

MINUTES
SC Soil Classifiers Advisory Council
Council Meeting
10:00 a.m., March 12, 2013
Synergy Business Park, Kingstree Building
110 Centerview Drive, Room 204
Columbia, SC

Call to Order and Introduction of Council Members and All Other Persons Attending

Chairman Randall K. Fowler called the meeting to order at 10:03 a.m. Council members present included Dennis D. DeFrancesco, Vice-Chairman; and Gene E. Hardee.

Other persons attending included: Jan B. Simpson, Administrator; Sherri F. Moorer, Program Assistant; Debbie Granger, Program Assistant; Darra Coleman, Legal; Christa Bell, Legal; Todd Bond, Office of Investigations; Lance Brewington; Chris Fincham; and Nadine A. Garrett, Creel Court Reporting.

Bill R. Smith was excused due to a medical appointment.

Dave L. Hargett was excused due to a business conflict.

Statement of Public Notice

Mr. Fowler stated that public notice of this meeting was properly posted at the S.C. Soil Classifiers Advisory Council office, Synergy Business Park, Kingstree Building, and provided to all requesting persons, organizations and news media in compliance with §30-4-80 of the South Carolina Freedom of Information Act.

Approval of Minutes

Mr. Fowler asked for proposed changes to the minutes of the September 25, 2012 meeting. There were none.

MOTION: To approve the minutes of the September 25, 2012 meeting. DeFrancesco/Hardee/approve.

Approval of Agenda

Mr. Fowler asked for proposed changes to the agenda for the March 12, 2013 meeting. There were none.

Introduction of Holly Pisarik to Council

Holly Pisarik, Director of the SC Department of Labor, Licensing and Regulation, introduced herself to the Council.

New Business

1. Christa Bell, Todd Bond, and Darra Coleman gave a presentation on the complaint investigation process. Council would like to exercise their authority to recover the cost of an investigation if it goes to a hearing and a fine is imposed. Mrs. Coleman reminded the Council of the invitation to attend a Board Symposium on March 15, 2013, to be held at the Fire Academy from 9:00 a.m. – 12:30 p.m.

2. Mrs. Coleman addressed the Board regarding the Governor's Regulatory Review Task Force. The executive order requesting that all Cabinet Agencies review their laws, regulations, and policies for regulatory burdens on business came from the Governor's office on February 12, 2013. Stakeholders were contacted for comments on March 4, 2013. All Boards must have recommendations to senior management staff by April 15, 2013. The report goes to the Statewide Task Force on May 15, 2013.

The SC Code of Laws, §40-65 were updated in 2010 and the SC Code of Regulations, Chapter 108 were updated in 2012. The public provided feedback on the changes to the statutes and regulations during the drafting phases for these updates, and there have been no complaints regarding the current processes to the Council members or to staff. There were no public comments on the current laws or regulations in place. Council determined that no changes are necessary at this time.

3. Council discussed administrative and staff travel.

MOTION: To authorize staff to attend soil classifier related functions in-state or out-of-state. DeFrancesco/Hardee/approve.

MOTION: To approve council members to attend soil classifier related functions in-state or out-of-state. DeFrancesco/Hardee/approve.

4. Ms. Simpson reminded the Council members to file their statement of economic interest with the SC Ethics Commission by the April 15, 2013, deadline. Mrs. Moorer told Council that a booklet provided by the Ethics Commission is available on the secure website to assist them in filing the report.

Staff Reports

1. Mr. Bond told Council there are no cases in the Office of Investigations.
2. Mrs. Bell told Council there is no report from the Office of General Counsel.
3. Mrs. Moorer reported that there are currently 52 actively licensed soil classifiers in the State of South Carolina. 35 individuals have renewed online to date, and a number of paper renewal forms have been received in the office. License renewals will close on April 1, 2013. Cease and Desist orders will be mailed to individuals that do not renew their licenses and continuing education audits will be conducted in mid-April. Mr. DeFrancesco volunteered to be the consulting Council member for continuing education audits.
4. Mrs. Moorer reported that 2 licenses have been issued since the September 25, 2012 Council meeting. She asked Council how they would like to proceed with reviewing applications. Council discussed the review process and determined that they would like for Mrs. Moorer to post applications to the secure website and allow all members to review applications. Each Council

member will email Mrs. Moorers on whether they vote for staff level approval or request an application hearing. A majority vote will prevail.

5. Financial reports for September 2012 – January 2013 were distributed to Council. The program had a cash balance of \$18,973.39 as of January 31, 2013.

Council Member Reports

1. Mr. DeFrancesco welcomed Mr. Hardee to Council. Mr. Hardee was appointed to serve on council for a five year term of March 1, 2013 – February 28, 2018.

Public Comments

1. Mr. Brewington expressed concerns over restructuring at the SC Department of Health and Environmental Control and asked Council if there's a way for professional soil classifiers to assist with these changes, especially as they relate to Regulation 61-56 (610 standards). Mr. Fincham confirmed that DHEC is restructuring, and comments from the private sector are welcome. Mrs. Coleman told Council there are meetings scheduled on March 12 and March 13 regarding the Governor's Regulatory Task Force Review, and this would be a great opportunity for public input. Council determined they would like to participate in the public meetings and to write a letter to Director Catherine Templeton offering their assistance with the process. Mr. Fowler will work with Mrs. Coleman on drafting this letter.

Notice of Next Meeting

The next meeting of the SC Soil Classifiers Advisory Council will be held on Tuesday, October 8, 2013 at 10 a.m. at the SC Department of Labor, Licensing and Regulation, Synergy Business Park, Kingstree Building, 110 Centerview Drive, Room 204, Columbia, SC.

There being no further business:

MOTION: To adjourn. DeFrancesco/Hardee/approved.

The meeting adjourned at 12:03 p.m.

Respectfully Submitted,



Sherri F. Moorers, Program Assistant