

**MINUTES**  
*S. C. Department of Labor, Licensing & Regulation*  
*Board of Registration for Geologists*  
Board Meeting

Tuesday, September 27, 2016, 10:00 a.m.  
SYNERGY OFFICE PARK, KINGSTREE BUILDING, ROOM 204  
110 CENTERVIEW DRIVE, COLUMBIA, S.C. 29210

**NOTE: These minutes are a record of the motions and official actions taken by the Board and a brief summary of the meeting.**

1. **Call to Order** – This meeting is being held in accordance with the Freedom of Information Act by notice emailed to The State Newspaper; Associated Press; WIS-TV and all other interested persons, organizations or news media. In addition, the notice was posted on the Board's website and on the bulletin board at the main entrance of the Kingstree Building. Chuck Gorman, Board Chair was present and called the meeting to Order at 10:10 a.m., with quorum present. Other Board members present were Mark Taylor, Vernon Ichimura, Duke Brantley, and Kevin Ryan joining by phone. Staff present, Wick Stewart, Advice Counsel, Erin Baldwin, Defense Counsel, Sharon Wolfe, Chief Investigator for Office of Disciplinary Counsel, Doris Cubitt, Board Administrator, Kathy Burgess, Administrative Assistant, and Chelsea Buchanan, Administrative Assistant.
2. **Consideration of excuses for absences of Board Members**  
No absent board members
3. **Adoption of Agenda**  
Motion  
Mark Taylor made a motion to adopt the agenda. The motion was seconded by Duke Brantley. The motion carried unanimously.
4. **Approval of Meeting Minutes**  
Motion  
Mark Taylor made a motion to approve the minutes of the June 28, 2016 Board Meeting with no corrections. Vernon Ichimura seconded the motion. Motion carried.
5. **Office of Investigation & Enforcement**  
Sharon Wolfe stated that this year OIE has received two complaints which are pending Board action and have no active cases. Erin Baldwin explained to the Board the process of issuing a Cease and Desist order.  
Motion  
Mark Taylor made a motion to accept the report and approve issuance of the Cease and Desist order. Duke Brantley seconded the motion. Motion carried.
6. **Office of Disciplinary Counsel Report**  
Erin Baldwin stated that at this time there are no pending cases.
7. **Chairman's Remarks – Chuck Gorman**  
Chairman Chuck Gorman stated that he did not have any specific items to mention other than to welcome the Board members and thank them for their participation.
8. **Administrator's Report**

- Doris Cubitt, Administrator for the Board, mentioned that the ASBOG conference has a call in option for an Administrator's meeting and that she and Deana Sneyd may participate by call in.
- Mrs. Cubitt provided the current financial report. She also pointed out that the testing fees in other states had been examined and found that the Board's fees fall in line with other states.
- The Board asked questions about the possibility of making changes to renewal fees and how that could be accomplished. Mrs. Cubitt will look into whether the fees are assessed annually or biannually and what the process would be to have the fees changed.
- Licensee update: there are currently 599 Registered Geologists and 16 Geologists in Training for a total of 615 licensees.

## 9. New Business

### A. Changes to Application Forms/Temporary Registration Application Form

- Chuck Gorman noted that temporary applications come up in cases where a licensed Registered Geologist from another state is coming in to work in South Carolina for only a brief period of time.
- Mrs. Cubitt noted that there is only one form for all types of applicants and that either an option for the temporary permit could be added to the existing application or a separate form could be created for temporary permits.
- The Board discussed what the requirements should be for temporary permit applicants and how to interpret the relevant statutes and regulations.
- Chuck stated that the Board members should take the time until the next meeting to think of what a potential application should include. Vernon Ichimura volunteered to work on changes to the application before the next meeting.

### B. Application Hearing (Lauber, Kenneth GEO #2068)

Mr. Lauber was previously denied a license due to having pled guilty to a felony mail fraud charge in July 2012, which violates provisions of the Registered Professional Geologists Practice Act.

#### Motion

Mark Taylor made a motion to go into Executive Session for legal advice at 10:57 a.m.. Kevin Ryan seconded the motion. Motion carried.

#### Motion

Mark Taylor made a motion to end Executive Session. Vernon Ichimura seconded the motion. Motion carried. It was noted no votes were taken during Executive Session.

#### Motion

Mark Taylor made a motion to take a recess to obtain a copy of the application for the record. Duke Brantley seconded the motion. The motion carried.

#### Motion

Mark Taylor made a motion to end recess. Vernon Ichimura seconded the motion. Motion carried.

#### Motion

Mark Taylor made a motion to go into Executive Session for legal advice. Kevin Ryan seconded the motion. Motion carried.

#### Motion

Mark Taylor made a motion to end Executive Session. Duke Brantley seconded the motion. Motion carried. It was noted that no decision was made during Executive Session.

**Motion**

Duke Brantley made a motion to go into Executive Session for legal advice. Mark Taylor seconded the motion. Motion Carried.

**Motion**

Mark Taylor made a motion to end Executive Session. Vernon Ichimura seconded the motion. Motion carried. It was noted that no decision was made during Executive Session.

**Motion**

Duke Brantley made a motion to approve Mr. Lauber's Geologist license on the conditions that (1) he maintain employment with his current employer, (2) if he changes employment he is to notify the Board within 15 days, (3) his license is suspended immediately upon change of employment and he must appear before the Board so that they may make a decision, and (4) that Mr. Lauber may appear before the Board to petition for removal of these conditions upon completion of his federal probation period on February 19, 2018. Vernon Ichimura seconded the motion. The motion carried. (At this time, the Chairman excused K. Ryan for the remainder of the meeting as he was on state business in Mississippi.)

C. GEO Applications

1. Kyle Lawing

**Motion**

Mark Taylor made a motion to accept the application to sit for the exams. Vernon Ichimura seconded the motion. Motion carried.

D. GIT Applications

1. Bryce Garner

**Motion**

Mark Taylor made a motion to accept the application to take the GIT exam. Vernon Ichimura seconded the motion. Motion carried.

2. Michael Danielsen

**Motion**

Mark Taylor made a motion to accept the application to take the GIT exam. Vernon Ichimura seconded the motion. Motion carried.

E. Endorsement Applications

1. William Kingston

**Motion**

Vernon Ichimura made a motion to accept the application for endorsement. Mark Taylor seconded the motion. Motion carried.

2. English Percy

**Motion**

Mark Taylor made a motion to deny the application because the applicant has not taken an exam equivalent to the ASBOG exam. Vernon Ichimura seconded the motion. Motion carried.

F. Reciprocity Applications

1. Michael Alfieri

**Motion**

Vernon Ichimura made a motion to accept the application for reciprocity. Mark Taylor seconded the motion. Motion carried.

2. Nathan Simmons

**Motion**

Mark Taylor made a motion to defer action on the application until the next meeting while Board staff gathers information concerning terms of reciprocity with North Carolina. Duke Brantley seconded the motion. Motion carried.

3. Alexander Smith

**Motion**

Vernon Ichimura made a motion to accept the application for reciprocity. Mark Taylor seconded the motion. Motion carried.

10. **Public Comment** No Votes may be taken.

11. **Adjournment**

Chairman Gorman called the meeting adjourned at 2:55 p.m.

Respectfully submitted,

Doris E. Cubitt, CPA  
Administrator

Approved at the December 13, 2016, Board Meeting.

A handwritten signature in black ink, appearing to read "Chuck Gorman", written over a horizontal line.

Chuck Gorman, Chair