

MINUTES
SC Soil Classifiers Advisory Council Meeting
September 15, 2020 at 10 a.m. by Virtual Video/Teleconference

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

Chairman Fincham called the meeting to order at a.m.

Other members participating included: John Thorp, Vice-Chairman; M. Lance Brewington; and Dennis DeFrancesco.

Staff attending included: Hardwick Stuart, Esq., Office of Advice Counsel; Pam Dunkin, Administrator; Johnnie Rose, Program Coordinator; and Sherri Moorer, Program Assistant.

Others attending included: Melissa Blackwell (Creel Court Reporting).

Statement of Public Notice

Mr. Fincham stated that Public notice of this meeting was properly posted at the S.C. Soil Classifiers Advisory Council office, Synergy Business Park, Kingtree 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. In accordance with the Governor's directives regarding social distancing, the meeting is being held via video and teleconference. Members of the public who wish to attend may do so by telephone or the Internet. For login information, please email Contact.Soil@llr.sc.gov

Approval of Agenda

MOTION: To approve the agenda. DeFrancesco/Thorp/approved.

Approval of Excused Absences

MOTION: To excuse Randall Fowler for medical reasons.
Thorp/Brewington/approved

Chairman's Remarks

Mr. Fincham thanked everybody for participating in the webinar meeting. He hopes everybody is staying safe and healthy.

Approval of Minutes

Mr. Fincham asked for proposed changes to the minutes of the March 10, 2020, meeting.

MOTION: To approve the minutes of the March 10, 2020 meeting. Thorp/DeFrancesco/approved

Administrative Report

1. Mrs. Dunkin gave the Administrative Report:

- The Council staff have been working remotely since March 20, 2020. Operations have continued as normal.

- Virtual meetings are the “new normal” during the COVID-19 crisis. Mrs. Dunkin thanked the Council members for their patience in navigating some technical issues prior to calling the meeting to order. She asked that everybody mute themselves to reduce background noise, and state their name before speaking.
- The Council currently has 44 licensed soil classifiers.
- The Council had a cash balance of –(\$)127,949.16 as of July 31, 2020. A copy of the Cash Report was included in the meeting handouts.
- There are no cases in the Office of Investigations and Enforcement.
- There is no IRC Report.
- There are no cases in the office of Disciplinary Counsel.
- The CSSE Exam on April 17, 2020, was cancelled due to COVID-19. The exams will be administered using IBT (Internet Based Testing) via remote proctoring on November 11 – 18, 2020. The registration deadline is October 9, 2020.
- The proposed regulation changes for the DHEC Onsite Wastewater Program were published in the State Register on August 28, 2020. A copy of the proposed regulations were included in the meeting packets. The public comment period is open through September 28, 2020.
- There are no cases in the Office of Investigations and Enforcement.
- There is no Investigative Review Committee report.
- There are no cases in the Office of Disciplinary Counsel.

Council Member Reports

1. Mr. Thorp said the Council members need to be sure to review the proposed DHEC Onsite Wastewater Program proposed regulation changes, and to submit their comments by the deadline. There are many changes to classifications and standards. One big change is that DHEC will no longer provide perk tests to subdivisions. They are delegating that to the professional soil classifiers. DHEC is backed up four to six weeks on processing permits, and they are encouraging applicants to get an evaluation from a soil classifier to speed up the process. He is aware that David Vaughan is trying to leverage manpower to meet the high demand, and the professional soil classifiers are part of that process.

Mr. Fincham said the workload has picked up, and the council should consider reaching out to other states to see if their licensees are interested in applying for comity licensure in SC to help with the workload. Mr. Stuart said that Chapter 40-65-36(D) allows licensure by reciprocity, which might be a way to encourage professionals from out of state to apply for a license in SC.

Mr. DeFrancesco said there are some good proposals in the draft. One item is that DHEC can change or modify a system design based on a soil classifier, which is a good idea since soil classifiers aren't septic installers. He also proposes that the tired system needs a code of ethics for their licensees.

Mr. Stuart reminded the council members that they should each submit their comments on the proposed DHEC Regulations separately as licensed individuals, and not as a representative or on behalf of the Advisory Council.

New Business

1. **Updates to 2021 Renewals and Continuing Education Due to COVID-19.** Mrs. Dunkin asked the council members if they have heard about issues with obtaining continuing education hours for the upcoming license renewals. None of the council members have heard any comments from licensees in regard to continuing education, however, they are concerned that the licensees are forced to obtain the hours

through webinars now, and that might not be allowed by regulation. Mrs. Dunkin said the Governor issued an executive order that allows Council to make changes or allowances to regulatory requirements during the COVID-19 crisis. Mr. Stuart said the SC Code of Ethics, 108-5(A)(3) does limit the number of self-directed study to ten hours. The Council should consider a motion to relax this restriction to ensure approval of courses for the upcoming license renewal.

MOTION: To remove the limit of hours under self-directed study during the 2021-2023 renewal cycle.
Thorp/DeFrancesco/approved

2. Review of Renewal Applications. Mrs. Dunkin presented the Council members with a copy of the 2019 paper renewal application for review. This form will be updated for 2021, and the online renewal will mimic the paper form. License renewals are scheduled to open on November 1, 2020, with a renewal deadline of January 31, 2021. The Council members did not suggest any changes to the form. An agenda item will be added to the next meeting to address how continuing education audits will be conducted in 2021.

3. Approval of 2021 Meeting Dates.

MOTION: To approve 2021 Meeting Dates of March 16, 2021 and September 14, 2021. Meetings will begin at 10 a.m. and will be held by virtual video/teleconference, until it is safe to return to in-person meetings.
DeFrancesco/Fincham/approved

4. 2021 Election of Officers.

MOTION: To nominate John Thorp as Chairman and Chris Fincham as Vice Chairman.
DeFrancesco/Brewington/approved

Notice of Next Meeting

The next meeting of the SC Soil Classifiers Advisory Council will be held on Tuesday, March 16, 2021, and will begin at 10 a.m.

There being no further business:

MOTION: To adjourn. DeFrancesco/Thorp/approved

The meeting adjourned at 11:23 a.m.

Respectfully Submitted,

Sherri Moorer

Sherri F. Moorer, Program Assistant