

# STATE LICENSING BOARD FOR RESIDENTIAL AND GENERAL CONTRACTORS

## Residential Contractor Division

May 15, 2018

### Open Session Minutes -Teleconference

The State Licensing Board for Residential and General Contractors, Residential Contractor Division met on Tuesday, May 15, 2018, via teleconference at the Professional Licensing Boards, 237 Coliseum Drive, Macon, Georgia for the purpose of conducting Board business.

#### Members present:

Timothy Andrew "Andy" Cooper, Chairman  
Ted Noe, Vice Chairman  
Keely Meredith Nesmith Fennell  
William "Bill" Duck  
Robert "Bobby" Cleveland

#### Members absent:

Jarrett McIntosh

#### Staff present:

Deborah Beard, Executive Director  
TiAndria Burke, Board Support Specialist  
Ken English, Licensing Supervisor  
Laura Fremont, Licensing Analyst  
Maximillian Changus, Assistant Attorney General

#### Visitors present:

None

#### Call to Order

At 9:04 a.m., Board Chairman, Cooper, established that a quorum was present and called the meeting to order.

#### Open Session:

#### Rule Waiver Request:

The Board reviewed and discussed the below petitions for rule variance or waiver.

- Evans, Derrick - A motion was made by Fennell, seconded by Noe, and the Board voted to deny the petition for rule variance for failure to meet the standard required in O.C.G.A. § 50-13-9.1 (c). Although complying with the Board's promulgated requirement for reinstatement, i.e. taking the exam, would be an inconvenience, the Board determined that application of this situation does not represent a unique hardship, where this individual is specifically and uniquely impacted by the rule. The stated goal to achieve reinstatement so as to be able to work as a contractor is not sufficient to meet the requirements of O.C.G.A. § 50-13-9.1 (c). The Board's rule is designed to ensure that licensees are familiar with the standards of the profession and should be upheld in this case. None opposed, motion carried.
- Jr. Jeffrey, Jack - A motion was made by Noe, seconded by Duck, and the Board voted to deny the petition for rule variance for failure to meet the standard required in O.C.G.A. § 50-13-9.1 (c). Individuals are required to show a substantial hardship, which is a significant and unique hardship which would impact their ability to continue to function in the profession. Although complying with the Board's promulgated requirement for reinstatement, i.e. taking the exam, would be an inconvenience, the Board determined that application of this situation does not represent a unique hardship, where this individual is specifically and uniquely impacted by the rule. The stated goal to quickly achieve reinstatement so as to be able to start work immediately cannot be considered an articulated unique hardship. The Board's rule is designed to ensure that licensees are familiar with the standards of the profession and should be upheld in this case. None opposed, motion carried.

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**Correspondence:**

A motion was made by Duck, seconded by Cleveland, and the Board voted to accept the following recommendations regarding correspondence. None opposed, motion carried.

Hill, Tiffany – Refer constituent to O.C.G.A. 43-41-6(c)(4) and inform the constituent the law has not changed. The law requires the applicant to have had significant responsibility for the successful performance and completion of at least two projects falling within the residential-light commercial category in the four years immediately preceding the application.

**Open Record Requests:**

The Board reviewed the following open records requests as presented.

Brian C. Kaplan Law & Moran - A motion was made by Fennell, seconded by Noe, and the Board voted to deny the request and not release any information which is not authorized to be released according to O.C.G.A. § 43-1-2(k).

City of Atlanta Law Department – A motion was made by Duck, seconded by Keely, and the Board voted to approve releasing the investigative file as requested.

**Executive Session:**

At 9:25 a.m. a motion was made by Fennell, seconded by Noe, and the Board 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 Tuesday, May 15, 2018 Cooper 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.

**Executive Correspondence:**

A motion was made by McIntosh, seconded by Noe, and the Board voted to accept the following recommendation(s) on the correspondence reviewed. None opposed, motion carried.

Applicant#2654537J.L. - Inform applicant if wish to pursue a Residential Light Commercial license, the applicant would be required to take and pass both portions of the state examinations for the Residential Light Commercial License. Applicant may apply for a General Contractor license if wish to utilize NASCLA transcript and the applicant would be required to meet the requirements as established by the General Contractor Division.

**Legal Service’s Report:**

A motion was made by Noe seconded by Fennell, and the Board voted to accept the following recommendation. None opposed, motion carried.

Applicant#2694778 P.J. –Rescind previous motion and issue license by examination.

**Applications Review:**

A motion was made by Noe, seconded by Fennell, and the Board voted to accept the following application recommendations. None opposed, motion carried.

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

2716441

2709981

2698309

2719511

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2712425  
2721643  
2702805

2727600  
2714955

With no other business to discuss, the meeting adjourned at 9:42 a.m.

The next scheduled meeting will be held on Wednesday, June 20, 2018 at 9:00 a.m.

Minutes recorded by:  
Minutes edited/reviewed by:

**TiAndria Burke**, Board Support Specialist  
**Deborah Beard**, Executive Director

**ANDY COOPER**  
Division Chairman

**DEBORAH BEARD**  
Executive Director

These minutes were approved on June 20, 2018.