

**SC SOIL CLASSIFIERS ADVISORY COUNCIL  
U.S. FOREST SERVICE  
4931 BROAD RIVER ROAD  
COLUMBIA, SC 29212  
MINUTES OF MEETING  
THURSDAY, APRIL 23, 2009**

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**Members Present:**

Charles M. Ogg  
M. Lance Brewington  
Randall K. Fowler  
Dennis J. DeFrancesco

**Others:**

Sherri F. Moorer, SCDNR  
Chris Fincham, SCDHEC  
Connie Cedar, Foothills Soil Consulting  
Dave Hargett, Consulting Soil Scientist  
Ben Stuckey, Springhill Soil Consulting  
Kevin Thomas, Foothills Soil Consulting

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Chairman Ogg called the meeting to order at 10:05 A.M.

**MOTION:** Motion to approve the minutes of the September 16, 2008 meeting as read was made by Randall Fowler. Dennis DeFrancesco seconded the motion. Council unanimously approved.

**Old Business**

1. Mr. Fowler asked if there has been any response to Tim Coyle's Cease and Desist Letter. Ms. Moorer said the board has not received a response. Mr. Fincham said he has not heard any direct response to this issue, but he did tell the employees in the Wastewater Division that they must be registered if they do soil classifying work outside of DHEC. He requested that they inform him if they hear of any former employees performing these services.

**New Business**

1. Ms. Moorer told council that the SC Department of Natural Resources (DNR) Board proposed to transfer the SC Soil Classifiers Registration Program to the SC Department of Labor, Licensing and Regulation (LLR) at their October meeting. This bill will require a legislative change, and the department is in the process of making a draft copy of the bill to present in the 2010 Legislative Session. The move will provide additional administrative support to the program. Both departments are interested knowing what the registrants think about this potential transfer. They are considering a meeting of the membership in the summer to speak to them directly about the potential benefits this transfer would provide to the program.

Mr. Fowler asked council if they are agreeable to the transfer. While it seems like a positive step for the program, this will open up the law to the possibility of objections or suggestions from people in other professions. Mr. Hargett asked if there was any

resistance to establishing the program with the law was first passed. Mr. Stuckey said the initial plan was to organize the program as licensure for soil scientists, but the engineers objected because there was too much overlap in their professions. They compromised by establishing the program as licensure for soil classifiers. Mr. Fowler said the main criteria for this change would be to maintain the current criteria for licensure. Ms. Moorer told council that LLR wants to change the law to allow the SC Soil Classifiers Registration Program to operate through their department, and to structure the language of their law to read similar to licensure laws for related programs. There are only two other changes proposed in the current draft legislation. The first is to move to biennial license renewals, which LLR is doing with many of their licensure programs. The second is to strengthen the disciplinary procedures for the program. This section would allow the Soil Classifiers to use the Investigation Section with LLR to investigate possible violations of the law.

Mr. Hargett suggested that the soil classifiers talk to their representatives to gain legislative support. The soil classifiers community should also consider any challenges that might come from other groups and try to approach people in those professions. Mr. Fowler agreed that now is the time to start research on this matter. Mr. Thomas also suggested that the soil classifiers contact private professional organizations that offer support to soil classifiers and soil scientists. Luther Smith with ARCPACS is willing to support soil professionals, especially in legislative matters that would strengthen their program. Larry Baldwin with the National Soil Science Society might also be willing to offer support.

2. Mr. Fincham told council that he has been traveling to DHEC field offices to help employees look at soils. He asked the registered soil classifiers to E-mail him when they submit a report to the county offices. He said it could be beneficial because he might pick up on things the county employees miss. Mr. DeFrancesco asked about the DHEC Soil Forms. Mr. Fincham told council that he is getting it formalized. He is in the process of working with the art department at DHEC to digitize the form in a PDF format. He wants the form to have drop down fields, but to also allow for comments or changes to be added. He has talked to Leonard Gordon about hosting meetings to demonstrate the soil forms and to talk about DHEC requirements and what information they are looking for on these forms.
3. Mr. DeFrancesco suggested a few clarifications on the application instructions that are posted to the website. His first suggestion is that a clause should be added under "experience" stating that experience while working toward an advanced degree will count toward the education requirement, not the experience requirement. The second is to add that only complete applications will be reviewed by council, and it is the applicant's responsibility to provide the information needed to process their application. Council agreed that these clarifications should clear up many of the questions they have received from recent candidates and should expedite the process of reviewing applications for licensure.

4. Mr. DeFrancesco told council that the Soil Science Society of South Carolina and DHEC are hosting a field day on May 20, 2009. He is in the process of preparing the final information for this event and will E-mail it to Ms. Moorer when it is complete. Ms. Moorer will forward the information to the SC Soil Classifiers and NC Soil Scientists on her E-mail contact list.

### **Executive Session**

1. A complaint was filed against DHEC regarding the denial of permits for work done by a registered SC Soil Classifier. Council reviewed the documentation provided and determined there was not a violation of the SC Code of Laws or the SC Code of Regulations for Soil Classifiers. Council cannot resolve issues of DHEC approvals; therefore they are closing this complaint.
2. Ms. Moorer asked council if they have ideas for improving the way applications are reviewed. There have been two instances in the past year when an application review was delayed because of insufficient information provided by a candidate. She said the application clarifications will be helpful in curtailing these problems, but wondered if there are efforts that can be made during the review process that would help to prevent misunderstandings between council and the candidates for licensure. Mr. DeFrancesco said it should be made clear to candidates that all questions or concerns regarding the application process should be made through Ms. Moorer. Direct contact between candidates and council members during this process is inappropriate. If a candidate contacts a council member directly, the council member should direct them to Ms. Moorer. Mr. Fowler suggested that candidates should be asked to submit work examples with complete profile descriptions. This is a vital part of the profession, especially if candidates plan to submit work for approval for DHEC permits once they are registered.

### **Review of Candidates**

Council approved candidates for registration as follows:

#### **Professional Soil Classifier:**

1. Kenneth Lee Owens: MS Agronomy 1996 – West Virginia University  
NC Soil Scientist #1134  
SC Soil Classifier #84  
Licensed February 2, 2009
2. Paul Glenn Penninger: Master Soil Science 1995 – NC State University  
NC Soil Scientist #1065  
SC Soil Classifier #86  
Licensed April 24, 2009
3. Robert P. Willcox, Jr.: BS Conservation 1988 – NC State University

NC Soil Scientist #1098  
SC Soil Classifier #85  
Licensed February 23, 2009

**Soil Classifier-In-Training:**

1. Joshua Akeem Reed: BS Plant & Soil Science 2007 – Tuskegee University  
Passed ARCPACS Fundamentals Examination – October 19, 2007  
Passed AL Examination – September 17, 2008  
ARCPACS Certification #37089  
AL Soil Scientist #96  
SC Soil Classifier-In-Training Certification  
February 11, 2009  
Expires February 11, 2011

**Other Business**

1. Next Scheduled Meeting: To be announced.

There being no further business:

**MOTION:** Motion to adjourn was made by Dennis DeFrancesco. Randall Fowler seconded the motion. Council unanimously concurred. The meeting adjourned at 1:10 P.M.