

Minutes of
S.C. Board of Health and Environmental Control
Meeting

November 10, 2011

The S.C. Board of Health and Environmental Control met on Thursday, November 10, 2011, at 10:00 a.m. in the S.C. Department of Health and Environmental Control Board Room, 2600 Bull Street, Columbia, S.C. (Attachment 0-1)

The following members were in attendance:

Allen Amsler, Chairman
Member-at-large

Mark S. Lutz, Vice-Chairman
1st District

R. Kenyon Wells
2nd District

L. Clarence Batts
4th District

Ann B. Kirol, DDS
5th District

John O. Hutto, Sr., MD
6th District

Also in attendance were C. Earl Hunter, Commissioner, Carlisle Roberts, General Counsel, Lisa Longshore, Clerk, department staff and guests. (Attachment 0-2)

Mr. Amsler stated notice of this meeting has 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: Consideration of Board Minutes – October 13 meeting and October 24 conference call meeting minutes - For Approval (Attachment 1-1)

Dr. Kirol moved, seconded by Mr. Batts, to approve the minutes as submitted for the October 13 and October 24 meetings. Approved.

Item 2: Monthly Award for Excellence for November 2011 (Attachment 2-1)

Commissioner Hunter recognized the following recipients:

Environmental Quality Control – Jasper County Environmental Health Team: The Jasper County Environmental Health Team (Kimberly Crouse, Tamela Stanfield and Wendy Garcia [now deceased]) has been selected as the recipient of the Monthly Award for Excellence for Environmental Quality Control. On July 12th, this EH team was informed, along with the rest of the Jasper County Health Department staff, that due to serious structural problems with the facility, the health department was going to be closed and staff temporarily relocated in other counties for approximately 8 months to a year while repairs are being made by the County. In order to maintain the necessary services, the EH team was told by the County that arrangements were being made to relocate them into two offices in the building next door to the Health Department. The EH team began packing in preparation of a move next door on July 25th. However, they were told at the last minute by the County that the space they were supposed to move into had been committed to another department. This left the EH team all packed up and nowhere to go, while clients were waiting for their services. During this interim period, Mrs. Garcia traveled to the Bluffton Office and assisted with EH administrative duties there for not only Jasper County, but the Bluffton EH Office as well. Mrs. Stanfield began reporting to the Hampton County EH Office, where in addition to carrying out her Food and Rabies Program inspections in Jasper, she assisted the Regional Food Program Supervisor with new facilities plan reviews and reporting reconciliations in Hampton. Mrs. Crouse began working out of the Walterboro Office to assist in maintaining communication of the team with the necessary offices in Jasper County they work with on a routine basis, such as the Building Department, Animal Control, and Law Enforcement Offices that may report animal bites. At the August 8th Jasper County Council meeting, council approved the temporary use of two offices in the Mary Gordon Ellis County Building, several miles from the health department site. The team then transitioned to this new site, assisted in testing and setting up the internet VPN Network connections to the DHEC network and arranged for relocation of the necessary office equipment. During all the upheaval and uncertainty about how or where they would be able to provide the necessary services to their clients, this team maintained a positive attitude. They made extra efforts to ensure that their customer service focus remained high and continued to provide services in a timely and effective manner, often at their own inconvenience. As these three were settling into this temporary space and trying to get fully focused on the services they provide, Mrs. Garcia and her family were in an auto accident on September 9th, in which Mrs. Garcia, and two of her 3 young sons were tragically killed. The loss of Mrs. Garcia was felt throughout the community and all of the Region 8 DHEC staff.

Health Services Central Office – Holley Taggert: Holley Taggert, Bureau of Laboratories' TB Laboratory, has been selected as the recipient of the Monthly Award for Excellence for Health Services Central Office. Ms. Taggert started with the Agency seven years ago as an Administrative Assistant for the TB Laboratory of the Microbiology Division. Over the past six months or more, the TB Laboratory has been working with a skeleton crew. During this great hardship Holley stepped up to help the team. She is the first to arrive in the morning in the TB Laboratory. When she comes in she assists in the BOL Mailroom with sorting and distributing samples for the appropriate laboratory testing area. From the mailroom she reports to the TB Laboratory to accession the samples received for Mycobacteria testing. After accessioning the samples, she enters the patient demographics into the Laboratory Information Management System (LIMS). The LIMS was implemented only one year ago. Holley has been very helpful in alerting database administrators of concerns needing immediate attention to ensure the continuity of the system's operation. Holley is instrumental in helping the TB Laboratory meet its established turnaround times, which are critical to maintaining certain funding by the CDC. She also independently oversees the electronic transfer of information to the CDC for genotyping. Holley is punctual, conscientious and dependable. In addition to her duties as the Administrative Assistant in the TB Laboratory, Holley also assists the Support Division's Specimen Management Staff in entering their patient demographics into the LIMS. She also assists the Administrative Services Section with phone coverage and laboratory report processing when needed. These support functions are critical to the BOL operations. It is a great pleasure to work with Holley.

She never complains about how busy she is and goes about her work each day with a smile on her face. Holly is highly regarded by her peers and coworkers and the above demonstrates her commitment to internal and external customer service.

Region 1 Public Health Office – Peggy Medlock: Peggy Medlock, DPO for Region I, has been selected as the recipient of the Monthly Award for Excellence for Region I. Peggy is always very customer oriented and reflects a positive attitude in her daily activities/job duties. She is a joy to work with and is constantly looking for ways to save the region money when it comes to purchasing. Recently, Peggy took the lead in coordinating with a local communications vendor in assessment of our telephone package costs, and ways to improve efficiency. Through her diligent work, she was able to reduce our communication costs by \$10,906.68/year! This could not have come at a better time! With years of budget reductions, we were simply running out of options to provide a quality communications service to our internal customers.

Region 2 Public Health Office – Region 2 Fast Track Core Team: The Region 2 Fast Track Core Team (Donna Cook; Gale Davis; Kendra Douglas; Mary Haywood; Charlotte Leonard; Michelle McKinzie, LMSW; Roslyn McReynolds, RN; Virginia Painter; Kevin Poole; Angela Rice; Caroline Snow; Phyllis Thomas, RN; Maxine Williams, RN; Tonya Woodard) has been selected as the recipient of the Monthly Award for Excellence for Region 2. The individuals listed on this team began our journey January 2011 when Region 2 was offered the opportunity to participate in a CDC grant through the Public Health Foundation (PHF) to pilot a new way to deliver fast track STD services (FTS). Originally, FTS started out as a concept to test asymptomatic clients using nursing clinicians to evaluate the client, necessitating a complete assessment and counseling requirements. These elements took up valuable nursing time/appointments that could be done in another approach. Region 2 volunteered to test a new model of FTS delivery using non-nursing staff to conduct testing only for asymptomatic clients that did not require an examination with counseling provided via educational materials. With the expertise of the PHF facilitator, Grace Duffy, our team processed through the development of a draft policy, documentation form, telephonic screening tool, training plan and went "live" with a pilot clinic 3/23/11. After extensive data collection/evaluation/customer service feedback, the pilot clinic was highly successful! Our developed tools were shared with Regions 3 & 5 so that they could proceed with their pilot clinics. Our Region 2 team remained focused and committed to improving the clinic model/delivery, working through multiple "PDSA" (Plan/Do/Study/Act) cycles, resulting in several excellent outcomes/recommendations for future clinic operations. We should be very proud of the work this team did and continues to do as we move forward to implement FTS region-wide.

Region 3 Public Health Office – Lexington County TB Program: The Lexington County TB Program (Elizabeth Clark, RN; Jean Yelton, RN; Margaret (Dayle) Workman, RN; Veronica Cerda; Lenora Craps; Eva Glover) has been selected as the recipient of the Monthly Award for Excellence for Region 3. Throughout the years, the LCHD TB team has demonstrated professionalism, commitment, knowledge, skills and dedication to both clients and community. This team has excelled time after time in serving the community by preventing, containing and treating Tuberculosis. In recent months this team of professionals has been challenged with many TB cases and a majority of them appearing at the same time. Several months ago while one of the nurses from this unique and competent team was assigned to the Immunization Clinic during a Flu inoculation, she identified a TB case that created many challenges and opportunities. Working as an alert team of professionals, they made a difference by containing what could have been a serious problem. Mrs. Clark, while applying her knowledge and skills, identified a high school student who was very ill and presented with several symptoms. With the assistance of one of our administrative staff who was a Spanish interpreter, they realized that this student had a previous positive TB test through a private provider several weeks earlier. Immediately, she asked the proper questions and realized that the patient was most likely infected with TB. She then immediately proceeded to put the appropriate protocol measures in place and took him to the TB clinic next door. Also, they immediately started further testing and contact investigation. This investigation was very tedious and challenging because of the language barrier and the extensive exposure to others throughout the community. The result was that they got together as a team and after much communication, consultation and coordination with the TB division, schools, church, and community members made a decision to use a new and more effective method for testing for

TB. A team was put in place and received training and carried out the appropriate task related to this incident. After testing over 135 contacts, we can say that due to the prompt response of this professional team the TB disease was contained to a minimum of six patients previously exposed to the index case. TB is an ongoing program requiring 24/7 vigilance at all times. Moreover, it takes a lot of commitment and dedication; and this dedicated staff continues to meet their clients on their terms at their home, workplace, and on a daily basis. Many times, these meetings occur before and after normal work hours, on weekends and holidays, and during inclement weather. This team of professionals constantly faces many challenges, but their commitment and dedication to the clients and the program are to be commended! Yes, they make a difference in many lives and also develop close, professional relations with their clients. Often they go the extra mile to achieve their ultimate goal, which is returning that patient to a healthy body, free of disease, and enjoying a sense of well being. Finally, their keen sense of humor and positive attitude undoubtedly make a huge difference and promote a wholesome work environment for all.

Region 4 Public Health Office – Linda Vann, RN: Linda Vann, RN has been selected as the recipient of the Monthly Award for Excellence for Region 4. For the past year, Ms. Vann has performed her duties of Home Health Team Manager for the Chesterfield HHS site in addition to her duties as the Region 4 HHS Program Manager. She has driven to the Chesterfield site on a daily basis and has ensured that she arrives at 8:30 a.m. so that she is available to staff as they begin their day. During this time, she has oriented two new Chesterfield nurses to Home Health. It is an understatement that the role of the HHS Program Manager is challenging and requires attention to detail in regards to program standards and regulations, fiscal viability, staffing and employee issues, patient satisfaction and providing leadership for the program. The role of the HHS Team Manager is also challenging and very demanding on a daily basis. Ms. Vann continues to meet the demands of both roles, demonstrating professionalism, competency, kindness and a calm demeanor. Ms. Vann has demonstrated outstanding commitment and dedication to the HHS Program. She is most deserving of recognition for her tireless efforts on behalf of our patients and staff.

Region 5 Public Health Office – Denise Cone: Denise Cone, Allendale/Barnwell Team Leader, has been selected as the recipient of the Monthly Award for Excellence for Region 5. Denise has taken over TB for Region 5. She is very knowledgeable about multiple programs, and she also supervises Allendale and Barnwell. She is always pleasant, and even with her busy schedule she always makes time for her clients and employees. Denise is definitely our problem solver. She works with our schedule to always make sure that our clinics are covered. She will step in to help in clinics when necessary. She is always pleasant and supportive of staff and clients alike. She works well with outside agencies, also. She is always willing to help decipher e-mails and help others understand them. She conducts our monthly meetings and always provides good and necessary information. She works hard to keep us all up to date.

Region 6 Public Health Office – Jody Mishoe: Jody Mishoe has been selected as the recipient of the Monthly Award for Excellence for Region 6. Jody has been with Region 6 for twenty-five years. She has worked in almost every program in the Region. Since her hire, she has consistently demonstrated leadership, common sense, and a hard working nature. Her personal and work ethic are admirable. She has gone from being a front line nurse to interim Regional Nursing Director. Jody manages to do a good job of whatever is required of her with what outwardly appears as ease and confidence. She is no-nonsense but enjoys a good laugh as well. Jody looks to address needs for our clients and ensures that the quality component is included. Her analytical skills ensure that she sees the scope from all angles, which will yield a positive outcome for all involved. Presently her plate is overflowing but she is moving ahead through verve, energy, hard work, and initiative for the good of the Region. Jody has done an excellent job of managing all of the programs that were assigned to her over the years and each has excelled under her direction. She always accepts new assignments with a can-do attitude. It is hard to ruffle her. Such cool headedness is but one of her strong points.

Region 7 Public Health Office – Team Awesome: Team Awesome (Amanda Cameron, Adam Graves, Jennifer Reynolds, Jason Zwiker) has been selected as the recipient of the Monthly Award for Excellence for Region 7. Providing HIV/syphilis testing and counseling may not be the first activity we associate with late Saturday nights at the club, but Team Awesome has discovered that it can be a valuable public health outreach activity. Jennifer “The Leader” Reynolds, RN, Jason

“The Blood Guy” Zwiker, Adam “The Negotiator” Graves, and Amanda “The Closer” Cameron identified several nightspots frequented by high risk individuals and successfully arranged late night testing events at these locations. The team typically sets up for an event around 9 pm and may work until well after midnight. The effort has already resulted in a new case of syphilis being identified (and subsequently brought to treatment during a daytime clinic), but the greatest success seems to be in the positive response from the community. Team Awesome consistently provides testing or counseling to dozens of at-risk individuals at each event and the resulting “word on the street” from Team Awesome making the extra effort to literally “meet the clients where they are” in the clubs is that DHEC truly cares.

Region 8 Public Health Office – Rhonda Kinard: Rhonda Kinard, Home Health Administrative Assistant/Community Health Aide, has been selected as the recipient of the Monthly Award for Excellence for Region 8. Rhonda Kinard stepped into double duty action during June/July/August when she assumed responsibility for an additional office site to cover absence of a peer. Rhonda first trained an hourly assistant to help with day to day administrative operations in one site while she floated between locations to assure program operations were successfully maintained. Rhonda’s ability to multi-task, trouble shoot office issues and respond to many requests and questions posed by staff/contractors coming in and out of the offices were all assets to the team. While performing administrative duties, overseeing work of the hourly assistant and keeping billing current, she also willingly provided some home health aide visits to assure patients received a much needed service. During a time when program administrative staff was having to track new CMS documentation requirements for therapists to assure appropriate billing, Rhonda was enthusiastic about testing different processes. She displayed an eagerness to learn and offer constructive recommendations to improve office efficiency. Rhonda was willing to meet Home Health program needs by temporarily covering two site locations while providing excellent customer service. Referral sources have commented on her positive attitude and helpfulness in processing requests for agency services. Home Health staff is grateful to Rhonda for her high energy, efficiency and most importantly, her ability to find humor in spite of the stress level sometimes encountered in day to day office activities. Region 8 is proud to have Rhonda Kinard as part of the Team.

The Board extended its thanks to all recipients.

Item 3: Administrative and Consent Orders issued by Environmental Quality Control
(Attachment 3-1)

Ms. Robin Stephens, Assistant to the Deputy Commissioner, Environmental Quality Control, stated twenty-eight (28) actions had been taken with penalties of \$152,755.

The Board accepted this item as information.

Item 4: Orders issued by Office of Ocean and Coastal Resource Management (Attachment 4-1)

Ms. Rheta Geddings, Manager, Enforcement Section, stated two (2) actions had been taken with a penalty of \$2,400.

The Board accepted this item as information.

Mr. Lutz moved, seconded by Mr. Batts, to go into Executive Session for the purpose of obtaining legal advice pertaining to discussion of the RFRs. Approved.

While in Executive Session, no actions were taken.

Item 5: Handling of Request for Final Review requiring action by December 8, 2011 (No. 11-RFR-53 through 11-RFR-63) (Attachment 5-1)

Docket No. 11-RFR-59, Ruth Louis AHDC Center, was withdrawn by the requestor.

After discussion, *Mr. Lutz moved, seconded by Dr. Kirol, not to conduct a final review conference on Docket No. 11-RFR-53, Carolina Regional Cancer Center and Docket No. 11-RFR-54, Georgetown Hospital System. Approved.*

After discussion, *Mr. Batts moved, seconded by Mr. Lutz, to conduct a final review conference on Docket No. 11-RFR-55, Robert Pairman. Approved 3-2.* (Yes – Batts, Lutz, Kirol; No – Wells, Hutto.)

After discussion, *Mr. Lutz moved, seconded by Dr. Kirol, to conduct a final review conference on Docket No. 11-RFR-56, David Abdo. Approved.*

After discussion, *Mr. Batts moved, seconded by Mr. Wells, not to conduct a final review conference on Docket No. 11-RFR-57, James Womack and PJW Enterprises. Approved.*

After discussion, *Mr. Lutz moved, seconded by Mr. Wells, not to conduct a final review conference on Docket No. 11-RFR-58, Larry Ramsey. Approved.*

After discussion, Mr. Batts moved, seconded by Mr. Lutz, not to conduct a final review conference on Docket No. 11-RFR-60, Ginn La Grimbball Farms. Approved

After discussion, *Dr. Hutto moved, seconded by Mr. Wells, to conduct a final review conference on Docket No. 11-RFR-61, Mary Black Hospital, and Docket No. 11-RFR-62, Spartanburg Rehabilitation Institute. Approved 4-1.* (Yes – Hutto, Wells, Lutz, Kirol; No – Batts.) For purpose of review conference, the matters will be combined.

After discussion, *Mr. Wells moved, seconded by Mr. Batts, not to conduct a final review conference on Docket No. 11-RFR-63, Brian McCarthy. Approved.*

Item 6: Final Review Conference – Docket No. 11-RFR-52, Savannah Harbor Expansion Project (Attachment 6-1)

Mr. Roberts introduced the case.

The motion to intervene was taken up. The motion was filed by the S.C. Coastal Conservation League, S.C. Wildlife Federation, and Savannah Riverkeeper, which were represented by Chris DeScherer, Esq., Southern Environmental Law Center. John Harleston, Esq., represented the Department staff. Mr. Curtis Foltz spoke on behalf of the Georgia Ports Authority. Colonel Jeffrey Hall spoke on behalf of the U.S. Army Corps of Engineers.

Mr. Lutz moved, seconded by Dr. Hutto, to go into Executive Session for the purpose of legal advice and communication within the attorney-client privilege concerning this matter before the Board. Approved.

While in Executive Session, no actions were taken.

Dr. Kirol moved, seconded by Mr. Batts, to deny the motion to intervene. Approved.

Mr. Harleston stated that the Department and the Requestors, Army Corps of Engineers and the Georgia Ports Authority, had reached a resolution of the items that were of concern to the Department in denying 401 Water Quality Certification and Coastal Zone Consistency. Mr. Harleston identified the issues of concern and explained the resolution of each issue. Colonel Hall and Mr. Foltz stated their concurrence on behalf of the Requestors, U.S. Army Corps of Engineers and Georgia Ports Authority, respectively.

After discussion, ***Mr. Batts moved, seconded by Dr. Hutto, to adopt the agreement of the parties as presented and to approve issuance of the certifications as described and agreed to by staff and the Requestors. Approved.***

Item 7: Agency Affairs

- a. CON ad hoc committee – Dr. Kirol asked that the discussion be tabled until a later date.

Item 8: Legal Report

- a. Kiawah Development Partners, II v, SCDHEC, and SC Coastal Conservation League v. SCDHEC and Kiawah Development Partners, II

Mr. Roberts reviewed the history of this matter for the Board. Bradley Churdar, Esq., spoke on behalf of the Department staff. Amy Armstrong, Esq., spoke on behalf of the SC Coastal Conservation League. Trenholm Walker, Esq., spoke on behalf of Kiawah Development Partners, II.

Mr. Lutz moved, seconded by Mr. Wells, to go into Executive Session for the purpose of legal advice and communication within the attorney-client privilege concerning this matter currently in litigation. Approved.

While in Executive Session, no actions were taken.

There being no further business, Chairman Amsler declared the meeting adjourned.

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

Respectfully submitted,

Mark S. Lutz
Vice-Chairman

Minutes approved this 8th day of December 2011.

ATTEST:

Allen Amsler
Chairman

Attachments

- 0-1 Agenda
- 0-2 Sign-in Sheet
- 1. October 13 and October 24 minutes
- 1. Monthly Award for Excellence Recipients for November 2011
- 1. Administrative and Consent Orders issued by Environmental Quality Control
- 1. Orders issued by Office of Ocean and Coastal Resource Management
- 5-1 Handling of Request for Final Review requiring action by December 8, 2011
- 6-1 Final Review Conference – Savannah Harbor Expansion Project

Minutes of
S.C. Board of Health and Environmental Control
Meeting

November 17, 2011

The S.C. Board of Health and Environmental Control met on Thursday, November 17, at 1:00 p.m. in the Ashberry Room, Holiday Inn Express Suites, 407 N. Main Street, Greenville, S.C. (Attachment 0-1)

The following members were in attendance:

Allen Amsler, Chairman
Member-at-large

Mark S. Lutz, Vice-Chairman
1st District

R. Kenyon Wells
2nd District

L. Clarence Batts
4th District

Ann B. Kirol, DDS
5th District

John O. Hutto, Sr., MD
6th District

Also in attendance were Carlisle Roberts, General Counsel, Lisa Longshore, Clerk, and guests. (Attachment 0-2)

Mr. Roberts stated notice of this meeting has 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: Strategic Planning Meeting

Strategic planning was discussed in public session. No motions were made and no votes were taken.

Toward the end of the afternoon, after the strategic planning discussion in public session, ***Dr. Hutto moved, seconded by Mr. Batts, to go into Executive Session for the purpose of legal***

advice and communication within the attorney-client privilege concerning matters in current and potential litigation and discussion of the appointment of an employee. Approved.

While in Executive Session, no actions were taken.

Chairman Amsler declared the meeting in recess until the following morning.

November 18, 2011

The S.C. Board of Health and Environmental Control reconvened on Friday, November 18, at 8:00 a.m. in the Ashberry Room, Holiday Inn Express Suites, 407 N. Main Street, Greenville, S.C. (Attachment 0-1)

The following members were in attendance:

Allen Amsler, Chairman
Member-at-large

Mark S. Lutz, Vice-Chairman
1st District

R. Kenyon Wells
2nd District

L. Clarence Batts
4th District

Ann B. Kirol, DDS
5th District

John O. Hutto, Sr., MD
6th District

Also in attendance were Carlisle Roberts, General Counsel, Lisa Longshore, Clerk, and guests. (Attachment 0-3)

Mr. Roberts again stated notice of this meeting has 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: Strategic Planning Meeting

The strategic planning discussion continued in public session. No motions were made and no votes were taken.

Toward the end of the morning, after the strategic planning discussion in public session, ***Dr. Hutto moved, seconded by Mr. Batts, to go into Executive Session for the purpose of legal advice and communication within the attorney-client privilege concerning matters in current and potential litigation and discussion of the appointment of an employee. Approved.***

While in Executive Session, no actions were taken.

There being no further business, Chairman Amsler declared the meeting adjourned.

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

Respectfully submitted,

Mark S. Lutz
Vice-Chairman

Minutes approved this 8th day of December 2011.

ATTEST:

Allen Amsler
Chairman

Attachments

- 0-1 Agenda
- 0-2 Sign-in Sheet for November 17
- 0-3 Sign-in Sheet for November 18