

STATE CONSTRUCTION INDUSTRY LICENSING BOARD

Division of Conditioned Air Contractors

July 24, 2019 Meeting

Open Session Minutes

A meeting of the Georgia State Construction Industry Licensing Board, Division of Conditioned Air Contractors was held on Wednesday, July 24, 2019, at the Professional Licensing Board Division, 237 Coliseum Drive, Macon, Georgia for the purpose of conducting Board business.

Members present:

Johnny Lyons, Division Chairman
Kevin Green
Elaine Powers
Mark Herbert – exited meeting at 12:15 p.m.
Mitch McEwin – exited meeting at 11:15 a.m.
Rudy Weaver – via teleconference -exited at 9:15 a.m.

Members absent:

None

Staff present:

Deborah Beard, Executive Director
TiAndria Burke , Board Support Specialist
Ken English, Licensure Supervisor
Amanda Califf, Compliant/Compliance Analyst
Maximillian Changus, Assistant Attorney General

Visitors present:

Mack Kirksey
Danny Chamblee
Sandra Chamblee
Christopher Bruce
Charles Lamberth
Bruce Widner

Call to Order

At 9:11 a.m., Division Chairman Lyons established a quorum was present and called the meeting to order.

Oath of Office for New Board Member

New Board Member, Elaine Powers was introduced to the Board. Her Oath of Office was conducted by the Deputy Division Director, Doug Deal.

Introduction of New Board Members

The Executive Director, Deborah Beard introduced three new board members to the Board. Elaine Powers who took her Oath of Office today. She hold a Conditioned Air Non-Restricted license and was appointed on January 9, 2019. Mitch McEwin was appointed on June 6, 2019 as a consumer member of the State Construction Industry Licensing Board and was sworn in by Governor Kemp. Mark Herbert holds a General Contractor license and was appointed on July 10, 2019 as a consumer member of the State Construction Industry Licensing Board and was sworn in by Governor Kemp. The Assistant Attorney, Maximillian Changus, provided a brief explanation of the new board members positions on the Board.

Beard also provided the Board with the number of applications received July 1, 2017 to June 30, 2018 totaling 2,027 compared to July 1, 2019 to June 30, 2019 totaling 400. The reason there was such a difference was because of the newly incorporated Conditioned Air Company registration that began in 2017. Licensees were sent notification of the new registration process and based on the numbers there were a numerous amount who registered during the conditioned air contractor renewal period of 2017.

Approval of Open Session Minutes

A motion was made by Lyons, seconded by Green, and the Division voted to approve the minutes from the March 27, 2019 and May 7, 2019 meeting. None opposed, motion carried.

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Ratifications

Licenses Issued

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 Green, and the Division voted to ratify 13 Conditioned Air Non-Restricted issued from March 1, 2019 – June 30, 2019. None opposed, motion carried.

Conditioned Air Non- Restricted

CN211295	Daniel Joseph Myers	CN211302	Timothy David Parker
CN211296	Billy Jack Smith, II	CN211303	John Paul Hoffman
CN211297	George William Turner	CN211304	John William Faust, Sr
CN211298	Siu Lun Chan	CN211305	Joe Espinoza, Jr
CN211299	Jeremy Wayne Smith	CN211306	Craig Thomas Mickelson
CN211300	Nathaniel Ezra Howard	CN211307	Adam Ken Wilkerson, I
CN211301	Vance M Edwards		

Public Board Orders

A motion was made by Lyons, seconded by Powers, and the Division voted to ratify acceptance of the following Board Orders. None opposed, motion carried.

Crook, Stephen	Voluntary Surrender
Peavy, Fredrick	Amend Consent Order
Evatt, David	Voluntary Cease and Desist Order
Cham, Lamin	Voluntary Cease and Desist Order

Review Continuing Education Provider Requests

National Institute, Inc. - A motion was made by Lyons, seconded by Green, and the Division voted to approve the course Measure and Improve Residential System Performance, 16 total student contact hours as submitted. None opposed, motion carried.

Open Correspondence

A motion was made by Powers, seconded by Green, and the Division voted to accept the following recommendations for open correspondence. None opposed, motion carried.

- Ramey, Asta – Additional information needed.
- Harrington, William – Based on the information provided, the vacuum system and piping would not be covered under the Division of Condition Air Contractors.
- Tibor, Shelly – Based on the information provided, a license is not required for owner maintenance of their own property.
- Ziganto, Nick – Based on the information provided, a license is not required for refrigeration installation; however, one must follow the mechanical code for installation. Contact the local building authority to verify permitting requirements.

Visitor

Charles Lamberth, introduced himself to the board. He is the new qualifying licensee for Home Depot and covers from north Georgia down to Macon. There is another gentleman who handles services for Home Depot from Macon on to south

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Georgia. He likes to meet with Boards when he goes into a new state. He explained Home Depot only uses licensed contractors to install heating and air products. The company wants someone in house as secondary support. There is no intention to contract directly with the customer.

Executive Director's Report

The Executive Director, Deborah Beard, informed the Division of Condition Air contractors on the number of applications and complaints received as of Tuesday, July 23, 2019. A total of 1800 Condition Air company license, 151 licenses issued by conversion, examination, reciprocity or reinstatement. A total of 76 Condition Air Restricted licenses has been issued by examination and reinstatement. A total of 126 complaints has been received from 2017-2018 and 140 complaints has been received from 2018-2019.

Executive Session

At 9:48 a.m. a motion was made by Lyons, seconded by Green, and the Division members present voted unanimously 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) to review executive session minutes, conduct applicant appearances, review applications, complaints, executive correspondence and to review the Attorney General's Report. None opposed, motion carried.

At the conclusion of the Executive Session on Wednesday, July 24, 2019, Lyons 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 Powers, and the Division voted to approve the executive minutes from the March 27, 2019 and May 7, 2019 meeting. None opposed, motion carried.

Applicant Appearances

A motion was made by Lyons, seconded by Powers, and the Division voted to accept the following recommendations on the applicant appearances. None opposed, motion carried.

- 2732683 M.K. – Uphold previous motion.
- 2766782 D.C. – Rescind previous motion and approve to sit for exam; upon passing, issue license.
- 2767930 R.W. - Rescind previous motion and approve to sit for exam; upon passing, issue license.
- 2770688 A.K. – Uphold previous motion.
- 2772433 H.A. - Uphold previous motion.
- 2775704 J. A. – Rescind previous motion and approve to sit for exam; upon passing, issue license.
- 2787880 R.W. - Rescind previous motion and approve to sit for exam; upon passing, issue license.
- 2791330 D.C. – Cancelled appearance. Board uphold previous motion.
- 2791346 S.H. – Uphold previous motion.
- 2791797 R. P. - Rescind previous motion and approve to sit for exam; upon passing, issue license.
- 2792476 R. G. - Rescind previous motion and approve to sit for exam; upon passing, issue license.

Applications Review

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

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

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Complaints Review (Legal and Discipline cases)

(CA= Conditioned Air Contractor Investigative Case Number)

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

Refer to the Attorney General's Office for a Consent Order to be issued to J.Y. and include a fine of \$500 to be paid within 90 days of docketing.

CA170084

Refer to the Attorney General's Office for a Cease and Desist Hearing before the Board.

CA180095

CA180092

CA180096

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

CA190101

CA180101

CA200001

CA170079

CA190013

CA180041

CA190045

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

CA190016

CA190117

Refer the following case(s) to Investigations.

CA180107

CA180114

CA190124

Close the following case(s) with no action.

CA190136

CA180103

CA190022

CA160086

CA180104

CA190025

CA170031

CA180106

CA190028

CA170069

CA180110

CA190034

CA170072

CA180112

CA190038

CA170106

CA180113

CA190040

CA170107

CA180115

CA190041

CA180015

CA180118

CA190042

CA180031

CA180119

CA190050

CA180070

CA180127

CA190054

CA180077

CA190003

CA190060

CA180078

CA190005

CA190061

CA180080

CA190006

CA190063

CA180081

CA190008

CA190068

CA180087

CA190010

CA190070

CA180092

CA190011

CA190109

CA180096

CA190012

CA190111

CA180100

CA190014

CA190126

CA180102

CA190017

CA190133

Close the following case(s) with no violation.

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CA170052
CA180021

CA190036
CA190043

CA190051
CA190129

Close the following case(s) for lack of information to determine a violation.

CA190122

CA190135

CA190136

Close the following case(s) with no jurisdiction.

CA180099

CA180122

CA190027

Close the following case(s) with no violation and send a letter of concern informing the individual to register company with the Board.

CA190127

Close the following case(s) and notify company to register new qualifying licensee and remove any information of previous qualifying licensee as the individual is no longer associated with the company.

CA190138

Close the following case(s), license is administratively revoked. Flag file if attempts to reinstate board review required.

CA170121

Close the following case(s) with a Letter of Concern to practice within the scope of license.

CA190004

Obtain a peer review.

CA190104

CA170035

Accept Cease and Desist Order and close case.

CA180016

CA180030

Accept Consent Agreement and close case.

Accept Board Order and close case.

CA160027

CA170074

CA180098

CA170009

CA170080

CA170001

CA170020

CA180010

CA180098

Tabled for further review.

CA170035

CA170006

CA170098

CA180124

CA170040

CA170104

CA190137

CA170049

CA170105

CA150004

CA170055

CA170110

CA150043

CA170057

CA170111

CA160090

CA170059

CA170112

CA160107

CA170081

CA170115

CA160108

CA170086

CA170116

CA170003

CA170088

CA180002

CA170005

CA170092

CA180011

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CA180012	CA190007	CA190084
CA180013	CA190009	CA190085
CA180014	CA190021	CA190086
CA180017	CA190023	CA190087
CA180018	CA190029	CA190088
CA180019	CA190030	CA190089
CA180020	CA190031	CA190090
CA180024	CA190033	CA190091
CA180032	CA190035	CA190092
CA180034	CA190037	CA190093
CA180037	CA190039	CA190094
CA180038	CA190044	CA190095
CA180042	CA190046	CA190096
CA180043	CA190047	CA190097
CA180045	CA190048	CA190098
CA180046	CA190049	CA190099
CA180047	CA190052	CA190100
CA180053	CA190053	CA190102
CA180058	CA190056	CA190110
CA180059	CA190057	CA190112
CA180060	CA190058	CA190113
CA180062	CA190059	CA190114
CA180063	CA190062	CA190115
CA180064	CA190064	CA190116
CA180066	CA190065	CA190118
CA180067	CA190066	CA190119
CA180068	CA190067	CA190120
CA180071	CA190069	CA190121
CA180074	CA190071	CA190123
CA180076	CA190072	CA190125
CA180082	CA190073	CA190128
CA180083	CA190075	CA190130
CA180084	CA190076	CA190131
CA180085	CA190077	CA190132
CA180086	CA190078	CA190134
CA180088	CA190080	CA190139
CA180101	CA190081	CA190140
CA180111	CA190082	
CA180117	CA190083	

Review of Executive Correspondence

A motion was made by Lyons, seconded by Powers, and the Division voted to accept the following recommendation on executive correspondence. None opposed, motion carried.

728201 L.S. – Submit an application for reinstatement application by exam along with the required documents including court documents for board review.

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Attorney General's Status Report

A motion was made by Lyons, seconded by Powers and the Board voted to accept the Attorney General's Status Report presented by the Assistant Attorney General, Maximillian Changus. None opposed, motion carried.

With no other business to discuss, the meeting adjourned at 3:40 p.m.

The next regularly meeting will be held on December 9, 2019 at 9:00 a.m.

Minutes recorded:	TiAndria Burke, Board Support Specialist
Minutes reviewed and edited by:	Deborah Beard, Executive Director

JOHNNY LYONS
Division Chairman

DEBORAH BEARD
Executive Director

These minutes were approved on December 9, 2019.