

**SOUTH CAROLINA CONTACTOR'S LICENSING BOARD**

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

Thursday, July 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 10:11 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.

Staff members participating in the meeting included: Molly Price, Board Administrator; Zahid Chinwalla, Program Assistant; Erin Baldwin, Office of Disciplinary Counsel; Donnell Jennings, Office of Advice Counsel; Chris Elliott, Office of Disciplinary Counsel; and Todd Bond, Office of Investigations and Enforcement.

The Court Reporter was Cortney Glover with Creel Court Reporting.

**APPROVAL OF AGENDA**

**Motion:**

Mr. Lady 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. Appleton made a motion to approve the April 15, 2021, Board Meeting minutes. Mr. Richardson seconded the motion, which carried unanimously.

Mr. Appleton made a motion to approve the April 20, 2021, Boiler Task Force meeting minutes. Mr. Richardson seconded the motion, which carried unanimously.

Mr. Caswell made a motion to approve the June 1, 2021, Boiler Task Force meeting minutes. Mr. Richardson second the motion, which carried unanimously.

**BOARD CHAIRMAN REMARKS – DANIEL LEHMAN**

Mr. Lehman thanked LLR staff to get all the materials and room prepared for the Board Meeting. He also thanked everyone for attending the meeting.

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**STAFF REPORTS**

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

Ms. Price introduced Zahid Chinwalla, Program Assistant and Donnell Jennings, the new Advice Counsel to the Board. Ms. Price reported that the Board's cash balance as of May 31, 2021, is \$853,609.44. She directed the Board members to the PSI exam and survey statistics, licensure statistics and financial report located in their meeting materials. Ms. Price also mentioned that Mr. Walker and she will be attending the NASCLA conference in Boston, Massachusetts in August and they would bring a report back to the Board. Ms. Price also mentioned some new procedures that have been implemented for the Mechanical Contractor's Renewal process. Licensees received e-mails last month informing them to upload their financial documents through the document submission process online, which will hopefully help with the amount of documents staff process in a short period of time with renewals. Approximately 1,000 financials have been processed so far out of roughly 7,000 licensees. Mechanical Contractor license renewals will officially open on August 2, 2021. Ms. Price also stated that there are two active committees currently for this Board, the Boiler Safety Task Force and a committee to review the Business Law and Management examination for potential updates.

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

Mr. Bond reported that as of July 15, 2021, OIE has received 244 complaints this year related to general and mechanical contractors. There are currently 105 active investigations and they have closed 237 cases. For burglar alarm, fire alarm, and fire sprinkler contractors, OIE has received 13 complaints this year. There are currently 6 active investigations and there are no closed cases.

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

Mr. Bond reported that an IRC meeting was held on June 24, 2021 and the committee discussed a total of 41 cases. The IRC recommended 17 cases for dismissal, 15 for formal complaint, 5 for citations and 4 for Letters of Caution. During that meeting there were 3 Burglar/Fire cases presented and the committee recommendations were 1 for Formal Complaint, 1 for Dismissal, and 1 for Citation.

**Motion:**

Mr. Appleton made a motion to approve the Investigative Review Committee's report from June 24, 2021, as presented. Mr. Lady seconded the motion, which carried unanimously.

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

Mr. Elliott presented the Office of Disciplinary Counsel report. There were 98 open cases, 23 cases pending hearing and agreements, 3 cases pending closure, 8 cases closed in ODC as of July 7, 2021.

**HEARING OFFICER RECOMMENDATIONS - FINAL ORDER HEARINGS**

**Case No: 2017-200**

The Respondent was present and was represented by Michael M. Jordan, Esquire. The hearing was conducted in closed session and Erin Baldwin represented the State. Mr. Walker recused himself from the

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hearing since he was the Hearing Officer. All persons testifying were sworn in by the court reporter. The hearings are recorded by a certified court reporter in the event a verbatim transcript is necessary.

**Motion:**

Mr. Lady made a motion to accept the hearing officer recommendation and dispose of the matter. Ms. Lineberger seconded the motion, which carried unanimously.

Mr. Walker rejoined the Board Meeting after the hearing.

**Case No. 2017-268**

Mr. Elliott advised the Board that this case was continued to the next scheduled Board Meeting in October 2021. Mr. Lehman granted the continuance for this hearing.

**APPLICATION HEARINGS**

**Motion:**

Ms. Lineberger made a motion to switch items 10c and 10d of the agenda. Mr. Richardson seconded the motion, which carried unanimously.

**LOCAL MECHANICAL LLC. (CLM) / Michael Paul Austin (CQM PQ) – Initial Application**

The application could not be approved at staff level due to items appearing on the criminal history report for the applicant. Mr. Austin was present and was not represented by counsel. A quorum of the board is present. No witness testified in this hearing. 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 initial application. Ms. Lineberger seconded the motion, which carried unanimously.

**Jarrad Stewart (BFRE Initial Application) for MSS Fire and Security LLC. (BAC.13814-FAC.13750)**

The application could not be approved at staff level due to items appearing on the criminal history report for the applicant. Mr. Stewart (applicant) and Mr. Richard Vargo (Qualifying Party) were present and were not represented by counsel. A quorum of the board was present. 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 license. Mr. Richardson seconded the motion, which carried unanimously.

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**GRACE CONSTRUCTION GROUP LLC (CLG)/ Anthony Ladd James (CQG PQ) – Initial Application**

The application could not be approved at staff level due to a previous license or certificate discipline. Mr. Anthony Ladd James, the Primary Qualifying Party, was present and was represented by Darra James Coleman, Esquire. A quorum of the board was present. 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. Ms. Lineberger seconded the motion, which carried unanimously.

**George Smith dba Greystone Enterprise (CLG)/George Smith (CQG PQ) – Initial Application**

The initial application could not be approved at staff level due to previous disciplinary action. Mr. Smith 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. Appleton made a motion to go into Executive Session and to include Ms. Price. Mr. Richardson seconded the motion, which carried unanimously.

**Motion:**

Mr. Lady Made a motion to come out of 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. Lady made a motion to deny the application. Ms. Lineberger seconded the motion, which carried unanimously.

**NEW BUSINESS**

**Reconsideration of 2016 Board Decision for Examination Pre-Approval**

Ms. Price advised the Board that in 2016 they voted to change the current Board process and move to examination pre-approval for licensure applicants. She is bringing this back to the Board because this process was never put in place at staff level and she does not feel this is in the best interest of applicants or LLR staff. She explained the current process for examinations and how she felt this would add an unnecessary barrier to the licensure process. In addition, there is no fee for qualifying party applicants, so it would potentially slow down LLR staff with processing and impact the Board financially.

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**Motion:**

Mr. Walker made a motion to rescind the 2016 Board Decision for Examination Pre-Approval. Mr. Lady seconded the motion, which carried unanimously.

**Approval of Proposed Regulation for Licensure Classifications Required for Boiler Work**

**Motion:**

Mr. Lady made a motion to go into Executive Session with Ms. Price. Mr. Appleton seconded the motion, which carried unanimously.

**Motion:**

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

It was noted for the record that no votes were taken during Executive Session.

No action was taken on this agenda item.

**License Renewal Fees in 40-10-50 (E)(1) and 40-79-50(3)(a)**

Ms. Price stated that in 2014 the fees for the Board were moved to Chapter 10 of the SC Code of Regulations. The fees for general and mechanical contractors were properly removed from statute at the same time. However, the fees were not properly removed from Section 40-10-50 (E)(1) and Section 40-79-50(3)(a) for burglar alarm, fire alarm, and fire sprinkler contractor renewals. The regulations state that the renewal fee is \$85; however, the statute is still set at \$200 for fire sprinkler and \$150 for burglar and fire alarm renewals.

**Motion:**

Mr. Lady made a motion to go into Executive Session with Ms. Price to remain. Ms. Lineberger seconded the motion, which carried unanimously.

**Motion:**

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

**Motion:**

Mr. Lady made a motion to allow staff to draft a proposal to make the regulations in line with fees set in statute. Mr. Richardson seconded the motion, which carried unanimously.

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**PUBLIC COMMENTS**

There were no public comments.

**ADJOURNMENT**

**Motion:**

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

The meeting concluded at 1:08 p.m.

Next Meeting is Thursday, October 21, 2021 at 10:00 a.m.