

RESIDENTIAL BUILDERS COMMISSION
Synergy Business Park (formerly the Koger Business Park)
110 Centerview Drive Kingstree Building, Room 108
Columbia, South Carolina 29210
Wednesday, September 14, 2011

Called To Order:

Derrick G. 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; Caleb Davis; Hal Dillard; Brian Dowd; Mr. Frank Clark and Tim Roberts.

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: Holly Gillespie, Mr. Jamie Saxon, Advice Counsel; Suzanne Hawkins, Laura Cook, Advice Counsel; Janet Baumberger, Administrator; Gary Wiggins, Administrator; Christine Driver, Administrative Assistant; Angela Scott, Administrative Assistant; Steve Deer, Investigation; Jerry Merritt, Investigation; Gregg Hembree, Investigations; Bennie Page, Investigations; Ronald Brewer, Investigation; and Faye Grainger, Court Reporter.

Others present participating in the meeting included: Dallas Fisher; Ralph Gilliard

Approval of Agenda

MOTION:

Mr. Dowd made a motion to approve the September 14, 2011 Residential Builders Commission Meeting Agenda. Mr. Bailey seconded the motion, which carried unanimously.

Approval of Minutes for the July 13, 2011 Meeting:

MOTION:

Mr. Bailey made a motion to approve the July 13, 2011 meeting minutes. Mr. Roberts 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

Advisory Opinions – Christa Bell, Office of General Counsel:

Christa Bell

There were no remarks made.

OIE Report – Mr. Stephen Deer:

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Steve Freshley, Interim Chief Investigator of OIE

Mr. Freshley reported the number of investigations as of today: **Open Cases: 137** and **98 Cases pending**

DLC Report – Mrs. Suzanne Hawkins:

Suzanne Hawkins

There was no report given.

Old Business:

Approval of IRC Public Member:

Mrs. Baumberger presented Mr. Edwin A. Farnell, III to the Commission to serve as the IRC Public Member.

MOTION:

Mr. Davis made a motion to approve Mr. Edwin A. Farnell, III to serve as the IRC Public Member. Mr. Bailey seconded the motion, which carried unanimously.

Recommendation of IRC:

MOTION:

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

IRC Resolution Guidelines:

MOTION:

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

Application Reviews:

Mr. Dallas F. Fisher

The Commission held an Application Review Hearing regarding Mr. Dallas F. Fisher. Mr. Fisher appeared before Commission to present testimony and waived his right to counsel.

MOTION:

Mr. Davis made a motion to approve Mr. Fisher's Residential Specialty Contractor's with a probationary status until June 30, 2013. 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. Ralph Gillard

The Commission held an Application Review Hearing regarding Mr. Ralph Gillard. Mr. Gillard appeared before the Commission to present testimony and waived her right to counsel.

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MOTION:

Mr. Bailey made a motion to approve Mr. Gillard's Residential Specialty Contractor's Registration with a two-years probationary status and If he is arrested during this time his registration will be revoked. In addition, Mr. Gillard is to furnish a Five Thousand Dollar Surety Bond. 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. Gilbert Smith

The Commission held an Application Review Hearing regarding Mr. Gilbert Smith. Mr. Smith was not present. The Commission took no action.

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

Mr. Gary Hughey

The Commission held an Application Review Hearing regarding Mr. Gary Hughey. Mr. Hughey appeared before the Commission to present testimony and waived his right to counsel. Mr. Dillard requested to be recused because of prior business affiliation.

MOTION:

Mr. Davis made a motion to deny Mr. Hughey Residential Specialty Contractors License until such time when he makes restitution or payment arrangements to rectify the outstanding judgments and liens. 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. Richard Tardif

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

MOTION:

Mr. Dowd made a motion to approve Mr. Tardif's Residential Specialty Contractor'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.)

Reinstatement Hearings:

Mr. Frederick M. Peters

The Commission held a Reinstatement Hearing regarding Mr. Frederick M. Peters. Mr. Peters appeared before the Commission to present testimony and waived his right to counsel.

MOTION:

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Mr. Bailey made a motion to deny Mr. Peters' request for reinstatement of his Residential Builder's License Mr. Davis seconded the motion, which carried unanimously.

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Hearing Officer's Recommendation For Citation:

Mr. Bob Lewis – Case #2011-211

The Commission held a Citation Hearing regarding Mr. Bob Lewis. Mr. Lewis was not present.

MOTION:

Mr. Bailey made a motion to approve the Hearing Officer's Recommendation for a Citation against Mr. Lewis. 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. Norman Joseph Hollis – Case 2011-227

The Commission held a Citation Hearing regarding Mr. Norman Joseph Hollis. Mr. Hollis was not present.

MOTION:

Mr. Dowd made a motion to approve the Hearing Officer's Recommendation for a Citation against Mr. Hartley. 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. Norman Joseph Hollis – Case 2011-227

Mr. Skeet Granger – Case 2011-302

The Commission held a Citation Hearing regarding Mr. Skeet Granger. Mr. Granger was not present.

MOTION:

Mr. Roberts made a motion to approve the Hearing Officer's Recommendation for a Citation against Mr. Granger. Mr. Bailey 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 Administrator's Recommendation for Bond Claims:

Mr. J. Collins – Case #2009-44 and 2008-302

The Commission held a hearing to approve the Administrator's Recommendations for a Bond Claim regarding Mr. J. B. Collins. Mr. Collins was not present. Mr. Roberts requested to be recused because of a prior business affiliation.

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MOTION:

Mr. Bailey made a motion to approve the Administrator's Recommendations for a Bond Claim regarding Mr. Collins. Mr. Dillard seconded the motion, which carried unanimously.

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Mr. Kevin Christopher – Case #2010-311

The Commission held a hearing to approve the Administrator's Recommendations for a Bond Claim regarding Mr. Kevin Christopher. Mr. Christopher was not present.

MOTION:

Mr. Davis made a motion to approve the Administrator's Recommendations for a Bond Claim regarding Mr. Christopher. Mr. Baikey seconded the motion, which carried unanimously.

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Mr. William Corcoran – Case #2007-315; 2007-315; 2007-316; 2007-658; and 2010-283

The Commission held a hearing to approve the Administrator's Recommendations for a Bond Claim regarding Mr. William Corcoran. Mr. Corcoran was not present.

MOTION:

Mr. Bailey made a motion to approve the Administrator's Recommendations for a Bond Claims regarding Mr. Christopher. 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. Charles R. Bailey – Case #2006-238

The Commission held a hearing to approve the Administrator's Recommendations for a Bond Claim regarding Mr. Charles R. Bailey. Mr. Bailey was not present.

MOTION:

Mr. Clark made a motion to approve the Administrator's Recommendations for a Bond Claim regarding Mr. Bailey. Mr. Bailey 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. Thomas Johnson – Case #2010-48

The Commission held a hearing to approve the Administrator's Recommendations for a Bond Claim regarding Mr. Thomas Johnson. Mr. Johnson requested a continuance.

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Mr. Sam Byler – Case #2010-1059

The Commission held a hearing to approve the Administrator's Recommendations for a Bond Claim regarding Mr. Sam Byler. Mr. Byler was not present.

MOTION:

Mr. Bailey made a motion to approve the Administrator's Recommendations for a Bond Claim regarding Mr. Christopher. 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.)

Administrative Hearings:

Mr. Wallace Sullivan– Case # 2010-573

The Board held an Administrative Hearing regarding Mr. Wallace Sullivan. Mr. Sullivan was not present.

MOTION:

Mr. Bailey made a motion to approve the Hearing Officer's Recommendation regarding Mr. Wallace Sullivan. Mr. Clark seconded the motion, which carried unanimously.

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Mr. Josh Miller – Case # 2010-814

The Board held an Administrative Hearing regarding Mr. Josh Miller. Mr. Miler was not present.

Public Comments:

There were no public comments made.

Date of Next Meeting:

The next Residential Builders Commission meeting will be held Wednesday, October 12, 2011 in room 108.

Adjournment:

Mr. Bailey 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 12:45 p.m.