

MINUTES
South Carolina Contractor's Licensing Board
Board Meeting
October 17, 2024, 10:00 a.m.

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10:00 a.m.

WELCOME AND CALL TO ORDER:

Legrand Richardson, Board Chairman, called the regularly scheduled meeting of the South Carolina Contractor's Licensing Board to order at 10:01 a.m.

Mr. Richardson 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 per Section 30-4-80 of the South Carolina Freedom of Information Act.

Staff members in attendance: Meronica Fulton, Board Executive; Thomas Brown, Office of Investigations and Enforcement; Shelby Sutusky, Assistant Disciplinary Counsel; Carolyn Sutherland, Advice Counsel.

The Court Reporter was Katherine Boone with Creel Court Reporting, Inc.

APPROVAL OF AGENDA

Motion:

Mr. Appleton made a motion to approve the October 17, 2024 agenda. Mr. Lehman seconded the motion which carried unanimously.

INTRODUCTION OF BOARD MEMBERS

Mr. Richardson introduced himself and the following board members: Kimberly Lineberger, Daniel Lehman, Scott Appleton, John Williams.

APPROVAL OF EXCUSED ABSENCES

Motion:

Mr. Williams made a motion to approve the absences of Mr. William Edward Gibbs and Mr. Terry Marcum from the board meeting. Ms. Lineberger seconded the motion which carried unanimously.

APPROVAL OF MEETING MINUTES

Motion:

Mr. Williams made a motion to approve the July 18, 2024, Board Meeting minutes. Mr. Appleton seconded the motion, which carried unanimously.

BOARD CHAIRMAN REMARKS – Legrand Richardson Jr.

Mr. Richardson welcomed everyone to the board meeting and informed everyone that the Final Order Hearing scheduled for this meeting has been continued to a later date.

STAFF REPORTS

Board Executive's Report – Meronica Fulton

Ms. Fulton reminded board members to be mindful of not speaking over each other and to make clear motions for the court reporter and staff to take the meeting minutes. She then directed the Board members to the cash report and licensure statistics that were provided in the meeting materials. Since the last Board meeting on July 18, 2024, 1,208 exams have been taken for licensure, with an overall pass rate of 58.03%. Ms. Fulton provided the Board with licensure statistics. She stated that there are currently 11,450 licensed general contractors and 7,578 licensed mechanical contractors. She also provided the board with the burglar, fire, and sprinkler contractor statistics, in addition to new licenses issued statistics. Ms. Fulton reminded board members that General Contractor renewals started on August 1, 2024. She provided board members with a license renewal report. As of October 8, 2024, 5,499 General Contractors have renewed their licenses through October 31, 2026, and there are 5,932 that are pending license renewal. She stated this report was pulled on October 8, 2024, so these numbers may have changed since that date. Ms. Fulton notified everyone that the next board meeting is scheduled for January 23, 2025.

Office of Investigation and Enforcement (OIE) Report – Thomas Brown, for Maurice Smith

Mr. Brown reported that OIE received 790 total complaints related to contractors since January 1, 2024. There are 75 active investigations and 715 closed cases.

Mr. Brown reported that since January 1, 2024, OIE received 11 total complaints for burglar alarms and fire alarms. There are 2 active investigations and 9 closed cases.

Investigative Review Conference Report (IRC) – Thomas Brown, for Maurice Smith

Mr. Brown reported that the IRC met on August 15, 2024. The IRC recommended 15 cases for dismissal, 8 cases for formal complaints, 4 cases for formal complaints with citations, and 2 cases for a letter of caution for contractors.

Mr. Brown reported that the IRC met again on October 10, 2024. The IRC recommended 26 cases for dismissal, 9 cases for formal complaints, 5 cases for formal complaints with citations, and 4 cases for a letter of caution for contractors.

Motion:

Mr. Appleton made a motion to approve the August 15, 2024 IRC report as presented. Ms. Lineberger seconded the motion, which carried unanimously.

Mr. Appleton made a motion to approve the October 10, 2024 IRC report as presented. Mr. Lehman seconded the motion, which carried unanimously.

Office of Disciplinary Counsel (ODC) – Shelby Sutusky, for Chris Elliot

Ms. Sutusky directed board members to the ODC report provided in the meeting materials, and presented the report for informational purposes only.

APPLICATION HEARINGS

Treadway Electric Electrical Contracting (CLM.113421) / Garth James Treadway (CQM.27016) – Reinstatement Application

The reinstatement application for a mechanical contractor's license with the electrical classification could not be approved at staff level due to the items appearing on Mr. Treadway's criminal background report. Mr. Treadway was present and was 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:

Ms. Lineberger made a motion to go into a closed hearing session due to state and federal privacy laws. Mr. Lehman seconded the motion, which carried unanimously.

Motion:

Mr. Williams made a motion to go into Executive Session for legal advice. Ms. Lineberger seconded the motion, which carried unanimously.

Motion:

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

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

Motion:

Mr. Williams made a motion to come out of the closed hearing session. Ms. Lineberger seconded the motion, which carried unanimously.

Motion:

Mr. Williams made a motion to approve the mechanical contractor reinstatement application without conditions. Mr. Lehman seconded the motion, which carried unanimously.

Mighty Men Property Services LLC (CLG) / Joel Canino (CQG) – Initial Application

The initial application for a general contractor's license with the building classification could not be approved at staff level due to unresolved complaints or charges pending in North Carolina. Mr. Canino was present and was 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. Appleton made a motion to approve the initial general contractor's application without conditions. Ms. Lineberger seconded the motion, which carried unanimously.

NEW BUSINESS

Proposed Chapter 10 Fee Changes

Mrs. Fulton proposed a change to Chapter 10 of the South Carolina Code of Regulations with respect to the fee structure for both general and mechanical contractors and fee schedules. The proposed changes would exclude annual inactive certificate status fees, remove annual license status fees and change wording of "biennial certificate fee" to state "biennial construction

manager registration fee”. Changes to the burglar alarm and fire alarm contractor’s fees would incorporate adding fees for burglar alarm registered employees and include a branch office fee.

Board members discussed the proposed regulatory fee changes. Discussion relating to the fee increases for fire alarm and burglar alarm licensees included concerns that this fee increase, the board requested additional information before approving these increases. Specifically, the board members requested additional input on why this fee increase was warranted, and if the proposed increase had been shared with the relevant professional organizations.

Motion:

Ms. Lineberger made a motion to go into Executive Session for legal advice. Mr. Williams seconded the motion, which carried unanimously.

Motion:

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

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

Motion:

Mr. Lehman made a motion to approve the proposed Chapter 10 fee changes, with the exception of any fee changes related to burglar alarm or fire alarm contractors. Mr. Appleton seconded the motion, which carried unanimously.

Discussion reflected that they were comfortable approving the proposed regulatory fee changes with the exception of the proposed fee increases relating to the fire alarm and burglar alarm licensees. While it was noted they did not necessarily oppose a fee increase for the fire alarm and burglar alarm licensees, they felt further information and discussion were needed.

Motion:

Mr. Appleton made a motion to go into Executive Session for legal advice. Ms. Lineberger seconded the motion, which carried unanimously.

Motion:

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

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

NEW BUSINESS

Extension for General Contractor renewals

Mrs. Fulton proposed an extension to November 30, 2024. The Contractor’s Licensing Board has received numerous inquiries and concerns highlighting regarding the difficulties licensees were facing in gathering financial information for license renewals due to the hurricane.

Motion:

Mr. Appleton made a motion to approve a one-time contractor renewal late fee extension, with the modification that the renewal deadline for all general contractors be extended to December 31, 2024. All licenses would be able to be renewed without a late penalty until this date. Starting January 1, 2025, the remaining renewal late fee schedule would apply, pursuant to the South Carolina Code of Laws, Chapter 1, Article 1. Mr. Williams seconded the motion, which carried unanimously.

PUBLIC COMMENTS

No public comments.

ADJOURNMENT

Motion:

Mr. Appleton made a motion to adjourn. Mr. Lehman seconded the motion, which carried unanimously. The meeting concluded at 11:48 a.m.

The next meeting is scheduled for January 23, 2025, at 10:00 a.m.