

MINUTES

South Carolina Board of Registration for Foresters

**January 18, 2001, 10:00 A.M.
Board Meeting
110 Centerview Drive, Kingstree Building, Room 111
Columbia, SC**

Mr. Don Handley, Chairman, of Florence, called the regular meeting of the S. C. Board of Registration for Foresters to order at 10:00 a.m. with a quorum present. Other members participating during the meeting included: Mr. Raymond L. Boozer, Vice Chairman, of Gilbert; Mr. Fred H. Gantt, of Columbia; Ms. Marietta S. McConnell, of Georgetown; Dr. Larry Nelson, of Clemson; and Mr. Dwight L. Stewart, Jr., of Summerton.

Members of staff participating during the meeting included: Ms. Louann Pyatt, Administrator; Ms. Sharon Dantzler, Deputy General Counsel, LLR-Office of General Counsel; Mr. Parker Boulware, LLR-Office of Administration; Ms. Jackie Carter, Administrative Assistant; and Ms. Sandra Dickert, Administrative Assistant.

Mr. Handley announced the meeting was being held in accordance with Section 30-4-80 of the S. C. Freedom of Information Act by notice mailed to The State Newspaper, Associated Press, WIS-TV and all other requesting persons, organizations, or news media. In addition, notice was posted on the bulletin boards at the two main entrances of the Kingstree Building.

Invocation

Mr. Boozer delivered the invocation.

Pledge of Allegiance

All present recited the Pledge of Allegiance.

Approval of the October 24, 2000 Board Meeting Minutes

Mr. Handley asked if the word 'now' should be the word 'not' on page two under Administrator's Remarks. He also noted that on page four 'CFEs' should read 'CFE audit' and that CAF on the same page should be SAF.

Mr. Stewart moved the board approve the minutes of the October 24, 2000 meeting as amended. Dr. Nelson seconded the motion, which passed unanimously.

Mr. Handley asked Ms. Dantzler to clarify the sentence in the second paragraph on page five regarding the opening of investigative cases. Ms. Dantzler stated the board and staff collaborate to begin the investigation and the board votes to end the investigation. She asked that the sentence be deleted, as it was not necessary to the minutes.

Mr. Stewart moved the board delete the second sentence under Discussion Item on

page five. Dr. Nelson seconded the motion, which passed unanimously.

Chairman's Remarks

Mr. Handley stated he had open-heart surgery in December 2000. He further stated that Mr. Henry Stuckie, of Kingstree, a longtime forester passed away last week. He noted that the annual meeting of ASBORF would be held May 21-22, 2001 in Asheville, NC and would include a brief trip to the Cradle of Forestry.

Administrator's Remarks

Ms. Pyatt stated there are currently 850 licensed foresters. She also stated the exam was administered in December 2000. She noted four individuals took the exam, three passed. She added that two of individuals taking the exam were retakes.

Ms. Pyatt stated the Office of General Counsel and the Office of Communications & Governmental Affairs is currently reviewing the roster for printing.

Ms. Pyatt stated the agency is undergoing a strategic plan that includes reviewing computer system and budget plans. She introduced Mr. Parker Boulware of the Office of Administration and noted Mr. Boulware would be discussing the budget in lieu of Ms. Barbara Derrick.

Board Photographs

A representative from the Office of Communications & Governmental Affairs took photographs of the board to use in the newsletter.

Legislative Update - Misty Goldstein, Legislative Liaison

Mr. Handley stated the bill has been presented to the Senate and to the House of Representatives. He went on to say an agreement of sponsorship has been obtained. He further stated the Senate has no problem with the bill as it was presented last year. However, Representative Bill Witherspoon, of Horry County, who agreed to sponsor the bill in the House has a problem with Section 48-27-30 (E). He said Representative Witherspoon feels that if the bill is passed as it is currently written a county agent cannot tell a private landowner that a field would not be able to grow agricultural crops and he should plant pine trees. He made a couple of suggested changes to this section. He went on to say that if the definition of forestry is changed for clarification, then definition of 'Practice of forestry' would need to be amended.

Mr. Gantt moved the board approve the amended definition of Forestry to read 'Forestry means the science, art, or business of management, utilization or development of forests or forestlands to accomplish a silvicultural objective.' Dr. Nelson seconded the motion, which passed unanimously.

Following a brief discussion regarding Section 48-27-20(4), Mr. Gantt moved to 'strike practice of' and add 'pertaining to'. Evaluation of forest lands, or on-site products, responsibly prescribing... The motion was seconded by Dr. Nelson and unanimously carried.

Section 48-27-20(4) would read: 'Practice of forestry means the application of forestry including, but not limited to:

- (a) consultation designed to guide, persuade, or direct members of the public pertaining to forestry;**
- (b) evaluation of forests or forest lands or on-site products;**
- (c) responsibly prescribing, planning, or supervising silviculture, economic, or other management activities.'**

Ms. Dantzler suggested striking the phrase 'who provide forestry information or services, or both, to the public' and replace it with practice forestry in the second paragraph of Section 48-27-30(E). The sentence would read: 'This chapter also applies to foresters employed by the State or an entity of the State who practices forestry including, but not limited to, foresters employed by the South Carolina Forestry Commission and the Clemson University Cooperative Extension Service, and employees of the Clemson University Forestry Department who are not engaged solely in teaching or research, or both.'

Mr. Gantt moved the board accept the changes to 48-27-30(E). Dr Nelson seconded the motion, which carried with a majority vote. Mr. Stewart voted against the motion and Mr. Boozer abstained from voting.

Mr. Gantt briefly went over concerns he had with language in other areas of the proposed bill. Ms. Dantzler pointed out these concerns now found under the Engine Bill. She noted she would check on the 'other fees', which Mr. Gantt referred to.

Recess

The board took a thirty-minute recess for lunch at 12:15 p.m.

Regular Session

The board resumed its regular session at 12:45 p.m.

Advisory Opinions – Sharon Dantzler, Deputy General Counsel

There were no advisory opinions given during the January 18, 2001 meeting.

Old Business

Review of Budget/Fee Increase – Barbara Derrick, Division of Administration, LLR

Mr. Boulware briefly explained the budget and the proposed fee increases. During the discussion, the board expressed its concerns regarding the proposed fee increase and staff support in investigations and how to explain the fee increases to the foresters.

Mr. Gantt moved the board accept the fee increases subject to the agency providing the board with allocated costs being charged to the board one month prior to the April 17, 2001 meeting. Dr. Nelson seconded the motion. Following a brief discussion, the motion carried unanimously.

Review/Approval of Revised Application

Ms. Pyatt stated the board had reviewed the revised application during the October 24, 2000 meeting, however, the board had asked for more time to review the application in detail. The board noted several recommendations and corrections to the application.

Mr. Stewart moved to accept the revised application as amended. Dr. Nelson seconded the motion, which passed unanimously.

Discussion of Foresters Exam

Ms. Pyatt stated she has located the professor who developed the exam. She further stated she has left a message for Dr. Robert Parks, of Mississippi State, to return her call, however, he has not yet contacted her. She refreshed the board's memory regarding the request from the last meeting. (She had received a program from the State of Mississippi; however, the agency's programmer has been unable to open the program. The board had asked her and Mr. Handley to attempt to locate the programmer from Mississippi to discover the type of program.)

Review/Approval of Disciplinary Process for Board

Ms. Dantzler stated this document was presented to the members at the last meeting for their review. She noted the board tabled the matter to today's meeting so they could review the documents in depth. She went on to say that approximately two-thirds of the boards within LLR now applies this disciplinary process. She further stated that if the board could agree to this type of disciplinary process and approves this document, then they would need to approve a knowledgeable forester, who is not a current member of the board.

Mr. Stewart moved the board accept the disciplinary process as proposed by Ms. Dantzler. Mr. Gantt seconded the motion, which passed unanimously.

Ms. Pyatt stated Mr. Hugh Ryan has now retired from the Forestry Commission. Mr. Handley stated staff might use Mr. Paul Major.

New Business

1. Committee Reports

a) Continuing Foresters Education

Dr. Nelson stated there was no report from this committee.

b) Legislative

Mr. Handley stated the legislative report was discussed under Legislative Update. He noted he plans to meet with Representative Witherspoon in Conway on Monday, January 21, 2001.

c) Newsletter

Dr. Nelson stated there was no report from this committee.

d) Policy, Procedure and Regulation

Mr. Handley stated he would like to see this committee begin work posthaste.

Following a brief discussion, regarding possible meeting dates it was determined the committee would meet at 10:00 a.m., Thursday, February 1, 2001 in room 107 of The Kingstree Building.

Action Items

1. Applications for Registration Approval

a) Phillips, Scott L.

Mr. Stewart moved the board approve Mr. Phillips' application for registration. Mr. Gantt seconded the motion, passed unanimously.

b) Swaynham, Thomas

Following a brief discussion regarding this application, Dr. Nelson moved the board deny Mr. Swaynham's application for registration as a result of insufficient evidence of experience. The motion was seconded by Mr. Gantt and unanimously carried.

c) Nickles, Lang Brandon

Mr. Stewart moved the board approve Mr. Nickles' application for registration. Mr. Boozer seconded the motion, which carried unanimously.

d) Rogers, Brian Edward

Mr. Boozer moved the board approve Mr. Rogers' application for registration. The motion was seconded by Mr. Stewart and unanimously passed.

2. Applications for Reciprocal Registration

Reeves, Todd Ryan

Mr. Stewart moved to approve Mr. Reeves' application for reciprocal registration. Mr. Boozer seconded the motion, which passed unanimously.

3. Applications for Reinstatement

Irvin, Charles Leon

Thomas, Marshall DeWitt

Mr. Boozer moved to approve both applications for reinstatement. The motion was seconded by Mr. Stewart and unanimously carried.

Discussion Items

There were no discussion items during the January 18, 2001 meeting.

Public Comments

No public comments were made during the January 18, 2001 meeting.

Executive Session

There was no executive session held during the January 18, 2001 meeting.

Election of Officers for year 2001

Mr. Handley stated he had asked Mr. Boozer and Mr. Gantt to serve on the nomination committee.

Mr. Boozer presented the board with the following recommendations for the 2001 officers.

**Chairman – Mr. Handley
Vice-Chairman – Dr. Nelson
Secretary – Ms. McConnell**

Mr. Handley pointed out that his term expires during the summer 2001 and that he may not be re-appointed, however, he is willing to serve as chairman for this year.

Mr. Stewart moved the nominations be closed and that the recommended officers be elected by acclamation. Mr. Boozer seconded the motion, which passed unanimously.

Adjournment

There being no further business to be brought before the board, Mr. Stewart moved the meeting be adjourned. The motion was seconded by Mr. Boozer and unanimously carried. The January 18, 2001 meeting of the S. C. Board of Registration for Foresters adjourned at 2:10 p.m.

The next meeting of the S. C. Board of Registration for Foresters is scheduled for 10:00 a.m., April 17, 2001.