

MINUTES
South Carolina Board of Liquefied Petroleum Gas
Board Meeting
10:00 a.m., March 7, 2019
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 Board of Liquefied Petroleum Gas to order at 10:04 a.m. Other members participating in the meeting included: John D. Butcher, of Columbia; Robert Freeman III, of Spartanburg; 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; Johnnie Rose, Program Coordinator; Hardwick Stuart, Office of Advice Counsel; Erin Baldwin, Office of Disciplinary Counsel; Shawn Stickle, Chief Deputy State Fire Marshall; and Todd Bond, Office of Investigations and Enforcement.

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 and Board staff introduced themselves.

Approval of Excused Absences

None absent.

Approval of Meeting Minutes

MOTION: To approve the minutes of the September 6, 2018, Board Meeting.
Segars/Butcher/approved.

Chairman's Remarks - Richard O'Sheal

Mr. O'Sheal welcomed everyone to the Board meeting and stated that he hoped for a good meeting.

Staff Reports

Mrs. Price introduced Johnnie Rose, the new Program Coordinator for the Liquefied Petroleum Gas Board.

The Board currently has 243 Dealers, 477 resellers, 28 Installers, 11 transporters, 17 Cylinder Exchange Companies, 5 Utility Plants and 944 Employees. She stated that permitted employees are up from 884 in September,

The Board will send another newsletter this summer, please let her know if there are items you would like to add.

Mrs. Price informed the Board if they are interested in reappointment to please send a written request to the Governor's Office. Also, Statement of Economic Interest forms are to be completed by all current board members, even if they were recently appointed to the board. Filing the Statement of Economic Interest is required no later than March 30, 2019, 12:00 p.m.

The next Board meeting is scheduled for August 8, 2019. The LPG Alternative Fuel Sites Research Committee will meet next Tuesday, March 12, 2019. As a reminder, all board and committee meetings are posted on the Board's website.

Advisory Opinions, If Needed, Office of Advice Counsel

Mr. Stuart reiterated the importance of completing the Statement of Economic Interest Forms on time.

ODC Report – Office of Disciplinary Counsel

Ms. Baldwin informed the board that she has taken over the ODC responsibilities for the board in the interim while a replacement is found for Daniel Gourley. She assured the Board there would be no lapse in service.

OIE Report-Office of Investigations and Enforcements

Mr. Todd Bond reported that the Board has received three complaints. There is one active case and no cases have been closed.

The IRC committee met on February 26, 2019, four cases were reviewed and the committee recommended one case for dismissal with a Cease and Desist, one case for a formal complaint and two cases to be issued letters of caution. Mr. John Irick recused himself from voting on the IRC report.

MOTION: To approve the February 26, 2019, IRC report.
Segars/Tindal/approved.

Application Hearing

- a) Best Propane Gas, Inc., 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 and Logan Leigh, Safety Operator both of Best Propane Gas, Inc. were sworn in by the court reporter. 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/Irick/approved.

Return to Public Session

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

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

Board Member, Robert Freeman was recused from executive session and did not participate in the disposition of this application.

MOTION: To deny Best Propane Gas, Inc. based on the evidence provided in the application in regards to the accidents and injuries related to the companies of Best Propane Gas, Inc. The Board request additional information in order to consider any waivers or exceptions to the statute.
Lucas/Butcher/approved.

New Business

a) Mrs. Price informed the Board of the ongoing issues of LPG Reseller inspections as stated from the September meeting. To expedite the processing of initial licensure, staff sees the need for an installation checklist to assist dealers with setting up reseller sites. Chief Stickle of State Fire mentioned that he's not opposed to the guidelines; however, the checklist may not be beneficial considering every case could be different.

MOTION: To move to appoint an Installation Guidelines Committee.
Freeman/Irick/approved.

b) Travel approval.

MOTION: To approve travel for the Administrator to attend the SCPGA 2019 Southern Connection Convention on August 11-14, 2019 in St. Simon, GA.
Tindal/Lucas/approved.

Unfinished Business

a) Mrs. Price provided an update about the Board's Reseller Inspection Audit. A random audit was conducted of 26 Reseller locations to check for compliance. The inspections focused on compliance with the codes, as well as employee training documentation. Violations were found upon inspection, and six locations were shut down due to major safety concerns. Four other locations immediately fixed all the issues and fifteen are left for inspection. She informed the board that final inspections would take place in the coming weeks and

locations that do not comply with the audit will be turned over to the Office of Disciplinary Counsel for possible action against their license.

Election of Officers

MOTION: To retain Mr. O’Shield as Chair
Tindal/Butcher/approved.

MOTION: To retain Mr. Butcher as Vice-Chair
Tindal/Irick/approved.

Committee Reports

- a) Examination Review Committee – No Report.
- b) LPG Vehicle Fuel Sties Committee – The committee will meet on Tuesday, March 12, 2019, at 10:00 a.m.

Public Comments

There were no public comments at this meeting.

Adjournment

MOTION: To adjourn the meeting.
Freeman/Tindal/approved.

The March 7, 2019, meeting of the S.C. Liquefied Petroleum Gas Board adjourned at 12:15 p.m.

The next meeting of the S.C. Liquefied Petroleum Gas Board is scheduled for August 8, 2019, in room 105.