



Allen Amsler, *Chairman*
Ann B. Kirol, DDS, *Vice Chair*
L. Clarence Batts, Jr., *Secretary*

Board:
R. Kenyon Wells
Charles M. Joye II, P.E.
David W. Gillespie, MD

Minutes of the March 9, 2017 meeting of the South Carolina Board of Health and Environmental Control

The South Carolina Board of Health and Environmental Control met on Thursday, March 9, 2017, at 10:00 a.m. in the Board Room of the South Carolina Department of Health and Environmental Control, 2600 Bull Street, Columbia, South Carolina. (Attachment 0-1)

The following members were in attendance:

Ann B. Kirol, DDS, Vice Chair, 5th District
L. Clarence Batts, Secretary, 4th District
R. Kenyon Wells, 2nd District
Charles M. Joye, II, P.E., 3rd District
David W. Gillespie, MD, 6th District

Absent:

Allen Amsler, Member-at-Large

1st District and 7th District seats are currently vacant.

Also in attendance were Catherine E. Heigel, Director; W. Marshall Taylor, Jr., General Counsel; Lisa L. Longshore, Clerk; Department staff and members of the public. (Attachment 0-2) The meeting was live streamed on the internet.

Vice-chair Ann Kirol 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: Minutes of January 5, 2017 and January 13, 2017 meetings (Attachment 1-1)

Mr. Wells moved, seconded by Mr. Joye, to approve the minutes as presented for the January 5 and February 13, Board meetings. The Board voted and Motion carried.

Item 2: Administrative and Consent Orders issued by Environmental Affairs (Attachment 2-1)

Ms. Myra Reece, Deputy Director of Environmental Affairs, stated five (5) Administrative Orders and one hundred ninety (190) Consent Orders had been issued with total penalties of \$466,581.

The Board accepted this item as information.

Item 3: Administrative Orders, Consent Orders and Sanction Letters issued by Health Regulation (Attachment 3-1)

Mr. Thomas Bowen, Senior Consultant, Health Regulation Policy and Communications, stated three (3) Administrative Orders, five (5) Consent Orders, three (3) Emergency Suspension Orders, and one (1) License Renewal Denial had been issued with total penalties of \$12,600.

The Board accepted this item as information.

Item 4: Public Hearing – Wave Dissipation System (Attachment 4-1)

Vice Chair Kirol announced the start of the public hearing and introduced Ms. Jacquelyn Dickman, Legal Counsel to Board, who introduced the matter and provided guidelines for conducting the public hearing.

Dr. Gillespie recused himself from action in the matter. (Attachment 4-2)

Mr. Blair Williams, Manager, Critical Area Permitting Section, Ocean and Coastal Resource Management, presented for the Department. (Attachment 4-3)

Additional Information was provided to the Board from the December 8 presentation. (Attachment 4-4)

Mr. Matt Hamrick spoke on behalf of SI Systems, LLC and Wave Dissipation Systems, LLC. (Attachment 4-5)

Mr. Jack Smith spoke on behalf of Seascape Condominiums. (Attachment 4-6)

Ms. Mary Shahid spoke on behalf of requestors, Conway, JB Beachwood, LLC, Balazs-Coffee, Skinner, Longfield, Safdi, Rama (Beachwood East), Ricci, Gardner, Hampton (Harbor Island). (Attachment 4-7)

Four members of the public in attendance spoke on this issue. (Attachment 4-8)

After discussion, ***Mr. Wells moved, seconded by Mr. Joye, to go into Executive Session for the purpose of obtaining legal advice on this matter. The Board voted and Motion carried.***

Dr. Kirol announced the Board was back in public session and while in Executive Session, no actions were taken.

After further discussion, ***Mr. Joye moved, seconded by Mr. Wells, to allow the pilot study to continue with refined parameters and scope for a one year period so that a study will be completed for four seasons. The Board voted and Motion carried unanimously.***

A verbatim transcript is included as part of the permanent record. (Attachment 4-9)

All comments from the 60 day comment period as allowed by Board at the December 8 meeting has been included as part of the permanent record. (Attachment 4-10)

Item 5: Agency Affairs

Director Heigel reported on the following:


- DHEC Career Day
- ASTHO Hill Day
- Zika Update
- Director's Awards on March 23
- Budget

After discussion, ***the Board accepted this as information.***

Having no further business, Vice Chair Kirol adjourned the meeting.


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

Respectfully submitted,


L. Clarence Batts, Jr., Secretary

Minutes approved this 5th day of April 2017.

ATTEST:


Allen Amsler, Chairman

Attachments

- 0-1 Agenda
- 0-2 Attendance Roster
- 1-1 January 5 and February 13 meeting minutes
- 2-1 Administrative and Consent Orders issued by Environmental Affairs
- 3-1 Administrative Orders, Consent Orders and Sanctions issued by Health Regulation
- 4-1 Public Hearing – Wave Dissipation System
- 4-2 Gillespie recusal from action in this matter
- 4-3 DHEC Presentation by Blair Williams
- 4-4 Additional Information Provided to Board from December 8 meeting
- 4-5 SI Systems, LLC and Wave Dissipation Systems, LLC presentation by Matt Hamrick
- 4-6 Seascape Condominiums by Jack Smith
- 4-7 Requestors Conway et al by Mary Shahid
- 4-8 Public Hearing sign-in sheet
- 4-9 Verbatim Transcript of Public Hearing
- 4-10 Comments received during 60 Comment Period allowed by Board