

MINUTES
South Carolina Board of Pyrotechnic Safety
Board Meeting
February 12, 2025, 10:00 a.m.

Meeting Called to Order

Vice Chairman Joshua Spencer called the meeting to order at 10:00 a.m.

Other members who attended the meeting in person included: Stewart Robertson, David Dumm, and James Jackson.

Board Members who attended the meeting virtually included: Rodney Wyndham. A quorum of the Board was present.

Staff members who attended the meeting included: Molly Price, Program Director; Meronica Fulton, Board Executive; Jonathan Eversfield, Administrative Coordinator; Carolyn Sutherland, Office of Advice Counsel; Robert Elam, Office of Disciplinary Counsel; Curtis Smith, Chief Deputy State Fire Marshal; Nathan Ellis, Assistant State Fire Marshal; Scott Ensminger, Senior Deputy State Fire Marshal; Maurice Smith, Office of Investigations and Enforcement.

Members of the public included: Michael Hughes, South Carolina Fireworks Association; Kit Spires, South Carolina Fireworks Association; and Jerry Wingard, American Fireworks Standard Laboratory.

The court reporter was Nadine Garrett with Creel Court Reporting, Inc.

Public Notice

Mr. Spencer announced that public notice of this meeting was properly posted at the Synergy Business Park, Kingtree Building, and on the Agency's website, and provided to all requesting persons, organizations, and news media in accordance with Section 30-4-80 of the South Carolina Freedom of Information Act.

Approval of Agenda

MOTION: Mr. Dumm mad a motion to approve the agenda of the February 12, 2025, Board Meeting. Mr. Robertson seconded the motion, which passed unanimously.

Introduction of Board Members and Others

Board members and staff introduced themselves.

Approval of Excused Absences

MOTION: Mr. Robertson moved to approve the absence of Kelly Campsen from the Board Meeting due to scheduling conflicts. Mr. Dumm seconded the motion, which passed unanimously.

Approval of Meeting Minutes

MOTION: Mr. Dumm moved to approve the minutes of the February 14, 2024, Board Meeting. Mr. Robertson seconded the motion, which passed unanimously.

MOTION: Mr. Robertson made a motion to approve the minutes of the September 17, 2024, Regulatory Review Committee Meeting. Mr. Dumm seconded the motion, which passed unanimously.

MOTION: Mr. Dumm moved to approve the minutes of the January 22, 2025, Regulatory Review Committee Meeting. Mr. Robertson seconded the motion, which passed unanimously.

Board Chairman's Remarks – Rodney Wyndham

Mr. Wyndham welcomed everyone to the meeting and apologized that he could not be at the meeting in person. He also thanked everyone involved regarding the Regulatory Review Committee process in reviewing the current statutes and regulations of the board.

Staff Reports

Board Executive's Report – Meronica Fulton

Mrs. Fulton discussed the licensure statistics that were included in the Board meeting materials and provided the deadline date that each license/permit will expire. Ms. Fulton informed board members that the Statement of Economic Interest must be filed by March 30, 2025. Mr. Eversfield sent an e-mail with additional information related to the Statement of Economic Interest to board members and requested board members to speak with him after the board meeting if they did not receive it. Mrs. Fulton also reviewed recent changes to the travel reimbursement document process within the Agency.

The next Board Meeting is scheduled for August 20, 2025.

Office of State Fire Marshal – Nathan Ellis

Mr. Ellis introduced himself to the Board and thanked the Board for allowing his team to be involved in the Regulatory Review Committee process.

Office of Investigations and Enforcement (OIE)

OIE Report – Maurice Smith

Mr. Smith reported that between January 1, 2024 and December 31, 2024, OIE received 8 total complaints related to this Board. Of those 8 cases, 1 case is still active and will be voted on during this meeting; there were 7 closed cases. Mr. Smith also reported that from January 1, 2025 through February 12, 2025, there has been 1 complaint filed. There are 0 active complaint cases and 1 closed case.

Investigative Review Conference (IRC) Report – Maurice Smith

Mr. Smith presented the February 12, 2025 IRC Report to the Board members. The IRC recommended 1 case for dismissal.

MOTION: Mr. Dumm moved to approve the February 12, 2025 IRC Report, as presented. Mr. Robertson seconded the motion, which passed unanimously.

Office of Disciplinary Counsel (ODC) Report – Robert Elam

Mr. Elam provided the January 27, 2025, ODC report to the Board members for informational purposes only. There are currently 0 open cases in ODC. Mr. Elam reported that 1 case has been closed since the last report on August 13, 2024, and 0 cases have been closed since January 1, 2025.

New Business

Proposed updates to Title 40 Chapter 56

Ms. Price read the proposed drafted updates to Title 40 Chapter 56 of the current statutes to the Board and explained the proposed statutory changes. This matter has been the subject of multiple Regulatory Review Committee meetings. Board members engaged in discussion regarding the proposed updates. The South Carolina Fireworks Association intends to introduce the proposed statutory changes to Title 40 Chapter 56 during this legislative session.

Ms. Price provided the Board members an approximate timeline for when these updates would be ready to go through the legislative process and explained that the Regulatory Review Committee will begin drafting proposed updates to the Board's Regulations.

It was noted for the record that the Board has no concerns with the South Carolina Fireworks Association moving forward with introducing the proposed statute updates through the legislative process. It was also noted that no votes were taken during this discussion.

Election of Officers

Mrs. Fulton opened the floor for nominations for Chairman of the Board.

MOTION: Mr. Spencer made a motion to nominate Rodney Wyndham as Chairman for the Board. Mr. Robertson seconded the motion which passed unanimously.

Mr. Spencer opened the floor for nomination for Vice Chairman of the Board.

MOTION: Mr. Wyndham moved to nominate Joshua Spencer as Vice Chairman to the Board. Mr. Jackson seconded the motion, which passed unanimously.

Public Comments

Mr. Kit Spires, lobbyist for the South Carolina Fireworks Association, introduced himself to the Board. He offered the Board a more detailed anticipated timeline for getting the proposed statute updates introduced as a Bill in the legislative process.

Mr. Mike Hughes, president of the South Carolina Fireworks Association, introduced himself to the Board and stated that the Association will meet soon in order to have the final draft of the proposed statute updates introduced as a Bill in the state legislature.

Mr. Jerry Wingard, Director of Standards and Compliance with American Fireworks Standards Laboratory (AFSL), introduced himself to the Board and provided industry specific information regarding the proposed statute updates.

Adjournment

MOTION: Mr. Dumm moved to adjourn the meeting. Mr. Jackson seconded the motion, which passed unanimously.

The meeting adjourned at 11:13 a.m.