

RESIDENTIAL BUILDERS COMMISSION
Synergy Business Park
110 Centerview Drive Kingtree Building, Room 108
Columbia, South Carolina 29210
Wednesday, July 09, 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:

Al Bailey, Vice-Chairman called the regular meeting of the Residential Builders Commission to order at 10:00 a.m. Other members present for the meeting included: Frank Clark; Tim Roberts; Caleb Davis and Bryan Dowd.

Al Bailey, Vice-Chairman, announced that public notice of the meeting was properly posted on the bulletin boards at the main entrance of the Kingtree 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. Clark made a motion to approve the July 9th, 2014 Residential Builders Commission Meeting Agenda. Mr. Dowd seconded the motion, which carried unanimously.

Approval of Minutes for the June 11, 2014 Meeting:

MOTION:

Mr. Clark made a motion to approve the June 11th, 2014 meeting minutes. Mr. Roberts seconded the motion, which carried unanimously.

Approval/Disapproval of Absent Members:

Mr. Clark made a motion to approve the absences of Hal Dillard and Derrick Williams. Mr. Roberts seconded the motion, which carried unanimously.

Chairman's Remarks:

Al Bailey- vice chairman

Mr. Bailey, Vice Chairman 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. He noted that a quorum of the board was present. He also noted the lengthy agenda and a lunch break would be held around 12:00 to 12:30 pm.

Application Reviews:

Mr. Marvin Valentine

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

MOTION:

Mr. Clark made a motion to allow Mr. Valentine to sit for the Residential Builder examination. Mr. Roberts seconded the motion, which carried unanimously.

Mr. Maher Suaifan

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

MOTION:

There were no motions made

Mr. Richard Pinckney

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

MOTION:

Mr. Clark made a motion to allow Mr. Pinckney to sit for the exam once the judgment satisfaction has been provided to the board. Mr. Dowd seconded the motion, which carried unanimously.

Ms. Brian Norris

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

MOTION:

Mr. Dowd made a motion to allow Mr. Norris to obtain his specialty registration once he provides documentation that his probation has been completed and his registration will be on Probation until next renewal. Mr. Roberts seconded the motion, which carried unanimously.

Mr. Ronald Bennett

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

MOTION:

Mr. Roberts made a motion to approve Mr. Bennett with the requirement that he maintains a \$5,000 surety license bond at all times. Mr. Davis seconded the motion, which did not carry unanimously. Mr. Clark opposed.

Mr. Marcus Stanley

The Commission held an Application Review Hearing regarding Mr. Marcus Stanley. Mr. Stanley appeared before the Commission to present testimony and waived his right to counsel. He also presented a witness, Mr. Michael Smith.

MOTION:

Mr. Dowd made a motion to go into executive session. Mr. Roberts seconded the motion, which carried unanimously.

MOTION:

Mr. Dowd made a motion to come out of executive session. Mr. Clark seconded the motion, which carried unanimously.

MOTION:

Mr. Roberts made a motion to reinstate the builders license until the Supplemental proceedings were complete at that time Mr. Stanley would need to reappear before the Commission. Mr. Clark seconded the motion, which carried unanimously.

Mr. Legrant Epps

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

MOTION:

Mr. Clark made a motion to allow Mr. Epps to sit for the Residential HVAC examination. Mr. Roberts seconded the motion, which carried unanimously

Mr. Earl Wright

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

MOTION:

Mr. Clark made a motion to allow Mr. Wright to sit for the Residential Electrician examination. Mr. Roberts seconded the motion, which carried unanimously

Mr. Ashby Freeman

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

MOTION:

There were no motions made.

Mr. Martin Lloyd

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

MOTION:

Mr. Dowd made a motion to allow Mr. Lloyd to sit for the Residential Builders examination. Mr. Roberts seconded the motion, which carried unanimously

Mr. Terry Bryant

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

MOTION:

Mr. Roberts made a motion to allow Mr. Bryant to sit for the Residential Builder examination. Mr. Davis seconded the motion, which carried unanimously.

Mr. Glenn Lee

The Commission held a Reinstatement Review Hearing regarding Mr. Glenn Lee. Mr. Lee did not appear to present testimony.

MOTION:

There were no motions made.

Mr. Rex Schade

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

MOTION:

Mr. Clark made a motion to allow Mr. Schade to sit for the Residential Builder examination. Mr. Roberts seconded the motion, which carried unanimously.

Mr. Richard Harmon

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

MOTION:

Mr. Dowd made a motion to deny Mr. Harmon's application for the Residential Home Inspectors License. Mr. Roberts seconded the motion, which carried unanimously.

Mr. Geoffrey Brunning

The Commission held a Renewal Application Review Hearing regarding Mr. Geoffrey Brunning. Mr. Brunning appeared before the Commission to present testimony and waived his right to counsel.

MOTION:

Mr. Roberts made a motion to approve Mr. Brunning for renewal of his Residential Builders License. Mr. Dowd seconded the motion, which carried unanimously.

Mr. Milton Webb

The Commission held an Application Review Hearing regarding Mr. Milton Webb. Mr. Webb appeared before the Commission to present testimony and waived his right to counsel. He also presented a witness, Mr. Joseph Taylor Kelly II.

MOTION:

Mr. Davis made a motion to deny Mr. Webb's application for the Residential Home Builders License. Mr. Dowd seconded the motion, which carried unanimously.

Mr. Jason Houston

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

MOTION:

Mr. Roberts made a motion to allow Mr. Houston to renew his Residential Home Builders License with the stipulation that he must provide documents regarding liens/judgments repayment plans or documents showing good faith effort on the outstanding liens or judgments within 90 days. Mr. Dowd seconded the motion, which carried unanimously.

Mr. Benny Tilley

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

MOTION:

Mr. Roberts made a motion to reinstate Mr. Tilley's residential specialty contractors registration and once the IRS reopened his lien he would need to provide proof of payment arrangement or satisfaction of IRS lien. Mr. Clark seconded the motion, which carried unanimously.

Request for Permanent Approval of Residential Electrical License:

Mr. John Steely

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

MOTION:

Mr. Davis made a motion to approve the request for a Residential Electrical License. Mr. Roberts seconded the motion, which carried unanimously.

Final Order Hearings:

Mr. Gene Fowler case # 2012-484

The Board held a Final Order hearing regarding Mr. Gene Fowler

MOTION:

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

Mr. Robert Anderson case #2012-414 & 2013-244

The Board held a Final Order hearing regarding Mr. Robert Anderson. Mr. Roberts recused himself.

MOTION:

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

Ms. Concetta Crout case # 2011-615

The Board held a Final Order hearing regarding Ms. Concetta Crout

MOTION:

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

Mr. Gregory Ferrell case # - 2012-218

The Board held a Final Order hearing regarding Mr. Gregory Ferrell. Mr. Roberts recused himself.

MOTION:

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

Mr. Herman Browder case # - 2012-272

The Board held a Final Order hearing regarding Mr. Herman Browder.

MOTION:

Mr. Clark 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. Sherman Gray- case # 2011-553

The Board held an Administrator's recommendation for bond claim.

MOTION:

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

Review of Motion for Extension of time to Final Order:

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

The Commission held a Review Hearing regarding Mr. H.E. Hughes. Mr. Hughes appeared before the Commission to present testimony with his attorney, Tommy Hill.

MOTION:

Mr. Dowd made a motion to go into executive session. Mr. Roberts seconded the motion, which carried unanimously.

MOTION:

Mr. Dowd made a motion to come out of executive session. Mr. Clark seconded the motion, which carried unanimously.

MOTION:

Mr. Clark made a motion to approve a 30 day extension beginning the day the County allows Mr. Hughes back on the property. Mr. Roberts seconded the motion, which carried unanimously.

Administrator's Remarks: None at this time

OIE Report – Mr. Todd Bond:

Todd Bond, Chief Investigator of OIE

Complaints Received - 280
Closed Cases – 292

Active Investigations – 87

New Business

A. Recommendations of IRC

MOTION:

Mr. Roberts made a motion to approve the Recommendation of the IRC. Mr. Clark seconded the motion, which carried unanimously.

B. Resolution Guidelines

MOTION:

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

Old Business: None

Public Comments: None were made

Date of Next Meeting:

The next Residential Builders Commission meeting will be held Wednesday, August 13, 2014 in room 108.

Adjournment:

Mr. Roberts made a motion to adjourn the Residential Builders Commission Meeting. Mr. Dowd seconded the motion, which carried unanimously. The Residential Builders Commission Meeting was adjourned at 3:00 p.m.

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