

SOUTH CAROLINA CONTRACTOR'S LICENSING BOARD

Synergy Business Park, Kingstree Building
110 Centerview Drive, Kingstree Building, Room 108
Columbia, South Carolina 29210
Board Minutes

Thursday, October 17, 2019

10:00 a.m.

Mr. Lady, Board Chair, announced that the meeting was being held in accordance with §30-4-80 of the South Carolina Freedom of Information Act by notice mailed to all requesting persons, organizations, and news media. In addition, notice was posted on the bulletin boards at the main entrance of the Kingstree Building.

WELCOME AND CALL TO ORDER:

James Lady, Board Chair, stated that a quorum of board members were present and called the regularly scheduled meeting of the South Carolina Contractor's Licensing Board to order at 10:08 a.m. Other Board members present for the meeting included: Daniel Lehman, Legrand Richardson, Jr., Lewis Caswell, Kimberly Lineberger, Frank Walker, and Scott Appleton.

Staff members participating in the meeting included: Georgia Lewis (Advice Counsel), Molly Price (Board Administrator), Shakera Thomas (Program Assistant), Erin Baldwin (Office of Disciplinary Counsel), Chris Elliott (Office of Disciplinary Counsel), Maurice Smith (Office of Investigations and Enforcement) and Michelle Manni (Court Reporter).

APPROVAL OF AGENDA:

Motion:

Mrs. Lineberger made a motion to approve the October 17, 2019, agenda. Mr. Appleton seconded the motion, which carried unanimously.

APPROVAL OF ABSENT BOARD MEMBERS:

Motion:

Mr. Walker made a motion to approve Mr. White's absence. Mr. Appleton seconded the motion which carried unanimously.

Mr. Lady announced Mr. White's retirement and thanked him for his years of service on the board.

APPROVAL OF MINUTES:

Thursday, July 18, 2019

Motion:

Mr. Walker made a motion to approve the July 18, 2019, meeting minutes. Mr. Appleton seconded the motion, which carried unanimously.

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OFFICE OF INVESTIGATIONS AND ENFORCEMENT (OIE REPORT)

Maurice Smith

• ***August 15, 2019, IRC Recommendations for Contractors cases:***

The IRC Committee recommended 7 cases for dismissal, 9 formal complaints, 7 citations, 1 letter of caution, 2 relinquishments, and 1 recommendation to the ALC - a total of 27 cases.

Motion:

Mr. Richardson made a motion to approve the report. Mr. Caswell seconded the motion, which carried unanimously

• ***October 2, 2019, IRC Recommendations for Contractors cases:***

The IRC Committee recommended 14 cases for dismissal, 18 formal complaints, 8 citations, and 3 letter of cautions - a total of 43 cases.

Motion:

Mr. Appleton made a motion to approve the report. Mr. Walker seconded the motion, which carried unanimously

APPLICATION/LICENSE REVIEWS:

OLD TIMEY ELECTRIC LLC / JOHN NORWOOD (CLM initial application)

The initial application could not be approved at staff level. John Norwood was present and was not represented by legal counsel. All persons testifying were sworn in by the court reporter. Application hearings are recorded by a certified court reporter in the event a verbatim transcript is necessary.

Motion:

Mr. Caswell made a motion to approve the application. Mrs. Lineberger seconded the motion, which carried unanimously.

VIVINT INC. / DEYANNIE MAGEE (burglar-fire registered employee application)

The registered employee application could not be approved at staff level. Deyannie Magee was not present.

Motion:

Mr. Lehman made a motion to deny the request. Mr. Appleton seconded the motion, which carried unanimously.

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THE CENTRIC GROUP / CORY ADAMS (Pending revision application)

The revision application to add a qualifying party could not be approved at staff level. Cory Adams was present and was not represented by legal counsel. All persons testifying were sworn in by the court reporter. Application hearings are recorded by a certified court reporter in the event a verbatim transcript is necessary.

Executive Session Motion (IN)

Mr. Caswell made a motion to go into executive session to seek legal advice. Mrs. Lineberger seconded the motion, which carried unanimously.

Executive Session Motion (OUT)

Mr. Caswell made a motion to come out of executive session. Mrs. Lineberger seconded the motion, which carried unanimously.

Motion:

Mr. Walker made a motion to deny the request to add Mr. Adams as a qualifying party because he was still on probation for a felony conviction which was related to the construction profession. Mr. Richardson seconded the motion, which carried unanimously. 40-11-130 (A) (10)

HEARING OFFICER RECOMMENDATION – FINAL ORDER HEARINGS:

GCI SERVICES INC / ERIC GLASOW (CASE NO. 2016-300; 2018-13)

Mr. Appleton was the hearing officer in the case and recused himself from the hearing. Eric Glasow was present and was not represented by legal counsel. Chris Elliott, Esq. represented the State and requested the Board uphold the Hearing Officer's Recommendations. All hearings are recorded by a certified court reporter in the event a verbatim transcript is necessary.

Motion:

Mr. Richardson made a motion to accept the Hearing Officer's recommendations. Mr. Caswell seconded the motion, which carried unanimously.

K & C CONSTRUCTION / KENNETH WEST (CASE NO. 2017-321)

Mr. Appleton was the hearing officer in the case and recused himself from the hearing. Kenneth West was not present. Erin Baldwin, Esq. represented the State and requested the Board uphold the Hearing Officer's Recommendations.

Motion:

Mr. Walker made a motion to accept the Hearing Officer's recommendations. Mrs. Lineberger seconded the motion, which carried unanimously.

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LEE BUILDERS INC / CLAYTON ANTONAKOS (CASE NO. 2017-27)

Mr. Richardson was the hearing officer in the case and recused himself from the hearing. Clayton Antonakos was present and was not represented by legal counsel. Erin Baldwin, Esq. represented the State and requested the Board uphold the Hearing Officer's Recommendations.

Motion:

Mr. Caswell made a motion to accept the Hearing Officer's recommendations. Mr. Appleton seconded the motion, which carried unanimously.

MEMORANDUM OF AGREEMENT – FINAL ORDER HEARINGS:

• ***BRIGHT STAR CONTRACTORS / LISA BRAZELL (CASE NO. 2017-294)***

Lisa Brazell was present was represented by legal counsel, Wesley Peel. Erin Baldwin, Esq. represented the State. All persons testifying were sworn in by the court reporter. All hearings are recorded by a certified court reporter in the event a verbatim transcript is necessary.

Executive Session Motion (IN)

Mr. Caswell made a motion to go into executive session to seek legal advice. Mr. Walker seconded the motion, which carried unanimously.

Executive Session Motion (OUT)

Mr. Caswell made a motion to come out of executive session. Mrs. Lineberger seconded the motion, which carried unanimously.

Motion:

Mr. Richardson made a motion to accept the Memorandum of Agreement. The sanctions against the Respondent will be a fine of \$1,000 to be paid within 60 days of the final order. Mrs. Lineberger seconded the motion, which carried unanimously.

Motion: Mr. Lehman opposed. There was no second, which resulted in a failed motion.

STAFF REPORTS

Administrator's Report- Molly Price

Mrs. Price provided the Board with an update on Mechanical Contractors renewals. She informed the Board that 2,708 renewals had been fully processed as of today with 4,233 still outstanding. Board staff have received approximately 6,500 phone calls in 6 weeks and were working to help licensees get through the renewal process.

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Mrs. Price also provided the Board with PSI Exam and Survey statistics and went over the Board's financial report. She also updated the Board on the Mold Abatement Study Committee currently having a meeting at the House of Representative.

ODC Report- Chris Elliott

Mr. Elliott reported that ODC has 72 open cases, 43 cases pending action, 14 cases are pending memorandum of agreements, 7 cases are pending disciplinary hearings, 2 cases are pending advice action, 5 cases are pending final order hearings and 0 cases are pending final orders. Since April 10, 2019, 9 cases have been closed and there is 1 case on appeal at this time.

DATE OF NEXT MEETING:

Thursday, January 16, 2020; 10:00 A.M., Meeting Room 105, Kingstree Building

The next meeting of the SC Contractor's Licensing Board will be held Thursday, January 16, 2020, beginning at 10:00 A.M., at the Synergy Business Complex, Kingstree Building, Room 105, in Columbia, SC.

ADJOURNMENT:

The meeting concluded at 12:28 p.m.