

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

July 14, 2011

The S.C. Board of Health and Environmental Control met on Thursday, July 14, 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
- Steven G. Kisner, Secretary
3rd 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, Jr., 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 – June 9, 2011, meeting, June 21, conference call and July 8 conference call minutes - For Approval (Attachment 1-1)

Mr. Kisner moved, seconded by Mr. Batts, to approve the minutes as submitted for the June 9, June 21 and July 8 Board meetings. Approved.

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

Commissioner Hunter recognized the following recipients:

Commissioner's Office – Barbara Rate: Barbara Rate in the Bureau of Financial Management has been selected as the recipient for the Monthly Award for Excellence for the Commissioner's Office. Since DHEC went live on SCEIS in August 2010, Barbara has had to do a lot of work on budget push-down, identifying and reviewing reports, journal entries and journal entry corrections, and other related SCEIS work. This work required some weekend work and long hours to push journal entry files through and a lot of patience and diligence on Barbara's part. The journal entry work is slow and tedious to get files through in SCEIS, but Barbara persevered throughout this process. While this process was ongoing, Barbara had to answer constant questions from DHEC program areas as well as from Divisions within the Bureau of Financial Management. She was always helpful to these areas. In the months since SCEIS has gone live, she has worked extra hard learning a new system and to be able to provide critical agency financial data. Barbara took many SCEIS training classes and has learned a lot about the system in a short amount of time. She is a resource for others trying to understand the numerous SCEIS reports and information.

Environmental Quality Control – Penny Cornett: Penny Cornett, Program Manager for the Region 8 EQC Bureau of Environmental Services Office has been selected as the recipient of the Monthly Award for Excellence for

Environmental Quality Control. Last year, Region 8 EQC Environmental Services was faced with a vacancy for the analyst position in the Microbiology Lab. The laboratory is a key element to the work of the public health programs of drinking water, shellfish, streams and beach monitoring. The Region 8 Lab is also one of only two Shellfish Labs certified in the state. Penny, as usual, addressed the situation by assessing, prioritizing and actually performing the analytical workload routinely. She accomplished this by putting in a significant amount of time to complete this work. Her knowledge of the procedures and QA in the lab was very impressive. The continued operation of the lab allowed sampling to be conducted without a significant impact to day-to-day operations, including the elimination of the need for personnel to courier samples to the closest lab, which would have reduced the effectiveness and efficiency of employee's times. As a result, holding times were met, sampling was minimally disrupted and additional courier costs were not incurred. Penny kept the lab operating, certified and supplied until a primary analyst was hired. At that time, Penny trained the new analyst in all aspects of the job. In the beginning of 2011, Penny increased her inspections in drinking water sanitary surveys, sampling of water systems and wastewater facility inspections due to a vacancy in the water program. She coordinated assistance from others in the office to conduct storm water inspections and also synchronized assistance from the Region 7 Charleston EQC Environmental Service staff to conduct some inspections. In addition to Penny's regular duties and additional duties from the loss of staff, she was also enrolled in the Certified Public Managers Program during this time. On May 11, 2011, Penny completed the 18-month course and was certified under the Program, with the distinction of being the second finalist for Top Graduate in the Class. Penny is a very dedicated, organized and conscientious person. Her determination, very strong work ethic and commitment to the agency's mission of public health and environmental protection are to be commended.

Health Services Central Office – Diabetes Prevention and Control Division: The Diabetes Prevention and Control Division (Shelly-Ann Bowen, Barbara Downs, Susan Frost, Rosa Michelle Moody, Patsy Myers, and Lanique Stepney) has been selected as the recipient of the Monthly Award for Excellence for Health Services Central Office. This nomination is in reference to their tireless efforts in planning, hosting, and evaluating the 9th Annual Diabetes/Heart Disease and Stroke Winter Symposium; "EVIDENCE-BASED MANAGEMENT Primary Care Systems Change - Moving from Guidelines to Action!" Although both the Diabetes and the Heart Disease and Stroke Prevention Divisions jointly sponsor the Winter Symposium, the diabetes staff assumes a leadership role in the planning and logistics of this symposium. As those of us who plan conferences and symposiums know, it takes quite a bit of behind the scenes work and preparation to pull off a successful event. The Diabetes Division, with Susan Frost as the symposium chairperson, was able to acquire highly notable and accomplished speakers; unearth a rather elusive evidence-based diabetes standards of care curriculum that had been previously presented in North Carolina (they were even able to secure two of the original speakers from the NC program); maneuver through the still "new" SCEIS process; complete extensive paperwork to offer CMEs and CEUs for several disciplines; and offer scholarships to providers. The one and one-half day symposium was geared towards primary health care providers that work with diabetes and cardiovascular patients and drew 219 attendees, the highest yet, from across South Carolina as well as Arizona, Florida, Georgia, North Carolina, and Mississippi. The symposium has offered a physician track for continuing medical education credit separate from the general session track for the past three years; however, for the first time there were sessions on diabetes standards of care for primary care providers, which included five sessions and a case study presentation. Conference evaluation comments highlighted the quality of the agenda, the speakers, the information presented, and the energetic and dedicated staff. In addition, the *CDC Year 3 Budget Period Technical Review of Continuation Application document* recently noted the Winter Symposium as a **Collaborative Work Key Strength**. Other recent division accomplishments include:

- For over two years, the division has been challenged to establish an action-oriented Statewide Diabetes Advisory Council in collaboration with the Diabetes Initiative of South Carolina and the REACH US SEA-CEED (South Eastern African American Center of Excellence in the Elimination of Disparities in Diabetes). The staff has worked diligently to bring this to fruition and the first official meeting was held on September 17, 2010 with Dr. Gerald Wilson, a general surgeon, as our current board chair.
- In our work with local community coalitions and faith-based institutions, they continue to implement policy changes that support walking trails, community gardens and/or farmers markets, and evidence based physical fitness programs such as the NDEP Power to Prevent curriculum.

Region 1 Public Health Office – Sheila Long: Sheila Long, Administrative Specialist for Oconee County Vital Records, has been selected as the recipient of the Monthly Award for Excellence for Region I. Sheila Long has been serving the community for almost 23 years. Her Employee File contains numerous letters, dating between 1988 through 2011, from customers appreciative of her quiet manner and compassionate heart. Some comments include

"professional, polite, kind, helpful, going beyond the call of duty, courteous, friendly, prompt, and gracious". She has a very patient and gentle demeanor in dealing with her customers and her co-workers. There is nothing out of the ordinary to find Sheila working through her lunch or staying after hours to assist a customer. She can be found occupying a new baby while Mom is filling out papers for a birth certificate. More than once she has been seen comforting a mourning customer in the waiting area outside of her office who is too upset to fill out the paperwork themselves. She frequently contacts identification resources in our area for her clients who are having difficulties acquiring information on their own. She is always on top of new policies and guidelines for Vital Records and communicates these immediately to our funeral homes and hospitals. Sheila handles all deposits for Oconee County, both in Seneca and in Walhalla. Her ability to organize and multi-task allow both facilities' financial areas to run smoothly. She handles all of the county customer surveys and employee surveys and compiles a report for all of our program areas. Vital Records is generally a busy area in Walhalla, yet Sheila somehow always finds time to help her co-workers in other areas of the building. She will answer phones for health clinics when needed or cover Environmental Health when staff is short. She is quick with a kind word and makes the best breakfast casserole in the county. She is truly a spot of sunshine for anyone who is lucky enough to cross her path.

Region 2 Public Health Office – Kevin Poore: Kevin Poore, Pickens County Health Department Environmental Health, has been selected as the recipient of the Monthly Award for Excellence for Region 2. In February 2011, Region 2 Environmental Health received a complaint regarding a foul odor coming from a residence. Kevin was dispatched to the home and found a septic system problem, and an elderly man residing in dilapidated conditions. The resident was very concerned about the complaint, and quickly acted to resolve the issue. Realizing that the gentleman's problems were much larger than the septic system, Kevin made a referral to Social Work for follow up. In an effort to address the poor condition of the house, Kevin contacted Home Depot to see if they could help. He worked closely with Central Office EQC to obtain a letter of support, and Home Depot did indeed agree to sponsor the much needed repairs. Kevin provided excellent service above and beyond what was expected of him. Rather than simply issuing the warning and seeing the corrective action through, he made a significant difference in the client's quality of life. His value of teamwork was evidenced through his ability to coordinate all the necessary partners, including EQC and Social Work. Kevin is to be commended for exemplary customer service, and acknowledged for his caring attitude and enthusiasm for his work and his community.

Region 3 Public Health Office – Jan Blackwell, RN, BSN: Jan Blackwell, RN, BSN, Program Nurse Manager for MCH/Immunization, has been selected as the recipient of the Monthly Award for Excellence for Region 3. Ms. Blackwell works tirelessly throughout the year to improve the quality of Immunization services in Region 3. She has been instrumental in preparing Region 3 staff and our community partners for the transition to the VFC-only immunization program. She has also developed the staffing model and training program for Region 3's Immunization Regionalization Pilot. Region 3 has 8 DHEC sites that provide VAFAC Immunizations and 110 non-DHEC VAFAC providers. Ms. Blackwell performs new VAFAC provider enrollment visits and provides support to non-DHEC VAFAC providers through educational visits, phone support, vaccine transfer, and CARES Immunization Registry (IR) problem-solving. Ms. Blackwell also assisted the Central Office CARES IR training team in training and supporting the non-DHEC VAFAC providers. Ms. Blackwell provides Annual School Nurse updates for 15 Public School Districts and 3 Private Schools in Region 3. Over 250 school nurses attend. She has participated in the CARES immunization committee, participated in the DHEC 1148 revision committee and participated in the CARES IR marketing workgroup. Her community involvement includes Lancaster County First Steps Board Member, Carolina Community Actions Head Start Health Advisory Committee Member, member of South Carolina Public Health Association and a member of South Carolina State Employees Association. Ms. Blackwell's teamwork, motivation, and leadership set a fine example both within the agency and in the community.

Region 4 Public Health Office – Amy Bryant, RN: Amy Bryant from Chesterfield County has been selected as the recipient of the Monthly Award for Excellence for Region 4. Amy provides services in the Chesterfield and Marlboro County Health Departments. She provides a level of service on a daily basis that demonstrates commitment to the Agency's mission and ethical standards. Amy is always positive and willing to work with and help her coworkers and patients. She is an excellent role model for all and has assisted with mentoring nursing students when they are assigned to our clinic areas. Amy exhibits excellent critical thinking skills in all programs. She is the lead RN for TB, Immunizations, Flu and WIC at the Chesterfield County Health Department. She goes to Marlboro County Health Department weekly and more often, if needed, to provide TB services. She has several complicated TB cases that have required daily direct observed medication therapy as well as preventive therapy for children. One complicated adult TB client required a MRI to ensure a more decisive diagnosis and treatment. Amy

went above and beyond to assist this family in obtaining this procedure. She also assisted a child of a family with non-pulmonary TB to meet with Dr. Ervin. Amy works well with Dr. Ervin and other physicians throughout our area. Amy recognizes and respects the cultural differences and values of our patients and works diligently to meet their needs. She has frequently used the language line to ensure adequate communication with Hispanic Clients. She recently provided immunizations to an Asian family and worked calmly to ensure that their needs and concerns were met. Amy is an excellent RN who is appreciated and respected for her excellent performance.

Region 5 Public Health Office – Region 5 Management Team Members and Orangeburg County Health

Department Staff: Region 5 Management Team members and Orangeburg County Health Department staff have been selected as the recipients of the Monthly Award for Excellence for Region 5. The Orangeburg County Health Department staff and members of the Region 5 Management Team located in that facility are being recognized for their flexibility, creativity, and patience in overcoming the hot working conditions caused by the broken cooling tower for the air conditioners supplying the front half of the building. Unfortunately, it has been an ongoing problem for about three months. The recent extremely hot weather resulted in much discomfort and many inconveniences but staff rose to the occasion. Offices were moved to the back of the building which still has air conditioning. Clinic operations were also relocated to cooler areas. Scheduled trainings had to be conducted out in community facilities. The Computer Services rooms got so hot that servers had to be turned off at one point. The pharmacy had to be relocated to an inconvenient area to protect some of the drugs which were heat intolerant. In no cases were our usual services discontinued. The main switchboard was unable to be moved so staff that does not normally work the switchboard agreed to fill in when needed since due to the heat staff needed to be rotated quite frequently. And although some patients noted the warm conditions, they applauded the staff for their continued efforts to provide good customer service. Their handling of this situation proves that dedicated public health workers always strive to provide necessary public health programs, even in the presence of the most difficult obstacles!

Region 6 Public Health Office – South Strand WIC Staff: The South Strand WIC staff have been selected as the recipients of the Monthly Award for Excellence for Region 6. After just opening the new WIC location in September, the caseload has grown from 260 to over a thousand clients. Ariel Glover is the team's sole nutrition education specialist and takes on her responsibilities with a relaxed frame of mind and a sense of humor. The administrative team, Jaclyn Smith and Amy Martin, found creative strategies to increase the caseload by pulling schedules from other properties and calling clients to let them know that a closer location was available to them. Collectively, the South Strand WIC team is focused on client relations and strives to continually increase the program's caseload through creative outreach.

Region 7 Public Health Office – Joetta Wright: Joetta Wright, Administrative Assistant in the TB Program, has been selected as the recipient of the Monthly Award for Excellence for Region 7. Joetta Wright was a key person involved in organizing and compiling information for a large contact investigation involving seven TB cases in one facility. During this investigation, she attended all meetings, processed minutes, sent out over 800 letters to contacts, entered all this information into the TBCIS TB Tracking system, and still continued to manage all the other clinic and program duties that she was assigned, and all with a smile! Her strong knowledge base and skill set were exactly what the TB team needed to manage this over-whelming project. Joetta brought calmness and assurance that all tasks would be done effectively and efficiently which helped relieve a lot of stress for the TB team. Joetta did an outstanding job! She is a wonderful team player and a true asset to the TB Program and SC DHEC Region 7.

Region 8 Public Health Office – Tammy Evans: Tammy Evans, Administrative Specialist at the Colleton County Health Department, has been selected as the recipient of the Monthly Award for Excellence for Region 8. Tammy is what you could call a "Jill of all Trades". She provides support to our NBHV program, collects and collates all the data for the Mega contract, provides direct customer service in the Vital Records office, Family Support Services, FIMR, medical records, and acts as the clinic site receptionist as needed. Tammy has gone to other sites to assist with archiving of records and manages multiple data bases for a variety of programs. Staff calls on Tammy for assistance on a variety of issues, including computer support or help. Through it all, Tammy has a smile on her face. She is very positive, a great teacher, and has a tremendous willingness to serve. Tammy has been with the agency for 27 years, is a dedicated, energetic, and passionate employee. Tammy believes in teamwork and does whatever is needed, whenever it is needed. She is an invaluable resource to those around her and across the Region and her continued commitment to outstanding customer service, both internal and external is a model for us all. 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 eighteen (18) actions had been taken with penalties of \$39,795.

The Board accepted this item as information.

Item 4: Administrative Orders, Consent Orders and Sanction Letters issued by Health Regulation
(Attachment 4-1)

Ms. Melinda Bradshaw, Health Regulation Liaison, stated one (1) action had been taken with a penalty of \$5,000.

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

Item 5: Proposed New Regulation 61-119, Surface Water Withdrawal Permitting, Use and Reporting and Proposed of Regulation 121-10, Water Use Reporting and Coordination and Regulation 121-12, Interbasin Transfer of Water, Legislative Review is required (Attachment 5-1)

Mr. David Baize, Assistant Bureau Chief, Bureau of Water, presented this item. Act 247 of 2010 substantially amended Section 49-4-10 et seq. of the 1976 S.C. Code of Laws, renaming these sections as the South Carolina Surface Water Withdrawal, Permitting, Use and Reporting Act. The Department is proposing to promulgate a new regulation to implement the provisions of this Act. This new regulation will establish a system and rules for permitting the withdrawal and use of surface water from within the State of South Carolina and those surface waters shared with adjacent states. The Department is also simultaneously repealing regulation 121-12 because the new Act repealed the statute (Chapter 21, Title 49 of the 1976 Code) that authorized regulation 121-12. Regulation 121-10 is being repealed because this regulation has been superceded by more recent water use reporting statutes and regulations specific to surface water and groundwater. The Department is required to implement the provisions of Section 49-4-10 et seq. as amended by Act 247 of 2010.

Mr. Batts moved, seconded by Mr. Kisner, to grant initial approval to publish a Notice of Proposed Regulation in the State Register, to provide opportunity for public comment, to conduct a Staff Informational Forum, to receive and consider comments, and allow staff to proceed with a public hearing before the Board. Approved.

Item 6: Final Review Conference – Docket No. 11-RFR-23, Issuance of Permit #2011-00237-2IY to Philip Higdon for the construction of a private dock on Capri Isle Drive, Charleston, County

Mr. Roberts stated this had been withdrawn by the parties after reaching a settlement agreement.

Item 7: Handling of Request for Final Review (RFR) requiring action by July 14, 2011 (RFR Docket No. 11-RFR-30 through 11-RFR-33) (Attachment 7-1)

Mr. Amsler asked if anyone wished to conduct review conferences on any of the pending requests for review.

Mr. Wells moved, seconded by Mr. Batts, to go into Executive Session for the purpose of obtaining legal advice under the attorney-client privilege pertaining to the pending RFRs. Approved.

While in Executive Session, no actions were taken.

After discussion, *Mr. Lutz moved, seconded by Dr. Kirol, to find that the requestor is not an affected party with a right to appeal this consent order and not to conduct a review conference on Docket No. 11-RFR-30, Limestone College Consent Order. Approved.*

After discussion, *Mr. Batts moved, seconded by Dr. Kirol, not to conduct a review conference on Docket No. 11-RFR-31, Lexington Richland School District 5. Approved.*

After discussion, *Mr. Kisner moved, seconded by Mr. Batts, not to conduct a review conference on Docket No. 11-*

RFR-32, Williamsburg County Solid Waste Landfill. Approved.

After discussion, ***Mr. Batts moved, seconded by Mr. Wells, to not conduct a review conference on Docket No. 11-RFR-33, Sweeties. Approved.***

Item 8: Agency Affairs

Commissioner Hunter gave a brief update on the budget (Attachment 8-1) and a handout of "Highlights of the 2009 Infant Mortality Report." (Attachment 8-2)

Item 9: Legal Report

Mr. Roberts updated the Board on legal matters.

Item 10: Human Resource Training for Board and Commission Members

Ms. Heather Pope, SC Budget and Control Board, reviewed personnel issues with the Board.

Dr. Kirol moved, seconded by Mr. Batts, to go into Executive Session for the purpose of discussing a personnel issue before the Board. 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,
Steven G. Kisner
Secretary of the Board

Minutes approved this 11th day of August 2011.

ATTEST:
Allen Amsler
Chairman

Attachments

- 0-1 Agenda
- 0-2 Sign-in Sheet
- 1-1 June 9, June 21 and July 8, 2011 minutes
- 2-1 Monthly Award for Excellence Recipients for July 2011
- 3-1 Administrative and Consent Orders issued by Environmental Quality Control
- 4-1 Administrative Orders, Consent Orders and Sanction Letters issued by Health Regulation
- 5-1 Proposed New Regulation 61-119, Surface Water Withdrawal Permitting
- 7-1 Handling of Request for Final Review requiring action by August 11, Docket No. 11- RFR- 30 thru 11-RFR-33
- 8-1 Budget Information
- 8-2 Highlights of 2009 Infant Mortality