



Board:

Mark R. Elam, Chairman
Seema Shrivastava-Patel, Vice-Chair
Charles M. Joye, II, P.E., Secretary
Jim P. Creel, Jr.

J.B. (Sonny) Kinney
Richard V. Lee, Jr.
Morris E. Brown, III, MD, FAAFP
Robert R. Morgan, Jr., MD, MBA

**Minutes of the January 13, 2022, meeting of the
South Carolina Board of Health and Environmental Control**

The South Carolina Board of Health and Environmental Control met virtually on Thursday, January 13, 2022, at 4:00 p.m. in the Boardroom (#3420) at the South Carolina Department of Health and Environmental Control, 2600 Bull Street, Columbia, South Carolina. (Attachment 0-1)

The following members were in attendance virtually:

Seema Shrivastava-Patel, Vice-Chairwoman, 2nd District
J.B. (Sonny) Kinney, 1st District
Robert Morgan, MD, 4th District
Richard V. Lee, Jr., 5th District
Morris E. Brown, III, MD, 6th District
Jim P. Creel, Jr., 7th District

In attendance by telephone:
Mark Elam, Chairman

Not in attendance:
Charles M. Joye, II, P.E., 3rd District

Also, in attendance were Jacquelyn S. Dickman, Deputy General Counsel; M. Denise Crawford, Clerk of the Board; Department staff; and members of the public. The meeting was also available via Livestream.

Chairman Elam called the meeting to order, and stated notice of this meeting had been provided to all persons, organizations, and news media, which have requested notification, as required by Section 30-4-80(e) of the South Carolina Code of Laws.

Item 1: Final Review Conference - Docket No. 21-RFR-89, Coastal Carolina University - Denial of a Permit to conduct a study titled "Planned Study of Research Permit Proposal as The State of South Carolina Transitions from a Beachfront Policy of Retreat to Preservation" in the existing shoreline of the Grand Strand region of South Carolina (Attachment 1-1)

A Final Review Conference was held concerning a staff decision to deny a permit to Coastal Carolina University to conduct research in the existing shoreline of the Grand Strand region of South Carolina. Chairman Elam attended the meeting by telephone, and Vice-Chairwoman Shrivastava-Patel assumed the Chair. Vice-Chairwoman

Shrivastava-Patel announced the agenda item and asked Ms. Dickman to introduce the matter.

Mr. Bradley Churdar, Esquire, Mr. Blair Williams, Mr. Matt Slagel, and Ms. Morgan Flake presented on behalf of the Department. The Department presented a PowerPoint on the matter. (Attachment 1-2)

Mr. Randolph Lowell, Esquire, Mr. Joseph Owens, Esquire, and Senator Stephen Goldfinch, Esquire represented Price and Carolyn Sloan, Mark and Anne Tiberio, Michael and Laura Schulte, and Northwest Properties of Hickory, LLC. The Requestors presented a PowerPoint on the matter. (Attachment 1-3)

Dr. Paul T. Gayes presented on behalf of Coastal Carolina University. The Applicant presented a PowerPoint on the matter. (Attachment 1-4)

Mr. Williams, Ms. Flake, Mr. Slagel, and Dr. Gayes were sworn in as witnesses in this matter.

After presentations by the parties, questions by the Board, and discussion, **Dr. Morgan moved, seconded by Mr. Lee, to go into Executive Session for the purpose of deliberations and legal advice in this matter. The Board voted and Motion carried.**

Vice-Chairwoman Shrivastava-Patel announced the Board was back in public session and while in Executive Session, no actions were taken.

After further discussion, **Mr. Lee moved, seconded by Dr. Morgan to overturn the staff decision with the caveats that this decision does not moot the enforcement action that is underway, and that no enforcement action can require the removal of the bags. The Board voted and by a vote of three to two, the Motion carried.**

Being no further business, Vice-Chairwoman Shrivastava-Patel adjourned the meeting.

All referenced attachments are made a permanent part of these minutes.

Respectfully submitted,



Charles M. Joye, II, PE, Secretary

Minutes approved this 10th day of February 2022.

ATTEST:



Seema Shrivastava-Patel, Vice-Chairwoman

Attachments

- 0-1 Agenda
- 0-2 Sign in Sheet
- 1-1 Final Review Conference - Docket No. 21-RFR-89, Coastal Carolina University - Denial of a Permit to conduct a study titled "Planned Study of Research Permit Proposal as The State of South Carolina Transitions from a Beachfront Policy of Retreat to Preservation" in the existing shoreline of the Grand Strand region of South Carolina
- 1-2 Department PowerPoint
- 1-3 Requestors' PowerPoint
- 1-4 Applicant PowerPoint