

## MINUTES

South Carolina Board of Registration for Foresters  
Board Meeting  
10:00 A.M., April 24, 2003  
Synergy Business Park  
110 Centerview Drive, Kingstree Building, Room 108  
Columbia, South Carolina

Hugh Ryan, Chairman, of Wedgefield, called the regular meeting of the S.C. Board of Registration for Foresters to order at 10:00 a.m. Other members present for the meeting included: Fred Gantt, Secretary, of Columbia; Allen Dunn, PhD, of Central; Patricia Straka, of Westminster; and Virgil Wall, Jr., of Greenwood.

Marietta Singleton, Vice-Chairman, of Hemingway and Raymond Boozer, of Gilbert, were granted excused absences.

Staff members participating during the meeting included: Lenora Addison-Miles, Administrator; Sharon Dantzler, Deputy General Counsel, LLR-Office of General Counsel; Sandra Dickert, Administrative Assistant; and Barry Moreland, Administrative Assistant.

### Meeting Called to Order

Mr. Ryan announced that public notice of this meeting was properly posted at the S. C. Board of Registration for Foresters office, Synergy Business Park, Kingstree Building, Room 108 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. He also noted that a quorum was present.

### Invocation

Mr. Gantt delivered the invocation.

### Pledge of Allegiance

All present recited the Pledge of Allegiance.

### Approval of the January 9, 2003 Meeting Minutes

Mr. Wall noted one change on page two. Brad James should read Crad Jaynes.

## MOTION

Mr. Wall moved the minutes be approved as amended. Mr. Gantt seconded the motion, which carried unanimously.

### Chairman's Remarks - Hugh Ryan

Mr. Ryan stated he had no remarks at this time. He indicated he had a couple of reports for later in the meeting.

### Administrator's Remarks - Lenora Miles

Ms. Miles presented the members with copies of the budget from July 1, 2002 through March 31, 2003 for their review. The Board questioned Ms. Miles regarding expenditures. Ms. Miles noted that as of April 24, 2003 there were 850 registered foresters.

The Board discussed the publication of a roster. It was noted during the discussion that the statute indicates the Board must print a roster and that the roster is on the Board's web page where it is updated on a regular basis. Ms. Dantzler noted the Administrative Law Judge Division has ruled that an Internet publication of a roster is considered a publication.

Ms. Miles presented the members, for their information, with a House Resolution regarding Mr. Bo Shaw's "outstanding business acumen and dedication to forestry that enabled him to convert his one-man forestry and timberland operation into the major forestry and timberland operation and congratulated him on the recent acquisition and merger with Canal Forest Resources Company of Charlotte."

Ms. Miles noted she would discuss two disciplinary matters with the Board during executive session.

Legislative Update, If Needed, Legislative Liaison Office

There was no legislative update given during the April 24, 2003 meeting.

Advisory Opinions, If Needed, Office of General Counsel

There were no advisory opinions given during the April 24, 2003 meeting.

Unfinished Business

Memorandum of Agreement with the S.C. Forestry Commission

The Board reviewed a revised Memorandum of Agreement with the Forestry Commission. Mr. Ryan discussed biennial licensure and investigations. The Board determined it needed further clarification regarding item number one. Mr. Ryan stated he would convey the Board's feelings to the Forestry Commission and ask for an amended draft.

Mr. Ryan questioned Ms. Dantzler if this Memorandum of Agreement should include the agency contracting with and reimbursing the Forestry Commission for investigations. Ms. Dantzler replied that a separate Memorandum of Agreement, which is more like a contract, would be completed to handle this. She indicated that no statute or regulation is necessary.

MOTION

Mr. Wall moved that after the Memorandum of Understanding has been amended, the Board authorize Mr. Ryan to proceed with signing the agreement. The motion was seconded by Dr. Dunn and unanimously carried.

New Business

Applicants for Registration Approval via Examination

a. Huckleberry, Chris

Mr. Huckleberry is requesting his license via examination. He passed the examination with a score of 81. He does not have a degree, however, he has twenty years of experience in forestry. His application is complete.

MOTION

Dr. Dunn made a motion, seconded by Mr. Gantt and unanimously carried, the Board approve the application.

b. Faulk, Benjamin W.

Mr. Faulk is requesting his license via examination. He holds a Bachelor of Science Degree from Clemson University in Forest Resource Management. His application is complete

MOTION

Mr. Wall moved the Board approve this application. Dr. Dunn seconded the motion, which carried unanimously.

Applicants for Reciprocal Registration

a. Cockrell, Steven P.

Mr. Cockrell is requesting his license via reciprocity. Staff has received license verification from Georgia. Mr. Cockrell holds an Associate's Degree in Forestry Management Technology from Horry-Georgetown Technical College. His application is complete.

MOTION

Dr. Dunn moved the Board approve the application. The motion was seconded by Mr. Wall and unanimously carried.

b. Ludwig, Michael L.

Mr. Ludwig is requesting licensure via reciprocity. Staff has verified that he holds licenses in North Carolina and Georgia. Mr. Ludwig claims he holds a Bachelor of Science Degree in Forestry from the University of Tennessee, however, his application is missing the education verification

MOTION

Mr. Wall made a motion, seconded by Dr. Dunn, and unanimously carried, that the Board grant Mr. Ludwig a license pending receipt of proper transcript verification.

c. Burleson, Jeffrey N.

Mr. Burleson is requesting licensure by reciprocity. He holds a Bachelor of Science Degree in Fisheries & Wildlife Sciences from NC State University. His transcript indicates a 59-hour transfer credit from East Carolina University. He became a registered forester in the State of North Carolina in March 2001.

The Board directed staff to inform Mr. Burleson he is to appear at the next meeting to

answer questions by the members.

### Applicants for Reinstatement

a. Arnette, Danny M.

Mr. Arnette is requesting the Board reinstate his license, which lapsed in 1999. Staff has received a new application and back fees in the amount of \$440.00 have been paid. Mr. Arnette has completed the continuing education requirements.

### MOTION

Dr. Dunn moved the Board approve Mr. Arnette's reinstatement. Ms. Straka seconded the motion, which carried unanimously.

### Discussion Items

Ms. Straka stated the ACF has shot down the draft legislation. She questioned Ms. Dantzler regarding what the Board could do by policy regarding biennial licensure, setting term limits for board members, requiring the registered foresters have a one-hour ethics course as part of their CFE for license renewal and rewriting the foresters' exam. Ms. Dantzler stated the only item the Board could do by policy is rewriting the foresters' exam. She went on to say requiring a one-hour ethics course would require a change in the regulations and that biennial licensure and board member term limits would require statute changes.

Mr. Ryan stated all of the groups, with the exception of one, the Association of Consulting Foresters, have determined it support the proposed legislation. He indicated it would be no point in introducing legislation this legislative session.

Ms. Dantzler suggested the Board consider submitting a bill without statistical evidence on regulations and allowing the opponents be the proponents for additional regulations. She believes the Governor's Office may lobby against the bill for the Board.

### Public Comments

There were no public comments made during the April 24, 2003 meeting.

### Executive Session

Dr. Dunn made a motion, seconded by Mr. Wall and unanimously carried, that the Board enter executive session to discuss disciplinary matters and to revise the exam.

### Return to Public Session to Report on Executive Session

Mr. Ryan noted for the record that no motions were made and no votes were taken during executive session.

### Dismissal Report

Mr. Wall moved the Board dismiss both cases discussed in executive session. Dr. Dunn seconded the motion, which carried unanimously.

Ms. Miles stated an applicant has questioned whether the Board would accept an on-line

continuing education course, which includes a workbook/exam, for credit in category one or any other category credit. During discussion regarding this matter, it was noted that the Board would require the exam during the audit and that the individual from Georgetown/Horry Technical College would assign the number of hours for the course. Ms. Straka stated SAF National, located in Bethesda, MD, has documentation on how to assign hours in different categories of continuing education. The Board indicated the Board would have to accept on-line courses in the future and it will be a way to take continuing education courses. Dr. Dunn will explore this avenue for the Board.

Ms. Straka stated Section 40-27-220 states the roster would be mailed to each licensee. Mr. Ryan stated an electronic roster would be sufficient since the ALJ had ruled that an electronic document is publication. Dr. Dunn stated he believes the electronic publication is sufficient.

Mr. Ryan asked Ms. Miles what the Board could do in regard to a newsletter. Dr. Dunn stated he believes the first newsletter should go out in print, however, future newsletters could go out electronically. Mr. Gantt stated a statement could be mailed with the renewals indicating the newsletter and the roster would be posted on the Board's web page.

The Board informed Mr. Ryan of the following article subjects for the newsletter: the roster and the newsletter being posted on the Board's web page, the new Memorandum of Agreement with the Forestry Commission, revising the foresters' exam, and legislation.

Mr. Gantt stated his term expires May 30, 2003 and that he would not be a candidate for reappointment, although he would continue to serve until his replacement has been named.

#### Adjournment

There being no further business to be brought before the Board at this time, Dr. Dunn moved the meeting be adjourned. The meeting adjourned at 12:20 p.m.