

MINUTES
South Carolina Board of Registration for Foresters
Board Meeting
10:00 A.M., July 15, 2010
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 10:01 a.m. Other Board members in attendance included: Amy McFadden, vice chairman, of Georgetown; George Chastain, secretary, of Georgetown; Allen Dunn, PhD., of Central; Fred Gantt, of Columbia; Olin Lominick, of Pomaria; and Charles Sibley, of Chapin.

Staff members participating during the meeting included: Lenora Addison-Miles, Administrator; Sandra Dickert, Administrative Assistant; Steve Freshley, Investigator, OIE; Theresa Garner, Administrative Assistant; and Maurice Smith, Investigator, OIE.

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.

Pledge of Allegiance

All present recited the Pledge of Allegiance.

Invocation

Mr. Wall delivered the invocation.

Approval of Excused Absences

All members were present.

Approval of the April 15, 2010 Meeting Minutes

MOTION

Mrs. McFadden made a motion the Board accept the minutes as presented. Mr. Gantt seconded the motion, which carried unanimously.

Chairman's Remarks – Virgil Wall

Mr. Wall deferred his remarks at this time.

Administrator's Remarks – Lenora Addison-Miles

Legislative Update, If Needed, Legislative Liaison Office

Advisory Opinions, If Needed, Office of General Counsel

There was no legislative report or advisory opinions given during this meeting.

OGC (office of General Counsel) Report

No representative from OGC was present during this meeting. There are no current open cases within OGC.

Unfinished Business

There was no unfinished business to be discussed during this meeting.

New Business

IRC Report (June 22, 2010) – Office of Investigations and Enforcement
Mr. Freshley and Mr. Smith briefed the Board regarding the June 22, 2010 IRC report. The report included one case, #2010-1, which the IRC is recommending for dismissal. Mr. Smith explained to the Board there was insufficient evidence to support the case, based on his investigation, and the case was being recommended for dismissal. This was followed by considerable discussion including details as to the case.

MOTION

Dr. Dunn made a motion the Board approve the June 22, 2010 IRC report. Mr. Sibley seconded the motion, which carried unanimously.

The Board asked that a registered forester or the SC Forestry Commission investigator review cases involving value issues prior to being presented to the Board via the IRC.

OIE (Office of Investigations & Enforcement) Report

Mr. Freshley stated with the Board's approval of the IRC report there are no open cases.

Approval of Licensure via Examination

Drake Carroll

On July 12, 2010 the Board received a registration by examination application from Drake Carroll. Mr. Carroll received a Bachelor of Science Degree in Forest Resource Management from Clemson University in May 2007. He passed the certified forester (CF) exam in July 2010.

MOTION

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

Clay Marshall Chaplin

On July 7, 2010 the Board received a registration by examination application from Clay Chaplin. Mr. Chaplin received a Bachelor of Science Degree in Forest Resource Management from Clemson University in December 2005 and passed the CF exam in May 2008.

MOTION

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

John Barton Sabine, III

On March 18, 2010 the Board received a registration by examination application from John Sabine, III. Mr. Sabine's application reflects he received a Bachelor of Science Degree in Biology from Furman University in 2000. He appeared before the Board during the April 15, 2010 meeting to request approval to take the CF exam. At that time the Board granted approval for Mr. Sabine to sit for the exam and required him to submit a work experience portfolio prior to becoming licensed. He passed the CF exam in June 2010.

Mrs. Addison-Miles stated Mr. Sabine submitted a work experience portfolio, which was forwarded by e-mail to the members for their review prior to the meeting.

MOTION

Dr. Dunn made a motion the Board approve Mr. Sabine for registration. Mrs. McFadden seconded the motion, which carried unanimously.

Molly Jean Sanford

On July 8, 2010 the Board received a registration by examination application from Molly Sanford. Ms. Sanford received a Bachelor of Science Degree in Forest Resource Management from Clemson University in May 2003 and passed the CF exam in June 2010. A letter from Walter Woodrum, III of the SC Forestry Commission states Ms. Sanford has worked as a forester for the Commission since May 2, 2008. The letter also states that "during this time period she was on military leave for active duty flying C-17s for two 3 month periods. She was on active duty from April 1, 2009 through June 30, 2009 and again from July 15, 2009 through October 15, 2009.'

Discussion ensued regarding the six months Ms. Sanford served on active duty.

MOTION

Dr. Dunn made a motion the Board approve Ms. Sanford for registration. Mr. Gantt seconded the motion. Discussion ensued regarding whether such cases would be handled on a case by case basis. Mr. Chastain amended the motion to state she be approved for registration November 2, 2010. Mr. Gantt seconded the amendment. The amendment carried with a majority vote. Dr. Dunn voted nay. The motion to approve Ms. Sanford for registration on November 2, 2010 carried with a unanimous vote.

David Allen Schneider

On February 25, 2009 the Board received a registration by examination application from David Schneider. Mr. Schneider received a Bachelor of Science Degree in Forest Resource Management from Clemson University in December 1998 and he passed the CF exam in March 2010.

MOTION

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

Reinstatement of Licensure

Robert King

On July 8, 2010 the Board received an updated registration reinstatement application from Robert King. Mr. King's registration lapsed on June 30, 2006. He has submitted proof of continuing education courses and paid \$575.00 in reinstatement fees. In a notarized statement he admits he has partially practiced forestry through timber sales, written forest management plans and assisting clients with reforestation work during the time his registration was lapsed.

MOTION

Mr. Gantt made a motion the Board approve Mr. King for reinstatement. Dr. Dunn seconded the motion. Discussion ensued regarding whether or not he should be required to pay a fine for practicing forestry during the time his registration was lapsed. Mr. Gantt amended the motion to state the Board approve Mr. King for reinstatement upon payment of appropriate fine of \$500.00 as stated in Section 40-1-120(A)(2) for practicing forestry without a proper registration. Mr. Sibley seconded the amendment. Discussion ensued regarding the fine. Mr. Gantt amended the motion to state Mr. King be fined \$100.00 per year of practicing forestry without a proper registration (\$400.00). Dr. Dunn seconded the amended motion, which carried unanimously.

Samuel D. Montgomery

On May 7, 2010 the Board received an updated registration reinstatement application from Samuel Montgomery. Mr. Montgomery's registration lapsed on June 30, 2009. He has submitted proof of continuing education courses, a notarized statement, employment verification, and \$280.00 in reinstatement fees.

MOTION

Dr. Dunn made a motion the Board approve Mr. Montgomery's application for reinstatement. Mrs. McFadden seconded the motion, which carried unanimously.

James Matthew Summers

On May 7, 2010 the Board received an updated registration reinstatement application from James Summers. Mr. Summers' registration lapsed on June 30, 2009. He has submitted proof of continuing education courses, employment verification, a notarized statement, and has paid \$280.00 in reinstatement fees.

MOTION

Mr. Chastain made a motion the Board approve Mr. Summers' reinstatement application. Mrs. McFadden seconded the motion, which carried unanimously.

Continuing Forestry Education Audit

H. G. Rhodes, Jr.

The Board reviewed additional continuing education documentation submitted by H. G. Rhodes, Jr. during the April 15, 2010 meeting. At that time the Board determined that ten continuing education hours were required for the July 1, 2006 through June 30, 2007 period. Mrs. Addison-Miles notified Mr. Rhodes by letter dated April 16, 2010 that based on the Board's calculations and allowable carry-over credits, he had a total of 12 ½ hours and that subtracting the ten hours, left a balance of ten and one-half hours to carry over for the July 1, 2007 through June 30, 2009 period. The letter also stated he submitted seven hours during the 2007-2009 continuing education period, giving him a total of nine and one-half hours and that he still needed ten and one-half hours to complete the continuing education requirements for the 2007-2009 period. The letter also informed Mr. Rhodes the Board voted to grant him until July 1, 2010 to complete and submit the required hours and that his registration would be suspended if the documentation was not submitted within the time period.

On June 1, 2010 Mr. Rhodes submitted documentation that he had completed 13.5 hours of continuing education.

MOTION

Mrs. McFadden made a motion the Board approve the submitted hours with the understanding Mr. Rhodes cannot use these hours. Dr. Dunn seconded the motion, which carried unanimously.

John Scott

Mr. Scott was issued a cease and desist order and his registration was suspended in December 2009 for failing to comply with the continuing education audit. He has since submitted documentation reflecting 13.5 hours of continuing education in Category 1 and a transcript for a PowerPoint course he took for his teacher re-certification, which he hopes the Board will consider as a category 2 continuing education course.

Discussion ensued and included topics such as Mr. Scott lacking 3.5 hours of continuing education and whether or not he should apply for reinstatement.

MOTION

Mrs. McFadden made a motion the Board send Mr. Scott a letter stating he must move through the reinstatement process, provide an additional 3.5 hours of continuing education and may be subject to a fine of \$200.00 for falsifying a statement on his renewal application. Dr. Dunn seconded the motion, which carried unanimously.

ASBORF Annual Meeting Report

Mrs. McFadden briefed the members regarding the ASBORF annual meeting. She noted the topics included continuing education, how each state handles its complaints and investigations, and the composition of at least one of the boards. She stated next year's meeting will be held in Arkansas.

Mr. Gantt left the meeting at 11:46 a.m.

State Specific Examination

Mr. Wall presented the members with an e-mail from SAF regarding the state specific exam. The e-mail states SMT will assist the Board with the development of the cut score, if needed. The e-mail notes the Board would be responsible for the expenses associated with the transfer of the exam and cut score development. The e-mail goes on to state the cost to the candidate would not change and the candidates would take the state exam at the same time as the CF exam. The candidates will be allowed one hour to complete the state specific exam. The e-mail states SMT would charge \$900 per form with a maximum of 50 items per form and \$1,300 for a teleconference workshop per state specific examination title and would bill the Board following the completion of the workshop and delivery of the final passing score report.

SMT would set the Board on the SMT Bank to allow item conversion of existing state exam items into the SMT bank and will provide the Board with a publishing template for the state specific exam.

The Board will provide the items in the exam bank in an electronic format and provide SMT with the completed publishing template for the state-specific examination and provide the applicable scoring keys.

The Board determined it would move toward one exam with SMT at this time.

Public Comments

No public comments were made during this meeting.

Executive Session

The Board did not enter executive session.

Adjournment

The July 15, 2010 meeting of the SC Board of Registration of Foresters adjourned at 12:01 p.m.