

RESIDENTIAL BUILDERS COMMISSION
Synergy Business Park
110 Centerview Drive Kingstree Building, Room 108
Columbia, South Carolina 29210
Wednesday, April 9th, 2014

NOTE: These minutes are a record of the motion and official actions taken by the Board and brief summary of the meeting.

Called To Order:

Derrick G. Williams, Chairman called the regular meeting of the Residential Builders Commission to order at 10:03 a.m. Other members present for the meeting included: Frank Clark; Tim Roberts; Caleb Davis; Bryan Dowd, Hal Dillard and Al Bailey.

Derrick G. Williams, Chairman, announced that public notice of the meeting was properly posted on the bulletin boards at the main entrance of the Kingstree Building and by notice mailed to all requesting person, organizations and news media in accordance with §30-4-80 of the South Carolina Freedom of Information Act.

Approval of Agenda:

MOTION:

Mr. Dowd made a motion to approve the April 9, 2014 Residential Builders Commission Meeting Agenda. Mr. Clark seconded the motion, which carried unanimously.

Approval of Minutes for the January 8, 2014 Meeting:

MOTION:

Mr. Bailey made a motion to approve the March 12th, 2014 meeting minutes. Mr. Clark seconded the motion, which carried unanimously.

Approval /Disapproval of Absent Members:

All present

Chairman's Remarks:

Derrick Williams

Mr. Williams reminded everyone that this meeting is being recorded and asked that everyone please speak clearly. Additionally, he advised all applicants and licensees to direct their questions to the chairman of the board.

Approval of Owner/Builder Exemption:

Mr. Mark Johnson

The Commission heard a request for Mr. Mark Johnson regarding approval to sell his home prior to the expiration of the owner/builder Exemption he signed less than 24 months ago.

MOTION:

Mr. Bailey made a motion to allow Mr. Johnson the waiver of owner/builder exemption. Mr. Roberts seconded the motion, which carried unanimously.

Application Reviews:

Mr. Barry Aiken

The Commission held an Application Review Hearing regarding Mr. Barry Aiken. Mr. Aiken did not appear to present testimony.

MOTION:

There were no motions made.

Mr. Daniel Anderson

The Commission held an Application Review Hearing regarding Mr. Daniel Anderson. Mr. Anderson appeared before the Commission to present testimony and waived his right to counsel.

MOTION:

Mr. Bailey made a motion to allow Mr. Anderson to sit for the Residential Builder examination. Mr. Dillard seconded the motion, which carried unanimously.

Mr. Christopher Givens

The Commission held an Application Review Hearing regarding Mr. Christopher Givens. Mr. Givens did not appear to present testimony.

MOTION:

There were no motions made.

Ms. Jonathan Kinard

The Commission held an Application Review Hearing regarding Mr. Jonathan Kinard. Mr. Kinard appeared before the Commission to present testimony and waived his right to counsel.

MOTION:

Mr. Dowd made a motion to allow Mr. Kinard to be approved for his Specialty Registration but he must carry a bond at all times. Mr. Roberts seconded the motion, which did not carry unanimously. Mr. Clark opposed. The motion carried by a majority vote.

Mr. Richard Hoge

The Commission held an Application Review Hearing regarding Mr. Richard Hoge. Mr. Hoge did not appear to present testimony.

MOTION:

There was no motions made.

Mr. Steven Wilkinson

The Commission held an Application Review Hearing regarding Mr. Steven Wilkinson. Mr. Wilkinson appeared before the Commission to present testimony and waived his right to counsel.

MOTION:

Mr. Davis made a motion to allow Mr. Wilkinson to get his registration and to allow him to change his registration from roof to siding. Mr. Bailey seconded the motion, which did not carry unanimously. Mr. Clark opposed. The motion carried by a majority vote.

Mr. Jason Winbourn

The Commission held an Application Review Hearing regarding Mr. Jason Winbourn. Mr. Winbourn appeared before the Commission to present testimony and waived his right to counsel.

MOTION:

At 11:02 am Mr. Dillard made a motion to go into executive session. Mr. Clark seconded the motion.

MOTION:

At 11:20 am Mr. Bailey made a motion to go back in regular session. Mr. Roberts seconded the motion.

MOTION:

Mr. Bailey made a motion to deny Mr. Winbourn request for wavier of a Home Inspectors License. Mr. Clark seconded the motion, which carried unanimously.

Mr. S. Joel Pearson

The Commission held a Reinstatement application Review Hearing regarding Mr. S. Joel Pearson. Mr. Pearson appeared before the Commission to present testimony and waived his right to counsel. Mr. Roberts recused himself.

MOTION:

Mr. Bailey made a motion to deny Mr. Pearson's reinstatement application until Payment arrangements are made. Mr. Davis seconded the motion, which did not carry unanimously. Mr. Dillard and MR. Dowd opposed. The motion carried by a majority vote.

MOTION:

Mr. Bailey made a motion to allow Mr. Pearson to be refunded his fees. Mr. Clark seconded motion, which carried unanimously.

Mr. Patrick Wannamaker

The Commission held a Reinstatement Review Hearing regarding Mr. Patrick Wannamaker. Mr. Wannamaker appeared before the Commission to present testimony and waived his right to counsel.

MOTION:

Mr. Davis made a motion to approve Mr. Wannamaker's reinstatement application once proof of payment arrangements for outstanding judgments/liens has been submitted to the commission. Mr. Dillard seconded the motion, which carried unanimously.

Final Order Hearings:

Mr. H.E. Hughes case # 2012-54

The Board held a Final Order hearing regarding Mr. H.E. Hughes. Mr. Hughes was not present but was represented by counsel, Mr. Tommy Hill. The Complaint was not present but was represented by counsel, Mr. Charlie Williams.

MOTION:

Mr. Bailey made a motion to uphold the Hearing Officer's Recommendation. Mr. Davis seconded the motion, which carried unanimously.

Mr. Kirk Ramsey case #2011-20

The Board held a Final Order hearing regarding Mr Kirk Ramsey .

MOTION:

Mr. Dowd made a motion to uphold the Hearing Officer's Recommendation. Mr. Clark seconded the motion, which carried unanimously.

Mr. Timothy Connolly case # 2012-28

The Board held a Final Order hearing regarding Mr Timothy Connolly. Mr. Bailey recused himself.

MOTION:

Mr. Davis made a motion to uphold the Hearing Officer's Recommendation. Mr. Clark seconded the motion, which carried unanimously.

Mr. Timothy Davis case # - 2013-103

The Board held a Final Order hearing regarding Mr Timothy Davis. Mr. Roberts recused himself.

MOTION:

Mr. Bailey made a motion to uphold the Hearing Officer's Recommendation. Mr. Dowd seconded the motion, which carried unanimously.

Approval of Administrators Recommendation for Bond Claim:

Mr. Benn Ciardi- case # 2012-54

The Board approved the Administrator's recommendation for bond claim for Mr. Ben Ciardi.

MOTION:

Mr. Dowd made a motion to approve recommendation. Mr. Roberts seconded the motion, which carried unanimously.

Mr. Harley Oody- case # 2012-88

The Board approved the Administrator's recommendation for bond claim for Mr. Harley Oody.

MOTION:

Mr. Davis made a motion to approve recommendation. Mr. Roberts seconded the motion, which carried unanimously.

Mr. Terry Fisher case # 2012-416

The Board approved the Administrator's recommendation for bond claim for Mr. Terry Fisher .

MOTION:

Mr. Bailey made a motion to approve recommendation. Mr. Davis seconded the motion, which carried unanimously.

Mr. Desmond Pearson

The Board approved the Administrator's recommendation for bond claim for Mr. Desmond Pearson.

MOTION:

Mr. Davis made a motion to approve recommendation. Mr. Dowd seconded the motion, which carried unanimously.

Ms. Cynthia Mahon- case # 2011-638

The Board approved the Administrator's recommendation for bond claim for Ms. Cynthia Mahon.

MOTION:

Mr. Dowd made a motion to approve recommendation. Mr. Roberts seconded the motion, which carried unanimously.

Review of Continuing Education Courses:

The board discussed the parameters for using continuing education courses, to be used in disciplinary matters that come before the Hearing Officers.

MOTION:

Mr. Roberts made the motion that the parameters of a minimum of four hours with a maximum of twelve hours; with course work in Business law and/or in the trades be used for disciplinary actions set by the hearing officers. Mr. Bailey seconded the motion, which carried unanimously.

Administrator's Remarks:

- Clarification on Roof Inspections under the Home Inspectors standards of practice be reviewed at next board meeting scheduled for May 14th, 2014.

OIE Report – Mr. Todd Bond:

Todd Bond, Chief Investigator of OIE

Mrs. Janet Baumberger, Administrator for the Residential Builders Commission, presented the OIE report on behalf of Mr. Todd Bond. Ms. Baumberger reported the number of investigations as of today since January 1st, 2014:

Complaints Received - 144
Closed Cases – 118

Active Investigations – 73

New Business

A. Recommendations of IRC

MOTION:

Mr. Dowd made a motion to approve the Recommendation of the IRC for April 9th, 2014 . Mr. Bailey seconded the motion, which carried unanimously.

B. Resolution Guidelines

MOTION:

Mr. Clark made a motion to approve the IRC Resolution Guidelines. Mr. Dowd seconded the motion, which carried unanimously

Old Business:

Public Comments:

Date of Next Meeting:

The next Residential Builders Commission meeting will be held Wednesday, May 14th, 2014 in room 108.

Adjournment:

Mr. Davis made a motion to adjourn the Residential Builders Commission Meeting. Mr. Roberts seconded the motion, which carried unanimously. The Residential Builders Commission Meeting was adjourned at 1:00 p.m.

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