

BOARD MEMBERS PRESENT:

Lewis Caswell, Chairman
Kim Lineberger, Vice Chairman
Bill Neely
Douglas Greer
Daniel Lehman
Frank Walker
Wendi Nance

ABSENT MEMBERS:

Mark Plyer

BOARD AND STAFF PRESENT:

Sharon Danzler, Esq., Assistant General Counsel
Michael Anderson, Administrator
Joyce Thurber, Program Coordinator
Angela D. Scott, Program Assistant
Stan Bowen, Administrator
Byron Ray

OTHERS PRESENT:

Mr. Josh Kelly
Leslie Bomar - Associated General Contractors
Wendy Baker
Adam Hicks

NOTE: Public Notice of this meeting was properly posted at the Board office and provided to any requesting persons, organizations, or news media in compliance with Section 30-4-80 of the 1976 South Carolina Code of Laws, as amended, relating to the Freedom of Information Act.

Call to Order:

On Thursday, October 18, 2007, Chairman Lewis Caswell called the Contractor's Licensing Board meeting to order at approximately 10:00 a.m.

Approval of Agenda

Chairman Caswell called for the approval of the agenda as previously noticed. After review, Mr. Neely made a motion, seconded by Mr. Greer, to approve the agenda. The motion was unanimously carried.

Approval of Members Absence

Chairman Caswell informed the Board that Mr. Plyer was not able to attend the meeting, due to a previously scheduled appointment. Ms. Nance made a motion, seconded by Ms. Lineberger, to excuse members' absence. The motion was unanimously carried.

Approval of Minutes

Chairman Caswell called for the review and approval of the July 19, 2007, minutes. After review, Mr. Greer made a motion, seconded by Mr. Neely, to approve the minutes. The motion was unanimously carried.

Chairman Caswell called for the review and approval of the August 16, 2007, minutes. After review, Mr. Greer made a motion, seconded by Mr. Neely, to approve the minutes. The motion was unanimously carried.

Old Business

None

New Business

Administrator's Remarks

Mr. Anderson welcomed and introduced to the Board Ms. Sharon Wolf, Chief of Investigations, for the Office of Investigation and Ms. Angela Scott, Program Assistant, for South Carolina Manufactured Housing Board. He informed the Board that Ms. Scott would be handling the Contractor's Licensing, Residential Builder's, Building Codes and Manufactured Housing Board's Business Meeting Minutes.

Mr. Anderson informed the Board that he and Mr. Gary Wiggins, Administrator of the Office of Property, Environmental, Design, and Construction Services, has been working closely together to streamline the electronic renewal and licensing processes. Once it is finalized a meeting will be called to inform the Board of the changes but until then he will keep them abreast.

Chairman's Remarks

Chairman Caswell informed the Board that several of the contractors' associations have expressed concerns regarding requiring continuing education courses for contractors'. It was the Board's opinion that at the present time we do not have the resources or staff for the requirement of continuing education. One option was that if the trade associations want to have continuing education they could provide it for their members. One of the major obstacles in continuing education is to have approved providers in which staff would have to review, approve and audit all the classes and since we only have a staff of two we do not have the personnel or resources to administer that type of program at this time. After much discussion it was decided that there was not enough man power or funding to support the program.

Approval of IRC Recommendations

July 12, 2007, IRC Recommendations:

Chairman Caswell called for the approval of the July 12, 2007, IRC Recommendations. After review and discussion, Mr. Walker made a motion, seconded by Mr. Neeley, to approve the July 12, 2007, IRC Recommendations.

August 2, 2007, IRC Recommendations:

Chairman Caswell called for the approval of the August 2, 2007, IRC Recommendations. After review and discussion, Ms. Nance made a motion, seconded by Mr. Greer, to approve the August 2, 2007, IRC Recommendations.

September 6, 2007, IRC Recommendations:

Chairman Caswell called for the approval of the September 6, 2007, IRC Recommendations. After review and discussion, Mr. Walker made a motion, seconded by Ms. Nance, to approve the September 6, 2007, IRC Recommendations.

October 4, 2007, IRC Recommendations:

Chairman Caswell called for the approval of the October 4, 2007, IRC Recommendations. After review and discussion, Mr. Walker made a motion, seconded by Ms. Nance, to approve the September 6, 2007, IRC Recommendations.

Application Review Hearing

Mr. Josh Kelly

The Board reviewed the Burglar/Fire Alarm Business – Registered Employee Application of Mr. Josh Kelly. Mr. Kelly, Mr. Anderson and Ms. Wendy Baker were all sworn in by Mrs. Sharon Danzler. Mr. Kelly waived his right to counsel.

Mr. Anderson informed the Board that Mr. Kelly's Burglar/Fire Alarm Business - Registered Employee Application could not be approved at staff level because, Mr. Kelly answered no to question number six (6) that he had not been convicted.

Mr. Kelly testified that at the time of the convictions he was surrounded by the wrong people and places, he has since changed his way of living. He asked the Board to allow him the opportunity to continue working with the company in which he is currently employed with, by approving his application.

Mr. Wendy Baker, Partner of GenXvison, testified that Mr. Kelly does in fact have a criminal record; however, he has really changed his life. He no longer drinks or uses drugs and is willing and able

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to pass drug testing. Mr. Kelly has shown to be respectable hardworking and has great potential to do well with GenXvision.

Ms. Sharon Danzler, Esq., Office of General Counsel advised that several of Mr. Kelly's convictions have not been resolved and asked what was the status.

Mr. Kelly testified that he has paid the court cost and fines for all the convictions. He currently does not have a South Carolina drivers license and will not have one until he pays the reinstatement fees.

After hearing testimonies, Mr. Greer made a motion, seconded by Mr. Lehman, for the Board to go into executive session for legal advice. The motion was unanimously carried. The Board returned to public session. The Chairman stated for the record no action had been taken in executive. Mr. Greer made a motion, seconded by Ms. Nance, for the Board to come out of executive session. The motion was unanimously carried.

Mr. Walker made a motion, seconded by Mr. Greer, to deny Mr. Kelly's Burglar/Fire Alarm Business – Registered Employee Application for two years or until such time Mr. Kelly could appear before the Board with a clear criminal background. The motion was unanimously carried.

Mr. Lehman informed Mr. Kelly that he could still be employed with GenXvision but he could not do any burglar and fire alarm installations. Once his two years is up he could request to appear before the Board to request a license.

Public Comments

NONE

Date of Next Meeting

Thursday, January 17, 2008 – 10:00 a.m. – Room 108

Adjournment

There being no further business, Mr. Nance made a motion, seconded by Mr. Neely, and the meeting was adjourned at 11:11 a.m.