

**South Carolina Residential Builders Commission
Board Meeting Minutes, Wednesday, November 9, 2005 – 10:00 am
Synergy Business Park, Kingstree Building
Columbia, South Carolina**

MEMBERS PRESENT

**Al Bailey
Frank Clark
Gale Crawford
Caleb Davis
Derrick Williams**

OTHERS PRESENT

**Sharon Dantzler, General Counsel
Charles McAlister, Administrator
Amy Alston, Administrative Coordinator
Christine Driver, Administrative Assistant
Faye Grainger, Court Reporter**

MEMBERS ABSENT

John Curl

Public Notice of this meeting was properly posted at the Board office and provided to any requesting persons, organizations, or news media in compliance with Section 30-4-80 of the S. C. Freedom of Information Act. A quorum was present at all times.

Call to Order

Mr. Derrick Williams, Vice Chairman, called the meeting to order.

Approval of Minutes

Motion: Ms. Crawford moved to approve the minutes of October 12, 2005 meeting. Mr. Clark seconded the motion, and with all members present voting favorably, the motion carried.

Approval of Recommendations of Investigative Review Committee

Motion: Mr. Davis moved to approve the recommendations of the Investigative Review Committee, dated October 18, 2005. Mr. Bailey seconded the motion, and with all members present voting favorably, the motion carried.

Approval of Recommendations of the Administrative Hearing Officer for Citation Hearing

Motion: Mr. Bailey moved to approve the recommendations of the Administrative Hearing Officer for Citation Hearings, dated October 17, 2005. Mr. Clark seconded the motion, and with all members present voting favorably, the motion carried.

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Approve Recommendations of Administrative Hearing Officer/Bond Hearing

Motion: Ms. Crawford moved to approve the recommendations of the Administrative Hearing Officer for Bond Hearing, dated October 25, 2005. Mr. Clark seconded the motion, and with all members present voting favorably, the motion carried.

Approve Recommendations of Administrator for Bond Claims

Motion: Ms. Crawford moved to approve the recommendations of the Administrator for Bond Claims. Mr. Clark seconded the motion, and with all members present voting favorably, the motion carried.

Approve Recommendations of Administrative Hearing Officer/ Panel Hearings

Motion: Ms. Crawford moved to approve the recommendations of the Administrative Hearing Officer for Panel Hearings, dated September 1, 2005. Mr. Bailey seconded the motion, and with all members present voting favorably, the motion carried.

Request To Take the Residential Builders Exam

Robert Lane - Mr. McAlister informed the Commission that Mr. Lane has requested an appearance before the full Commission to take the residential builder's exam. Mr. McAlister stated that Mr. Lane has been convicted of a felony.

Mr. Lane informed the Commission that in 2002 he was convicted of a crime involving a sexual offense and he is currently on probation until June 1, 2007. Mr. Lane also appeared before the Real Estate Commission to take the real estate exam and was denied because he is currently under probation. Mr. Lane expresses remorse and regret over his illegal sexual behavior.

Motion: Ms. Crawford moved to allow Mr. Lane to take the residential builder's exam. Mr. Clark seconded the motion, and with all members present voting favorably, the motion carried.

Appeal of Administrative Hearing Officer's Recommendation

Wilson Dow - This matter was heard before Frank Clark, Administrative Hearing Officer, on September 28, 2005. The hearing officer's recommendation was that Mr. Dow's license not be renewed and that he re-take and satisfactorily pass the builder's exam and a Cease and Desist Order be issued.

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Mr. Frank Clark recused himself from voting because he was the hearing officer in this matter.

Ms. Marlene T. Sipes, attorney for Mr. Dow stated that Mr. Dow and Mrs. Holloway would never reach any type of agreement in this matter. Ms. Sipes is requesting that Mr. Dow be allowed to re-take and pass the exam not appear before the Commission again.

Ms. Crawford expressed her concerns that taking and passing the exam will not correct the problem. Ms. Crawford feels that Mr. Dow needs some continuing education courses in construction management.

Motion: Mr. Bailey moved to allow Mr. Dow to re-take and satisfactorily pass his builder's examination, and take and satisfactorily compete a course in construction management approved by the Administrator of the Commission, then the Respondent may be re-licensed by the Commission without appearing again before the Commission. Ms. Crawford seconded the motion, and with all members present voting favorably, the motion carried.

Absence of Member:

The Vice-Chairman reported that John Curl asked to be excused from the meeting.

Motion: Mr. Bailey moved to excuse Mr. Curl's absence. Ms. Crawford seconded the motion, and with all members present voting favorably, the motion carried.

New Business

Mr. McAlister proposed approval of Mr. Beau Tiller as a hearing officer for bond claims.

Motion: Mr. Clark made a motion to approve Beau Tiller as hearing officer for bond claim hearings. Mr. Bailey seconded the motion, and with all members present voting favorably, the motion carried.

Unfinished Business

None

Adjournment

There being no further business, the business meeting for November 9, 2005 concluded at 12:10 p.m.

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The next scheduled board meeting will be held on December 14, 2005, at 10:00 a.m. Synergy Business Park, Kingstree Building, Room 108. (Note: Subject to Change)

Hearings

Mr. Williams called the hearings to order. Mr. Louis Rosen was the hearing advisor. Mr. Kent Lesesne represented the state.

<u>Builder</u>	<u>Homeowner</u>	<u>Case #</u>	<u>Order</u>
Travis Pearson	Timothy A. Roller	2005-31	Continued
Tom Adams, Jr.	Willie Mae Stewart	2005-60	\$250.00 Fine 1 year to take and complete a code course and an estimating course or license suspended.

Transcripts of these hearings may be obtained from Faye Grainger, Certified Court Reporter, for Grainger Reporting Services.