

MINUTES
South Carolina Liquefied Petroleum Gas Board
Board Meeting
October 4, 2017 at 10:00 a.m.
Synergy Business Park, Kingstree Building
110 Centerview Drive, Room 105, Columbia, South Carolina

Call to Order

Richard O'Sheal, Chairman, called the meeting to order at 10:06 a.m. Other members attending the meeting included John Butcher, vice chairman (via phone). Rob Freeman, John Irick, Larry Lucas, Anthony Segars, and Jerry Tindal.

Staff members present included: Molly Price, Administrator; Hardwick Stuart, Office of Advice Counsel; Holly Beeson, Office of Communications and Governmental Affairs; Nathan Ellis, Assistant State Fire Marshal; Shawn Stickle, Chief Deputy State Fire Marshal; Dylan Sitterle, Project Coordinator, Office of Professional and Occupational Licensing; and Sandra Dickert, Administrative Assistant.

Members of the public attending the meeting included: Eric Taylor, of Ferrellgas; Corky Clark, of SC Propane Gas Association; and Nadine Garrett, Creel Court Reporting.

Statement of Public Notice

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

All present recited the Pledge of Allegiance.

Introduction of Board Members and Others

The board members and other persons attending the meeting introduced themselves.

Approval of Excused Absences

All board members were present.

Approval of Meeting Minutes – December 15, 2016

MOTION

A motion was made and seconded the board approve the minutes as published. Freeman/Segars/carried unanimously.

Board Chairman's Remarks – Richard O'Sheal

Mr. O'Sheal stated the board is entering a new era and he is looking forward to working with the LLR staff.

Staff Reports

a. Administrator's Report – Molly Price

Ms. Price stated she is the administrator for six boards. Those boards being Environmental Certification, Foresters, Landscape Architects, Soil Classifiers, Pyrotechnic Safety, and the LP Gas Board.

In future meetings Ms. Price will be informing the board of exam statistics and financial reports.

Ms. Price stated staff is proposing March 22, 2018 and September 6, 2018 as meeting dates for the coming year.

Ms. Price stated that she will explain how staff handles renewals as a later agenda item.

b. Advisory Opinions (if needed), Office of Advice Counsel – Hardwick Stuart
There were no advisory opinions given during this meeting.

c. Legislative Update – Holly Beeson, Counsel to the Office of Communications and Governmental Affairs

Mrs. Beeson briefed the board regarding the duties and responsibilities of the Office of Communications and Governmental Affairs. She also discussed making changes to the board's regulations to move the board into a standalone regulation to include LLR staff as well as the State Fire Marshal. The regulations would broaden explanations of the board's statute

Mrs. Beeson stated the State Fire Marshal's office has a draft to change the regulation which will assist the board to function as other boards do. She also stated the fees are posted on the board's website; however, the fees are not listed in the regulations.

Executive Session

MOTION

A motion was made and seconded the board enter executive session to seek legal advice and that LLR and Fire Marshal's staff be allowed to remain with the board during executive session. Tindal/Irick/carried unanimously.

Return to Public Session

MOTION

A motion was made and seconded the board return to public session. Segars/Irick/carried unanimously

Mr. O'Sheal announced no votes were taken during executive session.

New Business

a. Establishing Fees in Regulation 10-20

MOTION

A motion was made and seconded to table establishing fees in Regulation 10-20. Irick/Tindal/carried unanimously

b. Regulatory Review Pursuant to Executive Order 2017-19

Mr. Wick Stuart, board counsel, has prepared the following language in response to Governor McMaster's Executive Order 2017-19.

As of September 2017, the day-to-day administrative duties have been transferred to the Office of Board Services within the Department of Labor, Licensing and Regulation. Currently, the liquefied petroleum gas regulations are under the regulations of the Office of the State Fire Marshal at S.C. Code Regs. 71-8304.1 through 71-8304.5. The Board will promulgate new regulations pursuant to S.C. Code Ann. §§ 40-82-60 and 40-82-70(A)(3).

MOTION

A motion was made and seconded to accept the language prepared by Mr. Stuart. Irick/Tindal/carried unanimously

c. Review of 2018 Renewal Timeline and Establishing Late Renewal Period

Mrs. Price state the initial applications will soon be placed on the Board's website and renewal applications will be made available in late March 2018. All current licensees will be notified of renewal by e-blast and post card notifications. Staff will be as informative as possible regarding renewals. She also stated that payments will be processed as they are received and they would not hold credit cards and checks.

Discussion ensued regarding the \$100.00 late fee, including how long should the late fee be in place.

MOTION

A motion was made and seconded the board give a working guideline to the Administrator, stating that a licensee/ permit holder may be charged a \$100.00 late fee July 1-August 31st of each license renewal year, in addition to the biannual renewal fee. After August 31st, the individual must complete an initial permit application and complete the test to become licensed. Freeman/Segars/carried unanimously

d. Appointment of Examination Review Committee

MOTION

A motion was made and seconded an exam review committee be appointed to include: John Irick, board member, Rob Freeman, board member, Mr. Clark, Director of the LP Gas Association, LLR staff (Dylan Sitterle, Molly Price), Nathan Ellis, of Fire and Life Safety and Shawn Stickle, of Fire and Life Safety.

Election of Officers

Mr. Butcher opened the floor for nominations.

Chairman

NOMINATION

A nomination was made and seconded to re-elect Richard O'Sheal. Irick/Freeman/carried unanimously

Vice Chairman

NOMINATION

A nomination was made and seconded to re-elect John Butcher. Irick/Freeman/carried unanimously

Discussion Topics

No discussion topics for this meeting.

Committee Reports

There were no committee reports given during this meeting.

Public Comments

Cork Clark, of SC Propane Gas Association, stated the Association would be happy to publish an article from the Board in its publication.

Adjournment

MOTION

There being no further business to be discussed at this time a motion was made and seconded to adjourn the meeting. Segars/Lucas/carried unanimously.

The October 4, 2017 meeting adjourned at 11:45 a.m.