

RESIDENTIAL BUILDERS COMMISSION
Synergy Business Park
110 Centerview Drive Kingstree Building, Room 108
Columbia, South Carolina 29210
Wednesday, September 12, 2012

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 10:03 a.m. Other members present for the meeting included: Frank Clark; Caleb Davis; Brian Dowd; Tim Roberts; 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.

Staff members participating in the meeting included: Ms. Darra Coleman, Attorney IV; Georgia Lewis, Advice Counsel; Princess Hodges, Assistant General Counsel; Teresa Martin, Administrative Assistant; and Cathy Young, Court Reporter.

Approval of Agenda:

MOTION:

Mr. Clark made a motion to approve the September 12, 2012 Residential Builders Commission Meeting Agenda. Mr. Bailey seconded the motion, which carried unanimously.

Approval of Minutes for the August 8, 2012 Meeting:

MOTION:

Mr. Dowd made a motion to approve the August 8, 2012 meeting minutes. Mr. Clark seconded the motion, which carried unanimously.

Approval /Disapproval of Absent Members:

All members present

Chairman's Remarks:

Derrick Williams

There were no remarks made.

Administrator's Remarks:

Janet Baumberger

Janet Baumberger presented documentation on Phillip Gilliam for approval to renew his license.

MOTION:

Mr. Dowd made a motion to go into executive session. Mr. Bailey 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. Williams recommended that Mr. Gilliam appear again in front of the board and provide any documentation that will help.

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

Board Information:

Mr. Bailey made a motion to approve Timothy Roberts to travel to NASCLA and RBC pay for expenses. 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.)

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 - 293

Active Investigations - 113

Closed Cases - 258

Old Business:

Recommendation of IRC:

MOTION:

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

IRC Resolution Guidelines:

MOTION:

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

Application Reviews:

Mr. James Euten, Jr.

The Commission held an Application Review Hearing regarding Mr. James Euten, Jr.. Mr. Euten appeared before the Commission and was represented by counsel.

MOTION:

Mr. Dowd made a motion to allow Mr. Euten to get his license. 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.)

Mr. John Price

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

MOTION:

Mr. Bailey made a motion to allow Mr. Price to get his home inspector's license. 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. Timothy Edwards

The Commission held an Application Review Hearing regarding Mr. Timothy Edwards. Mr. Edwards did not appear before the Commission.

MOTION:

Mr. Bailey made a motion to allow Mr. Edwards to reschedule his appearance. Mr. Dowd 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. Stephen Johnson

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

MOTION:

Mr. Bailey made a motion to allow Mr. Johnson to take the exam. Mr. Davis 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. Troy Hill

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

MOTION:

Mr. Dowd made a motion to allow Mr. Hill to take the exam. 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. Matthew Pesce

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

MOTION:

Mr. Davis made a motion to allow Mr. Pesce to get his 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. Daniel Armando

The Commission held an Application Review Hearing regarding Mr. Daniel Armando. Mr. Armando did not appear before the Commission.

Renewal Applications

Mr. Colin Campbell

The Commission held an Application Review Hearing regarding Mr. Colin Campbell. Mr. Campbell appeared before the Commission to present testimony and was represented by counsel, Attorney John Davidson.

MOTION:

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

MOTION:

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

MOTION:

Mr. Clark made a motion to allow Mr. Campbell to renew is license, with 2 years probation and to advise of any new judgments. 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. J. Coleman Shouse

The Commission held an Application Review Hearing regarding Mr. Coleman Shouse. Mr. Shouse appeared before the Commission to present testimony and was represented by counsel, Attorney Nick Nicholson.

MOTION:

Mr. Dillard made a motion to allow Mr. Shouse to renew is license, with documentation from closing scheduled on September 26, 2012. Mr. Roberts seconded the motion, which carried unanimously.

Mr. Joseph O'Saben

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

MOTION:

Mr. Dowd made a motion to allow Mr. O'Saben to renew his license, but placed on probation until next renewal and to notify of any new judgments. Mr. Davis 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. 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 waived his right to counsel.

MOTION:

Mr. Bailey made a motion to allow Mr. Golden to renew his license, but if judgments remain must show a payment plan or satisfaction. 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. C.G. Amick

The Commission held an Application Review Hearing regarding Mr. C.G. Amick. Mr. Amick did not appear before the Commission.

Mr. Timothy Lois

The Commission held an Application Review Hearing regarding Mr. Timothy Lois. Mr. Lois did not appear before the Commission.

Mr. Jerome Carne

The Commission held an Application Review Hearing regarding Mr. Jerome Carne. Mr. Carne 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. Clark seconded the motion, which carried unanimously.

MOTION:

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

MOTION:

Mr. Clark made a motion to allow Mr. Carne to renew his license, with probation for 2 years and to notify of any new judgments. Mr. Dowd 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. Gregory Grabley

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

MOTION:

Mr. Bailey made a motion to allow Mr. Grabley to renew his license, with probation for 2 years and a payment plan for IRS lien. Mr. Davis 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 Miller

The Commission held an Application Review Hearing regarding Mr. Robert Miller. Mr. Miller did not appear before the Commission.

Mr. Barry Stephens

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

MOTION:

Mr. Bailey made a motion to deny Mr. Stephens to renew his license. Mr. Davis 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.)

Motion for Reinstatement of License

Mr. Louis Whitesides

The Commission held a motion for reinstatement Hearing regarding Mr. Louis Whitesides. Mr. Whitesides appeared before the Commission to present testimony and waived his right to counsel

MOTION:

Mr. Bailey made a motion to approve Mr. Whitesides request to reinstate his license. 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.)

Motion to Reconsider Final Order

Mr. Timothy Andrew Clark-Case#2011-219;2011-135;2011-581.

The Commission held a motion reconsider final order regarding Mr. Andrew Clark. Mr. Clark appeared before the Commission to present testimony and waived his right to counsel.

MOTION:

Mr. Bailey made a motion to deny Mr. Clark request to reconsider final order. 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.)

Approval of Residential Builder's Course:

Mr. Bill Ramsey

Mr. Bill Ramsey appeared before the Commission to present documentation on Builder's Course.

MOTION:

Mr. Bailey made a motion to endorsement. Mr. Dowd seconded the motion, which carried unanimously.

Approval of Bond Claim

Mr. Jason Dilworth-Case# 2011-339

The Commission held a motion for calling on the bond Hearing regarding Mr. Jason Dilworth.

MOTION:

Mr. Bailey made a motion calling on the bond. Mr. Roberts seconded the motion, which carried unanimously.

Mr. Kenneth Pagoota-Case# 2008-431

The Commission held a motion for calling on the bond Hearing regarding Mr. Kenneth Pagoota.

MOTION:

Mr. Dowd made a motion calling on the bond. Mr. Clark seconded the motion, which carried unanimously.

Mr. James Jones-Case# 2010-734

The Commission held a motion for calling on the bond Hearing regarding Mr. James Jones.

MOTION:

Mr. Clark made a motion calling on the bond. 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, October 10, 2012 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 3:51 p.m.

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.llr.state.sc.gov