

RESIDENTIAL BUILDERS COMMISSION  
Synergy Business Park  
110 Centerview Drive Kingstree Building, Room 108  
Columbia, South Carolina 29210  
Wednesday, July 8, 2015

**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: Hal Dillard, Monte Lemmon, Harry Dill, Christy Rhyne, Frank Clark 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 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 July 8, 2015 Residential Builders Commission Meeting Agenda. Mr. Lemmon seconded the motion, which carried unanimously.

**Approval for Board Minutes for the June 10<sup>th</sup>, 2015 meeting:**

**MOTION:**

Mr. Clark made a motion to approve the June 10, 2015 meeting minutes and to have to minutes amended to show that Mr. Al Bailey was in attendance for that date. Mr. Dowd seconded the motion, which carried unanimously.

**Approval /Disapproval of Absent Members:**

**MOTION:**

Mr. Clark made a motion to approve the absence of Mr. Tim Roberts from the meeting. Mr. Lemmon 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 clearly. Additionally, he advised all applicants and licensees to direct their questions to the chairman of the board.

**Application Reviews:**

*Christopher Wilson*

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

**MOTION:**

Mr. Dillard made a motion to approved Mr. Wilson's Residential Specialty Registration. Mr. Dowd seconded the motion, which carried unanimously.

*Phillip Baker*

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

**MOTION:**

Mr. Dowd made a motion to approve the Specialty Registration once Mr. Baker provides the commission a resolution and payment schedule with the IRS and he must maintain a five thousand dollar bond. Mr. Lemmon seconded the motion, which carried unanimously.

*John McGaha*

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

**MOTION:**

Ms. Rhyne made a motion to deny the Residential Builders license at this time. Mr. Dowd seconded the motion, which carried unanimously.

*Haile Watson Jr.*

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

**MOTION:**

Mr. Dill made a motion to approve Mr. Watson to sit for the Builders Exam. Mr. Dillard Seconded the motion, which did not carry unanimously. Mr. Dowd opposed.

*Edward Hamm*

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

**MOTION:**

Mr. Dillard made a motion to enter into executive session for legal advice. Ms. Rhyne seconded the motion, which carried unanimously.

**MOTION:**

Mr. Dowd made a motion to exit executive session for legal advice. Mr. Clark seconded the motion, which carried unanimously.

**MOTION:**

Mr. Dillard made a motion to deny Mr. Hann's request at this time. Mr. Dowd seconded the motion, which carried unanimously.

*Clayton Martin*

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

**MOTION:**

Mr. Clark made a motion to allow Mr. Martin to sit for the exam. Ms. Rhyne seconded the motion, which did not carry unanimously. Mr. Dowd opposed.

*Lewis Richardson*

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

**MOTION:**

Mr. Dillard made a motion to allow him to sit for the Exam. Mr. Clark seconded the motion, which carried unanimously.

*Matthew Pinard*

The Commission held an application review hearing regarding Mr. Matthew Pinard. Mr. Pinard appeared before the Commission to present testimony and waived his right to counsel.

**MOTION:**

Mr. Clark made a motion to allow Mr. Pinard sit for the exam. Ms. Rhyne seconded the motion which carried unanimously.

*Daniel Peters*

The Commission held an application review hearing regarding Mr. Daniel Peters. Mr. Peters appeared before the commission to present testimony and waived his right to counsel.

**MOTION:**

Mr. Clark made a motion to allow Mr. Peters to sit for the exam. Ms. Rhyne seconded the motion, which carried unanimously.

*Timothy Garvin*

The Commission held an application review hearing regarding Mr. Timothy Garvin. Mr. Garvin did not appear.

**MOTION:**

No motions were made.

*Floyd Holmes Jr.*

The Commission held an application review hearing regarding Mr. Floyd Holmes Jr. Mr. Holmes appeared before the commission to present testimony along and waived his right to counsel.

**MOTION:**

Mr. Clark made a motion to approve Mr. Holmes' Specialty Registration. Mr. Dill seconded the motion; which carried unanimously.

*Stacey Putnam*

The Commission held an application review hearing regarding Mr. Stacey Putnam. Mr. Putnam did not appear before the commission not testimony was present to the board.

**MOTION:**

No motions were made.

*Steven Reiland*

The Commission held an application review hearing regarding Mr. Steven Reiland. Mr. Reiland appeared before the commission to present testimony and waived his right to counsel.

**MOTION:**

Mr. Dill made a motion to approve Mr. Reiland's specialty registration. Mr. Clark seconded the motion, which carried unanimously.

*Walter Sanders*

The Commission held an application review hearing regarding Mr. Walter Sanders. Mr. Sanders appeared before the commission to present testimony along with his attorney Mr. Clark McCants, esq.

**MOTION:**

Mr. Clark made a motion to approve Mr. Sanders for his Specialty registration. Mr. Dowd seconded the motion which carried unanimously.

Mr. Hal Dillard left at 12:56 pm.

*Keith Foutz*

The Commission held an application review hearing regarding Mr. Keith Foutz. Mr. Foutz appeared before the Commission to present testimony and waived his right to counsel.

**MOTION:**

Mr. Dowd made a motion to allow reinstatement upon Mr. Foutz provided written proof of a payment arrangement or resolution of all open liens or judgments within 120 days. Mr. Lemmon seconded the motion which carried unanimously.

**Final Order Hearings:**

*Brandt Bentley Case# 2013-371*

The Board held a Final Order hearing regarding Mr. Brandt Bentley.

**MOTION:**

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

*Mr. Lyle Sauvola Case# 2014-105*

The Board held a Final Order hearing regarding Mr. Lyle Sauvola.

**MOTION:**

Mr. Dill made a motion to enter into executive session for legal advice. Mr. Dowd seconded the motion which carried unanimously.

**MOTION:**

Mr. Dowd made a motion to exit executive session after receiving legal advice. Mr. Clark seconded the motion which carried unanimously.

**MOTION:**

Mr. Dill made a motion to reject the hearing officer recommendation and remand back to the hearing officer for correct code to be cited. Mr. Lemmon seconded the motion which did not carry unanimously. Mr. Dowd opposed.

*Mr. Antonie Iskandar. Case# 2014-298*

The Board held a Final Order hearing regarding Mr. Antonie Iskandar. Mr. Al Bailey recused himself. Mr. Bryan Dowd presided over meeting in Mr. Bailey's absence.

**MOTION:**

Mr. Clark made a motion accept the Hearing Officer's Recommendation. Mr. Lemmon seconded the motion which carried unanimously.

*Mr. Iris Duarte Case# 2014-232*

The Board held a Final Order hearing regarding Mr. Iris Duarte. Mr. Al Bailey recused himself.

**MOTION:**

Mr. Clark made a motion accept the Hearing Officer's Recommendation. Mr. Lemmon seconded the motion which carried unanimously.

*Mr. Ari Relford Case# 2014-538*

The Board held a Final Order hearing regarding Mr. Ari Relford. Mr. Al Bailey recused himself.

**MOTION:**

Ms. Rhyne made a motion accept the Hearing Officer's Recommendation. Mr. Lemmon seconded the motion which carried unanimously.

*Mr. William R Adams case# 2014-315*

The Board held a Final Order hearing regarding Mr. William R Adams. Mr. Al Bailey recused

himself.

**MOTION:**

Mr. Clark made a motion accept the Hearing Officer's Recommendation. Mr. Lemmon seconded the motion which carried unanimously.

Mr. Bailey rejoined the meeting.

*Mr. John Riley Case# 2012-317*

The Board held a Final Order hearing regarding Mr. John Riley.

**MOTION:**

Mr. Clark made a motion accept the Hearing Officer's Recommendation. Mr. Lemmon seconded the motion which carried unanimously.

*Mr. Felton Stewart Case# 2012-340*

The Board held a Final Order hearing regarding Mr. Felton Stewart.

**MOTION:**

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

*Mr. Steppnay Blackwell Case# 2014-205*

The Board held a Final Order hearing regarding Mr. Steppnay Blackwell. Case# 2014-205

**MOTION:**

Mr. Clark made a motion accept the Hearing Officer's Recommendation. Mr. Lemmon seconded the motion which carried unanimously.

*Mr. Scott Kelly Case# 2013-479*

The Board held a Final Order hearing regarding Mr. Scott Kelly.

**MOTION:**

Mr. Clark made a motion accept the Hearing Officer's Recommendation. Ms. Rhyne seconded the motion.

**MOTION:**

Mr. Dill made a motion enter executive session for legal advice. Mr. Lemmon seconded the motion, which carried unanimously.

**MOTION:**

Mr. Dill made a motion exit executive session from receiving legal advice. Mr. Clark seconded the motion, which carried unanimously.

**MOTION:**

Mr. Clark withdrew his previous motion to accept the Hearing Officer's Recommendation. Ms. Rhyne withdrew her second on the motion.

**MOTION:**

Mr. Clark made a motion accept the Hearing Officer's Recommendation with a revision to amend the Hearing Officer recommendation to reference from the 2003 edition of the IRC to the 2000 edition of the IRC. Ms. Rhyne seconded the motion, which carried unanimously.

**Memorandum of Agreement**

*Mr. Michael Riffert Case# 2014-208*

Michael Riffert was present and sworn in. Mr. Riffert was represented by Sarah Turner; Esq. Zubin Billimoria, Esq. represented the State. Mr. Riffert answered questions from the Board. Ms. Billimoria requested that the Board accept the Memorandum of Agreement (MOA).

**MOTION:**

Mr. Dowd made a motion to accept the Memorandum of Agreement. Respondent is publicly reprimand and assessed a fine of Two thousand and 00/100<sup>th</sup> dollars (\$2000.00) for each of the two (2) statutory violations, for a total fine of Four Thousand and 00/100<sup>th</sup> (\$4,000.00 ) to be paid within forty-five (45) days of the date of the final order. Mr. Clark seconded the motion, which carried unanimously.

*Mr. Robert Cagle Case# 2014-208*

Robert Cagle was present and sworn in. Mr. Cagle was represented by Terry Quinn, Esq. Zubin Billimoria, Esq. represented the State. Mr. Cagle answered questions from the Board. Ms. Billimoria requested that the Board accept the Memorandum of Agreement (MOA).

**MOTION:**

Mr. Dowd made a motion to accept the Memorandum of Agreement. Respondent is publicly reprimanded and no fine accessed. . Mr. Lemmon seconded the motion, which did not carry unanimously. Mr. Clark opposed.

**Administrator's Remarks:**

No remarks made.

**Licensure Reform Discussion:**

Mr. Mark Nix from the SC Home Builders Association met with the board again since there are new commissioners. He requested the board open public comments to get the public and licensee/registrator's input on any future proposed changes. He also wanted the Commission to know he was on the Engineer's boarding meeting for the following Tuesday.

**OIE Report – Mr. Todd Bond:**

*Todd Bond, Chief Investigator of OIE*

Mr. Todd Bond, Chief Investigator appeared to present the information to the commission regarding the OIE monthly report.

**Complaints Received –391  
Closed Cases 384**

**Active Investigations – 116**

**New Business**

A. Recommendations of IRC

**MOTION:**

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

B. Resolution Guidelines

**MOTION:**

Mr. Dill made a motion to approve the Resolution Guidelines. Mr. Lemmon seconded the motion, which carried unanimously.

**Old Business:**

Janet Baumberger, Administrator gave the board an update regarding the National Home Inspector's Exam cost versus the cost that the Commission is allowed to charge per regulation. Mr. Roger Herdt, with ASHI gave input regarding the pros of the National Home Inspector's exam.

**MOTION:**

Mr. Dill made a motion to accept both the National Home Inspector's exams and the SC Home Inspectors Exam. Mr. Lemmon seconded the motion, which carried unanimously.

**Public Comments:**

Public Comments were made.

**Date of Next Meeting:**

The next Residential Builders Commission meeting will be held Wednesday, August 12<sup>th</sup>, 2015 in room 105.

**Adjournment:**

Mr. Lemmon 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 3:08 p.m.

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