

**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, April 15, 2021

10:00 a.m.

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**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 10:09 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 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), Georgia Lewis (Office of Advice Counsel), Chris Elliott (Office of Disciplinary Counsel), Katherine Barroll (Office of Disciplinary Counsel), Shelby Sutusky (Office of Disciplinary Counsel), Todd Bond (Office of Investigations and Enforcement) and Katherine Boone (Court Reporter).

**APPROVAL OF AGENDA**

**Motion:**

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

**INTRODUCTION OF BOARD MEMBERS**

Mr. Lehman introduced the Board Members.

**APPROVAL OF EXCUSED ABSCENCES**

None, all board members were present.

**APPROVAL OF MEETING MINUTES**

Mr. Walker made a motion to approve the January 21, 2021, meeting minutes. Mr. Richardson seconded the motion, which carried unanimously.

**BOARD CHAIRMAN REMARKS – DANIEL LEHMAN**

Mr. Lehman thanked everybody for attending the meeting. He stated that this is the Board's 5<sup>th</sup> virtual meeting since the pandemic started and he appreciates serving as the Chair to the Board and the work Board staff has put into preparation for the meetings. He hopes to meet in person in July 2021.

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### **STAFF REPORTS**

#### **Administrator's Report – Molly F. Price**

Ms. Price reported that the Board's cash balance as of May 31, 2021, is \$1,021,091.83. She also informed the Board that staff were preparing for Mechanical Contractor's renewals, which she hoped would begin the first week of August 2021. She plans to send an email to licensees by the middle of May 2021, reminding them to start submitting their financial documents for license renewal later in the year. Ms. Price directed the Board members to the PSI Exam and Survey statistics, licensure statistics and financial report located in their meeting materials.

#### **Office of Investigation and Enforcement – Todd Bond**

Mr. Bond reported that as of April 15, 2021, his department has received 142 complaints this year. There are 125 active investigations, and they have closed 123 cases.

#### **Investigative Review Committee Report (IRC) – Todd Bond**

Mr. Bond reported that the first IRC meeting was held on February 17, 2021 and the second IRC meeting was held on March 31, 2021. He combined both meeting into one report document for the Board's review. The IRC recommended 17 cases for dismissal, 13 for formal complaint, 2 for citations and 2 for Letters of Caution.

#### **Motion:**

Mr. Walker made a motion to approve the Investigative Review Committee's reports from February 17, 2021 and March 31, 2021 as presented. Ms. Lineburger seconded the motion, which carried unanimously.

#### **Office of Disciplinary Counsel (ODC)– Chris Elliott**

Mr. Elliott presented the Office of Disciplinary Counsel report. He stated that there are currently 92 open cases in ODC as of April 13, 2021. He also introduced Shelby Sutsky, who will serve as an attorney in the Office of Disciplinary Counsel and handle cases for the Board.

#### **DISCIPLINARY HEARING – Failure to Comply with Payment Plan**

##### **Case No: 2017-55**

The Respondent was present and was not represented by legal counsel. The hearing was conducted in closed session and Erin Baldwin represented the State.

#### **Motion:**

Mr. Richardson made a motion to allow the Respondent to complete the payment plan by the end of year, December 31, 2021 and if he does not complete the payment plan, the license will be administratively suspended, pending compliance. Mr. Walker seconded the motion, which carried unanimously.

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**MEMORANDUM OF AGREEMENT**

**Case No: 2019-350**

The Respondent was present and was not represented by legal counsel. The hearing was conducted in closed session and Katherine Barroll represented the State.

**Motion:**

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

**Motion:**

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

Mr. Lehman noted for the record that no votes were taken during executive session.

**Motion:**

Mr. Lady made a motion to suspend the license with a citation penalty of \$30,000, based on the violations in the Memorandum Agreement, and in accordance with South Carolina Code Sections 40-11-110(A) (6) and 40-11-110(A); and that the license cannot be reinstated until the citation penalty is paid in full and all outstanding judgements related to construction are paid in full.

Mr. Lady amended the motion to include that the motion is effective once the Final Order is signed and that any work that is in progress can be completed. Mrs. Lineburger seconded the motion, which carried unanimously.

**APPLICATION HEARINGS**

**EDIFICE MARINE AND RESIDENTIAL LAB LLC. (CLG.113945) / Mr. Wayne Tilson (CQG.26368 PQ) –  
Renewal Application**

The purpose of this matter was to determine if an updated renewal application order needs to be issued by the Board to reflect information staff received after the renewal application hearing on January 21, 2021. Mr. Tilson was present and was not represented by counsel. 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. Richardson made a motion for the license to be renewed as long as Mr. Tilson remains in compliance with the settlement agreement dated April 1, 2021. Mr. Appleton seconded the motion, which carried unanimously.

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**SIMPLISAFE INC. (BAC/FAC) / Mr. Peter M. Goldring (BFS. BAQ/ BFS BAQ) – Initial Application**

The application could not be approved at staff level due to items appearing on the criminal history report for the applicant. Mr. Goldring was present and was represented by Sharon Shabel, 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. Richardson made a motion to approve the license. Mr. Lady seconded the motion, which carried unanimously.

**MB DEMOLITION LLC. (CLG) / Mr. Marcus Brown (CQG.27916 PQ) – Initial Application**

Marcus Brown, as the Primary Qualifying Party of a previous license, is currently under an Order of Suspension and Order to Cease and Desist; therefore, this application could not be approved at staff level. Mr. Brown 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. Lady made a motion to approve the application. Mr. Richardson seconded the motion, which carried unanimously.

**CUNNINGHAM WATERS CONSTRUCTION / Mr. Henry S.M. James (CQG.25724 PQ) / Mr. Gabe C. Waters (CQG.22412 PQ) – Renewal Application**

The renewal application could not be approved at staff level due to the licensee having outstanding monetary judgments related to construction. Mr. James and Mr. Waters were present and were 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. Richardson made a motion to approve the renewal application subject to review by staff on the correct group limitation of the license and with the understanding that staff can approve the financial documentation without bringing it back to the Board unless there are questions. Mr. Lady seconded the motion, which carried unanimously.

**AMERICAN PRESERVATION BUILDERS LLC. (CLG.120056) / Christopher L. Holmes (CQG.27723 PQ) – Renewal Application**

The renewal application could not be approved at staff level due to the licensee having outstanding monetary judgments related to construction. Mr. Holmes was present and was represented by Renee B. Weiss, 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.

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**Motion:**

Mr. Walker made a motion to go into Executive Session for legal advice. Mrs. Lineburger seconded the motion, which carried unanimously.

**Motion:**

Mrs. Lineburger made a motion to come out of Executive Session. Mr. Walker seconded the motion, which carried unanimously.

Mr. Lehman noted for the record that no votes were taken during executive session.

**Motion:**

Mr. Lady made a motion to renew the license with the provision that the one outstanding judgement with Poppy D's be resolved in 30 days or the license be administratively suspended. Mr. Walker seconded the motion, which carried unanimously.

**NEW BUSINESS**

**Travel Approval**

**SC Permit Technicians Association, May 1, 2021 – May 2, 2021 – Myrtle Beach, SC**

Ms. Price requested approval of travel costs to attend this meeting and speak to the attendees on behalf of the Board.

**Motion:**

Mr. Walker made a motion to approve the travel costs for this meeting. Mrs. Lineburger seconded the motion, which carried unanimously.

**BOASC Annual Conference, May 2, 2021 – May 5, 2021 – Myrtle Beach, SC**

Ms. Price requested approval of travel costs to attend this meeting and speak to the attendees on behalf of the Board.

**Motion:**

Mr. Walker made a motion to approve travel funds for LLR staff to attend the conference. Mrs. Lineburger seconded the motion, which carried unanimously.

**NASCLA Annual Conference, August 29, 2021 – September 2, 2021 – Boston, MA**

Ms. Price requested travel approval for herself and two board members to attend the annual conference.

**Motion**

Mr. Caswell made a motion to approve travel costs for Mrs. Price and two Board members. Mr. Lady seconded the motion, which carried unanimously.

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**Committee Appointment for *Contractors Guide to Business, Law and Project Management – 8<sup>th</sup> Edition***

Mrs. Price stated that she would like for the Board to create a committee to review and recommend updates to the *Contractors Guide to Business, Law, and Project Management – 8<sup>th</sup> Edition*. Mrs. Lineburger volunteered to be the Chair of the Committee and Mr. Appleton volunteered to be on the committee.

**Motion:**

Mr. Lady made a motion to appoint a committee for the *Contractors Guide to Business, Law, and Project Management – 8<sup>th</sup> Edition*. Mr. Richardson, seconded the motion, which carried unanimously.

**Burglar and Fire Alarm Contractors Initial and Renewal Applications – Executive Session for legal advice.**

**Motion:**

Mr. Richardson made a motion to go into Executive Session for legal advice and have Ms. Price join the session. Mrs. Lineberger seconded the motion, which carried unanimously

**Motion:**

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

Mr. Lehman noted for the record that no votes were taken during executive session.

**PUBLIC COMMENTS**

There were no public comments.

**ADJOURNMENT**

**Motion:**

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

The meeting concluded at 3:18pm.