sent them to me. I forwarded them to him. The one envelope did not have notice of a hearing. It only had the page that had the directions to the ... it's this form here. And Mr. Moore will tell you that he ... over the years they've gotten letters from different licensing agencies. They're either directed to the wrong person at work. Normally, work helps them take care of this stuff. And he didn't realize that he had a hearing or any reason for a hearing. We're grateful for the

board allowing us to hear ... appear at this time so that he can address the concerns about the arrest and to clarify that it is ... all he has on his SLED report right now is an arrest that we expect to be dismissed. And it is very important to Mr. Moore that when it is dismissed, that he is able to reapply for his job. He, of course, has not had any income. He has suffered ... on top of the tragic death of his son. he has not been able to work since then. So he is struggling financially. And as soon as we can get the charges dismissed, we want to make sure we have the licenses in place for him to start work again. I appreciate the board allowing me a chance to ...

CHAIRMAN: Thank you for your comments. And I guess the first question I would have of you, Mr. Moore, is I take it there's not a court case or a court date at this point?

MR. MOORE: No, sir, not at this time.

CHAIRMAN: So again, you're believing that this may be dismissed but we don't know that because ... okay. Is there a reason the ...

MR. GRIGGS: Can I ask a question?

CHAIRMAN: Yes.

MR. GRIGGS: Tell me your name one more time, I'm sorry.

MR. TREACY: Robert Treacy.

MR. GRIGGS: Mr. Treacy, I'm Dean Griggs. I'm the board's legal counsel. What I'm understanding is there's not even an indictment. Is that what you represented to us?

MR. TREACY: I have not been provided with an indictment, right.

MR. GRIGGS: So he simply was arrested, released on this small bond that you've told us about, nothing's happened since?

MR. TREACY: Correct.

MR. GRIGGS: And you said you've tried, and I used to work in a prosecution capacity. So I know it's sometimes difficult, but you've tried to make contact and work on getting this dismissed, but right now it's just sitting in some form of pending ...

MR. TREACY: The prosecutor who has it is reviewing it with his superiors to see if he can ... it's very difficult to get them to absolutely do a dismissal because Ms. Wilson is going to have to actually be prepared to sign off on that. Scarlet Wilson is going to have to be, you know, absolutely sure that there is no reason not to do that.

MR. GRIGGS: Sure.

MR. TREACY: Otherwise, there's no reason for them

just to not let the file sit there for two years in case something comes up.

MR. GRIGGS: Right, I understand. But I guess bottom line is as it stands today, it is still an open, pending matter now. There's no indictments. There's no formal charges or anything like that from what you're representing to us; is that correct?

MR. TREACY: Correct.

MR. GRIGGS: But there is a pending, open issue that one way or another is going to have to be dealt with, whether they decide to go forward or they dismiss it, ultimately to your urging?

MR. TREACY: Correct.

MR. GRIGGS: To answer your question, there can be any number of reasons. I mean as he's represented to you, it's not easy to get a prosecutor to just dismiss a case. If they have any reason, and feel free to jump in if you think I'm misstating something, but if they have any reason to think that they can investigate further or turn over something that may come up, they're going to do their due diligence and try to do that. I think that's a fair assessment.

CHAIRMAN: But would that mean ... and I'm not only asking our legal counsel, but I'm also ... Mr. Moore, I'm asking your legal counsel. It sounds like this case is going to remain open until some time in the future that a decision is made, which is a little cumbersome for everyone.

MR. TREACY: Particularly Mr. Moore, yes, sir. I would add, just to make sure you all have all the information available. His granddaughter still stays with him regularly, and his other son has now moved in with him, grown son. So there is no other action by any other government agency being taken indicating that they believe that he was guilty of a felony. In other words, DSS has not said you're not allowed to have any contact with your granddaughter or anything like that. In fact, all of my communications with the law enforcement involved have been essentially ... I can't speak for them, but I'm sort of reading between the lines. Has been that they simply charged him because they had to and let the investigation play out.

CHAIRMAN: Board members, anyone have a question for Mr. Moore or his legal counsel at this point?

MR. BAIZE: Mr. Chairman. Charleston Water Systems, are they also going to wait to see the final conclusion of this issue before they act, or

what are they ... what is their position if ...

MR. TREACY: They have already acted in that they participated in allowing him to apply for FMLA leave and disability, which he did.

MR. BAIZE: I'm saying are they going to allow him to come back to work prior to final disposition?

MR. TREACY: Their indication to me is that he is ... they are eager for him to ... they are open for him to reapply, but right now they let his FMLA expire, and he is no longer on the payroll, pending his reapplication.

MR. BAIZE: Thank you.

CHAIRMAN: Anyone else?

MR. TREACY: But he has not been terminated or anything like that.

CHAIRMAN: Any other questions then? Is there anything else you would like to present to us at this point that would help us in our discussions and decision making or your legal counsel, whomever would like to speak?

MR. MOORE: Well, all I can say is I throw myself at your mercy. You all well know how hard it is to get these licenses, and I'm very proud of the fact that I had these licenses. I want to continue in this line of work, and if I lose my licenses ... I mean I'm 50 years old. It's going to be hard for me to get them back. And not to mention the fact that, you know, I went to Central Carolina and got my Associate's Degree with my major in water and waste water treatment. If I lose these licenses, you know, I might as well take a quarter to that degree and throw it out the window on I-26. Everything I have rides on basically your decision, you know. I have a passion for what I do. Had I known I could have brought other witnesses in, I mean, you know, I would have just, you know, for character or whatever because if you were to talk to anyone at Charleston Water Systems that has worked under me, they love working under me because I teach them. And once I retire, that's what I want to do, is teach water and waste water treatment. But if I lose my licenses, everything's gone. I don't want to lose my licenses. They mean very, very much to me. And trust me, had I received the letter in June, I would have been here, no doubt about it. I mean they're the most important thing in the world to me. This is my career. It's not just a job. It is a career.

CHAIRMAN: Remind me again how long have you worked at Charleston Water.

MR. MOORE: Well, I've been in the business for 23 years. I've worked at Charleston Water Systems ... the 19th of this month will be 18 years.

CHAIRMAN: Okay.

MR. MOORE: I'm a supervisor in operations with them.

CHAIRMAN: Okay, very good. At this time, any other questions for the board and their legal counsel? We can go have ... do we have enough information to have a motion now, or do you want ... do I have a motion to go into executive session?

MR. BAIZE: I'd like to make a motion to go into executive session.

MR. JOHNSON: Second.

CHAIRMAN: Okay. All in favor say aye?

BOARD: Aye.

CHAIRMAN: All right, we're going to ... we're taking ... before we go into executive session, your case is submitted before the board and we're going to take everything you said and see if we can make a decision today for you so we'll try not to keep you pending on our decision, but we're going to go ahead and go into executive session at this point to discuss this matter. Thank you for being here, and we'll have an answer hopefully soon.

MR. MOORE: Thank you very much.

(Off the record - executive session)

CHAIRMAN: Do we have everybody in? Do I have a motion to come out of executive session at this point?

Mr. JOHNSON: So move.

CHAIRMAN: I guess we need a second on that.

MR. BAIZE: Second.

CHAIRMAN: All in favor, say aye.

BOARD: Aye.

CHAIRMAN: All in favor, then so moved. At this time, is there a motion as to the disposition of the renewal applications for William D. Moore, biological waste water and physical chemical waste water, water treatment license?

MR. JOHNSON: Mr. Chairman, I'd like to make a motion and have it read by legal counsel in reference to Mr. Moore's renewal.

CHAIRMAN: Okay. If legal counsel will be so kind to read that motion for us.

MR. GRIGGS: The motion, as I understand it to be made, is that Mr. Moore's application for renewal be approved with regard to the biological waste water, the physical chemical waste water and the water treatment licenses that appear on the agenda under 3A with the further acknowledgment by the board that if at

any time Mr. Moore decides to pursue re-licensing of his water distribution license, he would be allowed to go through the proper process of completing the application and re-examination, whatever is required under our statutes to do so without having to come back before the board, you know, because he may get the same hit on this if this matter is still pending at that time. So, is that the motion as I understand it?

MR. BAIZE: That's right.

CHAIRMAN: Do I have a second?

MR. Rutland: Second.

CHAIRMAN: Any questions, discussion at this moment in time? Okay, all in favor, say aye.

BOARD: Aye.

CHAIRMAN: Any opposition? So moved.

Congratulations, Mr. Moore, you're in waste water and physical chemical business.

MR. MOORE: Thank you.

CHAIRMAN: Good luck to you.

MR. GRIGGS: Mr. Treacy, one thing, if you don't mind me making a statement, he'll need to read this, too. But one thing I just wanted to make clear that was discussed is if for some reason you're not able to get this resolved and a conviction should result, the statute's obviously got something to say about that, and there may be a further issue at that point, but, you know, hopefully you get this resolved and that's not an issue.

MR. MOORE: No, I understood that to start with.

That's ... I wouldn't have even come in or bothered you, but thank you very much.

CHAIRMAN: Let me go ahead and read before you leave. This is just our standard language, if you'll bear with us. The decision we announced today expresses only the basic elements of our ruling in this case. Counsel for the board will prepare a document which will more fully express our conclusions in the appropriate language and format which the board has traditionally used. The final written decision must be approved by and signed by the chairman, myself, and will be the final order in this matter. Thank you for your patience, and again, good luck. This hearing ... oh, you want to ...

MR. MOORE: I have a question. Can I have all correspondence sent directly to me instead of to Charleston Water Systems? Can I change my address?

CHAIRMAN: Yes.

MR. MOORE: That way there won't be anymore mix-ups.

I don't want anything ...

CHAIRMAN: If you would contact ... this will officially close the hearing. Thank you.

(THE HEARING CONCLUDED AT 10:56 A.M.)

CHAIRMAN: We are at the point of chairman's comments. I appreciate everybody being here today, and I just wanted to say let's keep on keeping on and go on to the administrator's remarks. Lenora, do you have any reports today?

MS. ADDISON-MILES: Yes, sir. Briefly, I just want to let the board know that the agency has initiated the use of court reporters for all of our board meetings in order to provide a verbatim transcript of the meetings. There are currently 8,917 active licensees and the July 2011 cash balance reflects \$132,902.66. We have received notification that all out of state travel must be submitted for review and approval by the agency director. The board must vote to send a representative to a particular meeting or event, and it must be documented in the minutes. Thank you.

CHAIRMAN: Very good. And along that line, if I may comment. I do have a paper accepted at ABC Conference, and I plan on attending. I'm a little conflicted on what to ask for, and at some next meeting I may at least ask for reimbursement of the registration or something along that line, but with the state budget the way it is, I mean a lot of this is professional growth on my part and participation. But I would encourage anyone else wanting to participate, just make sure you bring that to the board as we need to. And, Lenora, if you'll just remind us at the appropriate time. Do we have general counsel, office of general counsel, legislative liaison and I think we do. We have an OIE report at this time.

MR. FRESHLEY: Good morning, Mr. Chairman and members of the board.

CHAIRMAN: Good morning.

MR. FRESHLEY: Steve Freshley, office of investigations. We had an IRC, and I need to give you those minutes to approve of your decision on that. It won't affect my visit. I don't know if the administrator put this in your package. You may see ... I think it's ...

CHAIRMAN: Yes, sir.

MR. FRESHLEY: Everyone, I take it, has ...

MR. GRIGGS: Let me have a copy, please.

MR. FRESHLEY: I have received the report basically. We had our appeal on August 24th. I think we mentioned we were going to have that at the last board meeting. Three cases were heard

with unlicensed practice, cease and desist as well, or you can deal with the first ... the first time we addressed it. If it continues, since cease and desist has been issued ... in the unlikely event it continues, since the C and D has been issued, the board could request that the subsequent case go to the Office of General Counsel, and they can take it to the Administrative Law Court. In the third case, there was just no violation. So I'd ask the board, if you would, to approve those minutes from the August 24th IRC.

CHAIRMAN: You need a minute to look at it, members of the board, or are you okay? Do we have a motion to approve?

MR. DEW: So move.

CHAIRMAN: Do we have a second?

MR. RUTLAND: Second.

CHAIRMAN: Any discussion at this time? All in favor, say aye.

BOARD: Aye.

CHAIRMAN: No opposition. Please note it was unanimous. So moved.

MR. FRESHLEY: With your adoption of those minutes, that gets rid of the three oldest cases. At least two cases that are under active investigation, the oldest case is ... the oldest case is 82 days old, and the most recent case is 19 days old. There's only two out there.

CHAIRMAN: Okay.

MR. FRESHLEY: Thank you (inaudible) are pretty good.

CHAIRMAN: All right, thank you very much. Now we ... I think you ... is there anything else you want to tell us? Are we going to see you in the near future?

MR. FRESHLEY: No, sir. This will be the last time the board sees me. I went into the military when I was 18, and I turn 63 next month. So, September 30th is my last day with the state.

CHAIRMAN: Congratulations.

MR. FRESHLEY: You can stick a fork in me; I'm done.

CHAIRMAN: Well, we do appreciate all the work you've done. You've been before us several times, and I personally just want to say thank you. I don't know who we're going to pick on now.

MR. FRESHLEY: Some idiot will be the supervisor and will be introduced to you at the next board ... I will tell you this. Maurice Smith, Reese as we call him, has done environmental certifications some years now, since I was made chief in early 2008. He has been ... some time

back he was transferred to the Board of Nursing. That's his primary responsibility. I whined and sniffled enough so that they let me keep him to do environmental certification because he's attended the schools. We're trying to get another investigator. It's probably going to be Joe Martin who does primarily contractor licensing board cases for me. I'm trying to get him to go to all the schools in Sumter so at least ... so at least he knows a step ladder from a welding degree. Unfortunately, one of the first schools he was going to, and I forget which one it is. I think it's water treatment. Sumter Tech cancelled the class because too low, too few applicants, but the next chief will address that with you. There'll be continuity until such time as he's trained and he starts going out in the field with Reese Smith and makes some contacts with DHEC so they can work together. Reese will keep doing it. He'll be a smooth transition. One monkey don't stop no show.

CHAIRMAN: Again, congratulations.

MR. FRESHLEY: Thank you.

CHAIRMAN: Thank you for your service.

MR. FRESHLEY: Thank you.

CHAIRMAN: Office of General Counsel, no report.

Committee reports, anything from the ... we had some education items in the past. Is there anything we need to ...

MS. WILLIAMS: We do have the committee to review relevant continuing education, and that committee has been formed. They haven't met yet and that's the next step.

CHAIRMAN: Okay, sounds good. All right, thank you for helping us out with that.

MR. BAIZE: Mr. Chairman, the last time we talked about a committee to look at a bond issue.

CHAIRMAN: Yes, sir.

MR. BAIZE: And I think we might be ready to talk about that at the next board meeting. So, Lenora, if you could put that on the agenda as a specific agenda item for the next board meeting, that would be great. We can talk about it then.

CHAIRMAN: Very good, thank you. Well, we don't seem to have anybody from the public today. Is there anything else we need to look at at this time?

MS. WILLIAMS: Did you want to talk the apprenticeship?

CHAIRMAN: You know what, we do. We're going to talk about the apprenticeship. Why I didn't

write that down, I don't know. Would you please talk to us about the apprenticeship program and what that means?

MS. WILLIAMS: About two years ... actually, two years ago this month, we approved apprenticeship programs that incorporated the ABC meeting criteria to count toward operator advancement if the operator was registered as an apprentice and demonstrated competency at the appropriate level. We didn't say that by doing this they would get so many months toward a license or anything like that because it's dependent upon that operator's skills and abilities. And as we kind of launched that two years ago, at the time we didn't have anyone pursuing the apprenticeship to use for advancement, although we already had utilities in the state had registered in some programs. Now we do have a couple of facilities that are looking at using a registered apprenticeship for some operators for advancement. They feel like they have some employees that have the skills and ability not to have to wait, you know, the usual amount of time, a year between each license. So I had a conference call with Lenora and Theresa, I guess a week or two ago, with one of the representatives from apprenticeship Carolina to talk about how do we need to document this because when we met at the first board meeting, we kind of said at the end when they finish the apprenticeship program, they would be awarded time, without thinking that they're going to want that time at each level, meaning when they go through the C level, they may be able to finish that in nine months, but when they're at the B level, maybe it takes them eleven months, if that makes sense. That it would be staggered. It wouldn't be awarded all at the end. So after that conference call, we came up with a letter that the employer or the supervisor would send to the board administrators stating that the individual finished this apprenticeship program. They'll attach the need-to-know criteria that demonstrates the competencies and asks for X number of months to go ahead and be used for that advancement. Does that make sense?

CHAIRMAN: Yes, it's starting to. The concern ... it appeared that someone could finish the course in a very short period of time and potentially jump from a D to a B or an A or something like that. Well, people learn at different levels and abilities. And my

understanding is essentially it's broken in ...
like you say, it's broken into different
segments, and so we have a shore in terms of a
letter now saying that part is done; therefore,
that candidate or participant gets credit and
that credit would be explained in that letter
at that time, correct?

MS. WILLIAMS: Correct.

CHAIRMAN: So it could be three months' credit or it
could be a year. So I want to make sure we're
all saying the same thing there. I mean it's
... we've approved the overall concept of the
apprenticeship program, but we're leaving a lot
up to the instructor and then the final sign
off which is going to be getting the instructor
in. Who would be the person that would finally
...

MS. WILLIAMS: It'd be the supervisor or a mentor is
kind of what they're called in the
apprenticeship program. And these programs can
be one year up to four years. So that's why we
wanted to kind of make it where as they go
along, they can be awarded as time instead of
having to wait until the very end. It kind of
defeats the purpose.

CHAIRMAN: So, if this topic comes up, then how do
we answer? It's basically broken into segments
and as a participant completes a segment, they
will need to submit that document.

MS. WILLIAMS: Right.

CHAIRMAN: I think actually when we approved it,
there was some language about a certification
or something.

MS. WILLIAMS: Right. We had talked about at the
very end they would just show their Department
of Labor certification, but again, it's
defeating the purpose of using that
advancement.

CHAIRMAN: Right.

MS. WILLIAMS: So the apprenticeship, Carolina
Consultants, can be given this letter so when
they're registering the program with the
utility or the industry, they can inform them,
you know, you have to submit this if you're
looking for the advancement.

CHAIRMAN: And that gives staff a means of allowing
that experience credit. From a legal
standpoint, are there any concerns? I mean we
approved kind of a broad approach and we shored
it up with a document just to say this segment
has been completed. We're giving a little bit
of leeway in terms of time.

MR. GRIGGS: Right, right.

CHAIRMAN: But I don't ... unless the board has an

issue ...

MR. GRIGGS: From what I'm hearing, nothing jumps out that I think you'd have a problem with based on that.

CHAIRMAN: So, any member have thoughts or ...

MR. RUTLAND: It doesn't affect the D level, correct?

CHAIRMAN: It starts with C.

MR. RUTLAND: Are there any divisions where somebody can jump ahead of that first year?

MS. WILLIAMS: They have to do the training year.

CHAIRMAN: If I remember, it starts with C. Is it not or ... I think we ... wasn't there a motion and that was approved or carried ...

MS. WILLIAMS: Right.

MR. RUTLAND: Apprenticeship allows them to accelerate really in the higher end ...

MS. WILLIAMS: Right, right.

MR. RUTLAND: ... as opposed to say full college transcript credit.

MS. WILLIAMS: Right, and we actually only approve these for advancement for A and B level facilities.

CHAIRMAN: The facility itself, but the operator, if I'm understanding the question, would start potentially as a D operator.

MS. WILLIAMS: Right.

MR. RUTLAND: They would still go through the process.

MS. WILLIAMS: They would still go through the process, but ...

MR. RUTLAND: Yes, okay. It just allows them possibly to work ...

MS. WILLIAMS: Right. The advancement would be at the C level because they already have the D license.

CHAIRMAN: Okay, that sounds good. Do we have a physical chemical program approved and ...

MS. WILLIAMS: At least one. I think there's ... there's four registered, and there's three that are at least pending. They may have already been registered. So that's seven from the state.

CHAIRMAN: Is everybody on the board good with what we're doing? I think we're doing some good work here. All right, thank you.

MS. WILLIAMS: You're welcome.

CHAIRMAN: Anything else for the board? If not, do I have a motion to adjourn?

MR. JOHNSON: So move.

CHAIRMAN: And second?

MR. RUTLAND: Second

CHAIRMAN: Okay. All in favor say aye.

BOARD: Aye.

CHAIRMAN: So moved.
(There being nothing further, the meeting concluded
at 11:12 a.m.)