

***SOUTH CAROLINA RESIDENTIAL BUILDERS COMMISSION***

Synergy Business Park, Kingstree Building  
110 Centerview Drive, Kingstree Building, Room 108  
Columbia, South Carolina 29210

Minutes

Wednesday, May 12, 2010

10:00 a.m.

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**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; Frank Clark; Caleb Davis; Brian Dowd; Tim Roberts; and Hal Dillard.

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 persons, 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: Sheridon Spoon, Assistant Deputy General Counsel; Suzanne Hawkins, Staff Attorney; Jamie Saxon, Hearing Advisor; Daniel Grigg, Hearing Advisor; Stan Bowen, Administrator, Christine Driver, Administrative Assistant; Charlie Ido, Investigation; Sharon Cook, Investigation; Stephen Deer, Investigation and Jerry Merritt, Investigation.

Others present participating in the meeting included: Jimmy Bessinger; Larry Proctor; Nate Shren; Gregory Smith; Eugen Pruitt; Allen Watford; Douglas Vickery; Eric Lett; Joel Lett; Charles Chavis; Samuel Patrick; William Schoen; William Lackie; Ben Bethea; Daron Stalvey and Lana Weddle.

**Approval of Agenda:**

*Wednesday, May 12, 2010*

Mr. Bowen reported Mr. Christopher Novellino; and Mr. Michael Antoniadis was granted a continuance.

**MOTION**

Mr. Bailey moved to approve the Wednesday, May 12, 2010, agenda as previously noticed. Mr. Clark seconded the motion, which carried unanimously.

**Approval of Minutes:**

*Wednesday, April 14, 2010*

Mr. Spoon requested that the April 14, 2010, minutes be amended to reflect that the e-mail was sent by the Office Of General Counsel (Mr. Spoon) at the urging of Mr. Stan Bowen and a copy e-mail is attached as an addendum for informational purposes.

Mr. Bowen stated that he made the request on behalf of the Commission.

**MOTION**

Mr. Clark moved to approve the Wednesday, April 14, 2010, meeting minutes. Mr. Davis seconded the motion, which carried unanimously.

**Approval/Disapproval of Absent Members:**

None

**Chairman's Remarks:**

*Derrick G. Williams, Chairman*

NONE

**Administrator's Remarks for Information:**

*Stan Bowen, Administrator*

**Mandatory Residential Fire Sprinklers** – Mr. Bowen presented the Commission with a copy of a fact sheets regarding the Bill to make it mandatory to have fire sprinklers installed in new residential construction.

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**South Carolina Residential Builder's Portion Pass Report** – Mr. Bowen presented the Commission with a copy of the PSI Portion Pass Report for the Residential Builders Commission.

Chief favors In-home Sprinkler Systems – Mr. Bowen presented the Commission with a copy of Charleston Chief Thomas Carr opinion regarding In-home Sprinkler Systems.

Advisory Opinions:

*Sheridon Spoon, Deputy General Counsel*

NONE

Legislative Update:

*Robert Selman*

NONE

Office of Investigations and Enforcement (OIE) Report:

Mr. Charlie Ido reported the number of investigations as of today:

Mr. Ido reported that the Office of Investigation and Enforcement attended the Annual Building Official Association (BOASC) Meeting held on May 2<sup>nd</sup> - May 5<sup>th</sup> at North Myrtle Beach, South Carolina. Investigators Deer, Kirby and Hembree presented a presentation regarding the relationship between Residential; Manufactured Housing and Building Codes Investigators and how it affects and interrelates with the Building Officials throughout the State. He reported that Commissioners Clark and Dowd attend with approximately seventy - (70) building officials and inspectors. The Building Official requested that following information be relayed to the Commissions, Boards and Administrators:

- Copies of Cease and Desist be forwarded to the Building Official;
- Website be user friendly; and
- Public Announcements on televisions and radio stating licensing is required.

He reported that the BOASC meeting was very informative and he encouraged the Building Official and Inspectors to attend the Commission meetings.

**4,866** - Complaints Received since July 1, 2004

**4,479** - Complaints Resolved

**356** - Open Complaints January 2010

**259** – Open Complaints.

Mr. Clark reported that he had spoken with several of the Building Officials and Inspectors regarding not having a specialty contractor registration and they concurred with him. In addition, they suggested having one license classification for sheet rock, wall papering and other classification. Mr. Clark asked the Commission to consider increasing the bonding requirements for Specialty Contractors to Fifteen Thousand (\$15,000) Dollars; and Residential Home Builders Bond be increased to an appropriate amount.

**Old Business:**

NONE

**New Business:**

**Recommendations of IRC:**

**MOTION**

Mr. Davis made a motion to approve the recommendations of the Investigative Review Committee. Mr. Clark seconded the motion, which carried unanimously.

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**Recommendations of IRC Resolution Guidelines:**

**MOTION**

Mr. Bailey made a motion to approve the recommendations of the Investigative Review Committee Guidelines. Mr. Clark seconded the motion, which carried unanimously.

**Application Reviews:**

*Ben Bethea*

The Commission held an Application Hearing regarding Mr. Ben Bethea.

**MOTION:**

Mr. Davis made a motion to approve Mr. Bethea's Residential Specialty Contractors Registration 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. Philip J. Baker*

Mr. Baker was not present. No action taken.

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*Mr. Charles S. Chavis*

The Commission held an Application Hearing regarding Mr. Charles S. Chavis. Mr. Jake Moore, Jr., represented Mr. Chavis.

**MOTION:**

Mr. Clark made a motion to allow Mr. Chavis to sit for the Residential Builders Application. Mr. Davis seconded the motion, which carried unanimously.

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*Mr. Coby Kuhn*

Mr. Kuhn was not present. No action taken

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*Mr. Eugene T. Pruitt, Jr.*

The Commission held an Application Hearing regarding Mr. Eugene T. Pruitt, Jr.

**MOTION:**

Mr. Clark made a motion to approve Mr. Pruitt's Residential Builders License providing he passes the Business and Law portion of the exam. Mr. Davis seconded the motion, which carried unanimously.

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*Mr. Douglas E. Vickery*

The Commission held an Application Hearing regarding Mr. Douglas E. Vickery.

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**MOTION:**

Mr. Bailey made a motion to approve Mr. Vickery to sit for the Residential Home Inspector's Examination. Mr. Dillard seconded the motion, which carried unanimously.

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*Mr. William Schoen*

The Commission held an Application Hearing regarding Mr. William Schoen

**MOTION:**

Mr. Bailey made a motion to deny Mr. Schoen's waiver request but approved him to sit for the Residential Builders Examination. Mr. Clark seconded the motion, which carried unanimously.

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*Mr. Larry Proctor*

The Commission held an Application Hearing regarding Mr. Larry Proctor.

**MOTION:**

Mr. Clark made a motion to approve Mr. Proctor's request to reinstate his Residential Heating and Air Conditioning License. Mr. Davis seconded the motion, which carried unanimously.

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*Mr. James Bessinger*

The Commission held an Application Hearing regarding Mr. James Bessinger

**MOTION:**

Mr. Bailey made a motion to approve Mr. Bessinger request to reinstate his Residential Plumbing License. Mr. Dillard seconded the motion, which carried unanimously.

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*Mr. Eric B. Lett*

The Commission held an Application Hearing regarding Mr. Eric B. Lett.

**MOTION:**

Mr. Bailey made a motion to approve Mr. Lett's request to reinstate his Residential Electrical license. Mr. Clark seconded the motion, which carried unanimously.

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**Reinstatement:**

**Jamie Saxon, Hearing Advisor**

**LeAnn Gray, represented the State**

*Mr. Gregory E. Smith*

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The Commission held a Reinstatement of License Hearing regarding Mr. Gregory E. Smith. Mr. Bailey requested to be recused because Mr. Smith and he are business acquaintances.

**MOTION:**

Mr. Davis made a motion to reinstate Mr. Smith's Residential Builders License pending he provided satisfactorily information stating that arrangements have been made to rectify the outstanding 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.)*

**Administrative Hearings:**

*Mr. Michael Boatwright – Case # 2009-60*

The Commission held an Administrative Hearing regarding Mr. Michael Boatwright

Mr. Dowd requested to be recused because he and Mr. Boatwright are business acquaintances.

**MOTION:**

Mr. Clark made a motion to revoke Mr. Boatwright's license. Mr. Roberts seconded the motion, which carried unanimously.

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*Mr. Brendon S. Abbott – Case #2008-918*

Mrs. Christa Bell represented the State.

The Commission held an Administrative Hearing regarding Mr. Brendon S. Abbott

**MOTION:**

Mr. Roberts made a motion to uphold the Hearing Officer's Recommendations. 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. Matteson Wylett Case # 2008-872*

The Commission held an Administrative Hearing regarding Mr. Matteson Wylett. Mrs. Suzanne Hawkins represented the State.

**MOTION:**

Mr. Davis made a motion to uphold the Hearing Officer's Recommendations. Mr. Clark seconded the motion, which carried unanimously.

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*Mrs. Florence Wilson Case # 2008-878*

The Commission held an Administrative Hearing regarding Mr. Florence Wilson. Mrs. Suzanne Hawkins represented the State.

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**MOTION:**

Mr. Bailey made a motion to uphold the Hearing Officer's Recommendations. Mr. Clark seconded the motion, which carried unanimously.

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*Mr. Larry Aldrich Case # 2008-365*

The Commission held an Administrative Hearing regarding Mr. Larry Aldrich. Mrs. Suzanne Hawkins represented the State.

**MOTION:**

Mr. Clark made a motion to deny Hearing Officer's Recommendations and call upon the bond, which was in placed during the time of the Respondent's work on the project in question. Limited to the amount of the LVL beams and supports (described in paragraphs four (4) and five (5) for Seven Thousand Dollars (\$7,000.00). 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. Michael Powell – Case # 2009-65*

The Commission held an Administrative Hearing regarding Mr. Michael Powell. Mrs. Christa Bell represented the State.

**MOTION:**

Mr. Bailey made a motion to uphold the Hearing Officer's Recommendations. 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. Frederick Taylor, III*

The Commission held an Administrative Hearing regarding Mr. Frederick Taylor, III. Mrs. Christa Bell represented the State.

**MOTION:**

Mr. Bailey made a motion to uphold the Hearing Officer's Recommendations. 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. Daron Stalvey*

The Commission held an Administrative Hearing regarding Mr. Daron Stalvey. Mr. Dowd requested to be recused because he and Mr. Stalvey were business acquaintances.

**MOTION:**

Mr. Clark made a motion to revoke Mr. Stalvey's license. Mr. Roberts seconded the motion, which carried unanimously.

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**Public Comments:**

NONE

**Date of Next Meeting:**

The next meeting of the Commission is scheduled for Wednesday, June 9, 2010, in conference room 108.

**Adjournment:**

Mr. Bailey moved the meeting be adjourned. Mr. Clark seconded the motion, which carried unanimously. The May 12, 2010, meeting of the South Carolina Residential Builders Commission adjourned at 1:44 p.m.