

MINUTES
South Carolina Liquefied Petroleum Gas Board
Synergy Business Park, Kingstree Building
110 Centerview Drive
Columbia, South Carolina
July 31, 2025 at 10:00 a.m.

Meeting Called to Order

Chairman, Richard O’Sheal, called the scheduled meeting of the South Carolina Liquefied Petroleum Gas Board to order at 10:02 a.m.

Other board members participating in the meeting included: John ‘Art’ Irick, Jerry Tindal, Anthony Segars, Palmer Keenan, and Larry Lucas.

Staff members participating in the meeting included: Molly Price, Program Director; Meronica Fulton, Board Executive; Jonathan Eversfield, Administrative Coordinator; Ely Grote, Advice Counsel; Robert Elam, Office of Disciplinary Counsel; Maurice Smith, Office of Investigations and Enforcement; Curtis Smith, Chief Deputy State Fire Marshal; Nathan Ellis, Assistant Deputy State Fire Marshal.

The Court Reporter for the meeting was Katherine Boone with Creel Court Reporting, Inc.

Mr. O’Sheal announced that public notice of this meeting was properly posted at the Synergy Business Park, Kingstree Building, and on the 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.

Approval of Agenda

Mr. O’Sheal noted a continuance request has been granted for Agenda Item 9b. He also noted Agenda Item 10a has been canceled, as the applicant was able to provide sufficient documentation for licensure. These items will be removed from the agenda.

Motion:

Mr. Segars made a motion to approve the July 31, 2025 meeting agenda, as amended. Mr. Irick seconded the motion, which carried unanimously.

Introduction of Board Members and Others

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

Approval of Excused Absences

All board members were present.

Approval of Meeting Minutes

Motion:

Mr. Lucas made a motion to approve the minutes from the April 24, 2025, Board Meeting. Mr. Irick seconded the motion, which carried unanimously.

Chairman’s Remarks – Richard O’Sheal

Mr. O’Sheal welcomed everyone and thanked them for attending the meeting.

Staff Reports

Board Executive Report – Meronica W. Fulton

Ms. Fulton went over the licensure statistics and PSI examination reports that were included in the board meeting materials. She stated that there are currently 227 licensed dealers, 55 licensed installers, 470 licensed resellers, 10 licensed transporters, 2 licensed utility plants, 15 licensed cylinder exchange facilities, and 874 permitted employees. She stated that since the Board's meeting on April 24, 2025, there have been 70 total exam attempts.

Ms. Fulton advised the board that 40 reseller inspections and 10 dealer inspections will be conducted in September as part of the 2025 inspection and employee training audit. Board staff has provided the State Fire Marshal's Office with a list of the 50 audited sites, and staff will enter the inspection requests for Chief Deputy Smith to assign to the deputies by August 15, 2025.

Ms. Fulton advised the board that the next scheduled meeting is October 2, 2025.

Office of Investigations and Enforcement (OIE) Report – Maurice Smith

Mr. Smith presented the OIE Report for informational purposes only. He stated that 79 complaints had been received from January 1, 2025, through July 23, 2025. Mr. Smith reported there are 2 cases for active investigations, 74 closed cases, and 3 cases pending other action.

Investigative Review Conference (IRC) Report – Maurice Smith

Mr. Smith reported that there were no cases to report for review or to take action in this quarter.

Office of Disciplinary Counsel (ODC) Report – Robert Elam

Mr. Elam directed board members to the ODC report provided in the meeting materials, and presented the report for informational purposes only. He reported that as of July 23, 2025, there are 3 open cases in ODC, with 3 cases pending hearings and agreements. He reported that 3 cases have been closed since the last report on April 17, 2025, and 8 cases have been closed since January 1, 2025.

Disciplinary Hearings

Case No(s): 2024-26

The hearing was conducted in closed session with Robert Elam representing the State. All persons testifying were sworn in by the court reporter. The hearing was recorded by a certified court reporter in the event a verbatim transcript is necessary. The respondent was present and was not represented by an attorney.

Motion:

Mr. Segars made a motion to go into Executive Session for legal advice. Mr. Irick seconded the motion, which carried unanimously.

Motion:

Mr. Tindal made a motion to come out of Executive Session. Mr. Lucas seconded the motion, which carried unanimously.

It was noted for the record that no votes were taken while in executive session.

Motion:

Mr. Lucas made a motion to find a violation of S.C. Code Sec. 40-82-260/40-82-120(2) only and to issue a non-disciplinary Letter of Caution to the Respondent. Mr. Segars seconded the motion, which carried unanimously.

Case No(s): 2025-2

This matter came before the board to consider a proposed consent agreement. The hearing was conducted in closed session. The hearing was recorded by a certified court reporter in the event a verbatim transcript is necessary. Robert Elam represented the State and presented the proposed consent agreement. The respondent was not present.

Motion:

Mr. Lucas made a motion to go into Executive Session for legal advice. Mr. Segars seconded the motion, which carried unanimously.

Motion:

Mr. Tindal made a motion to come out of Executive Session. Mr. Irick seconded the motion, which carried unanimously.

It was noted for the record that no votes were taken while in executive session.

Motion:

Mr. Segars made a motion to reject the Consent Agreement. Mr. Irick seconded the motion, which carried unanimously.

The meeting resumed in open session.

New Business

Creation of Exam Review Committee for Review of Dealer/Installer and Reseller Exams

Ms. Fulton provided board members with an overview of the exam statistics and made a recommendation to the Board that a committee be created to engage in further discussion to see if any revisions need to be made to the current exams.

Ms. Price discussed concerns with the reseller exam pass rate being too high and that some questions within that exam may potentially be compromised. The exam review committee would meet to go through the exam questions in order to determine how some questions could be re-written. She suggested that the Committee would be composed of subject experts David Donahue and Eric Taylor, State Fire Marshal representatives Nathan Ellis and Curtis Smith, along with Board Staff and one or two Board Members. Mr. Irick, Mr. Keenan, and Mr. Segars offered to serve on the committee.

Motion:

Mr. Segars made a motion to form an exam review committee for the purpose of reviewing the Dealer/Installer and Reseller exams that are required for licensure, with the membership as suggested and noted above. Mr. Tindal seconded the motion, which carried unanimously.

Old Business

Review and Discussion: Enforcement of Section 40-82-270 During a Declared State of Emergency

Ms. Fulton and Ms. Price provided Board Members with an overview of this matter and prior discussions. The Board engaged in further discussion regarding the exercise of enforcement discretion of SC Code Section 40-82-270 during a declared state of emergency/emergency situations.

David Donahue, Director of Code Compliance for the Southeast Propane Alliance (SEPA), also engaged in discussion on this topic with the Board Members.

Motion:

Mr. Keenan made a motion to go into Executive Session for legal advice. Mr. Lucas seconded the motion, which carried unanimously.

Motion:

Mr. Segars made a motion to come out of Executive Session. Mr. Tindal seconded the motion, which carried unanimously.

It was noted for the record that no votes were taken while in executive session.

Motion:

Mr. Keenan made a motion to grant the authority to the Board Chair to allow enforcement discretion in States of Emergency. Mr. Irick seconded the motion, which carried unanimously.

Board members engaged in a discussion on the previous motion.

Amended Motion:

Mr. Keenan made a motion to supersede his previous motion; he moved to authorize the Board Chair to implement enforcement discretion during a catastrophic event. Mr. Lucas seconded the motion, which carried unanimously.

Mr. Irick requested that a new business item be added to a future meeting agenda involving a discussion on Dealer notifications of lapsed Resellers during renewals.

Public Comments

There were no public comments.

Adjournment

Motion:

Mr. Segars made a motion to adjourn. Mr. Irick seconded the motion, which carried unanimously.

The meeting adjourned at 1:19 p.m.

The next Board Meeting is scheduled for October 2, 2025.