

RESIDENTIAL BUILDERS COMMISSION
Synergy Business Park
110 Centerview Drive Kingstree Building, Room 108
Columbia, South Carolina 29210
Wednesday, March 13, 2013

NOTE: These minutes are a record of the motion and official actions taken by the Board and brief summary of the meeting. A transcript of this meeting providing more detail will be available on the Board's website: www.ljr.state.sc.gov

Called To Order:

Derrick G. Williams, Chairman called the regular meeting of the Residential Builders Commission to order at 10:04 a.m. Other members present for the meeting included: Frank Clark; Tim Roberts; and Al Bailey; Hal Dillard; Caleb Davis; Bryan Dowd.

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. Bailey made a motion to approve the March 13, 2013 Residential Builders Commission Meeting Agenda. Mr. Roberts seconded the motion, which carried unanimously.

Approval of Minutes for the February 13, 2013 Meeting:

MOTION:

Mr. Clark made a motion to approve the February 13, 2013 meeting minutes. Mr. Bailey seconded the motion, which carried unanimously.

Approval /Disapproval of Absent Members:

All Members Present

Chairman's Remarks:

Derrick Williams

There were no remarks made.

Application Reviews:

Mr. Michael Fendt

The Commission held an Application Review Hearing regarding Mr. Michael Fendt. Mr. Fendt did not appear before the Commission, but did a conference call to give his testimony and waived his right to counsel.

MOTION:

Mr. Bailey made a motion to allow Mr. Fendt to take exam upon receipts of permits. Mr. Roberts seconded the motion, which did not carry unanimously. Hal Dillard opposed.

(This proceeding was recorded by a court reporter in order to produce a verbatim transcript if requested in accordance with the law.)

Mr. Dale Rogers

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

MOTION:

Mr. Dowd made a motion to allow Mr. Rogers to get license upon information on the Order issued by Building Official. Mr. Dillard seconded the motion, which carried unanimously.

(This proceeding was recorded by a court reporter in order to produce a verbatim transcript if requested in accordance with the law.)

Mr. Robert Hanawalt

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

MOTION:

Mr. Clark made a motion to allow Mr. Hanawalt to take the exam. Mr. Dillard seconded the motion, which did not carry unanimously. Mr. Bailey and Mr. Roberts opposed.

(This proceeding was recorded by a court reporter in order to produce a verbatim transcript if requested in accordance with the law.)

Mr. Joao Vogel

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

MOTION:

Mr. Bailey made a motion to allow Mr. Vogel to take exam. Mr. Clark seconded the motion, which carried unanimously.

(This proceeding was recorded by a court reporter in order to produce a verbatim transcript if requested in accordance with the law.)

Ms. Jody Speagle

The Commission held an Application Review Hearing regarding Ms. Jody Speagle. Ms. Speagle appeared before the Commission to present testimony and waived her 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. Dowd seconded the motion, which carried unanimously.

MOTION:

Mr. Bailey made a motion to deny Ms. Speagle's request to get license. Mr. Roberts seconded the motion, which carried unanimously.

(This proceeding was recorded by a court reporter in order to produce a verbatim transcript if requested in accordance with the law.)

Mr. Donnie Grice

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

MOTION:

Mr. Bailey made a motion to allow Mr. Grice to get his license. Mr. Davis seconded the motion, which did not carry unanimously. Mr. Clark and Mr. Dillard opposed.

Mr. Daron Stalvey

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

MOTION:

Mr. Roberts made a motion to allow Mr. Stalvey to get his license. Mr. Bailey seconded the motion, which carried unanimously.

Mr. Barry Bryant

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

MOTION:

Mr. Davis made a motion to allow Mr. Bryant to take exam. Mr. Dowd seconded the motion, which carried unanimously.

Mr. Richard Therien

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

MOTION:

Mr. Bailey made a motion to allow Mr. Therien to get his license, but has to carry a \$15,000 bond at all times and provide credit report for next three renewals. Mr. Davis seconded the motion, which carried unanimously.

Mr. Arthur Scott

The Commission held an Application Review Hearing regarding Mr. Arthur Scott. Mr. Scott did not appear.

Motion for Reinstatement:

Mr. C.E. Bateson

The Commission held an reinstatement review hearing regarding Mr. C.E. Bateson. Mr. Bateson appeared before the Commission to present testimony and waived his right to counsel.

MOTION:

Mr. Bailey made a motion to allow Mr. Bateson to reinstate his license. Mr. Davis seconded the motion, which carried unanimously.

Approval of Administrators Report and Recommendation:

Mr. Kenneth Willard, Case #2012-156

The Board held a Final Hearing regarding Mr. Kenneth Willard

MOTION:

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

Mr. Willie Black, Case #2011-132

The Board held a Final Hearing regarding Mr. Willie Black

MOTION:

Mr. Roberts 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. Dowd seconded the motion, which carried unanimously.

MOTION:

Mr. Bailey made a motion to allow Mr. Black to reinstate his license; has 45 days to pay homeowner \$4860.00 and provide Janet Baumberger proof that the amount has been paid. If the amount is not paid the homeowner can request \$4860.00 from the bonding company. Mr. Roberts seconded the motion, which carried unanimously.

Re-election of Officers:

Mr. Bailey made a motion to allow Derrick Williams to continue his role as chairman. Mr. Dowd seconded the motion, which carried unanimously.

Mr. Roberts made a motion to allow Al Bailey to continue his role as Vice President. Mr. Dowd seconded the motion, which carried unanimously.

Review of Statutes, Regulations, Policies and Procedures:

Please see transcript from board meeting for a complete explanation

Administrator's Remarks:

Janet Baumberger-None

OIE Report – Mr. Todd Bond:

Todd Bond, Chief Investigator of OIE

Mr. Todd Bond, Chief Investigator of Office of Investigation, reported the number of investigations as of today:

Complaints Received - 97
Closed Cases - 32

Active Investigations - 91

Recommendation of IRC:

MOTION:

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

IRC Resolution Guidelines:

MOTION:

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

Public Comments:

There were none

Date of Next Meeting:

The next Residential Builders Commission meeting will be held Wednesday, April 10, 2013 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 2:24 p.m.

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