

SOUTH CAROLINA SOIL CLASSIFIERS ADVISORY COUNCIL

Synergy Business Park, Kingstree Building
110 Centerview Drive, Room 105
Columbia, South Carolina 29210
Minutes

Tuesday, March 22, 2011

9:00 a.m.

Called To Order:

Dennis DeFrancesco, Chairman, called the regular meeting of the Soil Classifiers Advisory Council meeting to order at 9:12 a.m. Other members present for the meeting included: Mr. Randall Fowler (Vice-Chairman), Lance Brewington; and Dr. Bill Smith. Dr. Dave Hargett participated by conference call.

Dennis DeFrancesco, Chairman, announced that public notice of the meeting was properly posted on the bulletin boards at the main entrance of the Kingstree Building and by notice mailed to all requesting persons, organizations and news media in accordance with §30-4-80 of the South Carolina Freedom of Information Act.

Staff members participating in the meeting included: Lenora Miles, Administrator; Sherri Moorer, Program Assistant; Steve Freshley, Investigations; and Sheridan Spoon, Legal.

Others present participating in the meeting included: Chris Fincham, Ben Stuckey, and Ray Livingston.

Introduction of Council Members and All Other Persons Attending:

The Council members, staff and other persons attending the meeting introduced themselves.

Approval of Agenda:

Tuesday, March 22, 2011

MOTION:

Mr. Brewington moved to approve the Tuesday, March 22, 2011, agenda. Mr. Fowler seconded the motion, which carried unanimously.

Approval of Minutes:

Thursday, September 30, 2010

MOTION

Dr. Smith moved to approve the Thursday, September 30, 2010, meeting minutes. Mr. Fowler seconded the motion, which carried unanimously.

Office of General Counsel – Hearings

No hearings.

Application Hearings

No hearings.

Administrator’s Remarks for Information:

Legislative Report

Mrs. Moorer said the exemption language for the statute is currently residing in the Senate LCI Subcommittee.

Mrs. Moorer said the Proposed Regulations are scheduled for publication in the March 2011 State Register. The Proposed Regulations are also posted on the soil classifiers website.

Financial Report:

Mrs. Moorer distributed the financial report to the Council Members. There is a cash balance of \$23,850.75 as of February 28, 2011.

Licensure Statistics Report:

Mrs. Moorer said there are currently 54 actively licensed professional soil classifiers in the State of South Carolina. 35 soil classifiers have made use of the online renewal system, and three new licenses have been issued since the September 30, 2010 meeting.

Office of Investigators and Enforcement Report:

Mr. Steve Freshley, Chief Investigator, said there are no complaints filed and no investigations in progress.

Office of General Counsel Report:

Mrs. Moorer said there are no open cases.

Unfinished Business:

Memorandum of Understanding

Mr. DeFrancesco said the Memorandum of Understanding (MOU) between the SC Department of Health and Environmental Control and the SC Department of Labor, Licensing and Regulation has been revised. There are two purposes for the MOU: DHEC will inform Council if they witness unlicensed practice, and Council will inform DHEC if any soil classifier license is revoked.

MOTION

Mr. Brewington moved to adopt the MOU. Dr. Smith seconded the motion, which carried unanimously.

New Business:

Nomination of New Council Members

Mr. DeFrancesco said the terms for Dr. Smith and Mr. Brewington will expire on June 30, 2011.

MOTION

Mr. DeFrancesco made a motion to nominate Dr. Bill Smith to serve a three year term on council from July 1, 2011 – June 30, 2014. Mr. Fowler seconded the motion, which carried unanimously.

MOTION

Mr. Hargett made a motion to nominate Toney Jacobs to serve a five year term on council from July 1, 2011 – June 30, 2016. Dr. Smith seconded the motion, which carried unanimously.

Discussion Topics:

Mrs. Moorer said there was concern over proper interpretation of “comity” licensure. Mr. Spoon said the law allows Council to use discretion in interpreting who is qualified for licensure. Since “comity” is not defined in statute, Council can continue to review applications on a case by case basis. Mrs. Moorer said the “comity” option on the applications indicates whether the applicant is already licensed in another state, or if they are applying for initial licensure in SC. Licensure in another state does not guarantee that a license will be granted in SC. Council would like to continue reviewing applications on a case by case basis to ensure the education, experience, and examination requirements in our law are met before a license is issued.

Public Comments

Mr. Livingston thanked Council for discussing the education, experience and examination requirement in our law during the discussion on comity. He attended the meeting to get clarification on the requirements for licensure and felt this discussion was very helpful.

Date of Next Meeting:

The next meeting of the Council is scheduled for Tuesday, September 20, 2011 at 9:00 A.M in conference room 105.

Adjournment:

Dr. Smith moved the meeting be adjourned. Mr. Fowler seconded the motion, which carried unanimously. The March 22, 2011 meeting of the South Carolina Soil Classifiers Advisory Council adjourned at 10:18 a.m.