

MINUTES
South Carolina Board of Registration for Foresters
Board Meeting
10:00 A.M., July 16, 2009
Synergy Business Park
Kingstree Building
110 Centerview Drive, Conference Room 204
Columbia, South Carolina

Meeting Called to Order

Virgil Wall, chairman, of Greenwood, called the regular meeting of the SC Board of Registration for Foresters to order at 10:04 a.m. Other Board members in attendance included: Amy L. McFadden, vice chairman, of Georgetown; George Chastain, Secretary, of Georgetown; Allen Dunn, PhD., of Central; Fred Gantt, of Columbia; Olin Lominick, of Pomaria; and Patricia Straka, of Pendleton.

Staff members participating during the meeting included: Lisa Hawsey, Program Assistant and Lenora Addison-Miles, Administrator.

A member of the public attending the meeting was Susan Guynn.

Mr. Wall 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.

Invocation

Mr. Chastain delivered the invocation.

Pledge of Allegiance

All present recited the Pledge of Allegiance.

Approval of Excused Absences

All members were present.

Mrs. Miles stated the Board would need a vote regarding Mr. Lominick's absence from the April 9, 2009 meeting.

Mr. Wall noted Mr. Lominick had a conflict and was unable to participate during the April 9, 2009 conference call meeting.

MOTION

Mr. Gantt made a motion the Board approve Mr. Lominick's absence from the April 9, 2009 meeting. Dr. Dunn seconded the motion, which carried unanimously.

Approval of the April 9, 2009 Meeting Minutes

Mr. Wall noted one correction to page three. He stated Charles Shively should read Charles Sibley.

MOTION

Dr. Dunn made a motion the Board approve the April 9, 2009 minutes as amended. Mrs. McFadden seconded the motion, which carried unanimously.

Chairman's Remarks – Virgil Wall

Mr. Wall 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 was no legislative update or advisory opinions given during this meeting.

Mrs. Miles stated the renewal period is ending and as of July 15, 2009 663 foresters are registered through June 30, 2011. There are approximately 145 foresters who have not yet renewed.

Unfinished Business

There was no unfinished business for discussion during this meeting.

New Business

Susan Guynn – Clemson University CE Coordinator

Susan Guynn discussed Clemson University's continuing education web cast program with the Board. She can record the meeting in its entirety and archive the web cast as long as needed. She discussed participant tracking, questions and answers, and poll questions. She stated most of her web casts will last one hour, which costs \$20. An individual with high speed internet can complete the program from a home office. When the individual registers for the one hour program Ms. Guynn sends the individual a link to connect to the program. The web cast program is approved at the national level.

Mrs. Straka suggested Mrs. McFadden produce an article for the newsletter regarding the web cast program.

Approval of Licensure via Examination

a. Annetta S. Burdette – Reapplication

On June 12, 2009 the Board received a registration application from Annetta S. Burdette. Ms. Burdette had appeared before the Board in an application hearing on July 10, 2008 at which time the Board denied the application based on information contained in her verification of employment, specifically her personal and professional integrity. The Board's order dated August 7, 2008 stated Ms. Burdette may reapply for registration twelve months from the date of the hearing during which time she must submit evidence of one additional year of work experience and an updated employment reference to support her application.

MOTION

Mr. Gantt made a motion the Board accept the registration. Mr. Chastain seconded the motion, which carried unanimously.

b. Jeffrey T. Register, Jr.

On October 18, 2007 the Board received a registration application from Jeffrey T. Register Jr. Mr. Register received a Bachelor of Science Degree in Agriculture Economics in May 2004 and a Master of Science Degree in Forester Resources from the University of Georgia in May 2007. He passed the certified forester exam on July 18, 2008. His file is complete.

MOTION

Mr. Chastain made a motion the Board approve Mr. Register for registration. Mrs. McFadden seconded the motion, which carried unanimously.

Approval of Licensure via Reciprocity

a. Emmett C. Guderian III

On June 6, 2008 the Board received a registration application from Emmet Charles Guderian, III. Mr. Guderian received a Bachelor of Science Degree in Forest Management from Louisiana State University and A. & M. College in August 1976. He was initially licensed in Mississippi in March 1999 by that state's written exam. The license remains current through December 31, 2009. His file is complete.

MOTION

Dr. Dunn made a motion the Board approve Mr. Guderian for registration. Mr. Chastain seconded the motion, which carried unanimously.

Proposed Policy for Removing Disciplinary Actions

Mrs. Miles stated the Board had discussed this matter during the last meeting. She further stated the agency is recommending the administrative violations be removed from the Board's web site after five years and that the practice violations remain on the Board's web site indefinitely.

The Board discussed posting the administrative violations for a two year period.

MOTION

Dr. Dunn made a motion the Board amend the proposed policy for removing disciplinary actions by amending the time frame for posting the administrative violations for a two year period. Mr. Chastain seconded the motion, which carried unanimously.

MOTION

Mrs. Straka made a motion the Board be informed prior to posting any administrative based violations to the Board's web site. Dr. Dunn seconded the motion, which carried unanimously.

Mr. Lominick asked the Board who would oversee a consulting forester handling a land deal (buying land for timber resale) that one attorney does not agree with but another attorney does agree with. He stated it would not be timber theft. Mr. Wall stated it could be brought before the Board of Foresters if it involves the Code of Ethics; however, if the matter involves an escrow account it would need to go before an attorney. Mr. Wall stated it would be an unethical act if the consulting forester is handling the land sale for the land owner, getting a commission, then buying the land for himself, then selling the land and getting another commission.

The Board informed Mr. Lominick an individual would need to file a complaint on the matter and the agency or a forester would review the complaint. The Board noted it could not know any of the details of the matter and also noted Mr. Lominick would need to recuse himself from participating and voting in a hearing should the complaint reach that point.

Parameters for Affirmative Responses on Applications/Renewals

Mrs. Miles stated since the agency has established the Office of Licensure and Compliance the Board is being asked to set parameters for yes answers to the questions regarding an individual's license has been disciplined in another state. She noted since the Board reviews all

of the initial applications, the Board would need to set parameters for the renewal applications with a yes answer.

The Board asked Mrs. Miles to seek legal advice from Mrs. Dantzler in regard to this matter and tabled its decision to the October 2009 meeting.

Public Comments

No public comments were made during this meeting.

Executive Session

MOTION

Dr. Dunn made a motion the Board enter executive session to review the state law examination module. Mrs. McFadden seconded the motion, which carried unanimously.

Return to Public Session

MOTION

Mr. Gantt made a motion the Board return to public session. Mrs. Straka seconded the motion, which carried unanimously.

Mr. Wall noted for the record that no official action was taken during executive session.

The Board has formed a committee to review the questions contained in the certified forester's exam. The committee members are: Tom Henderson, Tim Adams, Rob Drummond, Michael Mills, Pat Straka, Tom Straka, and Virgil Wall.

Mrs. McFadden stated the ASBORF meeting will be held September 17-18, 2009 in Alabama. She has not yet mailed registration forms as times have not yet been established. She said participants will stay at the Hampton Inn

Adjournment

MOTION

There being no further business to be discussed at this time the July 16, 2009 meeting of the SC Board of Registration of Foresters adjourned at 11:45 a.m.

The next meeting of the SC Board of Registration of Foresters is scheduled for October 15, 2009.