

MINUTES

South Carolina Board of Registration for Foresters
10:00 a.m., October 1, 2015
Synergy Business Park
110 Centerview Drive, Kingstree Building, Room 204
Columbia, South Carolina

Meeting Called to Order

Chairman, Eric Smith, of Summerville, called the regular scheduled meeting of the S. C. Board of Registration for Foresters to order at 10:05 a.m. Other members in attendance included: Robert Drummond, vice-chair, of Columbia; Christian Hendricks, secretary, of Columbia; Frazier Baldwin, of Lancaster; Charles Maley, of Moore; William Moody, of Lexington; and William Sligh, of Hartsville.

Staff members attending the meeting included: Molly Price, Administrator; Theresa Garner, Program Assistant; Advice Counsel, Hardwick Stuart; Office of Disciplinary Counsel, Prentiss Shealey; and Todd Bond; OIE.

Mr. Smith 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, followed by the invocation given by Frazier Baldwin.

Approval of Excused Absences

There were no excused absences.

Approval of the April 23, 2015 Meeting Minutes

MOTION

Mr. Hendricks made a motion to approve the April 23, 2015 minutes as presented. Mr. Baldwin seconded the motion, which carried unanimously.

Chairman's Remarks-Eric Smith

Mr. Smith welcomed the new board members, and also acknowledged that former Board Chair, Amy McFadden, had served on the board for ten years; he thanked her for her service.

Presentation of Service Plaque to Ronald Byrd

Board Chairman, Eric Smith, presented Mr. Byrd with a plaque in appreciation for his years of service on the Foresters Board from May 2011 until May of 2015.

Since there were new members present, Chairman Smith gave a perspective of Board member terms.

Administrator's Remarks-Molly Price

Mrs. Price informed board members the Foresters Board were the first board at LLR to use the "New" tablets. As part of her LLR CPM course project, she was instrumental in obtaining the (30) tablets for board meeting use.

Board members were given the following Board Meeting Dates for 2016.

Thursday, January 28, 2016

Thursday, April 21, 2016

Thursday, July 28, 2016

Thursday, October 27, 2016

Mrs. Price reported the board currently had 672 registered Foresters. Approximately 33 did not pay their renewal fees and their licenses were lapsed as of October 1, 2015.

She stated since April 24, 2015, there have been (10) Forester licenses issued at the staff level; two by examination, six were by reciprocity, and two were by reinstatement.

The cash balance report for August 2015 reflected a balance of -\$10, 831.10.

She gave an overview of the ASBORF annual meeting that she attended in Mobile, Alabama. Twenty representatives reviewed the exams along with SAF staff members, comparing actions as well as continuity, and how they handle exams. She said the meetings were very constructive and beneficial; a lot of topics were discussed. Mrs. Price stated that some boards solely stand alone. She urged the board to continue to send a representative each year.

She asked that board members forward her any information they would like to see in the fall newsletter.

Advisory Opinions, If Needed, Office of General Counsel

There were no advisory opinions given at this meeting.

Legislative Update, If Needed, Legislative Liaison Office

Mrs. Price informed board members that the Notice of Drafting for the board to amend its regulations regarding the fee schedule had been placed in the state register. The fees should have been corrected during the last legislative session but were overlooked, therefore, for the board to be in compliance with our regulations and to be in alignment with the previous fees, the board must submit the changes again. Mrs. Price will ask LLR's Legislative Counsel, Holly Beeson, to attend the next board meeting to answer any questions members might have regarding the corrections.

OGC Report-Office of Disciplinary Counsel

Prentiss Shealey, Disciplinary Counsel, introduced herself to board members. She reported there currently were no disciplinary cases.

OIE Report-Office of Investigations and Enforcement-Todd Bond

Todd Bond, Chief Investigator for OIE, reported the IRC met on September 29, 2015 and reviewed one case for unlicensed Practice. The recommendation was to dismiss, and issue a cease and desist.

Application Hearings

These application hearings were recorded by a certified court reporter in the event a verbatim transcript is necessary.

a. Clifton D. McKinney

The application hearing was called to order. Mr. McKinney was sworn in by the court reporter, and waived his right for legal counsel.

The Board of Registration for Foresters received an application for Reinstatement from Clifton Davis McKinney on June 26, 2015. Based on Mr. McKinney's "Yes" response to question number 5 on the application, his request for reinstatement could not be approved at the staff level (Have you practiced forestry in this state after your license expired (lapsed) or while it was administratively or otherwise suspended? If yes, explain the circumstances and extent of such practice). His application package was complete.

Mr. McKinney was present at the meeting and stated that he worked hard to become a Forester and because he did not often use his license; due to an oversight on his part, he failed to renew in 2011. He applied for reinstatement when he realized his license had lapsed.

MOTION

Mr. Baldwin made a motion the board approve Mr. McKinney's request for reinstatement without conditions. Mr. Moody seconded the motion, which carried unanimously.

b. Harold N. Williams

The application hearing was called to order. Mr. Williams was sworn in by the court reporter, and waived his right for legal counsel.

The Board of Registration for Foresters received an application for reinstatement from Harold N. Williams, on August 12, 2015. Based on Mr. Williams' "Yes" response to question number 5 on the application, his request for reinstatement could not be approved at the staff level (have you practiced forestry in this state after your license expired (lapsed) or while it was administratively or otherwise

suspended? If yes, explain the circumstances and extent of such practice). His application package was complete.

Mr. Williams was present at the meeting and stated that he had Forester's licenses in North and South Carolina and did not realize he had not paid his renewal fees for South Carolina in 2009. Once he realized the oversight, he submitted an application for reinstatement.

MOTION

Mr. Maley made a motion to approve Mr. Williams' request for reinstatement without conditions. Mr. Hendricks seconded the motion, which carried unanimously.

Executive Session

MOTION

Mr. Drummond made a motion the board enter into executive session for legal advice. Mr. Maley seconded the motion, which carried unanimously.

Return to Public Session

MOTION

Mr. Baldwin made a motion the board return to public session. Mr. Drummond seconded the motion, which carried unanimously.

Chairman Smith noted for the record that no actions or votes were taken while in executive session.

New Business

2013-2015 CFE Audit

The Board reviewed continuing education documentation provided by 26 individuals randomly selected for audit for the 2015 license renewals. The board made motions to approve CFE documentation submitted by the following licensees.

MOTION: Mr. Drummond/Mr. Baldwin

John Armstrong
Joel Bickley
George Boone, Jr.
John Catlin

MOTION: Mr. Maley/Mr. Baldwin

Brian Clark
John Cooley
Benjamin Copeland

MOTION: Mr. Sligh/Mr. Baldwin

David Cox
Morgan Drakeford
James Finch
Bruce Gritzinger

MOTION: Mr. Baldwin/Mr. Maley

John R. Helms
John Hiott
Wayne Horne
John H. Jackson, III

MOTION: Mr. Maley/Mr. Baldwin

Jason Kiker
Justin McMillian, II

MOTION: Mr. Hendricks/Mr. Sligh

Alex Singleton
Donald Skinner

MOTION: Mr. Moody/Mr. Baldwin

James Thompson
Sally Tucker
Michael Wildhorn

The following licensees submitted questionable or insufficient documentation regarding the CFE Audit. Motions were made to approve or deny the documentation.

JAY CLINGMAN

MOTION: Mr. Baldwin/Mr. Hendricks

After reviewing Mr. Clingman's documentation; it was found to be insufficient. Mr. Clingman will be notified by certified mail that in accordance with regulations section 53-20 (6) Non Compliance, he has been placed on (6) months Probationary status, effective October 2, 2015.

Robert Keels

MOTION: Mr. Maley/Mr. Drummond

After reviewing Mr. Keels documentation for (11) CFE hours in category 1, and (1/2) hour in category 2, it was determined that he did not provide sufficient CFE hours. He will be notified by certified mail that in accordance with regulations section 53-20 (6) Non Compliance, he has been placed on (6) months Probationary status, effective October 2, 2015.

M. Vann Page

MOTION: Mr. Maley/Mr. Drummond

After further review of Mr. Page's CFE hours, the board voted to accept Mr. Page's documentation.

Terry Seals

MOTION: Mr. Hendricks/Mr. Baldwin

After reviewing Mr. Seals documentation for (15) CFE hours in category 1, and (1/2) hour in category 2, it was determined that he did not provide sufficient CFE hours. He will be notified by certified mail that in accordance with regulations section 53-20 (6) Non Compliance, he has been placed on (6) months Probationary status, effective October 2, 2015.

Old Business

Update on Study Guides for State Specific Exams

Executive Session

MOTION

Mr. Drummond made a motion the board enter into executive session to discuss the exam questions under the trade secret exemption (30-4-40) (a) (1). Mr. Maley seconded the motion, which carried unanimously.

Return to Public Session

MOTION

Mr. Maley made a motion to return to public session. Mr. Moody seconded the motion, which carried unanimously.

Chairman Smith noted for the record that no actions or votes were taken while in executive session.

MOTION

Mr. Baldwin made a motion to approve the reviewed test questions and have administration submit to the testing company so they can be implemented by January 1st. Also; that the board publicize the new requirements of the state specific test, and provide study reference material locations via the website. The motion was seconded by Mr. Drummond, which carried unanimously.

Public Comments

There were no public comments made during this meeting.

Adjournment

Since there was no further business to be discussed by the Board, the October 1, 2015 meeting of the S. C. Board of Registration for Foresters adjourned at 1:02 p.m.

MOTION

Mr. Baldwin made a motion the meeting be adjourned. Mr. Sligh seconded the motion, which carried unanimously.

The next meeting of the S. C. Board of Registration for Foresters is scheduled for January 28, 2016, in room 204.