

MINUTES

South Carolina Board of Registration for Foresters

**April 17, 2001, 10:00 A.M., Room 108
110 Centerview Drive, Kingstree Building
Columbia, SC**

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

Staff members participating during the meeting included: Ms. Lou Ann Pyatt, Administrator; Ms. Sharon Dantzler, Deputy General Counsel, LLR – Office of General Counsel; 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. Handley delivered the invocation.

Pledge of Allegiance

All present recited the Pledge of Allegiance.

Approval of the January 18, 2001 Board Meeting Minutes

Dr. Nelson noted that on page two the first paragraph under Administrator's Remarks the second sentence had the word 'exam' twice and that the last sentence in the first paragraph on page three should read the Clemson University Department of Forest Resources instead of the Technology Department.

Dr. Nelson moved the board approve the minutes as amended. Mr. Boozer seconded the motion, which carried unanimously.

Chairman's Remarks

Mr. Handley stated the ASBORF meeting is scheduled for May 21 – 22, 2001 and will be held in Asheville, North Carolina. He encouraged all of the members to attend the meeting. He listed some of the events that would be taking place during the meeting.

Mr. Handley stated that Governor Hodges has accepted Mr. Dwight Stewart's resignation from the board. He noted that Mr. Stewart is now the chairman of the Clarendon County Council and is unable to serve on the board while he is in that capacity.

Mr. Gantt thanked Mr. Stewart for his service to the board.

Administrator's Remarks

Ms. Pyatt presented the members with a revised agenda. She noted that Mr. Rushton had been included with the agenda packages mailed to the members but he had not been on the agenda. She further stated that a Request for Review of Employment from the Wiegand Timberland Company had also been added to the agenda.

Ms. Pyatt presented the members with proposed meeting dates for 2002. These dates are as follows: January 10, 2002, April 16, 2002, July 11, 2002, and October 15, 2002.

Dr. Nelson moved the board approve the meeting dates for 2002 as presented. The motion was seconded by Mr. Gantt and unanimously carried.

Legislative Update

Ms. Pyatt stated she did not have a legislative update, as there has been no movement on the bill. Mr. Handley stated the bill has been introduced in the Senate. However, there are two differing opinions and that there would probably be no further movement on the bill this year.

Advisory Opinions

There were no advisory opinions given during the April 17, 2001 meeting.

Ms. Dantzler stated she has not worked on the proposed regulations since the legislative committee meeting. She further stated that a good portion of the regulations was based on the proposed bill which has not been passed by the General Assembly.

Mr. Handley asked for a copy of the minutes from the legislative committee meeting.

Old Business

Review of Budget/Fee Increases

Ms. Pyatt presented the members with a Fact Sheet, dated October 24, 2000, which illustrates how some of the smaller boards were operating prior to restructuring and the advantages of the board being in an 'umbrella' agency. She also presented the members with an expenditure report for fiscal years 1999, 2000 and 2001 and with a document showing revised projected fee increases. She noted that the revised fee increases would put the burden of the cost on the initial applicants and late renewals, which would alleviate some of the increase to individuals who are already licensed.

Following a brief discussion regarding the ten percent transfer to the General Assembly, Mr. Boozer moved the board require staff to prepare a resolution to the Senate Finance Committee and the House Ways and Means Committee to repeal the ten-percent surcharge as an unnecessary tax upon licensees. Dr. Nelson seconded the motion, which carried unanimously.

Mr. Boozer moved the board approve the revised projected fee increases to be effective July 1, 2001 and to rescind the motion from the January 18, 2001 meeting approving the previous fee increases. The motion was seconded by Dr. Nelson and unanimously carried.

Discussion of Foresters Exam

Ms. Pyatt stated staff has been able to secure the exam disk from Mississippi State University regarding the exam. She went on to say Mr. Dwight Hayes has been attempting to open the program with the exam, however, he has been getting error messages and has been unable to get into the program. He has been attempting to contact the individual from Mississippi State University to discuss the problem but has yet been unable to resolve the problem.

New Business

1. Committee Reports

a) Continuing Foresters Education

Dr. Nelson stated the committee had reviewed three points in the continuing foresters education: 1) no changes to the continuing education audit procedures, 2) carrying over excess credit hours and 3) accepting non-residency applications if the exam does not match South Carolina.

Dr. Nelson stated the committee does not feel there is a need to change the continuing education audit procedures at this time.

Dr. Nelson discussed changes to #4000.2. Current policy allows any excess in continuing education may be carried over for more than one year.

Dr. Nelson stated the third change would be to add paragraph D to 4000.3 regarding accepting non-residency applications should another state's exam not match South Carolina's

Following a brief discussion Dr. Nelson moved to accept the changes as proposed by the committee as presented. The changes proposed include: no change to the continuing education audit procedures, carrying over excess credit hours and accepting non-residency applications.

Ms. Pyatt informed the board that the change to allow excess carry over on continuing education credits would require a legislative change to the regulations.

Dr. Nelson amended the motion to exclude the change to the carry over policy. The motion was seconded by Mr. Gantt and unanimously carried.

At this time the board discussed the applications for examination.

Applications for Examination

Bradley, Thomas S.

Mr. Bradley has an associate's degree in Forestry Management Technology from Horry-Georgetown Technical College. His work experience includes two years and two months as a procurement representative with Canal Wood, LLC (from February 1, 1999 – present) and four years (February 14, 1995 – January 29, 1999) as procurement specialist at Smurfit-Stone Container Corporation. He has references from three registered foresters and two professional references. He has no arrest record.

Following questions from the board, Mr. Boozer moved the board approve Mr. Bradley's application for examination. Dr. Nelson seconded the motion, which was disapproved with a majority vote.

Rushton, Shane Jeffrey

Mr. Rushton has an associate's degree in Forestry Management Technology from Horry-Georgetown Technical College and his work experience includes one year and four months as a procurement forest technician with Elliott Sawmilling Company, Inc. and six years and five months as a technician at Shaw, McLeod, Belser and Hurlbutt, Inc. He has references from five registered foresters and no criminal record.

Following questions from the board, Dr. Nelson moved the board accept Mr. Rushton's application for examination. Mr. Boozer seconded the motion, which carried unanimously.

Lunch

The board recessed for lunch at 12:15 p.m. and returned to public session at 1:30 p.m.

Return to Public Session

b) Legislative

Mr. Handley stated he met by phone and in person with Representative Witherspoon, Mr. Dwight Stewart and Mr. Bob Scott regarding the proposed legislation. He further stated Mr. Stewart had indicated he would oppose the bill unless anyone who buys timber be licensed. He indicated that following the meeting with Representative Witherspoon he, Mr. Stewart and Mr. Scott further discussed the bill but they were unable to resolve their differences regarding licensure. He indicated the bill will not be introduced in the House due to the conflict.

c) Newsletter

Dr. Nelson stated there has not been a lot done on the newsletter. The board determined that the newsletter should include remarks by the chairman, an article regarding change in fees, an article regarding new board members, an article concerning how to file a complaint, an article concerning recent board actions and an article regarding modifications of continuing forester's education. Mr. Handley feels a photograph of the board could also go in the newsletter. The deadline for the articles is May 25, 2001.

d) Policy, Procedure and Regulation

Mr. Handley stated the current regulations are in bad shape, however, the committee has a good start on getting them updated.

Applications for Registration Approval

Hane, John Bell

Mr. Hane received a Bachelor's Degree in Forestry from Clemson University and has two years of experience as a consulting forester with Milliken Forest Company, Inc. He has included references from five registered foresters and passed the exam in December 1999. He has no criminal record.

Murph, Leon A.

Mr. Murph received a Bachelor's Degree in Forestry from Clemson University and has nine months experience as a field representative with Canal Wood Corporation and one year and three months experience as a forester with International Paper. He has included references from five registered foresters and passed the exam in March 2000. He has no criminal record.

Mr. Boozer moved the board approve Mr. Hane's and Mr. Murph's applications for registration. The motion was seconded by Dr. Nelson and unanimously carried.

Applications for Reciprocal Registration

Rutland, John W. III

Mr. Rutland has been registered with North Carolina since May 1987 and is currently registered through June 30, 2001. He was registered by reciprocity with Georgia. Mr. Rutland received a bachelor's degree in forestry from North Carolina State University. He is the owner and president of WNC Forestry Services, Inc., located in North Carolina and has been since April 1990. He has included references from three registered foresters and two professionals. He has no criminal record.

Settles, Glen

Mr. Settles has been registered with Georgia since March 1998 and is current through December 31, 2001. He has two years of education in forestry from Waycross Ware Technical College. He has one and one-half years experience as a field supervisor with FCW Forestry and four years and ten months of experience as district forester with Stone Container Corporation. He has included reference from five registered foresters and has no criminal record.

Cockrell, Steven Paul

Mr. Cockrell has been registered in Georgia since July 2000 and is current through December 31, 2001. He has an associate's degree in Agriculture/Forest Management Technology from Horry-Georgetown Technical College. He has two and one-half years of experience as a forester with Canal Forest Resources, Inc. He has included references from five registered foresters and has no criminal record.

Bryant, Coley A.

Mr. Bryant has been registered with Georgia since January 1997 and is current through December 31, 2001. He has a bachelor's degree in Forest Resource from the University of Georgia and has five years of experience as CEO and President of Flatwoods Forestry Services, Inc. He has references from two registered foresters, one forester and three professionals. He has no criminal record.

Dr. Nelson moved the board approve the reciprocity applications of John Rutland, Glen Settles and Coley Bryant and that the board deny Steven Cockrell's application due to lack of sufficient experience. Ms. McConnell seconded the motion, which carried unanimously.

Applications for Reinstatement

Shankle, G. Daniel Jr.

Mr. Shankle's license expired June 30, 2000. He has submitted twelve credit hours of continuing foresters education and has paid the appropriate fees.

Noel, William

Mr. Noel's license expired June 30, 2000. He has submitted nineteen continuing education credit hours submitted and has paid the appropriate fees.

Beard, Gary Wayne

Mr. Beard's license expired June 30, 1999. He has submitted eleven credit hours of continuing foresters education and has paid the appropriate fees.

Mr. Boozer moved the board approve the applications for reinstatement for Mr. Shankle, Mr. Noel and Mr. Beard. The motion was seconded by Dr. Nelson and unanimously carried.

Request for Review of Employment Agreement

Wiegand Timberland Company, Inc.

Ms. Dantzler stated she has drafted a letter for Ms. Pyatt's signature regarding this matter. She further stated the board has no authority over employment agreements and cannot approve or disapprove this agreement.

Following some discussion in this matter, Mr. Boozer moved the board approve the letter Ms. Dantzler drafted for Ms. Pyatt's signature to be mailed to Wiegand Timberland Company. Dr. Nelson seconded the motion, which carried unanimously.

Discussion Items

ASBORF

The board briefly discussed the ASBORF meeting scheduled for May 2001.

Public Comments

Mr. Dwight Stewart made remarks regarding the appraisal of property.

Executive Session

Dr. Nelson moved the board enter executive session to discuss disciplinary matters. The motion was seconded by Mr. Gantt and unanimously carried.

Return to Open Session for Report on Executive Session

Mr. Handley noted for the record that no votes were taken during the time the board was in executive session.

1. Cease & Desist, Tom Turner

Adjournment

There being no further business to be brought before the board, Mr. Boozer moved the meeting be adjourned. Dr. Nelson seconded the motion, which carried unanimously. The April 17, 2001 meeting of the S. C. Board of Registration of Foresters adjourned at 3:40 p.m.