

MINUTES
SC Board of Pyrotechnic Safety
October 3, 2017, Board Meeting
Kingstree Building, Room 204
110 Centerview Drive, Columbia, SC

Meeting Called to Order

Chairman Rodney Wyndham called the meeting to order at 10:11 a.m. Other members attending the meeting included: Kelly Campsen; Josh Spencer; and Ricky Howell.

Staff members attending the meeting included: Molly Price, Administrator; Sherri Moorer, Program Assistant; Georgia Lewis, Office of General Counsel; Shawn Stickle, Chief Deputy Fire Marshal, Office of Fire and Life Safety; and Nathan Ellis, Assistant State Fire Marshal, Office of Fire and Life Safety.

Others attending the meeting included: Hoyt L. Graham, Jr.; Lionel S. Loffler, Esq.; David Dumm; Keith Ramsey; John Casey; Laci Steele; Steve Elliott; and Nadine Garret (Creel Court Reporting).

Public Notice

Mr. Wyndham said public notice of this meeting was properly posted at the SC Board of Pyrotechnic Safety 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.

Pledge of Allegiance

All present recited the Pledge of Allegiance.

Moment of Silence

Chairman Wyndham called for a moment of silence in honor of the victims of Hurricane Harvey, Hurricane Irma, Hurricane Marie, and Las Vegas, NV.

Introduction of Board Members and Others

Board members and Board staff introduced themselves.

Approval of Excused Absences

Chief Ann Graham is assisting with recovery efforts in Puerto Rico.

Approval of Meeting Minutes

MOTION: To approve the minutes of the August 8, 2017 Task Force Meeting.
Spencer/Campsen/approved.

MOTION: To approve the minutes of the August 9, 2017 Board meeting.
Spencer/Howell/approved.

Chairman's Remarks

Mr. Wyndham welcomed everyone to the meeting.

Staff Reports

Administrator's Remarks

Mrs. Price reminded Board members to make motions clearly, so they can be recorded by the court reporter. Sherri Moorer is filling in for Meredith Buttler, who is on maternity leave. The Board issued 202 annual retailers, four temporary retailers, 24 wholesalers, and 34 display magazines during the annual renewal period. There were no jobbers issued. Reminder notices will be sent to wholesalers who have not applied for 2018 licenses by email in the coming week. The application cut off for New Year's season will be December 15, 2017. Applications received after this date will be subject to the \$200 special processing fee. Reminder notifications will be mailed to 2017 temporary permit holders on October 16, 2017.

There are two vacancies on the Board for the wholesaler and law enforcement seats. The Governor's office is working on the wholesaler vacancy, and encouraged the Board to reach out to law enforcement for candidates.

House Bill 3953 (filed in January 2017), will have the opportunity to be taken up by a sub-committee during the 2018 legislative session.

Chairman Wyndham said he would like to cancel the November 1, 2017, meeting due to all business being covered at today's meeting. Mrs. Price said the next Board meeting will be February 14, 2018, in Room 204.

Application Review Hearing

Atlas Importers, Inc. 2018 Wholesale Distributor License

Hoyt L. Graham, Jr., appeared for an application hearing. Mr. Graham was represented by Lionel Lofton, Esq., of Lofton & Lofton P.C. Chairman Wyndham indicated that he was going to recuse himself from the application hearing, so he asked for a motion to appoint Joshua Spencer as Chairman for this Hearing. Howell/Campsen approved. Chairman Wyndham then recused himself and left the room.

MOTION: To appoint Joshua Spencer as Chairman for the hearing.
Howell/Campsen/approved.

MOTION: To enter Executive Session for legal advice. Howell/Campsen/approved.

MOTION: To exit Executive Session. Campsen/Howell/approved.

Mr. Spencer stated that no votes were taken during executive session.

Mr. Howell said it is Mr. Graham's responsibility to make sure products are sold with safety as a focus in the State of South Carolina, and encouraged him to make sure that Atlas Importers, Inc., is in compliance with state and federal regulations.

Mr. Spencer reminded Mr. Graham that the only issue before the Board is the 2018 Wholesaler application.

MOTION: That Atlas Importers, Inc, be issued a 2018 Wholesale Distributor License on a probationary status, for a period of 12 months. A 2019 license application will be require an application hearing. Howell/Campsen/approved.

Break

The Board took a break from 11:16 – 11:21 a.m.

New Business

Appoint Task Force to Review Current Retail Fireworks Permit Inspection Checklist

MOTION: To appoint a task force to review the current retail fireworks inspection checklist. Howell/Spencer/approved.

Chairman Wyndham and John Casey will serve on the task force. Staff members assisting the task force are Molly Price, Georgia Lewis, and Shawn Stickle.

Executive Session

The Board did not enter Executive Session.

Public Comments

Fireworks Association of South Carolina Legislative Representative.

Mr. Elliott will notify the Board as the proposed legislation in the State House moves forward.

Adjournment

There being no further business:

MOTION: To adjourn. Spencer/Campsen/approved.

The meeting adjourned at 11:27 a.m.