

SOUTH CAROLINA CONTACTOR'S LICENSING BOARD
Synergy Business Park, Kingstree Building
110 Centerview Drive, Columbia, South Carolina
Board Minutes

Thursday, October 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.

Staff members in attendance: Emily Farr, Director of LLR, Molly Price, Board Administrator; Zahid Chinwalla, Program Assistant; Maggie Smith, Program Coordinator; Chris Elliott, Disciplinary Counsel; Shelby Sutusky, Disciplinary Counsel; Katherine Barroll, Disciplinary Counsel; Alexis Bell, Disciplinary Counsel; Donnell Jennings, Advice Counsel; and Maurice Smith, Office of Investigations and Enforcement.

Public members in attendance: Lewis M. Caswell (Retired Board Member), Mona L. Flowers, Mechanical Contractors Association of South Carolina, and Leslie Clark, Carolinas AGC.

The Court Reporter was Nadine Garrett with Creel Court Reporting.

APPROVAL OF AGENDA

Motion:

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

INTRODUCTION OF BOARD MEMBERS

Mr. Lehman introduced the Board Members.

APPROVAL OF EXCUSED ABSCENCES

Mr. Lady made a motion to approve Mr. Walker and Mr. Gibbs as excused absences. Ms. Lineberger seconded the motion, which carried unanimously.

APPROVAL OF MEETING MINUTES

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

BOARD CHAIRMAN REMARKS – DANIEL LEHMAN

Mr. Lehman welcomed Mr. Caswell and stated that he was looking forward to recognizing him later in the meeting.

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STAFF REPORTS

Administrator's Report – Maggie Smith for Molly Price

Ms. Smith reported that the Board's cash balance as of September 30, 2021, is \$159,678.59. She directed the Board members to the PSI exam and survey statistics, licensure statistics and financial report located in their meeting materials. Ms. Smith also mentioned that since July 1, 2021, there have been over 900 exams taken for the Board. As of October 21, 2021, for mechanical contractor renewals, there have been 4,084 licenses renewed and 3,158 still showing as active in renewal. Ms. Smith mentioned that LLR has been sending e-mails reminding licenses to renew their licenses and licensees have until October 31, 2021, to renew without late fee penalties. She also mentioned that Zahid Chinwalla e-mailed board members to send available dates if they are interested in being a Hearing Officer for the Board from January 2022 – July 2022. The next meeting for the Board Meeting will be January 13, 2022.

Office of Investigation and Enforcement (OIE) – Maurice Smith

Mr. Smith reported that OIE has received 402 complaints from January 1, 2021 to October 18, 2021, related to general and mechanical contractors. There are currently 92 active investigations and 386 cases have been closed. For burglar alarm, fire alarm, and fire sprinkler contractors, OIE received 17 complaints from January 1, 2021 through October 18, 2021. There are currently 3 active investigations and there are 20 closed cases.

Investigative Review Committee Report (IRC) – Maurice Smith

Mr. Smith reported that the IRC meetings were held on August 24, 2021 and October 6, 2021. For the General and Mechanical contractors cases, the IRC recommended 23 cases for dismissal, 26 cases for Formal Complaint, 2 cases for Formal Complaint Citation and 4 cases for Letters of Caution.

Motion:

Mr. Lady made a motion to approve the cases for dismissal. Mr. Richardson seconded the motion, which carried unanimously.

Motion:

Mr. Lady made a motion to approve the formal complaints. Ms. Lineberger seconded the motion, which carried unanimously.

Motion:

Mr. Appleton made a motion to approve the formal complaints with citation. Mr. Lady seconded the motion, which carried unanimously.

Motion:

Mr. Lady made a motion to approve the cases for the Letter of Caution. Ms. Lineberger, seconded the motion, which carried unanimously.

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For the Burglar, Fire, and Sprinkler cases, Mr. Smith reported that the IRC recommended 2 cases for dismissal and 1 case for formal complaint citation.

Motion:

Mr. Lady made a motion to approve the Burglar and Fire cases as presented by Mr. Smith. Mr. Appleton seconded the motion, which carried unanimously.

Office of Disciplinary Counsel (ODC) – Chris Elliott

Mr. Elliott presented the Office of Disciplinary Counsel report. He also introduced Alexis Bell, Assistant Disciplinary Counsel to the Board. He stated that she will also be working on cases for the Board.

Recognition of Lewis Caswell's Service to the Board – LLR Director Emily Farr

Director Farr recognized and presented a plaque to Mr. Caswell for his public service and his service to the Board.

HEARING OFFICER RECOMMENDATION- FINAL ORDER HEARING

Case No: 2017-268

The Respondent, Shawn Eric Larsen was present for the hearing. Chris Elliott, Esq., represented the State. Board member Scott Appleton recused himself from the hearing, since he was the Hearing Officer in this matter. All persons testifying were sworn in by the court reporter.

Motion:

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

Motion:

Mr. Lady made a motion to come out of Executive Session. Ms. Lineberger 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 adopt the Hearing Officer Hearing Recommendation as presented. Ms. Lineberger seconded the motion, which carried unanimously.

Motion:

Mr. Lady made a motion to go into public session. Mr. Richardson seconded the motion, which carried unanimously.

Mr. Appleton rejoined the Board Meeting after the hearing.

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APPLICATION HEARINGS

MPI Industries Carolinas (CLG) / Haralabos Bardossas (CQG 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. Bardossas was present and was not represented by counsel. A quorum of the board was present. No witnesses testified at the 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. Lady made a motion to approve the initial application. Mr. Richardson seconded the motion, which carried unanimously.

MPI Industries Carolinas (CLG) / Haralabos Bardossas (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. Bardossas was present and was not represented by counsel. A quorum of the board was present. No witnesses testified at the 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. Lady made a motion to approve the initial application. Ms. Lineberger seconded the motion, which carried unanimously.

BIRDSCO Inc. (CLG) / Coley Scagliarini (CQG 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. Scagliarini was present and was not represented by counsel. A quorum of the board was present. No witness testified at 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. Lady made a motion to approve the initial application. Mr. Richardson seconded the motion, which carried unanimously

C&F Mechanical Corporation (CLG) / Wesley Fielding (CQG PQ) – Adding a Qualifying Party

The application could not be approved at staff level due to items appearing on the criminal history report for the applicant. Mr. Fielding and his witness, Mrs. Julia Fielding were 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.

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Motion:

Ms. Lineberger made a motion to approve the initial application. Mr. Lady 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. Richardson made a motion to go into Executive Session. Mr. Lady seconded the motion, which carried unanimously.

Motion:

Mr. Lady Made a motion to come out of Executive Session. Ms. Lineberger 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 application. Mr. Lady seconded the motion. Mr. Appleton and Ms. Lineberger opposed the motion. Mr. Lehman also opposed the motion which resulted in the application being denied.

NEW BUSINESS

Appointment of Committee to Review the South Carolina Alarm System Business Act, Chapter 79

Mr. Lehman advised the Board members that the South Carolina Electronic Security & Technology Association has proposed changes to the South Carolina Alarm System Business Act, Chapter 79. Ms. Price met with Brian Krenshaw of the association and discussed administrative changes the Board would like to look at as well, most notably the fee discrepancy that she presented to the Board at the previous meeting. She stated that a Notice of Drafting was submitted legislatively to correct the fees; however, it makes more sense to not move forward with that right now and work with Mr. Krenshaw and Mr. Wisnant of the Association to make several changes at one time. Ms. Price asked the Board to appoint a committee to work with the association and requested have been Mr. Lehman be Chair.

Motion:

Mr. Richardson made a motion to have a standing committee with Mr. Lehman being the Chair and ask Mr. Walker if he would like to be on the committee. Mr. Appleton 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 12:40 p.m.

Next Meeting is Thursday, January 13, 2022 at 10:00 a.m.