

MINUTES
S. C. Department of Labor, Licensing & Regulation
Board of Registration for Geologists
Board Meeting
Tuesday, December 13, 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

Chuck Gorman, Board Chair, called the December 13, 2016 meeting to order at 10:03 AM. Other board members in attendance were Duke Brantley, Vernon Ichimura (via teleconference), Kevin Ryan, and Mark Taylor (via teleconference). Also present were Doris Cubitt, Board Administrator; Stacey Hewson (for Hardwick Stuart), Advice Counsel; Erin Baldwin, Prosecuting Attorney with the Office of Disciplinary Counsel; Bridgette Goff, Program Coordinator; Chelsea Buchanan, Administrative Assistant and Cecelia Englert, Court Reporter.

2. Consideration of excuses for absences of Board Members

No board members were absent, but Mark Taylor asked to be excused early. Duke Brantley made a motion for Mark Taylor to be excused at about 11:20. The motion was seconded by Vernon Ichimura. The motion carried unanimously.

3. Adoption of Agenda

Motion

Duke Brantley made a motion to adopt the agenda. The motion was seconded by Kevin Ryan. The motion carried unanimously.

4. Approval of Meeting Minutes

Motion

Kevin Ryan made a motion to adopt the minutes of the September 27, 2016 Board Meeting with corrections already submitted to board staff. Mark Taylor seconded the motion. The motion carried unanimously.

5. Office of Investigation & Enforcement

Doris Cubitt read statement from Office of Investigation and Enforcement that OIE had received two cases as of December 8, 2016, none have been closed through the same date.

6. Office of Disciplinary Counsel Report

Erin Baldwin stated that at this time there are no pending cases but Cease and Desist orders from last board meeting are being drafted and will be sent to Advice Counsel when completed.

7. Chairman's Remarks – Chuck Gorman

Chairman Gorman mentioned his concern about the budget for the upcoming year and whether a fee increase would be necessary, how it affects ASBOG travel and possibly consider required Continuing Ed credits. He welcomed Kevin Ryan and thanked him for his willingness to be a liaison with legislative issues.

8. Administrator's Report

Doris Cubitt stated that budget is currently in the red (\$22,717.42) due to supplies and items over which board has no control. She also stated she had spoken with H. Beeson about raising fees. Chairman Gorman requested Doris Cubitt to present a budget at next board meeting.

With budget presentation at next meeting, Chairman Gorman stated they would consider participation at ASBOG meetings.

Mark Taylor made a motion to allow for participation of a board member at the ASBOG spring meeting without board financial support unless approved at a later time. Kevin Ryan seconded the motion. The motion carried unanimously.

Currently there are 604 active registered geologists and 19 geologists in training.

9. Old Business

(SEE REVERSE)

- A. Review of Kenneth Lauber Consent Order
Advice Counsel, Stacy Hewson (sitting in for Hardwick Stuart), read that per consent order Lauber was to be employed as condition to be licensed. Since that consent order, Lauber had left that original employment and was now employed at a different firm. The issue is if Lauber's new employment will meet the board's conditions for licensure.

Motion

Vernon Ichimura made a motion to go in to Executive Session. Kevin Ryan seconded the motion. The motion carried unanimously.

Executive session began at 10:33

Motion

Kevin Ryan made a motion to come out of Executive Session. Duke Brantley seconded the motion. The motion carried unanimously. No votes were taken during Executive Session.

Executive session ended at 11:04

Motion

Kevin Ryan made a motion to direct board staff to contact Lauber's new employer to verify that his work will be sufficiently peer reviewed by a licensed PG, that any response be signed by a principal or officer of the company and appear on company letterhead. Duke Brantley seconded the motion. Mark Taylor raised an objection that the directive should be sent to the applicant not the company and Vernon Ichimura concurred that the directive should be sent to the applicant instead of the employer. After further discussion, the consensus was that it is the responsibility of the applicant to procure required documentation. Mark Taylor recused himself from the vote due to his former professional association to the applicant and because the applicant had contacted him during this process. Kevin Ryan amended the motion to direct board staff to send to a letter Mr. Lauber requesting that he 1) have his employer to verify that they have received a copy of the public order; 2) his work will be sufficiently peer reviewed by a licensed PG, and; 3) that any response be signed by a principal or officer of the company on company letterhead. Duke Brantley seconded the motion. The motion carried unanimously.

Motion

Kevin Ryan made a motion to amend the public order that the applicant shall maintain employment with his current firm as of the date that the verification letter is received by staff. Duke Brantley seconded the motion. The motion carried unanimously.

Mark Taylor was excused from the meeting at 11:20 to attend to a prior commitment. He stated that he had reviewed all applications for action and has no questions but also stated the application for Cox seemed very complicated.

- B. Review of Reciprocal Agreements
Currently North Carolina, Georgia and Virginia are reciprocity states. Kevin Ryan asked if reciprocity agreements needed to be updated since they were last updated in 1992. Vernon Ichimura stated his belief that in practice there had not been any issues and that at this time the board should not make any changes to the reciprocity agreements. Duke Brantley raised the question if geologists from other states were up-to-date on seismically active issues.

Motion

Vernon Ichimura made a motion to table this discussion until the next meeting when Mark Taylor could have input. Kevin Ryan seconded the motion. The motion carried unanimously.

10. New Business

- A. Scores from September 2016 ASBOG FG and PG Exams
FG: Four passed, four failed
PG: One passed, one failed
- B. Temporary Registration Application Discussion
Vernon Ichimura shared his thoughts to simplify the application, verifying the applicant is licensed and in good standing and have passed the ASBOG exam. Chuck Gorman stated that the same requirements for endorsement

could apply here. Kevin Ryan asked the purpose of temporary registration to which Chuck Gorman stated it was to relieve the burden of completing a full application for a short-term project, usually six months or less.

Motion

Kevin Ryan made a motion that staff draft a document based on Vernon's changes for review at next board meeting and language proposed for the board website for temporary registration. Duke Brantley seconded the motion. The motion carried.

Doris asked if the board would want to devise a checklist for the temporary registration application that could then allow chairman to approve an application without having to have a full board meeting.

C. GEO Applications

1. John Freeze

Motion

Kevin Ryan made a motion to accept the application to sit for the FG and PG exams. Duke Brantley seconded the motion. Motion carried

2. Ronn Beebe

Motion

Vernon Ichimura made a motion to accept the application to sit for the FG and PG exams. Duke Brantley seconded the motion. Motion carried.

D. GIT Applications

1. Julianne Surma

Motion

Kevin Ryan made a motion to accept the application to sit for the FG exam. Duke Brantley seconded the motion. Motion carried.

2. Marian Montgomery Taylor

Motion

Kevin Ryan made a motion to accept the application to sit for the FG exam. Duke Brantley seconded the motion. Motion carried.

E. Endorsement Applications

1. Brett Engard

Motion

Kevin Ryan made a motion to approve the application to license. Vernon Ichimura seconded the motion. Motion carried.

2. Audra Balson

Motion

Kevin Ryan made a motion to approve the application to license pending verification by board staff that Pennsylvania is an ASBOG state. Duke Brantley seconded the motion. Motion carried.

F. Reciprocity Applications

1. Corey League

Motion

Duke Brantley made a motion to approve the application to license pending verification by board staff that reference from Pressley is a Professional Geologist or Professional Engineer. Kevin Ryan seconded the motion. Motion carried.

2. Nathan Simmons

Motion

Chuck Gorman stated applicant met spirit of law. Kevin Ryan made a motion to approve the application to license. Vernon Ichimura seconded the motion. Motion carried.

3. Jeremy Kerly

Motion

Kevin Ryan made a motion to approve the application to license. Duke Brantley seconded the motion. Motion carried.

4. Frank Getchell

Motion

Duke Brantley made a motion to approve the application to license. Vernon Ichimura seconded the motion. Motion carried.

5. Nathan Mohs

Motion

Kevin Ryan made a motion to approve the application to license pending receipt of a reference that is reviewed and approved by chairman. Duke Brantley seconded the motion. Motion carried.

G. Reinstatement

1. John Cox

Motion

Kevin Ryan made a motion to approve the application to license via reciprocity with Georgia pending verification of Georgia license. Vernon Ichimura seconded the motion. Motion carried.

2. James Robert Howell

Motion

Vernon Ichimura made a motion to approve the application to license pending confirmation that applicant completed professional CE to be verified by board chairman. Kevin Ryan seconded the motion. Motion carried.

11. Public Comment (No Votes May Be Taken)

No members of the public were present.

12. Adjournment

The December 13, 2016 meeting was adjourned at 12:43 PM.