

**MINUTES**  
**South Carolina Liquefied Petroleum Gas Board**  
**Board Meeting**  
**10:00 a.m., October 10, 2019 at 10:00 a.m.**  
**Synergy Business Park, Kingstree Building, Room 105**  
**110 Centerview Drive, Columbia, South Carolina**

**Meeting Called to Order**

Chairman, Richard O'Sheal, of Leesville, called the scheduled meeting of the South Carolina Liquefied Petroleum Gas Board to order at 10:07 a.m. Other members participating in the meeting included: John A. Irick, of Orangeburg; Larry Lucas, Jr., of Irmo; and Jerry Tindal, of Pelion.

Staff members participating during the meeting included: Molly Price, Administrator; Shakeria Thomas, Program Assistant; Maggie Castles, Program Coordinator; Hardwick Stuart, Office of Advice Counsel; Shawn Stickle, Chief Deputy State Fire Marshall.

Mr. O'Sheal announced that public notice of this meeting was properly posted at the S.C. Liquefied Petroleum Gas Board office, Synergy Business Park, Kingstree Building and Board website 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.

**Introduction of Board Members and Others**

Board members, Board staff, and members of the public introduced themselves.

**Approval of Excused Absences**

**MOTION:** To approve the absence of Robert Freeman, III and John Butcher. Anthony Segars indicated that he would be late, but did not arrive for the meeting.  
Lucas/Irick/approved.

**Approval of Meeting Minutes**

**MOTION:** To approve the minutes of the August 8, 2019, Board Meeting.  
Tindal/Lucas/approved.

**Chairman's Remarks - Richard O'Sheal**

Mr. O'Sheal welcomed everyone to the Board meeting and thanked them for being there.

**Staff Reports**

Mrs. Price indicated that the Board currently has 245 Dealers, 481 resellers, 33 Installers, 12 transporters, 17 Cylinder Exchange Companies, 5 Utility Plants and 987 Employees. She stated that the number of permitted employees is continuing to rise, and there was a decline in exam enrollment during the summer months, but she anticipates that it will increase. She did not have the pass rates for the

exams, as the method of reporting is being redone, and she will email those numbers to the board members at the end of the week.

Ms. Price reported that she has been participating in the search for a new exam provider and the exams will soon be held at a testing center. Included in the bid was the goal that the provider will take on and review the Reseller exam, and help in developing new Dealer and Installer exams. In the meantime, exams are continuing to be held at LLR, Kingstree Building, Synergy Business Park twice a month, or more as needed.

Ms. Price introduced Maggie Castles as the Program Coordinator II of her new program area. She explained that Ms. Castles will be very hands on with LP Gas, but also work with the Building Codes Council, and specifically the Modular Building Program. Both Ms. Price and Ms. Castles are pursuing the Certified Building Official certification through ICC.

Ms. Price introduced Shakera Thomas for those who did not meet her at the last board meeting. She announced that Janene Grantham left the LP Gas Board and has gone to another group. Faith Howell is assuming Ms. Grantham's responsibilities and is moving from the Contractor's Licensing Board once that Board's renewal period has ended.

At the last meeting the Board voted to approve a vehicle fuel site committee. Ms. Price plans to schedule that for the spring of 2020, and will conduct research in the meantime.

Ms. Price travelled in August to St. Simon's with the South Carolina Propane Gas Association. The meeting was very well put together, and Ms. Price spent time talking to licensees. She thinks the Reseller Guidelines will be helpful to Dealers, and those are available on the LP Gas website.

The next Board meeting is scheduled for March 5, 2020. A copy of the schedule was made available to the board members, and as a reminder, all board and committee meetings are posted on the Board's website.

#### ODC Report – Office of Disciplinary Counsel

Ms. Price reported that there are four open cases, and four pending cases.

#### OIE Report-Office of Investigations and Enforcements

Ms. Price reported that there is one open case and a dismissal for insufficient evidence has been recommended by the IRC committee. There was no physical meeting, and everything was communicated via email. Every member was given a complete copy of the case file to review.

**MOTION:** To approve the IRC report as written.  
Irick/Tindal/approved.

#### **Application Hearing**

- a) Southern Carolina Propane Gas, LLC appeared before the Board for an Application Hearing. They were represented by counsel, John Boyd of Haynsworth, Sinkler and Boyd, P.A. Mr. Eric

Gibson, General Counsel for United Propane Gas, Inc., the parent company for Southern Carolina Propane Gas, LLC, was present to represent the company. Mr. Gibson was sworn in. The hearing was recorded by a certified court reporter in the event a verbatim transcript is necessary.

**MOTION:** To move into executive session to receive legal advice.  
Tindal/Lucas/approved.

Hardwick Stewart noted that he asked LLR General Counsel to attend the executive session.

### **Return to Public Session**

**MOTION:** For the Board to return to public session.  
Tindal/Lucas/approved.

Board Chairman, Richard O'Sheal, noted for the record that no votes or actions were taken while in executive session.

**MOTION:** To approve the application with no restriction of mileage, and service area being defined.  
Lucas/Tindal/Irick abstained/approved.

### **Application Hearing**

a) Twin Rivers Propane Gas, LLC appeared before the Board for an Application Hearing. They were represented by counsel, John Boyd of Haynsworth, Sinkler and Boyd, P.A. Mr. Eric Gibson, General Counsel for United Propane Gas, Inc., was present to represent Twin Rivers Propane Gas, LLC. Mr. Gibson was sworn in. The hearing was recorded by a certified court reporter in the event a verbatim transcript is necessary.

**MOTION:** To approve the application with no restrictions and approve the waiver as requested.  
Lucas/Tindal/Irick abstained/approved.

### **Committee Reports**

No committee reports.

### **Public Comments**

There were no public comments at this meeting.

### **Discussion Topics**

Mr. Tindal stated that the Board needs to address/define "close proximity to area served" and get it on the record, possibly as a regulation. Ms. Price stated that in the future she would like to request a copy of the license and inspection report from that state when the Board received an out-of-state application,

as our inspectors have no jurisdiction to inspect out-of-state facilities. Ms. Price stated that it is possible to change the application if needed. Mr. Lucas and Mr. O’Sheal suggested a committee be formed to address the “close proximity to service area” question. It was suggested that the question “What is your intended service area?” be added to the application. An agenda item will be added for the next meeting to appoint a committee.

**Appeal**

**Motion:** To go into executive session to discuss the appeal before the board.  
Tindal/Irick/approved.

**Motion:** To return from executive session.  
Tindal/Lucas/approved.

**Motion:** To allow Counsel for the Board to settle the matter with Best Propane directly.  
Lucas/Tindal/approved.

**Adjournment**

**MOTION:** To adjourn the meeting.  
Tindal/Lucas/approved.

The October 10, 2019, meeting of the S.C. Liquefied Petroleum Gas Board adjourned at 12:39 p.m.

The next meeting of the S.C. Liquefied Petroleum Gas Board is scheduled for March 5, 2020 in room 105.