

RESIDENTIAL BUILDER'S COMMISSION
Synergy Business Park
110 Centerview Drive, Kingtree Building, Room 108
Columbia, South Carolina
Wednesday, October 12th, 2016

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:

Tim Roberts, Chairman, called the regular meeting of the Residential Builders Commission to order at 10:00 A.M. Others members present for the meeting included: Al Bailey, Hal Dillard, W. Duvall Spruill, Bryan Dowd, and Christy Rhyne.

Approval of Agenda:

MOTION:

Mr. Dowd made a motion to approve the October 12th, 2016, Residential Builders Commission Meeting Agenda. Ms. Rhyne seconded the motion, which carried unanimously.

Approval of Minutes for the September 14th, 2016 Meeting:

MOTION:

Ms. Rhyne made a motion to approve the September 14th, 2016, meeting minutes. Mr. Bailey seconded the motion, which did not carry unanimously; Mr. Spruill and Mr. Dowd abstained.

Approval/Disapproval of Absent Members:

MOTION:

Mr. Dowd made a motion to approve the absences of Mr. Lemmon. Ms. Rhyne seconded the motion, which carried unanimously.

Chairman's Remarks:

Timothy Roberts – Chairman

Mr. Roberts, 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.

Owner/Builder Waiver Request:

Jason Getgasorn

The Commission held an Owner/Builder waiver hearing regarding Mr. Jason Getgasorn. Mr. Getgasorn appeared before the Commission to present testimony along with a witness Mr. Sitechi Getgasorn. He waived his right to counsel.

MOTION:

Mr. Bailey made a motion to release Mr. Getgasorn from the 24 month waiting period. Mr. Dillard seconded the motion which carried unanimously.

Application Reviews:

Michael Bickel

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

Motion:

Mr. Dillard made a motion to allow Mr. Bickel to sit for the exam. Mr. Dowd seconded the motion which did not carry unanimously. Mr. Bailey opposed.

David Schmitt

The Commission held an Application Review Hearing regarding Mr. David Schmitt. Mr. Schmitt appeared before the commission to present testimony along with a witness Mr. Greg Terpin and he waived his right to counsel.

Motion:

Mr. Bailey made a motion to allow Mr. Schmitt to sit for the exam. Mr. Dillard seconded the motion which carried unanimously.

Steven Weir

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

Motion:

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

Alan Adam

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

Motion:

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

Darrin Barton

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

Motion:

Mr. Bailey made a motion to approve Mr. Barton to sit for the exam. Ms. Rhyne seconded the motion, which carried unanimously.

Kenneth Morgan

The Commission held an Application Review Hearing regarding Mr. Kenneth Morgan. Mr. Morgan did not appear.

Motion:

No motions were made.

Eddie Davis

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

Motion:

Ms. Rhyne made a motion to approve Mr. Davis for his Home Inspectors license and allowed him to waive the exam. Mr. Dowd seconded the motion, which carried unanimously.

Sherwood Helmick

The Commission held an Application Review Hearing regarding Mr. Sherwood Helmick. Mr. Helmick did not appear before the Commission to present testimony.

Motion:

No motions were made.

John Prass

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

Motion:

Mr. Bailey made a motion to approve Mr. Prass' Residential Builders license with the condition that within six (6) months of the date of this Order, to submit written documentation, to the satisfaction of the Commission Administrator, that the outstanding judgment has been resolved by a payment plan, a settlement agreement, or otherwise satisfied. In the event that Applicant is unable to provide such documentation, he shall be required to re-appear before the full Commission for further consideration of licensure. Mr. Dillard seconded the motion, which carried unanimously.

Justin Neumann

The Commission held an Application Review Hearing regarding Mr. Justin Neumann. Mr. Neumann did not appear before the Commission to present testimony.

Motion:

No motions were made.

G. Howard Brown

The Commission held an Application Review Hearing regarding Mr. G. Howard Brown. Mr. Brown appeared before the Commission to present testimony, and he was represented by Counsel Mr. Robert Lyles. Mr. W. Duvall Spruill recused himself due to his firm representing the plaintiff in the judgment case against Mr. Brown.

Motion:

Mr. Dillard made a motion to allow Mr. Brown to renew his license until the 2018 renewal at that time he must reappear before the commission to discuss the status of the outstanding judgment. Mr. Bailey seconded the motion, which carried unanimously.

Final Order Hearings:

Benjamin Ehret, Case# 2015-156

The Board held a Final Order hearing regarding Mr. Benjamin Ehret. Mr. Bailey recused himself due to his service as the hearing officer.

MOTION:

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

Anthony Johnson, Case# 2015-561

The Board held a Final Order hearing regarding Mr. Anthony Johnson. Mr. Bailey recused himself due to his service as the hearing officer.

MOTION:

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

Mr. Bailey returned to the meeting.

Garry Lapaz, Case# 2015-683

The Board held a Final Order hearing regarding Mr. Garry Lapaz. Mr. Lapaz was present at the hearing. He waived his right to counsel.

MOTION:

Mr. Bailey made a motion to uphold the Hearing Officer's Recommendation with the exception of the fine which was reduced to \$250.00. Mr. Spruill seconded the motion, which carried unanimously.

Richard Dennis, Case# 2015-689

The Board held a Final Order hearing regarding Mr. Richard Dennis.

MOTION:

Mr. Dowd made a motion to uphold the Hearing Officer's Recommendation. Ms. Rhyne which carried unanimously.

Emergency License for Hurricane Matthew:

1. *Emergency licensure pursuant to S.C. Code Reg. 106-5 with respect to Hurricane Matthew*

MOTION:

Mr. Dowd made a motion to adopt the same procedure the Commission previously approved in the 2015 Flood Event. Ms. Rhyne seconded the motion, which carried unanimously.

2. *Exemption under S.C. Code Ann. §40-59-300 for 501(C)(3) organizations seeking to assist in the repair of homes damaged by Hurricane Matthew*

MOTION:

Mr. Dowd made a motion to adopt the same procedure the Commission previously approved in the 2015 Flood Event. Ms. Rhyne seconded the motion, which carried unanimously.

Administrator's Remarks for Information:

No Comments made.

ODC Report – Ms. Erin Baldwin

Erin Baldwin, Assistant Disciplinary Counsel

Ms. Baldwin, Assistant Disciplinary Counsel, appeared before the commission to present the Office of Disciplinary Counsel quarterly reports.

ODC open cases: 108 Pending Actions: 61 Pending alc: 2 Citation appeals: 3
Pending Advice: 1 Pending CA/MOA: 17 Panel Hearing: 12 Board Hearing: 6
Pending FO: 0 Appeal: 6 Closed: 23

OIE Report – Mr. Todd Bond

Todd Bond, Chief Investigator of OIE

Allison Baker, Program Coordinator for the Residential Builders Commission, appeared on behalf of Todd Bond, Chief Investigator of OIE to present the information to the Commission regarding the OIE monthly report.

New Business:

- A. Recommendation of IRC

MOTION:

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

- B. Resolution Guidelines

MOTION:

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

Old Business:

Public Comments:

No comments were made

Date of Next Meeting:

The next Residential Builders Commission meeting will be held Wednesday, November 9th, 2016, in room 105.

Adjournment:

Ms. Rhyne 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 12:52pm.

NOTE: These minute are a record of the motion and official actions taken by the Board and brief summary of the meeting.