

SC Contractors Licensing Board  
Synergy Business Park, Kingstree Building  
110 Centerview Drive, Room 105  
Columbia, South Carolina 20210

Minutes

July 21, 2011

10:00 am

Kim Lineberger, Chairperson announced that the meeting was held in accordance with §3-4-80 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:

Ms. Lineberger called the regular meeting of the Contractor's Licensing Board to order at 10:00 am. Other members present for the meeting included: Bill Neely, Lewis M. Caswell, Mark G. Plyler, Frank Walker and Wendi Nance.

Staff members participating in the meeting included Dean Grigg, Advice Attorney; Christa Bell Staff Attorney; Gary Wiggins, Interim Administrator; Jennie Meade, Program Coordinator; Steve Freshley, Office of Investigations.

Approval of Agenda:

Ms. Lineberger asked for any additions/modifications to the agenda. Mr. Walker requested an addition to discuss the NASCLA conference and Mr. Plyler made a motion to delete the licensing and examination Pass/Fail reports. A vote was taken and the motions were passed unanimously.

Excused Members:

The chair stated that member Daniel Lehman had contacted her stating that he would be on vacation and unable to attend this meeting. Mr. Caswell moved to approve the absence and Ms. Nance seconded the motion. The vote was unanimous.

Approval of Minutes:

Ms. Lineberger asked for a motion for approval of the minutes. The motion was made by Mr. Caswell and seconded by Mr. Neely with a unanimous vote.

**Chairman's Remarks:**

The Chair stated that the NASCLA meeting is in Savannah this year and through discussion it was stated that the dates are August 23<sup>rd</sup> through the 26<sup>th</sup> with the application deadline of July 22, 2011. The Board members were provided with applications from staff, and staff confirmed that the funds would be available.

**Remarks For Information:**

The Chair asked Mr. Wiggins for an update on the Administrator's position. Mr. Wiggins stated that it is still in process. There were several candidates that have been considered and that two offers had been made and rejected.

Ms. Lineberger then asked about the status of the financial statement changes to the board's statute. Mr. Wiggins stated that a piece of legislation was introduced early this Legislative Session that would change the financial statement required for all of the group levels. The Bill went to the LCI Committee, but had not moved out of subcommittee. The Bill has one more Legislative Term to complete the cycle. If it does not move by the end of next year's cycle, the Bill will die.

Mr. Wiggins advised the Board that it needed to appoint a professional person as a member of its IRC. That person would need to be from the construction industry, but not a current board member. The Chair asked if there was a list of Board Representatives for the IRC Meetings. Mr. Wiggins explained that the majority of boards had industry members that participated with the IRCs. Doing so frees the board members from having to recuse themselves when the cases are heard before the full board. After some discussion there was a question of parameters and a suggestion for legal guidance. A motion to go into executive session was made by Ms. Nance and seconded by Mr. Caswell. The vote was unanimous.

Mr. Neely made the motion to come out of executive session, which was seconded by Mr. Caswell and the vote was unanimous. No further action was taken to appoint a professional member to the IRC.

The Chair recognized Mr. Freshley, to provide the Office of Investigation and Enforcement Report. Mr. Freshley reported that there were seventy active cases. The oldest was four hundred and fifty days and the newest one day. He also reported that due to the retirement of Ms. Thurber scheduling of cases has temporarily gone off track.

Ms. Lineberger recognized Ms. Christa Bell to give the Office of General Counsel report. Ms. Bell stated thirty-three open cases were pending at that time; eight pending action; five pending consent agreements; ten pending evidentiary hearings and seven pending final order hearings. She also stated that since the last meeting, fourteen cases have been closed.

Old Business:

None

New Business:

The Chair proceeded to New Business and the IRC Recommendations for May, June and July.

Mr. Caswell made the motion to approve the May IRC recommendations and the motion was seconded by Ms. Nance. The vote was unanimous.

Ms. Nance made the motion to approve the June IRC recommendations and the motion was seconded by Mr. Plyler. The vote was unanimous.

Ms. Lineberger had a few questions concerning the July IRC and the consistency of the recommendations. Mr. Freshley responded to Ms. Lineberger's concerns. Mr. Caswell made a motion to approve the IRC recommendations and the motion was seconded by Mr. Plyler. The vote was unanimous.

The Chair addressed the number of Mechanical Contractors with a Group IV Limitation (Tab B). During discussion, the topic related to Bill S 354, that affected the group IV and how may would be affected.

An Application Hearing was heard in the Matter of Ronald Cooley. A motion by Mr. Walker and a Second by Mr. Neely to deny.

Public Comments:

Meeting was adjourned at 11:30 am.