

BOARD:  
Allen Amsler  
Chairman  
Mark S. Lutz  
Vice Chairman  
Steven G. Kisner  
Secretary



C. Earl Hunter, Commissioner

*Promoting and protecting the health of the public and the environment*

BOARD:  
R. Kenyon Wells  
L. Clarence Batts, Jr.  
Ann B. Kirol, DDS  
John O. Hutto, Sr., MD

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

**May 31, 2012**

The S.C. Board of Health and Environmental Control met on Thursday, May 31, 2012, at 8:00 a.m. via conference call 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  
5<sup>th</sup> District

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

Also in attendance were W. Marshall Taylor, Jr., General Counsel, Lisa Lucas 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: Request for Final Review – Docket No. 12-RFR-26\* - Georgia Ports Authority and U.S. Army Corps of Engineers Requests for Review of the Savannah River Maritime Commission Notice of Proposed Decision dated May 8, 2012** (Attachment 1-1)

Mr. Amsler asked for a motion to go into Executive Session for the purpose of obtaining legal advice pertaining to the matter being discussed covered by the attorney client-privilege.

***Mr. Batts moved, seconded by Dr. Kirol, to go into Executive Session for legal advice on Docket No. 12-RFR-21. Approved.***

While in Executive Session, no actions were taken.

After discussion, ***Mr. Lutz moved, seconded by Mr. Batts, not to conduct a final review conference on this matter, since jurisdiction is in question and not appropriate for the Board to hear at this time and this is not a decision made by the DHEC staff. Approved.***

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

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

Respectfully submitted,

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John O. Hutto, Sr.,  
Board Member

Minutes approved this 14th day of June 2012.

ATTEST:

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Mark Lutz, Vice-Chairman

Attachments

0-1 Agenda

0-2 Sign-in Sheet

1-1 Docket No. 12-RFR-26\*, Savannah River Maritime Commission decision

\* *not a DHEC staff decision*