

MINUTES
South Carolina Board of Registration for Geologists
Board Meeting
10:00 a.m., December 13, 2005
Synergy Business Park, Kingstree Building
110 Centerview Drive, Room 201-03
Columbia, South Carolina

Jason Terry, Chairman, of Charleston, called the regular meeting of the SC Board of Registration for Geologists to order at 10:10 a.m. Other members present for the meeting included: Vernon T. Ichimura, PhD., Vice-Chairman, of Aiken; R. Craig Kennedy, of Columbia; and Richard D. Warner, PhD., of Clemson.

Staff members participating at various times during the meeting included: Lenora Addison-Miles, Administrator; Linda Owens, Administrative Assistant; Connie Huffstetler Administrative Assistant; Randall Bryant, Assistant Deputy Director, LLR; and Barbara Derrick, Administration – Finance.

There were no members of the public in attendance at the December 13, 2005 meeting.

Meeting Called to Order

Mr. Terry announced that public notice of this meeting was properly posted at the S. C. Board of Registration for Geologists 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.

Approval of August 25, 2005 Meeting Minutes

MOTION

Mr. Kennedy moved to approve the minutes. Dr. Warner seconded the motion and it carried.

Chairman's Remarks – Jason Terry

Mr. Terry noted that the Board had a full agenda to cover but would take as much time as necessary to discuss and review each item.

Administrator's Remarks –Lenora Addison-Miles

Ms. Miles noted that Troy C. Elmore had resigned from the Board. She stated for the record that she would like to thank Mr. Elmore for his service.

Ms. Miles advised the Board that licensees could now request verification of their licensure via the LLR website for a fee of \$20.00. Verification may also be requested in writing as necessary, also for a \$20.00 fee.

Ms. Miles advised the Board that forty-one individuals have not renewed their licenses.

Unfinished Business

H.3781 – Amendment to the Engine Bill

The members briefly discussed H.3781, but agreed that they were not yet ready to take a position as a Board to either endorse or oppose the legislation. Mr. Kennedy asked the status of the bill at this time.

Mr. Bryant was called into the meeting to update the members regarding H.3781. He stated that it had been filed in May by Rep. Jim Harrison. Since that time, LLR has solicited comments and opinions from the Boards and Commissions, professional organizations, and industry leaders. In response to issues and concerns with parts of the legislation, the bill is going to be withdrawn in January and a new version submitted.

The members agreed to review the new version of the bill when it is available and address the matter at the January 2006 meeting.

Budget Review – Barbara Derrick

Ms. Derrick presented the members with budget information for fiscal years 2001 through 2005. She explained that historically, smaller boards such as the Board of Registration for Geologists do not generate enough revenue to cover expenses. LLR has recently made changes, some of which are already in effect, to reduce expenses of the smaller boards. These changes include the way the cost of certain services within LLR, such as investigations, administration and legal counsel, are charged back to each board or commission.

Mr. Terry expressed concern that he had been of the understanding that the Board was operating in the black, when in fact, they have been in a deficit. Dr. Warner asked Ms. Derrick how much the changes being implemented would improve the Board's financial situation. Ms. Derrick answered that she could not say for certain and preferred not to estimate, but would be glad to attend the January meeting and give another report to the members.

The members agreed to wait until the January meeting to hear further from Ms. Derrick about the Board's budget.

Executive Session

Dr. Ichimura moved the Board enter Executive Session to review the ASBOG scores. Dr. Warner seconded the motion and it carried.

Return to Public Session

Dr. Ichimura moved to return to Public Session. Dr. Warner seconded the motion, which carried.

Mr. Terry noted that no motions were made and no votes taken in Executive Session.

ASBOG Scores

MOTION

Mr. Kennedy made a motion, seconded by Dr. Warner, to accept the ASBOG scores. The motion carried.

New Business

Applicants for Licensure via Examination

Peter W. Bayley

Mr. Bayley has passed both ASBOG exams. He holds a B.S. degree in geology from Oklahoma State University. His file is missing one professional reference.

Mr. Terry noted that Mr. Bayley's file does not include a reference from his employer.

Dr. Warner made a motion to send a letter to Mr. Bayley that his scores cannot be released until the additional professional reference is received. After a brief discussion, there was no second and the motion was withdrawn.

MOTION

Dr. Ichimura moved Mr. Bayley be notified that his scores will be held until receipt of the additional reference, and to approve his application upon receipt of the professional reference. Dr. Warner seconded the motion, which carried.

Victor E. Millings III

Mr. Millings received a B.S. degree from the College of Charleston. He also holds an M.S. from the University of Georgia. His file is complete and he has passed both exams.

MOTION

Mr. Kennedy moved to approve Mr. Millings' application. Dr. Ichimura seconded the motion and it carried.

Anton J. Dumars

Mr. Dumars holds a B.S. degree from the College of Charleston and an M.S. from Louisiana State University. His file is complete and he has passed both exams.

MOTION

Dr. Ichimura made a motion to approve Mr. Dumars' application. Dr. Warner seconded the motion, which carried.

Licensure via Reciprocity and/or Endorsement

Michael J. Burns

Mr. Burns is requesting reciprocity from North Carolina. He holds a B.S. from North Carolina State University. He has passed the ASBOG exam and his file is complete.

MOTION

Dr. Warner moved to approve Mr. Burns' application. The motion was seconded by Mr. Kennedy and carried.

Joanne R. Linder

Ms. Linder is requesting reciprocity from Virginia. She holds a B.S. degree from Radford University and she has passed the ASBOG exam. Her file is complete.

MOTION

Dr. Warner moved to approve Ms. Linder's application. Dr. Ichimura seconded the motion, which carried.

Kurt H. Ness

Mr. Ness is requesting reciprocity from North Carolina. He received a B.S. degree from Kent State University. He passed the ASBOG exam and his file is complete

MOTION

Mr. Kennedy moved to approve Mr. Ness' application. Dr. Warner seconded the motion and it carried.

Joyce M. O'Connor

Ms. O'Connor's is seeking to be licensed via endorsement. She holds a license in Pennsylvania, where she was grandfathered in 1994. She was licensed by education and experience in Indiana in 1995 license, and was licensed in Alabama in 2003 via reciprocity from Pennsylvania. She has a B.S and an M.S. from Pittsburg University. Ms. O'Connor's file is complete.

MOTION

Mr. Kennedy moved to approve Ms. O'Connor's application. Dr. Warner seconded the motion. A discussion ensued regarding the fact that SC has no formal agreement with Pennsylvania. Concerns were raised regarding the need to establish a policy in such cases.

Mr. Terry called for a vote in the matter of Ms. O'Connor's application. The motion was unanimously defeated and the application was not approved.

Board Report on the National Association of State Boards of Geology Meeting

Dr. Ichimura presented a report on the ASBOG meeting, which he attended. He briefed the members on a number of issues discussed at the meeting and also noted that ASBOG was considering including administrators in the next meeting.

Dr. Ichimura will submit a report to ASBOG on behalf of the Board, which will include the pending legislation to eliminate the Board and licensing requirements for geologists in SC. He will also include information as to the range of penalties for licensees in disciplinary matters. Ms. Miles will garner that information for the Board.

Professional Soil Classifier Registration

Mr. Kennedy briefed the members regarding a letter received by the Board concerning soil studies being performed by a certified professional soil scientist. Mr. Kennedy advised the members that the Department of Natural Resources has on their website a list of certified professional soil scientists. Mr. Kennedy noted, however, that there are significant differences in being a professional soil scientist and the North Carolina requirements for being a certified soil classifier.

After reviewing the issues raised in the letter, the members formulated the following response:

The Board views that your PG covers submission of water table monitoring data. Should your client pursue the option of an engineered onsite waste water system, then it would be advisable to contact a SC professional soil classifier. (Note that SC does not certify professional soil scientists.) However, your PG may cover evaluation of soils if it is within your area of practice and expertise. The closest certification to certified professional soil scientist is soil classifier in Title 40 Chapter 65.

Recess

The Board took a brief recess at this time.

Proposed Revisions to Continuing Education Guidelines

Dr. Ichimura explained that he had removed redundant information from the guidelines, as well as historical information that is no longer correct. He also added clarification in some areas. The members reviewed the proposed revisions and recommended some changes. Dr. Ichimura will make the agreed upon changes and present the revised guidelines again at the January meeting.

2006 Meeting Dates

The members reviewed the Board meeting dates for 2006. Dr. Ichimura noted a conflict with the November 30 meeting date and it was changed to December 12.

2003-2005 Continuing Education Audits

Ms. Miles advised the Board that responses had been received from all but four of the licensees who were sent letters requesting documentation of continuing education. She received an email from one licensee requesting an extension to submit the documentation.

MOTION

Mr. Kennedy moved to allow the licensee an additional 30 days to provide documentation of CE. Dr. Ichimura seconded the motion, which carried.

The members reviewed and discussed the CE documentation that was received. Ms. Miles will send letters to those licensees of whom additional information is required. They will be given 30 days to respond. Notification will be sent to those licensees whose CE has been approved. Certified letters will be mailed to the four individuals who failed to respond to the letter requesting documentation, giving them thirty days to respond.

Discussion Items

Mr. Terry noted that the Board had previously decided to produce a newsletter, and the members were to submit a brief bio.

The members briefly discussed criteria to be considered in accepting grandfathered licensees from other states.

Mr. Terry noted that at the August meeting he had requested some very specific budget information, which was not provided at today's meeting. After some discussion, the Board agreed that they would like to see detailed information for the current fiscal year. The members agreed to pursue the matter at the January meeting, when Ms. Derrick presents another report.

Public Comments

There were no public comments during the December 13, 2005 meeting.

Adjournment

There being no further business, the December 13, 2005 meeting of the SC Board of Registration for Geologists was adjourned.