

RESIDENTIAL BUILDERS COMMISSION
Synergy Business Park
110 Centerview Drive Kingstree Building, Room 108
Columbia, South Carolina 29210
Wednesday, August 13th, 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 Williams, Chairman called the regular meeting of the Residential Builders Commission to order at 10:00 a.m. Other members present for the meeting included: Al Bailey, Hal Dillard, Frank Clark; Tim Roberts; Caleb Davis and Bryan Dowd.

Derrick 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. Clark made a motion to approve the August 13th, 2014 Residential Builders Commission Meeting Agenda. Mr. Roberts seconded the motion, which carried unanimously.

Approval of Minutes for the July 9th, 2014 Meeting:

MOTION:

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

Approval /Disapproval of Absent Members:

Chairman's Remarks:

Derrick Williams- chairman

Mr. Williams, 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.

Owner/Builder Exemption Waiver Request:

Mr. William Dunlap

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

MOTION:

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

Mr. Ronald Davis

The Commission heard a request for Mr. Ronald Davis 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. Davis the waiver of the owner/builder exemption. Mr. Dillard seconded the motion, which carried unanimously.

Application Reviews:

Mr. Dave Lunka

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

MOTION:

Mr. Davis made a motion to allow Mr. Lunka to sit for the Residential Builder examination after he provides further documentation of experience. Mr. Roberts seconded the motion, which carried unanimously.

Mr. Roger Nutt

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

MOTION:

There were no motions made

Mr. Christopher Vaughn

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

MOTION:

Mr. Dowd made a motion to allow Mr. Vaughn to sit for the exam once proof of his certification course and discharge from the Arm Services has been provided to the board. Mr. Dowd seconded the motion, which carried unanimously.

Ms. Timothy Voegeli

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

MOTION:

There were no motions made

Mr. Joseph Felz

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

MOTION:

Mr. Bailey made a motion to approve Mr. Felz with the requirement that he maintains a \$5,000 surety license bond at all times. Mr. Roberts seconded the motion, which carry unanimously.

Mr. James E Jones

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

MOTION:

Mr. Bailey made a motion to approved Mr. Jones for his specialty registration. Mr. Roberts seconded the motion, which carried unanimously.

Mr. Peter Oakes

The Commission held an Application Review Hearing regarding Mr. Peter Oakes. Mr. Oakes appeared before the Commission to present testimony and waived his right to counsel. He also presented a witness, Mr. Jeffery A. Wheeler.

MOTION:

Mr. Bailey made a motion to allow Mr. Oakes to sit for the exam. Mr. Dowd seconded the motion, which carried unanimously.

Mr. Bentley Thompson

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

MOTION:

Mr. Davis made a motion to deny Mr. Thompson's application for Residential Builders. Mr. Roberts seconded the motion, which carried unanimously

Mr. Jimmy Owens

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

MOTION:

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

MOTION:

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

MOTION:

Mr. Davis made a motion to allow Mr. Owens to sit for the Residential Builders examination. Mr. Roberts seconded the motion, which did not carry unanimously. Mr. Dillard opposed.

Mr. Eric Giacci

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

MOTION:

Mr. Bailey made a motion to approve Mr. Giacci's application for Residential Specialty Registration. Mr. Dows seconded the motion, which carried unanimously

Mr. Milton Webb

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

MOTION:

There were no motions made.

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.

Mr. William Adams

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

MOTION:

There were no motions made.

Mr. Jimmy Locklear

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

MOTION:

Mr. Bailey made a motion to approve Mr. Locklear's application for his Residential Specialty Contractor registration. Mr. Dillard seconded the motion, which carried unanimously.

Mr. Curtis Murphy

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

MOTION:

Mr. Dowd made a motion to approve Mr. Murphy's application for his Residential Specialty Contractor registration and required that he maintain a \$5,000 surety bond at all times. Mr. Bailey seconded the motion, which carried unanimously.

Mr. Robert F. O'Connell

The Commission held a Renewal Application Review Hearing regarding Mr. Robert F. O'Connell. Mr. O'Connell appeared before the Commission to present testimony and waived his right to counsel.

MOTION:

Mr. Bailey made a motion to approve Mr. O'Connell's application for his Residential Specialty Registration and required that he maintain a \$5,000 surety bond at all times. Mr. Davis seconded the motion, which carried unanimously.

Mr. Sylvester Golden III

The Commission held an Application Review Hearing regarding Mr. Sylvester Golden III. Mr. Golden appeared before the Commission to present testimony and was represented by his counsel, Senator Karl Allen.

MOTION:

Mr. Bailey made a motion to approved Mr. Golden’s renewal application for the Residential Home Builders License and lifts his suspension. Mr. Davis seconded the motion, which carried unanimously.

Mr. Greg Keisler

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

MOTION:

Mr. Bailey made a motion to defer action and allow Mr. Keisler’s license to remain in “pending board review” status for an additional ninety (90) days and at that time he would need to reappear before the board to present further information. At that time he must provide documents regarding liens/judgments repayment plans or documents showing good faith effort on the outstanding liens or judgments. Mr. Davis seconded the motion, which carried unanimously.

Mr. Robert Noe

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

MOTION:

Mr. Bailey made a motion to renew Mr. Noe’s residential builder license. Mr. Davis seconded the motion, which did not carry unanimously. Mr. Dillard opposed.

Curtis Hogg

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

MOTION:

Mr. Dowd made a motion to approve the renewal for Mr. Hogg’s residential builders license. Mr. Roberts seconded the motion, which carried unanimously.

Joe Langley

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

MOTION:

There were no motions made

Joe Graham

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

MOTION:

There were no motions made.

Charles Hall

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

MOTION:

Mr. Roberts made a motion to approve the lift the suspension of Mr. Hall’s Residential Builders license. Mr. Dowd seconded the motion, which carried unanimously.

Final Order Hearings:

Mr. Christopher Skinner Case# 2013-309

The Board held a Final Order hearing regarding Mr. Christopher Skinner . Mr. Roberts recused himself.

MOTION:

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

Mr. Dalmor R. Reece case# 2013-430

The Board held a Final Order hearing regarding Mr. Dalmor R. Reece. Mr. Roberts recused himself.

MOTION:

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

Mr. Jeffrey Tilley- case # 2013-418

The Board held a Final Order hearing regarding Mr. Jeffrey Tilley.

MOTION:

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

Mr. Paul Kugler case # - 2012-260

The Board held a Final Order hearing regarding Mr. Paul Kugler.

MOTION:

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

Mr. John Lemieux case # - 2013-108

The Board held a Final Order hearing regarding Mr. John Lemieux. Mr. Bailey recused himself.

MOTION:

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

Mr. Jeffrey Ellis case # - 2013-101

The Board held a Final Order hearing regarding Mr. Jeffrey Ellis. Mr. Bailey recused himself.

MOTION:

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

Mr. Scott Bernard case # - 2013-213

The Board held a Final Order hearing regarding Mr. Scott Bernard. Mr. Bailey recused himself.

MOTION:

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

Administrator’s Remarks:

The administrator presented information regarding the rescheduling for the November 11th, 2015 board meeting, which is a state holiday and informed the board that the first Wednesday, November 4th, 2015 there is a board room available.

MOTION:

Mr. Roberts made a motion to move the November 2015 monthly board meeting to the first Wednesday November 4th, 2015. Mr. Dowd seconded the motion, which carried unanimously.

OIE Report – Mr. Todd Bond:

Todd Bond, Chief Investigator of OIE

Complaints Received – 325
Closed Cases – 292

Active Investigations – 90

New Business

- A. Recommendations of IRC

MOTION:

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

- B. Resolution Guidelines

MOTION:

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

- C. Inspection Certification Associates provided documents to the board and requested to be an approved course for the home inspectors.

MOTION:

Mr. Bailey made a motion to add Inspection Certification Associates as an approved course for the home inspectors. Mr. Roberts seconded the motion, which carried unanimously.

Old Business:

Mr. Roberts asked if the list of NASCLA Courses could be condensed and place in the hearing officer books.

Public Comments: None were made

Date of Next Meeting:

The next Residential Builders Commission meeting will be held Wednesday, September 10th, 2014 in room 108.

Adjournment:

Mr. Dowd 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 1:30 p.m.

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