



The Tool Box

Serving the Electrical, HVAC & Plumbing Industries Since 1912

Volume 6, Issue 103 February 1, 2009

Message from President Chris Cullum Proposed Bylaw Changes

Spring is around the corner and as we await the new growth and flowers that come each year many of us are pondering how long and cold the current economic winter will last. It appears this year will be one challenged by the reality of the predicted recession and the uncertainty of a new Presidential Administration. Spring is an uplifting time and I choose to look at all that will come with the same positive spirit. Much good will come with the blossoms of this year and so too a fresh start can bring new growth that will survive and endure to provide the foundation for more bountiful times ahead.

The Association, like our business marches ahead. We continue our efforts to influence what happens at the State House and the White House. We are working with joint industries to collaboratively design and fund future training programs for craft workers. With the success of again obtaining the state grant, we are in our second year of partnership with the ABC in working to recruit and educate young students in the endless career opportunities available in the design and construction industry. The Chapters around the state have stepped up efforts to provide funds for training and scholarships with great success. We will continue to push ahead for the betterment of our industry and our businesses.

In March we will be conducting our Winter Conference and Statewide Meeting with guest speaker Senator Glenn McConnell. This will be the first State Association meeting of 2009 and will be a great opportunity for business learning with workshops during the day and fellowship with the General Assembly and our friends from around the state during the evening meeting and dinner. There will be an MCASC Called Open Business Meeting that will incorporate a vote on changes to the Bylaws. I look forward to seeing everyone in Columbia on March 25th.

The issues that are being proposed as Bylaw changes are two fold. The first issue is changing the terminology to make it clear that the nomination and election of officers occurs at a statewide meeting determined by the Board. The second is to change the eligibility requirements of officers to allow companies to endorse an employee to serve the association in such capacity without that person having to be an owner or officer of that company. Copies of the current bylaws with the proposed changes will be emailed to all members. I encourage all members to review and respond to these changes and come prepared to vote on them at the called meeting. As voted by the Board, the called meeting will take place at 4:30 PM on Wednesday, March 25, 2009 at the MCASC Winter Conference & Statewide Meeting at The Coop, 1100 Key Road, Columbia, SC. As reflected in our current bylaws, a two-thirds affirmative vote of members in good standing present is required to pass a change. If you would like to have a copy of the current bylaws with the proposed changes mailed or faxed to you, please contact the MCASC State Office at (803) 772-7834 and request a copy.

On behalf of the Association, I wish everyone great success as the year progresses and join everyone who looks positively toward our new President and future opportunities. Thank you for allowing me to serve our association.

Chris Cullum
MCASC State President, 2008-2009

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**SAVE THE
DATE!!!**

**2009
WINTER
CONFERENCE
&
STATEWIDE
MEETING**

MARCH 25, 2009

**THE COOP,
COLUMBIA**

**REGISTRATION
PAGE 6**



“Tool Box Talks” - Safety Tip
EMERGENCY PROCEDURES

Each job site shall establish procedures as part of the Safety Plan, to handle emergencies created by the following:

- a. Fire.
- b. Injuries to employees.
- c. Injuries to general public on or adjacent to the job site.
- d. Property damages with particular emphasis on utilities, pedestrian and vehicular routes.
- e. Public demonstrations such as mobs, riots, etc.
- f. Bombs or other destructive threats.
- g. Other exposures/potential hazards that may occur at the job site.

Procedures should ensure that the ranking individual present takes charge and directs the handling of the emergency utilizing all available help.

Emergency procedures and actions required should be discussed regularly with supervisory personnel and at tool box safety meetings.

Job sites having sufficient numbers of employees should have a minimum of one person on each shift that is qualified in first aid procedures.

If an emergency occurs, the person in charge should:

- a. Secure the area tightly and quickly.
- b. Give information regarding the emergency only to authorized officials, such as police, fire department and insurance personnel.

To ensure that emergency actions are promptly effected, the Project Manager or Safety Supervisor should:

- a. Ensure that Emergency Telephone Numbers are posted in a conspicuous place(s) and that the type of information to be transmitted is clearly stated for each emergency situation.
- b. Ensure that responsible personnel make emergency calls.

Emergency procedures should be frequently reviewed with personnel to ensure their awareness of the proper actions to take. Emergency telephone numbers should be current. All emergency procedures should be approved by and coordinated with the Project Manager.

First aid training is available through RSS Safety, LLC. Call Mel or Debbie to get more information.

RSS Safety, LLC
1122 Industrial Drive, Suite 113, Matthews, NC 28105
Telephone (704) 844-2519 Fax (704) 844-0291

Happy Anniversary

Mr. & Mrs. Steve Brewer - 2/10
Mr. & Mrs. Furman Cullum - 2/14

Welcome New Members

Sara Cox - Blanchard Machinery/Power Systems
Summerville
John Whatley - Greenville Mechanical, LLC
Greenville
Robbie Bass - Southern Piping Company
Greenville
Michael Harris - Harris Integrated Solutions, Inc.
West Columbia

Condolences

Mrs. Johnnie Rivers & Family
On the loss of her husband
Honorary Life Member
Johnnie C. Rivers, Sr.

Concerns

Rhett Leake - James M. Pleasants Co., Charlotte

South Carolina Immigration Law in Effect

By Lee Depret-Bixio, Esquire, Ogletree, Deakins, Nash, Smoak & Stewart, P.C.

The South Carolina Illegal Immigration Reform Act ("Act"), signed into law by Governor Sanford in June 2008, is now in effect for many South Carolina employers. As previously reported, the new law prohibits employers in South Carolina from "knowingly and intentionally" employing unauthorized aliens and it establishes additional steps that *all* employers will be required to take to verify the work status of new hires. Employers that violate the provisions of the law will face tough penalties in the form of monetary fines and possible suspension, even permanent revocation, of the ability to employ workers in South Carolina.

As of January 1, 2009, all **public employers** are required to register and participate in the E-Verify program, the Internet-based system operated by the Department of Homeland Security and the Social Security Administration that electronically verifies employment eligibility. A public employer may not enter into a services contract with a contractor unless the contractor agrees to verify its employees by complying with the Act by following the steps discussed below. The contractor must also require agreement from its subcontractors and sub-subcontractors to comply with the Act.

Public contractors, subcontractors, and sub-subcontractors must comply with the new law according to the following effective dates:

- January 1, 2009: Contractors with 500 or more employees
- July 1, 2009: Contractors with 100-499 employees
- January 1, 2010: All other contractors

Private employers must comply with the Act according to the following effective dates:

- July 1, 2009: Private employers with at least 100 employees
- July 1, 2010: All private employers

Under the Act, employers are required to verify the employment authorization of all newly hired employees by either: (1) participating in E-Verify; or by (2) employing workers who:

- (a) Possess a valid South Carolina's driver's license or identification card issued by the South Carolina Department of Motor Vehicles (DMV);
- (b) Are eligible to obtain a South Carolina driver's license or identification card in that they meet specific DMV requirements; or
- (c) Possess a valid driver's license or identification card from another state where license requirements are at least as strict as those in South Carolina. A list of those states can be found on the SC DMV website at www.scdmvonline.com.

The Act gives private employers five business days to verify a new hire's work status. In contrast, federal law requires that employers verify work authorization and initiate the E-Verify query no later than the end of three business days.

As of July 1, 2009, private employers will be "imputed" a state employment license that permits a private employer to employ a person in South Carolina. This newly created, implied employment license will remain in effect as long as the employer complies with the provisions of the Act.

A private employer that – in good faith – verifies the immigration status of a new employee in compliance with the provisions of the Act will be presumed to have complied with the new law. Employers that violate the Act may incur civil fines of between \$100 and \$1,000 for each employee whose work status is not verified. If an employer is found to knowingly employ illegal immigrants, the employer's "imputed" employment license could be suspended for 10 to 30 days for a first offense, up to 60 days for a second offense, and can be revoked for up to five years for third and subsequent offenses. An employer's license could be revoked permanently in the most egregious cases.

In addition to the provisions covering employment verification, effective January 1, 2009, businesses may not claim wages paid to an individual of \$600 or more per year as a deductible expense for state income tax purposes if the individual is an unauthorized alien. The Act also requires 7% state income tax withholding on Form 1099 compensation paid to individuals who cannot provide a valid taxpayer ID number or Social Security number. It also creates a civil action of wrongful termination against employers that replace a work-authorized employee with an employee who the employer knows or should have known is an unauthorized alien.

The Act makes it a felony to transport or harbor illegal aliens. These provisions do not apply to certain organizations that provide charitable assistance including churches and other religious organizations, soup kitchens, crisis counseling and intervention, and short-term shelters. It also establishes an information website and a 24-hour toll free call center to receive allegations and complaints of suspected violations of federal and state immigration laws.

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The South Carolina Budget and Control Board (SCBCB) is responsible for issuing regulations and forms as the new law applies to state contractors. South Carolina Department of Labor, Licensing, and Regulation (LLR) is responsible for issuing regulations and forms and enforcing the new law as it applies to private employers. It is recommended that employers consult the websites of SCBCB and LLR for any updates as very little guidance has been provided so far. Their websites can be found at the following links: <http://www.procurementlaw.sc.gov/immigration/MMO-legal-immigration.phtm> and at <http://www.llronline.com/immigration/>.

Tax Incentives For Businesses

By Jeff Greenway, Elliott Davis

On February 13, 2008, President Bush signed the *Economic Stimulus Act of 2008*. In addition to tax rebates for individuals, this bill included two business incentives which may be applicable to those in the construction industry. The first business incentive is enhanced expensing of assets. The new law almost doubled the Section 179 expensing for 2008 to \$250,000. It applies to most tangible personal property purchased and placed in service in tax years that begin in 2008. The amount of property that may be expensed is decreased if total qualifying purchases exceed \$800,000 (up from \$510,000 before the law passed). This increased expensing allows capital-intensive companies to write off a greater amount of their investments in business property.

The second business incentive included in the *Economic Stimulus Act of 2008* relates to bonus depreciation. Congress has used bonus depreciation several times (for example after September 11) to encourage business investment. Tangible personal property (including off-the-shelf software) that has a depreciable life under IRS rules of 20 years or less and is purchased and placed in service during 2008 is eligible as long as the property has not previously been used. Also, there cannot have been a binding written contract before January 1, 2008 to acquire the property in order for it to qualify for bonus depreciation. The new law raises the limitations on "luxury" auto depreciation in the year a vehicle is placed in service to \$11,060 for cars and \$11,260 for vans or trucks if bonus depreciation is taken. Based on IRS limitation rules, a "luxury" vehicle is one that costs at least \$15,100 for passenger automobiles and \$16,100 for trucks and vans.

Please contact Travis Bogan or Jeff Greenway with Elliott Davis, LLC with any questions regarding these tax incentives.

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Upcoming Events!!!

**MCASC Winter Conference &
Statewide Meeting**

Wednesday, March 25, 2009

**See Agenda/Registration Page 6 For Details
The Coop, Columbia, SC**

**3rd Annual Piedmont Area
Clays for College**

Friday, April 24, 2009

**Harris Springs Sportsman's Preserve
Waterloo, SC**

**21st Annual George W. Bryce, Jr.
Memorial Golf Tournament**

Friday, May 1, 2009

**Oakdale Country Club
Florence, SC**

**1st Annual MCA Coastal Area
Fishing Tournament for Scholarships**

Captain's Meeting

Wednesday May 13, 2009

Shriners Club, Pointe Grill, Mt. Pleasant

Tournament Weigh In

Saturday, May 16, 2009

Location; TBA

**18th Annual MCASC
Santee Scholarship Tournament**

June 5-7, 2009

Quality Inn & Suites

Santee, SC

MCASC Summer Convention

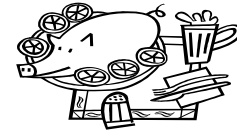
August 6-9, 2009

**Ginn Hammock Beach Resort
Palm Coast, Florida**

MCASC Winter Conference & Statewide Meeting



Registration Form March 25, 2009



I. REGISTRATION FORM:

FAX OR MAIL TO THE MCASC STATE OFFICE – (803)731-0390 or P.O. Box 384, Columbia, SC 29202

Name: _____ Name: _____

Name: _____ Name: _____

Company: _____

Address: _____

City/State/Zip: _____ Phone No.: (____) _____

Number Attending Workshops/Lunch _____ Number Attending Meeting/Dinner _____

II. CONFERENCE & MEETING FEE:

MEMBERS: Same as Monthly Area Meeting \$25.00 NON-MEMBERS: \$100.00

TENTATIVE AGENDA

10:00 – 10:15 AM	Welcome & Introduction of Workshop Facilitators
10:15 – 11:15 AM	“Terrifying Times Ahead? Fright-Sizing For The Future” By: Martha-Ann Dailey – Great American Insurance Company
11:15 – 12:00 Noon	“Building A Company That Can Weather The Storm, Ride The Flood, & Succeed After The Water Recedes” By: Mike Trammel, CPA – Dixon Hughes
12:00 – 12:30 PM	“What’s Going Down Up In Washington: Changes In People & Programs Which Will Impact You & Your Employees” By: John Creech, Attorney – Ogletree, Deakins, Nash, Smoak & Stewart
12:30 – 1:30 PM	Lunch (provided)
1:30 – 2:15 PM	“Payment Issues In A Bad Economy: What To Look For And Look Out For” By: Dan Brailsford, Attorney – Robinson McFadden
2:15 – 3:00 PM	“Claims In Bankruptcy & Strategies To Avoid Them” By Chuck McDonald, Attorney – Robinson McFadden
3:00 – 3:30 PM	“Legislative Overview With Q & A” By: Frank Knapp, President SC Small Business Chamber of Commerce
3:30 – 4:30 PM	“United We Stand, Divided We Fall – Dealing With The Craft Labor Shortage” By: Dr. Steve Sanders – Clemson University
4:30 – 5:30 PM	MCASC Open Business Meeting
5:30 – 6:00 PM	Sign-In For Members & Guests
6:00 – 7:00 PM	Cocktail Reception
7:00 PM Until	Welcome, Dinner & Guest Speaker Senator Glenn McConnell

III. BILLING INFORMATION:

Member Companies Will Be Invoiced By Your Local Area Treasurer

IV. DEADLINE TO REGISTER: MARCH 18, 2009

**Associate Member:
FARRELL CHEVROLET**

Farrell Chevrolet is located in the city of Spartanburg in the northwestern corner of South Carolina. This area is known by the locals as “*The Up-State*,” and is the fastest growing region in the state. Given its strategic position between Atlanta, GA and Charlotte, NC, its development and growth prospects are bright. Farrell Chevrolet was established in 2002 and is one store in a multi-franchise organization that was originally established in the early 1980’s. The Farrell organization is a full-line Chevrolet dealer that stocks not only retail cars and trucks, but also a full-line of commercial vehicles, most of which are up-fitted and work ready.

Farrell Chevrolet is only one of 450 dealers nationwide that is willing to stock inventory necessary to satisfy both large fleet and small commercial customers. We understand that time is money for you and your employees. Therefore, Farrell Chevrolet employs eight **GM Certified** outside Sales Reps and two dedicated Commercial and Fleet Managers. Our commercial staff visits customers throughout the southeastern U.S. and has extensive knowledge in light and medium duty vehicle applications.

Farrell Chevrolet is an active member of the Mechanical Contractors Association of South Carolina. A Farrell representative is usually in attendance at the MCASC meetings statewide. We at Farrell appreciate the opportunity and the fellowship that participating in the MCASC provides.

For additional information, contact Bob Newbill at Farrell Chevrolet.

**Farrell Chevrolet
1051 Asheville Hwy.
Spartanburg, SC 29303-2634
Phone: (800) 704-9090, Fax: (864) 699-2817**

**Congratulations to our next Associate & Mechanical Members who will be
highlighted in the upcoming issue of “The Tool Box”:
Capstone Insurance Services, Greenville - Associate Member
Morelli Heating & Air, Inc., North Charleston - Mechanical Member**

FEBRUARY 2009 MONTHLY AREA MEETINGS

MIDLANDS AREA

Thursday, February 5, 2009 @ 6:00 PM
Location: 517 Spring Street, West Columbia
Sponsored By: Shealy & Sons Electric Company, Inc.

Topic: “Project Scheduling And
How It Can Help You”
Speaker: Representatives From
John J. Kirlin

PIEDMONT AREA

Tuesday, February 10, 2009 @ 6:00 PM
Location: Demetre’s, Highway 290, Duncan
Sponsored By: Lennox Industries

Topic: “Shaping Tomorrow’s Workforce Today”
Speaker: Jay Blankenship, Coordinator
Personal Pathways to Success
Greenville REC

PEE DEE AREA

Thursday, February 19, 2009 @ 6:30 PM
Location: 1550 Highway #501, Myrtle Beach
Sponsored By: Longley Supply Company

Topic: “Government Contracting”
Speakers: Dan Raines and Treye Bird
Energy Pro of SC

COASTAL AREA

Thursday, February 26, 2009 @ 6:30 PM
Location: James Island Yacht Club
Event Sponsored By: Available
Bar Sponsored By: Available

**COASTAL AREA OYSTER ROAST
Please Bring A Door Prize For The Raffle!!!**



P.O. Box 384, 29202
1504 Morninghill Drive
Columbia, SC 29210
Phone: (803) 772-7834
Fax: (803) 731-0390
E-mail: mflowers@mcasc.com
www.mcasc.com

*Serving mechanical contractors in
South Carolina since 1912.*

MCASC Executive Board & Staff

Chris Cullum, President
Richard Miller, Jr., Vice-President
Jim Brewer, Treasurer
Henry Poplin, Secretary
Bob Jacques, Associate President
Mona Flowers, Managing Director

Mechanicals make it happen -
Be part of the best!

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MCASC Vision Statement

The Mechanical Contractors Association of South Carolina (MCASC) will be the leading construction association in South Carolina for specialty contractors and suppliers in the electrical, mechanical (HVAC), and plumbing fields by serving its membership, the industry, and the Community in a vibrant and harmonious fashion.

MCASC Mission Statement

The Mechanical Contractors Association of South Carolina (MCASC) will provide its membership with:

- current business/technical information and support
 - a proactive political/legislative agenda
- a joint industry collaboration to improve relative business practices
- an ongoing effort to offer training opportunities for both professional and craft personnel
 - educational scholarships for deserving students
- the development of industry related career opportunities

The Association's objective for this mission is to enhance the future of the Construction Industry in South Carolina.