

SOUTH CAROLINA CONTACTOR'S LICENSING BOARD

Synergy Business Park, Kingstree Building
110 Centerview Drive, Kingstree Building,
Columbia, South Carolina 29210
Via/Video Teleconference
Board Minutes

Thursday, January 21, 2021

10:00 a.m.

WELCOME AND CALL TO ORDER:

Mr. Lehman, Board Chair, called the regularly scheduled meeting of the South Carolina Contractor's Licensing Board to order at 10:01 a.m.

Mr. Lehman announced that public notice of this meeting was properly posted at the Synergy Business Park, Kingstree Building and on the Agency's website, and provided to all requesting persons, organizations and news media in accordance with Section 30-4-80 of the South Carolina Freedom of Information Act. As a result of the COVID-19 public health emergency, this meeting is being conducted via teleconferencing with notice given to all parties of this teleconferencing platform.

Staff members participating in the meeting included: Molly Price (Board Administrator), Zahid Chinwalla (Program Assistant), Erin Baldwin (Office of Disciplinary Counsel), Kyle Tennis (Office of Advice Counsel), Chris Elliott (Office of Disciplinary Counsel), and Courtney Glover (Court Reporter).

There were no public members who attended the meeting.

APPROVAL OF AGENDA

Motion:

Mr. Richardson made a motion to approve agenda. Mr. Appleton seconded the motion, which carried unanimously.

INTRODUCTION OF BOARD MEMBERS

Mr. Lehman introduced the Board members.

APPROVAL OF EXECUSED ABSCENCES

None

APPROVAL OF MEETING MINUTES

Mr. Richardson made a motion to approve the October 22, 2020, meeting minutes. Mr. Appleton seconded the motion, which carried unanimously.

BOARD CHAIRMAN REMARKS – DANIEL LEHMAN

Mr. Lehman thank everybody for attending the meeting. He stated that this is the Board's 4th virtual meeting since the pandemic started and that he appreciates serving as the Chair to the Board. He hopes to meet in person at some point in the future.

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DISCIPLINARY HEARING – 2018-002

Case No: 2018-002

The attorney for Respondent appeared before the Board. The hearing was conducted in closed session. The State did not contest the request to lift the temporary suspension order issued in 2018.

Motion:

Mr. Richardson made a motion to lift a temporary suspension order issued in 2018. Mr. Walker seconded the motion, which unanimously carried.

APPLICATION HEARINGS

DOCKMASTERS CONSTRUCTION LLC. (CLG.104756) / Mr. David P. Richardson (CQG.14907) – Renewal Application

The renewal application could not be approved at staff level. Mr. Richardson was present and was represented by Samuel K. Allen, Esquire. No witness testified in this meeting. 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. Lady made a motion to approve the 2020-2022 General Contactor license renewal application. Mrs. Lineberger seconded the motion, which carried unanimously.

B M CONSTRUCTION AND RENVOATION LLC. (CLG.120587) / Mr. Bertrum A. McQueen (CQG.28200 PQ) – Renewal Application

The renewal application could not be approved at staff level. Mr. McQueen was present and was represented by Fay Johnson, Esquire. 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. Lineberger made a motion to approve the 2020 – 2022 General Contactor license renewal application with satisfaction of judgement shown on the next renewal. Mr. Walker seconded the motion, which carried unanimously.

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GARNETT CONSTRUCTION LLC. (CLG.119272) / Mr. Mark Strong (CQG.27070 PQ) – Renewal Application

The renewal application could not be approved at staff level. Mr. Mark Strong was present and was not represented by 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. Walker made a motion to approve the 2020 – 2022 General Contactor license renewal application. Mr. Richardson seconded the motion, which carried unanimously.

CONSTRUCTION UNLIMITED INC. (CLG.95101) / Mr. Gerald L. Ashfield (CQG.15705 PQ) – Renewal Application

The renewal application could not be approved at staff level. Mr. Ashfield was present and was not represented by 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. Lady made a motion to approve the 2020 – 2022 General Contactor license renewal application. Mr. Appleton seconded the motion, which carried unanimously.

E. SCOTTS CONSTRUCTION LLC. (CLG.113254) / Mr. Edward Scott (CQG.21762 PQ) – Renewal Application

The renewal application could not be approved at staff level. Mr. Scott was present and was not represented by 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. Walker made a motion that as long as the applicant continues to make payments that the Board approves the 2020 – 2022 General Contactor license renewal application. Mrs. Lineberger seconded the motion, which carried unanimously.

EDIFICE MARINE AND REISIDENTIAL FAB LLC. (CLG.113945) / Mr. Wayne Tilson (CQG.26368 PQ) – Renewal Application

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The renewal application could not be approved at staff level. Mr. Wayne Tilson was present at the meeting and was not represented by 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. Lady made a motion to issue the 2020 – 2022 General Contactor license renewal conditionally, with conditions to appear before the next board meeting (April 15, 2021). Crawford Sprinkler will be sent a subpoena to answer about the judgement. They can answer the subpoena in writing. Mr. Richardson seconded the motion, which carried unanimously.

SMITHS CONSTRUCTION COMPANY (CLG.112077) / Mr. Chal W. Smith (CQG.20706 PQ) – Renewal Application

The renewal application could not be approved at staff level. Mr. Smith was present at the meeting and was not represented by 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. Richardson made a motion to deny the 2020 – 2022 General Contactor license renewal application. Mrs. Lineberger seconded the motion, which carried unanimously.

Motion:

Mr. Caswell made a motion to go into Executive Session for legal advice. Mr. Lady seconded the motion, which carried unanimously.

Motion:

Mr. Appleton made a motion to come out of the Executive Session. Mr. Caswell seconded the motion, which carried unanimously.

It was noted for the record that no votes were taken during executive session.

ALBERT SANDERS JR. (CLG.97626) – Renewal Application

The renewal application could not be approved at staff level. Mr. Sanders was present at the hearing and was not represented by 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.

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Motion:

Mr. Appleton made a motion to go into Executive Session. Mr. Richardson seconded the motion, which carried unanimously.

Motion:

Mr. Appleton made a motion to come out of the Executive Session. Mr. Richardson seconded the motion, which carried unanimously.

It was noted for the record that no votes were taken during executive session.

Motion:

Mr. Richardson made a motion to approve the 2020 – 2022 General Contactor license renewal application. Mr. Walker seconded the motion, which carried unanimously.

ROBERT ANDREW CARSWELL – BFRE EMPLOYEE / ADT LLC. (N. CHARLESTON, SC) dba ADT SECURITY SERVICES, BAC.13505, FAC.13449.

The initial BFRE Application could not be approved at staff level. Mr. Carswell was present at the hearing and was not represented by 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. Walker made a motion to conditionally approve the registration, with the condition that the company, ADT LLC., provide the Board with a letter within 90 days stating that they still intend to hire Mr. Carswell. Mr. Richardson seconded the motion, which carried unanimously.

NEW BUSINESS

BOARD TRAINING SESSION DATE – ADVICE ATTORNEY, GEORGIA (GIGI) LEWIS

Kyle Tennis, Esquire spoke on behalf of Mrs. Lewis. Mr. Tennis stated that this would be a general training session for board members and that LLR staff would be reaching out soon for board member availability.

STAFF REPORTS

Office of Disciplinary Counsel

Mrs. Price stated that there are currently 83 open cases in ODC. 59 cases are pending action, 13 cases are pending consent agreements/memorandum of agreements, 5 cases are pending

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hearings, 5 cases are pending board actions, 1 case is pending a final order, and 1 case is currently under appeal.

Office of Investigation and Enforcement

The OIE Report was not submitted prior to the meeting.

Investigative Review Report

There were two IRC Reports.

1. November 18, 2020:

There were 13 cases recommended for dismissal, 11 cases recommended for formal complaints, 4 cases for citations, and 1 recommendation for a Letter of Caution.

Motion:

Mr. Appleton made a motion to approve the IRC Report for November 18, 2020. Mr. Richardson seconded the motion which unanimously carried.

2. January 7, 2021:

There were 4 cases recommended for dismissal, 18 cases recommended for formal complaints, 2 cases for citations, and 2 cases recommended for Letters of Caution.

Motion:

Mr. Appleton made a motion to approve the IRC Report for January 7, 2020. Mr. Richardson seconded the motion which unanimously carried.

Administrator's Report – Molly F. Price

Mrs. Price gave the Board an updated about renewals for Burglar, Fire and Sprinkler Contractors and General Contractors. She reported that board staff had renewed 9,361 General Contractor licenses since August 2020 and that there are currently 1,468 General Contractor licenses lapsed but able to renew until January 31, 2021.

Mrs. Price directed the Board to the PSI Exam and Survey statistics, licensure statistics and the Board's financial report located in their materials.

ELECTION OF OFFICERS

Mrs. Lineberger made a motion to nominate Mr. Lehman as the Chair. Mr. Walker seconded the motion, which carried unanimously.

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Mr. Walker made a motion to nominate Mr. Richardson as the Vice Chairman. Mr. Appleton seconded the motion, which carried unanimously.

PUBLIC COMMENTS

There were no public comments.

ADJOURNMENT

Motion:

Mr. Richardson made a motion to adjourn. Mrs. Lineberger seconded the motion, which carried unanimously.

The meeting concluded at 4:15pm.