

MINUTES
South Carolina Board of Liquefied Petroleum Gas
Board Meeting
10:00 a.m., August 8, 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 10:05 a.m. Other members participating in the meeting included: 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; Shaker Thomas, Program Assistant; Maggie Castles, Program Coordinator; Hardwick Stuart, Office of Advice Counsel; Dara Coleman, Office of Advice Counsel; Erin Baldwin, Office of Disciplinary Counsel; Shawn Stickle, Chief Deputy State Fire Marshall; Nathan Ellis, Assistant State Fire Marshall; and Maurice Smith, 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

MOTION: To approve the absence of Board Members Anthony Segars and John Butcher Tindal/Freeman/approved.

Director's Remarks

Director Farr introduced herself to the Board and briefly discussed the new agency website.

Approval of Meeting Minutes

MOTION: To approve the modified minutes of the March 7, 2019 Board Meeting, that reflects that Freeman recused himself during the Best Propane Gas LLC application & waiver hearing. To approve the minutes of the March 12, 2019 and the June 12, 2019 committee meetings.

Freeman/Tindal/approved.

Chairman's Remarks - Richard O'Sheal

Mr. O'Sheal announced that there needed to be a motion to move item 11 a on the agenda after item 8. Freeman/Tindal/approved.

Staff Reports

Mrs. Price introduced Shakera Thomas, the new Program Assistant for the Liquefied Petroleum Gas Board and Maggie Castles, the Program Coordinator for the Building Codes, Modular Homes, and Manufactured Housing Boards.

The Board currently has 244 Dealers, 479 resellers, 31 Installers, 11 transporters, 17 Cylinder Exchange Companies, 5 Utility Plants and 967 Employees.

Mrs. Price announced that Richard O'Sheal has been reappointed to the Board until November 17, 2021 and informed the Board if they are interested in reappointment to please send a written request to the Governor's Office.

The next Board meeting is scheduled for October 10, 2019.

Advisory Opinions, If Needed, Office of Advice Counsel

No advisory opinions were given during this meeting.

ODC Report – Office of Disciplinary Counsel

Ms. Baldwin announced that she will remain as the attorney for the Liquefied Petroleum Gas Board.

OIE Report-Office of Investigations and Enforcements

Mr. Maurice Smith reported that the Board has received 12 complaints. There are two active cases and two cases have been closed.

The IRC committee met on July 24, 2019. Three cases were reviewed and the committee recommended one case for dismissal and two cases to be issued letters of caution.

MOTION: To approve the July 24, 2019 IRC report.
Tindal/Freeman/approved.

Unfinished Business

To expedite the processing of initial licensure, a committee was appointed to create a Reseller Installation Guidelines Checklist. The committee met on June 12, 2019 to create the guidelines and the board voted that this checklist can be modified at any time per administrator approval.

MOTION: To approve the Installation Guidelines Checklist.
Tindal/Lucas/approved.

Application/Waiver Hearing

a) Best Propane Gas, Inc., appeared before the Board for an Application & Waiver Hearing. They were represented by counsel, Robert Shealy of Haynsworth, Sinkler and Boyd, P.A. Mr. Eric Gibson, General Counsel, was 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.
Irick/Tindal/approved.

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

MOTION: To grant Best Propane's waiver request and approve their application.
Tindal/Irick/approved.

New Business

Mr. Stuart recommended that the Board Chair have the authority to issue cease and desist orders for unlicensed practice.

MOTION: To grant the Board Chair authority to issue cease and desist orders for unlicensed practice.
Tindal/Irick/approved.

Unfinished Business

Mrs. Price stated the committee met on March 12, 2019 to discuss vehicle fuel sites and the definition of a reseller. Mr. Freeman made a motion for Mrs. Price to distribute the materials that have been assembled to all members and discuss at the October meeting. Mr. O'Sheal made a motion to table Mr. Freeman's motion for the time being and to schedule a committee meeting prior to the October meeting.

MOTION: To schedule a Vehicle Fuel Sites Committee Meeting prior to the October meeting.
O'Sheal/Irick/approved.

Public Comments

There were no public comments at this meeting.

Adjournment

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

The August 8, 2019, meeting of the S.C. Liquefied Petroleum Gas Board adjourned at 12:19 p.m.

The next meeting of the S.C. Liquefied Petroleum Gas Board is scheduled for October 10, 2019, in room 105.