

**South Carolina Residential Builders Commission  
Board Meeting Minutes, Wednesday, October 12, 2005 – 10:00 am  
Synergy Business Park, Kingstree Building  
Columbia, South Carolina**

**MEMBERS PRESENT**

**John Curl  
Frank Clark  
Gale Crawford  
Caleb Davis  
Oscar Molin  
Derrick Williams**

**OTHERS PRESENT**

**Rick Wilson, General Counsel  
Robert Selman, ADD  
Charles McAlister, Administrator  
Charles Ido, Chief Investigator, OIE  
Christine Driver, Administrative Assistant  
Amy Alston, Administrative Coordinator  
Sandra Smead, Court Reporter**

**MEMBERS ABSENT**

**Al Bailey**

**Public Notice of this meeting was properly posted at the Board office and provided to any requesting persons, organizations, or news media in compliance with Section 30-4-80 of the S. C. Freedom of Information Act. A quorum was present at all times.**

**Call to Order**

Mr. John Curl, Chairman, called the meeting to order.

**Approval of Minutes**

**Motion:** Mr. Davis moved to approve the minutes of August 10, 2005 meeting. Mr. Davis seconded the motion, and with all members present voting favorably, the motion carried.

**Approval of Recommendations of Investigative Review Committee**

**Motion:** Ms. Crawford moved to approve the recommendations of the Investigative Review Committee, dated August 16, 2005 and September 20, 2005. Mr. Williams seconded the motion, and with all members present voting favorably, the motion carried.

**Approval of Recommendations of the Administrative Hearing Officer for Citation Hearing**

**Motion:** Ms. Crawford moved to approve the recommendations of the Administrative Hearing Officer for Citation Hearings, dated August 15, 2005 and September 19, 2005. Mr. Williams seconded the motion,

and with all members present voting favorably, the motion carried.

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**Approve Recommendations of Administrator for Bond Claims**

**Motion:** Ms. Crawford moved to approve the recommendations of the Administrator for Bond Claims. Mr. Williams seconded the motion, and with all members present voting favorably, the motion carried.

**Case on Appeal to ALC - Larry D. Mason**

**In Executive Session:** Ms. Crawford made a motion to go into Executive Session for receipt of legal advice. Mr. Williams seconded the motion, and with all members present voting favorably, the motion carried.

**Out Executive Session:** Mr. Davis made a motion to go out of Executive Session. Mr. Williams seconded the motion, and with all members present voting favorably, the motion carried.

**Motion:** Ms. Crawford made a motion to authorize staff to offer a settlement to Mr. Mason. Mr. Molin seconded the motion and with all members voting favorably the motion carried.

**Request To Take The Residential Builders Exam**

**Robert Lane** - Although the record shows that he was properly notified of this appearance he did not appear at the appointed time and no action was taken.

**Absence of Member:**

The Chairman reported that Al Bailey asked to be excused from the meeting.

**Motion:** Ms. Crawford moved to excuse Mr. Bailey's absence. Mr. Williams seconded the motion, and with all members present voting favorably, the motion carried.

**New Business**

Mr. Charles Ido reported to the Commission the changes in the Office of Investigation and Enforcement since he became Chief Investigator in July 1, 2004. He noted the retirements of Bill Patterson and Therrell Williams. The Office of Investigation and Enforcement is again referring complaints that are less than two years back to the local building officials. The investigator will follow up on these cases and work with the local building officials if necessary. The investigators are averaging about one hundred (100) cases each and

once the two vacancies are filled the caseload should be reduced and new territories assigned.

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Mr. Ido also reported that they are now applying the right to cure law. Homeowners are notified of the right to cure on the front end of the complaint when the complaint is mailed to them. Mr. Ido stated that they are not denying a complaint based on the right to cure letter, and they are finding that a lot of these cases are resolved before a complaint is processed.

Mr. John Curl briefed the Commission on his recent NASCLA conference in Salt Lake City, Utah.

Mr. McAlister reported that reciprocal agreements with other states are being actively pursued. Contacts with Oregon and Michigan are continuing.

Ms. Amy Alston, Administrative Coordinator, with the Residential Builders Commission reported that in 2006 they plan to implement a two-year license. Those individuals that have bonds and financial statements on file will have to report any changes in their financial status on a yearly base. They are looking into the wording of the financial statement to cover a two year period, and if it should be a review or audited financial statement. There are still some licensees that are not on the new bond form and they are looking into ways to implement this so that everyone is on the current bond form. They plan to mail a letter to all licensees letting them know that they will not be allowed to renew in 2006 unless their bond is on the new bond form showing the eight year tail.

Ms. Alston reported that the specialty contractors are now registered specialties and licensed specialties. Regardless if they have a license for HVAC, plumbing or electrical they can still only do three specialty classifications. The registered and licensed specialty contractors will be renewed with the home inspectors on the odd years and the residential builders and certificates of authorization will be renewed on the even years.

Mr. Selman informed the Commissioners the parameters for the financial statement were removed from the law and a few months ago they were asked to set the parameters for the financial statement showing a net worth of \$75,000.00 and \$15,000.00 liquid assets. At the same time the Commissioner's stated that the financial statement had to be reviewed by someone licensed by the state.

**Unfinished Business**

Engine Bill H3781

Mr. McAlister and Mr. Selman were present to address any questions the Commissioners may have concerning the rewrite of the Engine Bill H3781. After some discussion the Commissioners were in support

of the amended Engine Bill H3781.

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Mr. John Cone, Executive Director, Home Builders Association of South Carolina advised that the association has no objection to H3781 as amended.

**Motion:** Mr. Clark made a motion to endorse Engine Bill H3781 with the amendments. Ms. Crawford seconded the motion, and with all members present voting favorably, the motion carried.

**Adjournment**

There being no further business, the business meeting for October 12, 2005 concluded at 12:00 p.m.

The next scheduled board meeting will be held on November 9, 2005, at 10:00 a.m. Synergy Business Park, Kingstree Building, Room 111. (Note: Subject to Change)

**Hearings**

Mr. Curl called the hearings to order. Mr. Louis Rosen was the hearing advisor. Mr. Kent Lesesne represented the state.

<u>Builder</u>	<u>Homeowner</u>	<u>Case #</u>	<u>Order</u>
David Shaw	Andrew R. McGee	2004-851	Continued

Transcripts of these hearings may be obtained from Sandra Smead, Certified Court Reporter.