

RESIDENTIAL BUILDER'S COMMISSION
Synergy Business Park
110 Centerview Drive, Kingtree Building, Room 108
Columbia, South Carolina
Wednesday, December 14th, 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, Monte Lemmon, W. Duvall Spruill, Bryan Dowd, Hal Dillard and Christy Rhyne.

Approval of Agenda:

MOTION:

Mr. Dowd made a motion to approve the December 14th, 2016, Residential Builders Commission Meeting Agenda. Ms. Rhyne seconded the motion, which carried unanimously.

Approval of Minutes for the November 09th, 2016 Meeting:

MOTION:

Mr. Bailey made a motion to approve the November 9th, 2016, meeting minutes. Mr. Lemmon seconded the motion, which carried unanimously.

Approval/Disapproval of Absent Members:

MOTION:

No motions made all members present.

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.

Application Reviews:

Patrick Lemmon

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

Motion:

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

John Migliaro Jr

The Commission held an Application Review Hearing regarding Mr. John Migliaro Jr. Mr. Migliaro did not appear before the Commission to present testimony.

Motion:

No motions were made.

Matthew Taylor

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

Motion:

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

Mark Wolf

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

Motion:

No motions were made.

Roy Stone

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

Motion:

No motions were made.

Dmitriy Mozol

The Commission held an Application Review Hearing regarding Mr. Dmitriy Mozol. Mr. Mozol appeared before the Commission and waived his right to counsel.

Motion:

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

William Deagan

The Commission held an Application Review Hearing regarding Mr. William Deagan. Mr. Deagan appeared before the Commission and waived his right to counsel.

Motion:

Mr. Bailey made a motion to deny until Mr. Deagan provides further information regarding the outstanding judgments and his education and/or experience in residential building

construction. Mr. Dillard seconded the motion which carried, unanimously.

Alfred Watson Jr

The Commission held an Application review hearing regarding Mr. Alfred Watson Jr. Mr. Watson appeared before the Commission and waived his right to counsel. Mr. Dowd recused himself due to Mr. Watson serving as a building official in Florence County and inspecting of Mr. Dowd's work in Florence County.

Motion:

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

Gregory Lorris

The Commission held an Application review hearing regarding Mr. Gregory Lorris. Mr. Lorris appeared before the Commission and waived his right to counsel.

Motion:

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

Benjamin Poole

The Commission held an Application review hearing regarding Mr. Benjamin Poole. Mr. Poole appeared before the Commission and waived his right to counsel.

Motion:

Mr. Spruill made a motion to allow Mr. Poole to sit for the exam. Mr. Dowd seconded the motion, which did not carry unanimously. Mr. Bailey, Mr. Dillard, and Mr. Lemmon opposed. Mr. Roberts voted to break the tie. He voted to approve the motion.

Bradley Sanford

The Commission held an Application review for Mr. Bradley Sanford. Mr. Sanford did not appear to present testimony.

Motion:

No motions were made

Kevin M Johnson

The Commission held an Application review hearing regarding Mr. Kevin M Johnson. Mr. Johnson appeared before the Commission and waived his right to counsel.

Motion:

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

Charles Herrington

The Commission held an Application review hearing regarding Mr. Charles Herrington. Mr. Herrington appeared before the Commission and waived his right to counsel.

Motion:

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

Rummenigg Rabelo

The Commission held an Application review hearing regarding Mr. Rummenigg Rabelo. Mr. Rabelo appeared before the Commission and waived his right to counsel.

Motion:

Mr. Bailey made a motion to approve Mr. Rabelo with the condition that at renewal he will have to submit proof of a repayment agreement or satisfaction of tax lien with the IRS. Ms. Rhyne seconded the motion, which carried unanimously.

Reginald Patrick

The Commission held an Application review hearing regarding Mr. Reginald Patrick. Mr. Patrick appeared before the Commission and waived his right to counsel.

Motion:

Mr. Dillard made a motion to approve the Specialty registration for Mr. Patrick. Mr. Lemmon seconded the motion, which carried unanimously.

James J Stephens

The Commission held an Application review hearing regarding Mr. James J Stephens. Mr. Stephens appeared before the Commission and waived his right to counsel.

Motion:

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

Shaun Laursen

The Commission held an Application review hearing regarding Mr. Shaun Laursen. Mr. Laursen appeared before the Commission and waived his right to counsel.

Motion:

Mr. Bailey made a motion to allow Mr. Laursen to reinstate his license with the condition that he provide a letter from his legal counsel regarding the current status of the judgment and an update of as to the status of judgment at the 2018 renewal. Mr. Lemmon seconded the motion, which carried unanimously.

Willie Whatley

The Commission held an Application review hearing regarding Mr. Willie Whatley. Mr. Whatley did not appear to present testimony.

Motion:

No motions were made.

James Curry

The Commission held an Application review hearing regarding Mr. James Curry. Mr. Curry

appeared before the Commission and waived his right to counsel. Mr. Spruill recused himself due to his firm representing the lien holder in the judgment against Mr. Curry.

Motion:

Mr. Bailey made a motion to deny the reinstatement until the time Mr. Curry can provide further-documentation regarding the extenuating circumstance surrounding the outstanding judgments. Mr. Dillard seconded the motion, which carried unanimously.

David Berry

The held an Application review hearing regarding Mr. David Berry. Mr. Berry did not appear to present testimony.

Motion:

No motions were made.

Memorandum of Agreement

Arland Owens

Case# 2014-566; 2014-567; and 2016-77

Mr. Arland Owens appeared before the Commission and was represented by Counsel Mr. Matt Mcgee. Mr. Kyle Tennis, Esq. Represented the State. Mr. Owens answered questions from the Commission. Mr. Tennis requested that the Commission accept the Memorandum of Agreement (MOA).

Motion:

Mr. Bailey made a motion to accept the MOA, assess a fine of Seven Hundred Fifty Dollars (\$750.00) to be paid within thirty (30) days of date of the final order and give Mr. Owens Six (6) months to provide documentation of a payment arrangement or reasonable offer to settle that was rejected by the creditors. or his license will be suspended. Mr. Lemmon seconded the motion, which carried unanimously.

Edward Friend

Case# 2015-181; 2015-234 and 2015-468

Mr. Edward Friend did not appear before the Commission and was not represented by counsel. Ms. Tracey Perlman, Esq. represented the State. Ms. Perlman requested that the Commission accept the Memorandum of Agreement (MOA) and requested that ~~he was~~ Mr. Friend be found in violation of all three counts alleged by the State in the MOA.

Motion:

Mr. Bailey made a motion to accept the MOA, assess fines for each of the three counts for a total fine of Four Thousand Five Hundred and 00/100th (\$4,500.00) dollars to be paid within 60 days of the date of this Order. Mr. Lemmon seconded the motion, which carried unanimously.

Solar Panels

The Commission held a public discussion of solar panels and the issues that involve safety and licensing.

NASCLA Travel 2017

Motion:

Mr. Bailey made a motion to approve travel for NASCLA 2017 travel as follows: mid-year meeting, one attendee and Annual meeting. five attendees. Mr. Lemmon seconded the motion, which carried unanimously.

Proposed Changes to the Bond Form

Motion:

Mr. Bailey made a motion to approve the proposed changes to the bond form, and have a future discussion of changing the bond to cover contractual issues. Mr. Spruill seconded the motion, which carried unanimously.

Administrator's Remarks for Information:

No Comments made.

OIE Report – Mr. Todd Bond

Todd Bond, Chief Investigator of OIE

Todd Bond, Chief Investigator of OIE to present the information to the Commission regarding the OIE monthly report.

As of December 14th, 2016

694 complaints received

220 open investigations

593 closed cases

New Business:

A. Recommendation of IRC

MOTION:

Mr. Bailey made a motion to approve the Recommendation of the IRC

Mr. Dowd seconded the motion, which carried unanimously.

B. Resolution Guidelines

MOTION:

Mr. Lemmon made a motion to approve the IRC Resolution Guidelines.

Mr. Bailey 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, January 11th, 2017, in room 108.

Adjournment:

Mr. Dowd made a motion to adjourn the Residential Builders Commission meeting.
Ms. Rhyne seconded the motion, which carried unanimously. The Residential Builders Commission Meeting was adjourned at 2:40pm.

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