

***SOUTH CAROLINA CONTRACTOR'S LICENSING BOARD***

Synergy Business Park, Kingstree Building  
110 Centerview Drive, Kingstree Building, Room 108  
Columbia, South Carolina 29210

Minutes

Thursday, October 19, 2017

10:00 a.m.

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Mr. Caswell, Board Chair, announced that the meeting was held in accordance with §30-4-80 of the South Carolina Freedom of Information Act by notice mailed to all requesting persons, organizations, and news media. In addition, notice was posted on the bulletin boards at the main entrance of the Kingstree Building.

**WELCOME AND CALL TO ORDER:**

Lewis M. Caswell, Board Chair, stated that a quorum of board members was present and called the regular meeting of the South Carolina Contractor's Licensing Board to order at 10:00 a.m. Other Board members present for the meeting included: Scott Appleton, Daniel Lehman, James E. Lady, Legrand Richardson, Jr., and W. Franklin Walker.

Staff members participating in the meeting included: Stacey Hewson (Advice Counsel), Roger Lowe (Board Administrator), Rhonda Jackson (Program Coordinator), Shakera Thomas (Program Assistant), Tracey Perlman (Office of General Counsel), Daniel Gourley (Office of General Counsel), Todd Bond (OIE, Chief Investigator), and Kathryn Bostrom (Court Reporter).

**APPROVAL OF AGENDA:**

Thursday, October 19, 2017

**Motion:**

Mr. Appleton made a motion to approve the October 19, 2017 agenda. Mr. Richardson seconded the motion, which carried unanimously.

**APPROVAL OF MINUTES:**

Thursday, July 20, 2017

**Motion:**

Mr. Lehman made a motion to approve the July 20, 2017 minutes. Mr. Richardson seconded the motion, which carried unanimously.

Friday, October 6, 2017

**Motion:**

Mr. Richardson made a motion to approve the October 6, 2017 minutes. Mr. Lady seconded the motion, which carried unanimously.

**APPROVAL OF ABSENT BOARD MEMBERS:**

Thursday, October 19, 2017

**Motion:**

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Mr. Lady made a motion to excuse Ms. Lineberger's absence. Mr. Appleton seconded the motion, which carried unanimously.

Mr. Lady made a motion to excuse Mr. White's absence. Mr. Richardson seconded the motion, which carried unanimously.

**CHAIRMAN'S REMARKS:**

*Mr. Lewis Caswell*

There were no remarks from the chairman.

**APPLICATION/LICENSE REVIEW:**

• **SHANE MANCINI/S&S COMMCO (Burglar Alarm application pending)**

The burglar alarm qualifying party application could not be approved at staff level. Shane Mancini was present and was not represented by legal counsel. Mr. Mancini had a witness present, Mr. Nathan Howell.

**Motion:** Mr. Lehman made a motion to deny the request. There was no second, which resulted in a failed motion.

**Motion:**

Mr. Richardson made a motion to approve the burglar alarm application, subject to Mr. Mancini's compliance with his court-appointed probation. If Mr. Mancini violates the probation, the license will be suspended and a re-appearance before the Board will be required. Mr. Appleton seconded the motion, which carried unanimously.

• **STUART BROWN/VIVINT INC (BFRE pending)**

The registered employee application could not be approved at staff level. Stuart Brown was not present.

**Motion:**

Mr. Richardson made a motion to deny the registered employee application. Mr. Appleton seconded the motion, which carried unanimously.

• **TOMMY HARRIS/SKYLINE SECURITY INC (BFRE pending)**

The registered employee application could not be approved at staff level. Tommy Harris was present and was not represented by legal counsel.

**Motion:**

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Mr. Lehman made a motion to continue the case until the qualifying party and the applicant appears before the Board in person or by phone. Mr. Lady seconded the motion, which carried unanimously.

- **MARTELL GOLLIDAY/ALDER HOLDINGS LLC (BFRE pending)**

The registered employee application could not be approved at staff level. Martell Golliday was not present.

***Motion:***

Mr. Richardson made a motion to deny the request. Mr. Lady seconded the motion, which carried unanimously.

- **DANNY LARCOM/DANNY LARCOM HEATING & AIR INC (CLM.113790/CQM.27328)**

The applicant was required to appear before the board before a renewal application could be accepted. Danny Larcom was present and was represented by legal counsel, John Alphin.

***Motion:***

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

- **DUSTIN SUTTON/DCS ELECTRICAL SERVICES (initial application)**

The initial application could not be approved at staff level. Dustin Sutton was present and was not represented by legal counsel.

***Motion:***

Mr. Walker made a motion to deny the request. Mr. Lehman seconded the motion, which carried unanimously.

- **RHONDA PRESSLEY/EMCOR FACILITIES SERVICES INC (CLM.111563, Revision Application)**

The applicant was required to appear before the board before a revision application could be accepted. Rhonda Pressley was present and was not represented by legal counsel.

***Motion:***

Mr. Richardson made a motion to continue the hearing until the January Board Meeting. Mr. Lady seconded the motion, which carried unanimously.

**HEARING OFFICER RECOMMENDATION – FINAL ORDER HEARING:**

- **MICHAEL FERRARA/FERRARA BUIST LLC (CASE NO. 2016-132)**

Mr. Lehman was the hearing officer in the case and recused himself from the hearing.

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Michael Ferrara was present and was represented by legal counsel, Paul Ferrara. Ms. Tracey Perlman, Esq. represented the State and requested the Board uphold the Hearing Officer's Recommendations.

**Motion:**

Mr. Lady made a motion to accept the Hearing Officer's recommendations. Mr. Richardson seconded the motion, which carried unanimously.

• **CHRISTOPHER BEDSON/CNT FOUNDATIONS (CASE NO. 2016-325)**

The hearing is continued until the January Board Meeting due to not having a quorum of the board present.

• **JAMES HOOD/TRUE HOMES LLC (CASE NO. 2015-208)**

Mr. Walker was the hearing officer in the case and recused himself from the hearing. James Hood was present and was represented by legal counsel, Clay Campbell. Mr. Daniel Gourley, Esq. represented the State and requested the Board uphold the Hearing Officer's Recommendations.

**Motion:**

Mr. Lady made a motion to accept the Hearing Officer's recommendations. Mr. Lehman seconded the motion, which carried unanimously.

**OFFICE OF GENERAL COUNSEL (OGC REPORT)**

*Tracey Perlman*

Ms. Perlman reported that OGC has 40 open cases, 24 cases pending action, 1 case is pending a consent agreement or memorandum of agreement, 5 cases are pending disciplinary hearings, 9 cases are pending final order hearings and 0 cases are pending final orders. Since July 11, 2017, 20 cases have been closed and there is 1 case on appeal at this time.

**OFFICE OF INVESTIGATIONS AND ENFORCEMENT (OIE REPORT)**

*Todd Bond*

• ***August 24, 2017 IRC Recommendations for Contractors cases:***

The IRC Committee recommended 7 cases be dismissed, 3 cease and desist dismissals, 6 formal complaints, 6 formal complaint citations, 1 letter of caution - a total of 23 cases.

**Motion:**

Mr. Richardson made a motion to approve the recommendations of the Investigative Review Committee. Mr. Lady seconded the motion, which carried unanimously.

• ***October 12, 2017 - IRC Recommendations for Contractors cases:***

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The IRC Committee recommended 23 cases be dismissed, 10 formal complaints, 4 formal complaint citations, 3 letters of caution - a total of 40 cases.

**Motion:**

Mr. Lady made a motion to approve the recommendations of the Investigative Review Committee. Mr. Richardson seconded the motion, which carried unanimously.

• ***October 12, 2017 - IRC Recommendations for Burglar-Fire Alarm cases:***

The IRC Committee recommended 1 case be dismissed, and 1 formal complaint citation - a total of 2 cases.

**Motion:**

Mr. Richardson made a motion to approve the recommendations of the Investigative Review Committee. Mr. Appleton seconded the motion, which carried unanimously.

**NEW BUSINESS**

• ***“Call Before You Dig” and PSI***

Roger Lowe discussed the Call Before You Dig Law and requested that a question regarding the law be added to the PSI exam.

**Motion:**

Mr. Appleton made a motion to approve that one question regarding the Call Before You Dig law be added to the PSI contractor's exam. Mr. Richardson seconded the motion, which carried unanimously.

**BOARD FINANCIAL INFORMATION AND PSI EXAMINATION INFORMATION**

Mr. Lowe directed the board to the secure website for review of the documents.

**DATE OF NEXT MEETING:**

***Thursday, January 25, 2018; 10:00 A.M., Meeting Room 105, Kingstree Building***

The next meeting of the SC Contractor's Licensing Board will be held Thursday, January 25, 2018, beginning at 10:00 A.M., at the Synergy Business Complex, Kingstree Building, Room 105, in Columbia, SC.

**ADJOURNMENT:**

**Motion:**

Mr. Lady made a motion to adjourn the meeting. Mr. Appleton seconded the motion, which carried unanimously. There being nothing further, the meeting concluded at 12:23 p.m.