

STATE CONSTRUCTION INDUSTRY LICENSING BOARD

Division of Conditioned Air Contractors

November 16, 2016 Meeting

Open Session Minutes

A meeting of the Georgia State Construction Industry Licensing Board, Division of Conditioned Air Contractors was held on Wednesday, November 16, 2016, at the Professional Licensing Boards, 237 Coliseum Drive, Macon, Georgia for the purpose of conducting Board business.

Members present:

Ken Davis, Chairman
Johnny Lyons
Kevin Green

Members absent:

Rudy Weaver
Michael Miller, Consumer Member

Staff present:

Deborah Beard, Executive Director
Tiffanie Taylor, Board Support Specialist
Laura Fremont, Licensure Analyst
Ken English, Licensure Supervisor
David Stubins, Senior Assistant Attorney General

Visitors present:

None

Call to Order:

At 9:05 a.m., Board Chair Davis established that a quorum was present and called the meeting to order.

Approval of Open Session Minutes:

A motion was made by Lyons, seconded by Davis, and the Board voted to approve the minutes of the August 3, 2016 meeting. None opposed, motion carried.

Ratifications:

The Division of Conditioned Air Contractors reviewed the list of applicants which were previously reviewed and administratively approved by Cognizant Board Members. A motion was made by Lyons, seconded by Weaver, and the Board voted to ratify 8 Conditioned Air Restricted and 8 Conditioned Air Non-Restricted licenses issued from August 1, 2016- October 31, 2016. None opposed, motion carried.

Restricted

CR110251 Benjamin Howard Adkins
CR110252 David Clayton Harden
CR110253 Thomas Alexander Linder
CR110254 Arthur Kowalewski

CR110255 Cesar Losart Mendez Brenes
CR110256 Marshall Phillip McCall
CR110257 Christopher James Griffith
CR110258 Sydney Stephen Wills

Non- Restricted

CN211028 Carla Willis Story
CN211029 Michael Lynn Chisholm
CN211030 Scott Patrick Ashwood
CN211031 Mark A Jacobs

CN211032 Joel Michael Reese
CN211033 James Winston Thomaston
CN211034 Douglas Adam Moore
CN211035 Justin Owen Dollar

Board Orders:

A motion was made by Weaver, seconded by Lyons, and the Division of Conditioned Air Contractors voted to ratify acceptance of the following Public Board Orders. None opposed, motion carried.

Brooks, Samuel Consent Order
Drown, Patrick Consent Order

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McCall, Marshall
Moore, Douglas

Consent Agreement for Licensure
Consent Agreement for Licensure

Probation Termination Requests:

A motion was made by Lyons, seconded by Weaver, and the Division of Conditioned Air Contractors voted to lift probation from the following licensees. None opposed, motion carried.

Robinson, Geoffrey – CR108541

Cease and Desist Order Process:

Beard informed the Board of the new process regarding the handling of referrals for Cease and Desist Orders to Investigations. The Professional Licensing Boards Division was informed by the Attorney General's Office that each Board would have to vote to issue a Cease and Desist Orders, or the Board could establish a policy giving Investigations administrative authority to issue a C&D and the Board would have to define unlicensed practice and include guidelines for Investigations in the policy.

There was no further discussion and no action taken regarding a policy.

Executive Session:

At 9:10 a.m. a motion was made by Green, seconded by Lyons, and the Board members present voted to enter into Executive Session in accordance with O.C.G.A. §§ 43-1-2(k), 43-1-19(h), and 50-14-2(1). None opposed, motion carried.

At the conclusion of the Executive Session on Wednesday, November 16, 2016, Davis declared the meeting to be "open" pursuant to the Open and Public Meeting Act, O.C.G.A. §§ 50-14-1 et seq. No votes were taken during executive session.

Open Session:

Approval of Executive Session Minutes:

A motion was made by Lyons, seconded by Green, and the Board voted to approve the Executive Session minutes of the August 3, 2016 meeting. None opposed, motion carried.

Applicant Appearances:

A motion was made by Lyons, seconded by Green, and the Board voted to accept the recommendations on the applicant appearances conducted. None opposed, motion carried.

Applicant#2567310 – uphold denial
Applicant#2590536 – uphold denial
Applicant#2611928 – uphold denial
Applicant#2612151 – uphold denial
Applicant#2612341 – uphold denial
Applicant#2611585 – cancelled
Applicant#2602607 – cancelled

Applications Report:

A motion was made by Lyons, seconded by Green, and the Board voted to accept the recommendations on the applications reviewed. None opposed, motion carried.

Approve the following applicant(s) for reinstatement.

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2640929	2639304	2642010	2635506
2644279	2632783	2636900	2628220
2643419	2644275	2632969	
2629257	2642010	2639525	

Approve the following applicant(s) to sit for the exam and upon passing exam, may issue license.

2631184	2646062	2646012	2611575	2631377
2645929	2645050	2646047	2645738	
2629616	2631203	2631468	2646073	
2609095	2638236	2641263	2645137	
2630917	2631200	2630927	2644768	
2610833	2631200	2630929	2625226	
2628861	2618406	2616799	2645476	
2645073	2631188	2631546	2630920	
2645500	2630681	2646114	2629251	
2630169	2621612	2631379	2629430	
2629245	2644828	2646059	2631394	

Approve the following applicant(s) to sit for the exam and upon passing exam, may reinstate license.

2624034	2645165	2629233
2646349	2645421	

Approve the following applicant(s) to sit for the exam and upon passing exam, send back to full board for review to determine licensure.

2645630	2631440
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Approve the following applicants for licensure by examination.

1738315

Approve the following applicant(s) for licensure by reciprocity.

2640905	2537123	2640683	2637125	2621635
2635051	2631381	2624807	2633997	

Deny the following applicant(s) for licensure based on failure to meet qualifying experience requirements.

2471899	2645911	2569777	2478091
2631211	2638428	2631404	2631385
2612194	2639941	2646056	
2569522	2625222	2646042	

Deny the following applicant(s) for licensure based on felony convictions and moral turpitude.

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2603777

Send deficiency letter to the following applicant(s).

2612359 – Deficient one more qualifying reference.
2645736 – Deficient one more qualifying reference.
2641114 – Deficient qualifying experience.
2646035 – Deficient clarification of work experience timeframe.
2630478 – Deficient service and design.
2644432 – Deficient appropriate EPA card.

Send deficiency letter to the following applicant(s) and upon receipt approve for reinstatement.

2637009 – Deficient CE information.

The following applicant(s) were tabled for further review.

2645730	2646013	2646067	2645902	2646526
2645411	2645450	2645915	2631753	
2645908	2646289	2612354	2645057	
2645733	2645924	2645472	2645249	
2646010	2645493	2646437	2613443	
2619483	2645909	2646293	2640244	

Renewal Review:

A motion was made by Davis, seconded by Lyons, and the Board voted to accept the recommendations on the renewal applications reviewed. None opposed, motion carried.

Applicant #727165 - I.N.E. - Rescind previous motion and renew license.

Applicant#1261510 – B.E.K. Renew license upon receipt of compliance with board order in Alabama. Request licensee to verify required information on his business vehicle in Georgia.

Case Review (Legal and Discipline cases):

(CA= Conditioned Air Contractor Investigative Case Number)

A motion was made by Davis, seconded by Weaver, and the Board voted to accept the recommendations on the cases reviewed. None opposed, motion carried.

Close the following case(s) with no action.

CA150057	CA160088	CA160068	CA170023
CA170042			

Close the following case(s) due to no violation of the applicable practice act sufficient for disciplinary action.

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CA170063
CA160091

Close the following case(s) with a letter to Cease and Desist practicing without a license.

CA170007

Close the following case(s) with no action and send letter as recommended by Cognizant and approved by the Board Senior Assistant Attorney General. The letter can be sent on Board letterhead.

CA160021

Close the following case(s) due to complainant being refunded and item replaced.

CA170008

Close the following case(s) with a letter of concern.

CA170014

Request additional information on the following case(s) as discussed in Executive Session.

CA160070 CA160092

Refer the following case(s) to Investigations as discussed in Executive Session.

CA170003

Refer the following case(s) to Investigations for a Cease and Desist Order.

CA160058	CA160078	CA170006	CA170021
CA170027	CA170034	CA170041	CA170049
CA170058	CA170045	CA170017	CA170033
CA170039	CA170026	CA170060	CA170048

Legal Services Report:

A motion was made by Green, seconded by Lyons, and the Board voted to accept the recommendation on the case reviewed. None opposed, motion carried.

Applicant#2536455 – Rescind previous motion and approve issuance of license.

A.G. Status Report

A motion was made by Green, seconded by Lyons, and the Board voted to accept the A.G. Status Report as presented in Executive Session.

A motion was made Green, seconded by Lyons, and the Board voted to accept the recommendation on the case reviewed. None opposed, motion carried.

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Case#CA160027 – Refer to A.G.’s Office for a Consent Order to include 24 months’ probation and \$1,000 fine for not making restitution.

Investigative Interview:

A motion was made by Lyons, seconded by Green, and the Board voted to accept the recommendation the case reviewed. None opposed, motion carried.

Applicant #727775 – Approve renewal of license.

Correspondence:

A motion was made by Lyons, seconded by Green, and the Board voted to accept the recommendations on the cases reviewed. None opposed, motion carried.

Brian Annino – (Attorney) on behalf of Paul Johnson CR006689 – Board voted not to grant any further extensions to license CR006689.

Sam Osborne -Gwinnett Technical College –Respond to correspondence as listed below:

1. Clarify acceptable certificate. Board Response: Certificates will not count as one (1) year experience unless the certificate(s) covers installation, service, and design.
2. What is considered a diploma program? Board Response: Diploma programs are usually from a technical schools and require at least two (2) years of education. A bachelor’s degree is usually from a college/university and require at least four (4) years of education.
3. Can both (4)(a)(b) of Rule 121-2-.03 be combined for a total of three (3) years’ experience if the person has obtained each type of education along with the transcripts to prove such? Board Response: No.

Discussion Items:

2017 Board Meeting Dates:

A motion was made by Lyons, seconded by Davis, and the Board voted to accept the following 2017 Board meeting dates.

March 29, 2017 – 9:00 a.m. - Professional Licensing Boards Division – In person

July 26, 2017 – 9:00 a.m. – Professional Licensing Boards Division – In Person

November 15, 2017 – 9:00 a.m. – Professional Licensing Boards Division – In Person

Continuing Education Provider Requests:

A motion was made by Lyons, seconded by Green, and the Board voted to accept the recommendations as listed below. None opposed, motion carried.

RectorSeal – Approve 1 Hr. CE for course submitted –Refrigerant Leaks:201.

ACCA Residential Design for Quality Installation and Commercial Design for Quality Installation.

With no other business to discuss, the meeting adjourned at 2:48 p.m.

The next meeting will be held on March 29, 2017 at 9:00 a.m.

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Minutes recorded by:

Tiffanie Taylor, Board Support Specialist

Minutes edited/reviewed by:

Deborah Beard, Executive Director

KEN DAVIS

Division Chairman

DEBORAH BEARD

Executive Director

These minutes were approved on March 29, 2017.