

MINUTES
South Carolina Board of Registration for Foresters
Board Meeting
10:00 A.M., October 11, 2007
Synergy Business Park
Kingstree Building
110 Centerview Drive, Conference Room 111
Columbia, South Carolina

Meeting Called to Order

Hugh Ryan, Chairman, of Wedgefield, called the regular meeting of the SC Board of Registration for Foresters to order at 10:00 a.m. Other board members in attendance included: Virgil Wall, Vice Chairman of Greenwood; Patricia Straka, Secretary, of Pendleton; Raymond Boozer, of Gilbert; George Chastain, of Georgetown; and Amy L. McFadden, of Georgetown.

Staff members participating during the meeting included: Sandra Dickert, Administrative Assistant and Linda Owens, Administrative Assistant.

Members of the public attending the meeting included: Tim McCracken and Guy Thurmond.

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 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.

Pledge of Allegiance

All present recited the Pledge of Allegiance.

Invocation

Mr. Wall delivered the invocation.

Approval of Excused Absences

Fred Gantt, of Columbia; was granted an excused absence.

Approval of the July 12, 2007 Meeting Minutes

MOTION

Mr. Wall moved the Board approve the July 12, 2007 meeting minutes as presented. Mrs. McFadden seconded the motion, which carried unanimously.

Chairman's Remarks – Hugh Ryan

Mr. Ryan made no remarks at this time.

Administrator's Remarks – Lenora Miles

Legislative Update, If Needed, Legislative Liaison Office

Advisory Opinions, If Needed, Office of General Counsel

There were no advisory opinions or legislative update given during the October 11, 2007 meeting.

Mrs. Owens stated a random audit of ten percent of active foresters was conducted on October 3, 2007 for continuing forester education credits (CFE's) for the July 1, 2006 through June 30, 2007 licensing period. Seventy-six licensees were selected and six were exempt from the CFE requirement. Letters were mailed on October 4, 2007, informing registrants to submit CFE documentation by November 30, 2007, to be reviewed by the Board during the January 2008 meeting.

The Board received a letter from McKissock Real Estate and Appraisal School which states:

Dear Mr. Ryan:

Your letter of August 8th was received here today, regarding the use of the phrase "timber cruisers or foresters" in our "Private Appraisal Assignments" course. We have noted your contention that our use of "timber cruisers or foresters" implies that the two are one and the same.

It was certainly not our intention to equate the two, and we will do our best to ensure that they are not confused in future classes.

Thank you for bringing this to our attention.

Very truly yours,

*Anne Benson
Curriculum Development Coordinator*

Mr. Wall stated a forester asked him if credits earned in Category One could be credited in Category Two. The Board briefly discussed the question and determined it would further discuss this matter later in the meeting.

Discussion Topics

1. Licensing Issues - Guy Thurmond and Charles Sibley - Society of American Foresters

Guy Thurmond, of the Society of American Foresters, stated Mr. Sibley may not attend the meeting.

Mr. Thurmond stated he is appearing on behalf of the SC Society of American Foresters. He further stated the SAF actively supports the legislation for licensing. He went on to say the SAF would be participating in a debate on October 18, 2007 with the Association of Consulting Foresters (ACF). He said ACF has taken the supporting of titling rather than licensing. He went on to say he would be supporting licensing instead of titling.

Mr. Thurmond presented the members with proposed additions and definitions to S.728. He stated after the SAF meeting in Newberry this past summer there was concern, principally by ACF members and maybe some SAF members, in regard to definitions contained in S.728. He stated the concern was the Act would become an Act which the Board would dictate how a forester performed his job. He stated the proposed additions and definitions results from meeting with those members showing those concerns. He further stated ACF doesn't want the Board to have the power to define any more things than necessary. He asked that wording be inserted stating the act shall not be interpreted as a Forestry Practice Act. He suggested the Board have their attorney review the proposed language.

Mr. Thurmond presented the members with a “review of the South Carolina Legislative Audit Council (LAC) Report, *Regulation of the Profession of Forestry* LAC 01-4 Dated March 2002, Requested by the SC Division of the Society of American Foresters, Conducted by Michael Mortimer JD, PhD, Director of Forest Policy, Society of American Foresters, October 5, 2007.” He stated this document challenges the LAC report of 2002. He went on to say he would have copies of this document along with the LAC Report for the ACF members during the meeting scheduled for October 18, 2007.

Mr. Thurmond presented the members with a South Carolina Program to Credential Foresters, A Position Statement of the South Carolina Division of the Appalachian Society of American Foresters. He said this document supports licensing and has been approved by the SAF executive committee and the national office. He asked the Board how many registrants are consulting foresters. The Board informed Mr. Thurmond that information could not be provided at this time, however, this matter could be researched.

Mr. Thurmond then spoke on timber appraisers.

2. Code of Ethics Violation – Timothy McCracken

On October 10, 2007 the Board received a letter from Timothy McCracken asking questions in regard to the code of ethics.

1. Do the same procedures and penalties (including restitution) apply to a situation when one licensed professional (forester) is financially harmed by the ethical misconduct of another licensed forester?
The Board determined it would request an advisory opinion from its attorney in regard to question #1.
2. In an article written by Mrs. McFadden she listed 10 cannons in the Code of Ethics and a statement that the Code of Ethics as recommended by SAF is adopted as the standards of professional conduct. Does this mean that in addition to the 10 listed cannons, we are also held to the current Code of Ethics of the SAF?
The Board informed Mr. McCracken that under the current regulations and Code of Ethics the Board can only require licensees to follow the 10 cannons as listed under the Code of Ethics contained in the regulations.
3. In the situation where a whole program is violating an ethical standard or multiple standards, is it necessary to list all professionals involved?
The Board informed Mr. McCracken that it licenses individuals, not programs and that a complaint could be filed against an individual, not a program.

Mr. Boozer left the meeting at 11:34 a.m.

New Business

1. Approval of Licensure via Examination
 - a. *John B. Ardrey*

On March 5, 2007 the Board received an application for licensure via examination from John Ardrey. He obtained a BS in Forest Resource Management from Clemson in 2004. He passed the Certified Forester exam in September 2007. His file is complete.

MOTION

Mr. Wall made a motion, seconded by Mrs. McFadden and unanimously carried, that the Board accept Mr. Ardrey's application.

b. James S. Brown

On July 2, 2007 the Board received an application for licensure via examination from James Brown. He obtained a Bachelor of Science Degree Forest Resource Management from Clemson in 2004. He passed the Certified Forester exam in December 2006. His file is complete.

Mr. Ryan recused himself from participating and voting in this matter. He turned the meeting over to Mr. Wall at this time.

MOTION

Mrs. McFadden moved the Board approve Mr. Brown's application. Mrs. Straka seconded the motion, which carried unanimously.

c. Randy L. Carter

Randy Carter is applying for licensure by way of examination. He obtained a Bachelor of Science Degree in Forest Resource Management from Clemson in 2004. He passed the Certified Forester exam in September 2007. His file is complete.

Mr. Ryan recused himself from participating and voting in this matter. He turned the meeting over to Mr. Wall at this time.

MOTION

Mr. Chastain made a motion, seconded by Mrs. McFadden and unanimously carried, that the Board accept Mr. Carter's application.

Mr. Ryan resumed his duties as chairman at this time.

d. William T. Godwin

William Godwin is applying for licensure via examination. He obtained a Bachelor of Science Degree in Forest Resource Management from the University of Georgia in 1994. He passed the Certified Forester exam in June 2007. His file is complete.

MOTION

Mr. Wall moved the Board approve Mr. Godwin's application. Mr. Chastain seconded the motion, which carried unanimously.

e. Tonya Harrington

Tonya Harrington is seeking licensure via examination. She obtained a Bachelor of Science Degree in Forest Resource Management from Clemson in 2005. She passed the Certified Forester exam in October 2006. She will not have two years of work experience until January 17, 2008.

MOTION

Mr. Wall made a motion, seconded by Mrs. McFadden and unanimously carried, that the Board approve Ms. Harrington's application pending her obtaining the remaining work experience and notifying the Board of such.

f. Jason S. Jeffcoat

Jason Jeffcoat is seeking licensure by way of examination. He obtained a Bachelor of Science Degree in Forest Resource Management from Clemson in 1998. He passed the Certified Forester exam in August 2007. His file is complete.

MOTION

Mr. Wall moved to accept Mr. Jeffcoat's application. Mrs. Straka seconded the motion, which carried unanimously.

g. Joshua B. Jones

Joshua Jones is applying for licensure via examination. He obtained a Bachelor of Science Degree in Forest Resource Management from Clemson in 2002. He passed the Certified Forester exam in August 2007. His file is complete.

Mr. Ryan recused himself from participating and voting in this matter. He turned the meeting over to Mr. Wall at this time.

MOTION

Mrs. McFadden made a motion, seconded by Mr. Chastain and unanimously carried, that the Board approve Mr. Jones' application.

Mr. Ryan resumed his duties as chairman at this time.

h. Michael R. McGill

Michael McGill is seeking licensure via examination. He obtained a Bachelor of Science Degree in Forest Resource Management from Clemson in 2002. He passed the Certified Forester exam in April 2007. Staff received an additional Forester reference on October 4, 2007.

MOTION

Mr. Wall moved the Board accept Mr. McGill's application. Mrs. Straka seconded the motion, which carried unanimously.

i. Joseph W. Wilson

Joseph Wilson is applying for licensure via examination. He obtained a Bachelor of Science Degree in Forest Resource Management from Clemson in 2005. He passed the Certified Forester exam in July 2007. His file is missing one registered forester reference.

MOTION

Mrs. Straka made a motion, seconded by Mr. Wall and unanimously carried, that the Board approve Mr. Wilson's application pending receipt of the additional reference.

2. **Review of Letter to Board**

On August 16, 2007 the Board received an anonymous letter asking:

- 1) What makes a graduate with a BS degree in forestry any more of a forester than a graduate with an AS degree. I realize the AS is more of hands own forestry vs the BS of more studying certain fields. But in the field of forestry is it not more hands own experience that counts?
- 2) The SC Forestry Commission or any other private industry does not qualify a graduate with an associate degree as a forester, even if they acquire a license via your board. In my speaking to officials at the SCFC Columbia headquarters, a technician can't ever achieve forester status without a BS degree. Why is this? What point is there to achieve a license through your board?
- 3) Your board can approve or deny me the right only of "saying that I am registered forester in SC". If my understanding is correct, I can still procure timber, manage timberland, etc without any say so from you. Again what good is it being able to say that I am a registered forester?
- 4) I have always thought the primary reason for the board was to "weed out" the individuals within our profession that are not upright and honest. I see many times landowners are recommended to registered foresters because they "are honest and can be trusted, because the state of SC says so." But I know individuals that are and are not licensed that are dishonest. Again how does your organization classify these people?
- 5) In reading your website, I see a tab where a person can report complaints. We have a forestry commission in our state where we can report complaints, that is more user friendly (searching for it and speaking with someone) why do we need one within your board? What can you do other than revoke their "license?"

MOTION

Mrs. Straka moved the Board receive this letter as information. Mr. Wall seconded the motion, which carried unanimously.

3. **2008 Proposed Meeting Dates**

The Board reviewed the following proposed meeting dates for 2008.

January 10 or January 23 April 10, 2008 July 10, 2008 October 9, 2008

MOTION

Mrs. Straka moved the Board approve January 10, April 10, July 10, and October 9, as its 2008 meeting dates. Mr. Wall seconded the motion, which carried unanimously.

The Board asked that Mrs. McFadden contact Horry-Georgetown Technical College to ask if the school would prefer if the Board met there during April 2008 or October 2008. The Board will also discuss this matter during the January 10, 2008 Board meeting.

CFE Question from Virgil Wall (Continued)

The Board determined that a registrant must submit a written request for a waiver as stated in 53.20(8) to carry over Category One CFE's. Registrants would still be required to obtain at least five Category One CFE's every year.

Public Comments

There were no public comments made during the October 11, 2007 meeting.

Executive Session

The Board did not enter executive session.

Adjournment

The October 11, 2007 meeting of the SC Board of Registration for Foresters adjourned at 12:20 p.m.