

MINUTES
South Carolina Board of Registration for Geologists
Board Meeting
10:00 A.M., August 24, 2006
Synergy Business Park, Kingstree Building
110 Centerview Drive, Room 111
Columbia, South Carolina

Jason Terry, Chairman, of Charleston, called the regular meeting of the SC Board of Registration for Geologists to order at 10:05 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: Sandra Dickert, Administrative Assistant; Lenora Miles, Administrator; and Linda Owens, Administrative Assistant.

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 May 18, 2006 Meeting Minutes

MOTION

Mr. Kennedy moved the Board approve the minutes of the May 18, 2006 meeting as written. Dr. Warner seconded the motion, which carried unanimously.

Chairman's Remarks – Jason Terry

Mr. Terry stated he would move the agenda as quickly as possible; however, the members or staff should let him know if they have questions or wish to discuss any of the items further.

Administrator's Remarks –Lenora Addison-Miles

Advisory Opinions, If Needed, Sharon Dantzler, Office of General Counsel

Legislative Update, If Needed, Legislative Liaison Office

There were no advisory opinions or legislative update given during the August 24, 2006 meeting.

Ms. Miles presented the members with an updated web site instruction sheet to the Board member website and briefed the members on the web site. She also presented the members with a schedule of activities for the ASBOG annual meeting in Park City, Utah. The meeting will be held from October 30 through November 5, 2006.

Ms. Miles stated there are currently 569 active geologists. She said on August 8, 2006 lapsed license letters were mailed to 62 registrants who have not yet renewed for 2007. She noted that

the next ASBOG exam is scheduled for October 6, 2006 and there are 16 fundamental candidates and 9 practice exam candidates.

The Board briefly discussed the renewal process.

Unfinished Business

There was no unfinished business for discussion.

New Business

Ratification of Mail Ballot – Randall N Lantz

The Board delayed voting on this matter until later in the meeting.

Licensure via Reciprocity and/or Endorsement

a. Dean Randall Brant

On May 9, 2006 the Board received a license application from Dean Randall Brant. Mr. Brant is applying for licensure via reciprocity from North Carolina. Mr. Brant holds a Bachelor of Science Degree in Geology from UNC – Wilmington and a Master of Science Degree in Geology from East Carolina University. Mr. Brant was granted licensure in North Carolina via the ASBOG exam. His file is complete.

MOTION

Dr. Warner made a motion, seconded by Dr. Ichimura and unanimously carried, that the Board accept Mr. Brant's application.

b. Michael Gonshor

On July 24, 2006 the Board received a license application from Michael Gonshor. Mr. Gonshor is applying for licensure via reciprocity from Virginia, where he obtained licensure via the ASBOG exam. Mr. Gonshor holds a Bachelor of Science Degree in Earth Science specializing in Geoscience from the Pennsylvania State University. His file is complete.

MOTION

Dr. Ichimura moved the Board accept Mr. Gonshor's application. The motion was seconded by Mr. Kennedy and unanimously carried.

c. Thomas M. Keller

On July 24, 2006 the Board received a license application from Thomas M. Keller. Mr. Keller is applying for licensure by reciprocity from Georgia, where he obtained licensure via the ASBOG exam. Mr. Keller holds a Bachelor of Science degree in Geology from the New Mexico Institute of Mining and Technology. His file is complete.

MOTION

Mr. Kennedy made a motion, seconded by Dr. Warner and unanimously carried, that the Board accept Mr. Keller's application.

d. Craig L. Kennedy

The Board received a license application from Craig L. Kennedy on June 26, 2006. Mr. Kennedy is applying for licensure via reciprocity from North Carolina. He holds a Bachelor of Science Degree in Geology from North Carolina State University. He obtained licensure via the ASBOG exam.

Mr. Terry noted for the record that this individual was not the board member.

MOTION

Mr. Kennedy moved the Board accept Mr. Kennedy's application. Dr. Ichimura seconded the motion, which carried unanimously.

e. Erin Palko

The Board received a license application from Erin Palko on June 19, 2006. Ms. Palko is applying for licensure via reciprocity from North Carolina, where she passed the ASBOG exam. She holds Bachelor of Science Degree in Geology from the University of Pittsburg and a Master of Science Degree from East Carolina University. Her file is complete.

Ms. Miles stated staff issued a cease and desist order to Ms. Palko, dated August 1, 2006 for representing herself as a professional geologist without being properly registered by the Board, as evidenced by her signature to geologic documents. She further stated the agency's Office of Investigations conducted an investigation in this matter and she did not have the documentation in the case. She noted she did know the geologic documents were related to a particular project.

MOTION

Mr. Kennedy moved the Board table this application until such time further information is received from staff.

f. John M. Palmer

On June 6, 2006 the Board received a license application from John M. Palmer. Mr. Palmer is applying for licensure via reciprocity from North Carolina, where he obtained licensure via the ASBOG exam. He holds a Bachelor of Science Degree in Geology from North Carolina State University. The file is complete.

MOTION

Dr. Ichimura made a motion, seconded by Dr. Warner and unanimously carried, that the Board accept Mr. Palmer's application.

g. Rick Ricci

On June 20, 2006 the Board received a license application from Rick Ricci. Mr. Ricci is applying for licensure via reciprocity from Georgia, where he passed the Georgia state exam. He holds Bachelor of Science Degree in Geology from the University of Southern Mississippi. His file is complete.

MOTION

Dr. Warner moved the Board approve Mr. Ricci's application. The motion was seconded by Dr. Ichimura and carried unanimously.

h. Roger A. Smith

On July 3, 2006 the Board received a license application from Roger A. Smith, who is applying for licensure via reciprocity from North Carolina, where he obtained licensure via the ASBOG exam. He holds a Bachelor of Science Degree in Geology from Marshall University. His file is complete.

Mr. Terry noted that Mr. Smith did not answer the question that asks, 'Have you read and understand the South Carolina Geologist Law and the Rules and Regulations of the Board?' Ms. Miles stated staff would have Mr. Smith answer that question prior to licensure.

MOTION

Mr. Kennedy moved the Board accept Mr. Smith's application. Dr. Ichimura seconded the motion, which carried unanimously.

i. Andrew R. Harrison

On August 7, 2006 the Board received a license application from Andrew R. Harrison, who is applying for licensure via reciprocity from North Carolina where he was licensed via comity with Virginia. He holds a Bachelor of Science Degree in Geology from Clemson University. He passed the Virginia written exam in 1995.

MOTION

Dr. Warner made a motion, seconded by Mr. Kennedy and unanimously carried, that the Board accept Mr. Harrison's application.

Licensure via Reinstatement

a. Frank Hunter Farmer, Jr.

On June 26, 2006 the Board received a reinstatement application from Frank Hunter Farmer, Jr. Mr. Farmer's license lapsed on June 30, 2003. Mr. Farmer has included a notarized statement indicating he has not been engaged in the practice of geology in South Carolina since his license lapsed. He has submitted proof of continuing education requirements and has paid all required fees.

Mr. Kennedy noted that Mr. Farmer did not answer the question asking, 'Have you ever had a professional or occupational license denied, suspended, revoked, surrendered or have you ever been disciplined by the licensing authorities in this or any other state or jurisdiction?' Ms. Owens stated she has spoken with Mr. Farmer in regard to this question since it did not contain the 'lapsed' terminology. She further stated she would have Mr. Farmer answer the question and fax that page of the application to her.

MOTION

Dr. Ichimura moved the Board accept Mr. Farmer's application pending the positive outcome of question ten. Dr. Warner seconded the motion, which carried unanimously.

b. Dean R. McCartney

On August 17, 2006 the Board received a reinstatement application from Dean R. McCartney, whose license lapsed on June 30, 1997. Mr. McCartney has submitted the affidavit indicating he has not engaged in the practice of geology since his license lapsed, paid the required fees, and submitted proof of continuing education.

MOTION

Dr. Warner moved the Board approve Mr. McCartney's application. The motion was seconded by Mr. Kennedy and unanimously carried.

c. Joseph R. Wilson

On June 26, 2006 the Board received a reinstatement application from Joseph R. Wilson. He originally became licensed in South Carolina during 1987; however, staff is unable to ascertain when his license expired. Mr. Wilson has paid a reinstatement fee of \$150. Staff had originally been unable to locate any documentation regarding his license file; however, staff has since been able to locate some of the documentation. The documentation reflects his license may have lapsed June 30, 1993.

Dr. Ichimura suggested staff inform Mr. Wilson of the documentation in the office and unless he has something better then he will have to pay the fees accordingly. He also suggested charging Mr. Wilson the \$1,532.50 fees if necessary.

MOTION

Dr. Ichimura moved the Board approve Mr. Wilson for licensure contingent upon receipt of a notarized statement indicating he has not engaged in the practice of geology in South Carolina since his license lapsed, proof of 32 hours of continuing education, and the appropriate fees from 1993 unless he can prove otherwise. Dr. Warner seconded the motion, which carried unanimously.

Recess

The Board recessed at 10:50 a.m. and returned to public session at 11:05 a.m.

Return to Public Session

Renewal Request

a. *Garey L. Simpson*

On August 10, 2006 the Board received a letter from Gary L. Simpson indicating he has not been able to renew his license for the current year due to poor health and "very limited resources". Mr. Simpson's letter indicates he is not able to pay the late fees at this time and is requesting a waiver of those late fees. The letter was also mailed to the North Carolina Board of Registration for Geologists and the Florida Department of Business and Professional Regulation.

MOTION

Mr. Kennedy made a motion, seconded by Dr. Warner and unanimously carried, that the Board approve a waiver of Mr. Simpson's late fees.

Examination Request

a. *Randall D. Hutchins*

Randall D. Hutchins has applied to take both ASBOG exams (Fundamentals and Practice). He holds a Bachelor of Arts Degree in Earth Sciences from the University of North Carolina-Charlotte.

Ms. Miles stated Mr. Kennedy reviewed Mr. Hutchins' application and asked that the Board review the transcript. Mr. Kennedy stated he denied the application due to the lack of credit hours from the college transcript.

MOTION

Mr. Kennedy moved the Board deny Mr. Hutchins permission to sit for the ASBOG fundamentals exam based on lack of 30 hours of geology credit. Dr. Ichimura seconded the motion, which carried unanimously.

Erin Palko

Ms. Miles stated the Office of Investigations does not have copies of the documents bearing her signature. She went on to say the investigator indicated if Ms. Palko's supervisor had signed the documents as professional engineer there would not have been a problem. She reflected the investigator informed her that Ms. Palko's supervisor is a registered professional engineer. She noted the anonymous complaint regarding Ms. Palko was made on May 25, 2006 and that

the investigator sent a letter to Ms. Palko on June 29, 2006 in regard to having received an anonymous complaint on her.

MOTION

Dr. Warner made a motion the Board approve Ms. Palko's application contingent upon payment of a \$500 fine. Dr. Ichimura seconded the motion, which carried with a majority vote. Mr. Kennedy abstained from voting in this matter.

2007 Proposed Meeting Dates

The Board reviewed proposed meeting dates for 2007 and determined the Board would meet on the following dates.

January 23, 2007
August 23, 2007

May 17, 2007
December 11, 2007

Public Comments

There were no public comments made during this meeting.

Miscellaneous

Ms. Miles noted that 410 geologists renewed licensure on-line. Discussion on license renewals ensued.

Mr. Terry noted he is continuing work on an article for the newsletter and should have the article completed by this weekend.

Uniform Electronic Transactions Act

Mr. Kennedy stated he has heard that the Department of Health and Environmental Control (DHEC) is attempting to accept only electronic submittals of professional geologist applications, which he briefly discussed with Ms. Miles. Ms. Miles stated she has discussed this matter with Ms. Jan Simpson, administrator for the Board of Engineers. She indicated Ms. Simpson received a copy of the electronic transactions law from Ms. Dantzler; however, the law does not yet specifically address electronic seals. She went on to say the law says both parties (the sender and the receiver) must both agree to the electronic submission. The Board discussed electronic transmissions and the Board's position on using electronic submittals for documents. The Board asked that the matter be placed on the agenda for the December 12, 2006 meeting. Mr. Terry asked Dr. Ichimura if he would attempt to draft a policy in regard to the electronic transactions. Dr. Ichimura stated he does not agree that the Board needs a change in policy at this time.

Dr. Ichimura stated the Board had previously discussed working with other states in regard to reciprocity agreement. He further stated he believes one other state had begun working on this matter. He believes the Board should formally acknowledge it.

Mr. Kennedy stated he believes Kentucky had inserted an article in a newsletter listing states with which they had reciprocity agreements. He further stated at that time the Board had no knowledge of being contacted by Kentucky.

Ms. Miles stated she has attempted to contact Kentucky on two occasions and never received a response. She believes Kentucky went through the requirements of other states to come up with that list.

Dr. Ichimura stated South Carolina could do the same if Kentucky and other states were willing to give South Carolina their requirements.

Mr. Kennedy stated the only problem he could foresee would be the registered geologists who were grandfathered in other states.

Randall N. Lantz

Ms. Miles stated Randall N. Lantz submitted an application for registration via endorsement. Mr. Lantz obtained a Bachelor of Science Degree in Geology from the University of Texas-Arlington in 1996. He was registered in Alabama and Texas; however, he was originally licensed in Texas in 2003 based on education and experience. He passed both ASBOG exams in Alabama in March 2006. He was employed with Intercom Services, Inc. of Texas since December 1997. The company was performing work near Gaffney, South Carolina for the Nuclear Regulatory Commission when the South Carolina registered professional geologist left the company. Mr. Lantz was attempting to become registered prior to the Board's August 2006 meeting so the company could proceed with the work. The Board members received a mail ballot, along with an explanation and Mr. Lantz's application, for their decision in this matter. The Board members voted unanimously in favor of approving Mr. Lantz licensure.

MOTION

Dr. Warner moved the Board ratify the mail ballot regarding Randall N. Lantz. Dr. Ichimura seconded the motion, which carried unanimously.

The Board briefly discussed the ASBOG annual meeting to be held October 30 through November 5, 2006. Mr. Kennedy stated he would consider attending the meeting if no other member is planning to attend.

Continuing Education Request

Mr. Kennedy stated the Board has received a continuing education request from Mr. Furr in regard to attending the South Atlantic Well Drillers Jubilee. He further stated the seminar is mixed with continuing education as well as trade shows and professional development. He asked for the Board's opinion prior to making a decision. The Board empowered Mr. Kennedy in making a decision on this matter.

Adjournment

The August 24, 2006 meeting of the SC Board of Registration of Geologists adjourned at 12:35.