

**SOUTH CAROLINA RESIDENTIAL BUILDERS COMMISSION**

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

Wednesday, August 11, 2010

10:00 a.m.

**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: Sheridan Spoon, Assistant Deputy General Counsel; Stan Bowen, Administrator, Angela D. Scott, Administrative Assistant; Christine Driver, Administrative Assistant; Charlie Ido, Investigation; Roz Bailey Glover and Ronald Brewer; Investigator.

Others present participating in the meeting included: Raymond Wright; Charles Riddle; Stewart Colluer; James Padgett; John Woodburry; Dennis Chester; Timothy Allison; Ronald Brewer; Wayne Mathis; Anthony Moultrie; and Bennie Page.

**Approval of Agenda:**

*Wednesday, August 11, 2010*

Mr. Bowen reported that a continuance was granted to Mr. William Macirowski; and Mr. John Gillespie. The September 8, 2010, meeting was cancelled.

**MOTION:**

Mr. Bailey moved to approve the Wednesday, August 11, 2010, agenda and to cancel the September 8, 2010, Board meeting as previously noticed. Mr. Dowd seconded the motion, which carried unanimously.

**Approval of Minutes:**

*Wednesday, July 14, 2010*

**MOTION**

Mr. Clark moved to approve the Wednesday, July 14, 2010, meeting minutes. Mr. Roberts 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*

**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 as July 31, 2010. The reported included the following information:

<b>Business Management Law Passed – 17</b>	<b>Failed – 13</b>	<b>Residential Contractors Passed – 11</b>	<b>Failed - 6</b>
<b>Residential Heating and Air Passed – 2</b>	<b>Failed – 2</b>	<b>Home Inspector Passed – 4</b>	<b>Failed – 4</b>
<b>Residential Electrical Passed – 0</b>	<b>Failed – 6</b>	<b>Residential Plumbing Passed – 35</b>	<b>Failed - 33</b>

**Residential Builder's Board Meeting Report of Current Active License** - Mr. Bowen presented to the Commission a copy of the Residential Builder's Board Meeting Report and Current Active Licenses as of today. The reported include the following information:

<b>Residential Builders Licenses Issued</b> – 22	<b>Residential Builders Reinstated</b> – 256
<b>Active Residential Builders</b> – 7544	<b>Residential Certificate of Authorization Issued</b> – 4
<b>Residential Certificate of Authorization Reinstated</b> – 1	<b>Active Residential Certificate of Authorization</b> – 53
<b>Electrical Licenses Issued</b> – 3	<b>Electrical Licenses Reinstated</b> – 6
<b>Heating and Air Licenses Reinstated</b> - 6	<b>Active Heating and Air Licenses</b> – 829
<b>Home Inspector's Licenses Issued</b> – 6	<b>Home Inspector's Licenses Reinstated</b> – 20
<b>Active Home Inspector's Issued</b> - 932	<b>Plumbing Licenses Issued</b> – 2
<b>Plumbing Licenses Reinstated</b> – 1	<b>Active Plumbing Licenses</b> - 1202
<b>Specialty Contractors Licenses Issued</b> – 64	<b>Specialty Contractors Licenses Reinstated</b> – 53
<b>Active Specialty Contractors</b> – 8492	<b>Total Numbers of Licenses</b> – 20,837

**NASCLA** – Mr. Bowen reported that the NASCLA meeting will be held on August 25<sup>th</sup> – 26<sup>th</sup>, 2010, in Charleston, South Carolina.

**Letter from NAS Surety** – Mr. Bowen presented the Commission a copy of a letter from NAS Surety regarding a bond claim filed against Mr. Larry Durham, Case Number 2008-321.

**South Carolina officials charged with open meeting violation** – Mr. Bowen presented to the Commission a copy of the “*South Carolina officials charged with open meeting violation*,” article printed in the State News Paper. He stated that Mr. Randy Bryant, Assistant Deputy Director has asked that all Board and Commission members read the article at their leisure.

**Advisory Opinions:**

*Sheridon Spoon, Deputy General Counsel*

**MOTION:**

Mr. Clark made a motion to go into executive session for legal advice. Mr. Roberts seconded the motion, which carried unanimously.

Mr. Bailey made a motion to come out of executive session. Mr. Davis seconded the motion, which carried unanimously.

**Legislative Update:**

*Robert Selman*

NONE

**Office of Investigations and Enforcement (OIE) Report:**

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

**374** – Open Complaints                      **100+** – Forwarded to Office of General Counsel (OGC)

Mr. Ido reported that Mr. Alvin Messervey retired July 6, 2010, and that position is currently vacant. He stated that Mr. Ronnie Brewer, a former Building Official of Berkley County has joined the staff of Office of Investigations and Enforcement. He reported that two investigators will be attending the NASCLA meeting in Charleston on August 25<sup>th</sup> – 26<sup>th</sup>, 2010.

**Office of General Counsel Report:**

Mrs. Christa Bell reported the number of complaints as of July 15, 2010:

<b>130</b> - Open Complaints	<b>81</b> - Cases pending action	<b>9</b> - Cases pending Consent Agreement or Memorandum of Agreement
<b>19</b> - Cases Pending Final Orders	<b>11</b> - Cases pending Hearings	<b>2</b> - Cases Pending Final Order Hearings
	<b>34</b> - Cases Closed as of July 15, 2010	

Mrs. Bell reported that Ms. Suzanne Hawkins will be attending the NASCLA meeting on August 25<sup>th</sup> – August 26<sup>th</sup>.

Board Financial Reports:

Mrs. Tracy McCarley, Education Coordinator, reported that she was appearing before all Boards and Commissions on behalf of Mr. Randy Bryant, Assistant Deputy Director of Office of Business Services, to determine the type of financial information needed for each of the Boards or Commissions within LLR. Mr. Bryant has mandated that financial reports become part of the record and memorialized in the Board meeting minutes. He is insistent in providing the Boards and Commissions with financial information that is available and at their request. She reported that she would be extracting information from the new financial program in order to format a custom report for each Board and Commission. She asked for Commission's input regarding the type of data they would like to see implemented into the report and whether they wanted the financial reported presented monthly or quarterly.

It was the consensus of the Commission to have the financial report presented quarterly.

Old Business:

NONE

New Business:

Recommendations of IRC:

MOTION

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

Recommendations of IRC Resolution Guidelines:

MOTION

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

Application Reviews:

*John Charles Cook*

The Commission held an Application Hearing regarding Mr. John Charles Cook. Mr. Cook waived his right to be represented by counsel. Mr. John Cook; and Mrs. Glenda Peake-Cook appeared before the Commission to present testimony.

MOTION:

Mr. Bailey made a motion to grant Mr. Cook a Grandfathered Residential HVAC License provided that all fines, judgments or liens have been satisfied. 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.)*

*Mr. John R. Woodbury*

The Commission held an Application Hearing regarding Mr. John R. Woodbury. Mr. Woodbury appeared before the Commission to present testimony and waived his right to be represented by counsel.

MOTION:

Mr. Bailey made a motion to require Mr. Woodbury to furnish a Fifteen Thousand Dollars Surety Bond. Mr. Dowd seconded the motion, which carried with three nay votes. Mr. Clark; Mr. Davis; and Mr. Dillard voted nay.

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

*Mr. James Padget*

The Commission held an Application Hearing regarding Mr. James Padget. Mr. Padget appeared before the Commission to present testimony and waived his rights to be represented by counsel.

MOTION:

Mr. Davis made a motion to approve Mr. Padget's Residential Electrical license providing that he show proof of a Ten Thousand Dollars Surety Bond. 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.)*

*Mr. Christopher G. Deas*

The Commission held an Application Hearing regarding Mr. Christopher G. Deas. Mr. Deas appeared before the Commission to present testimony and waived his right to be represented by counsel.

**MOTION:**

Mr. Dowd made a motion to approve Mr. Christopher G. Deas' Residential Specialty License with a probationary status until June 30, 2011, and he must provide a Five Thousand Dollar Surety Bond. 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. Coleman Haynie Cox*

The Commission held an Application Hearing regarding Mr. Coleman Haynie Cox. Mr. Cox appeared before the Commission to present testimony and waived his rights to be represented by counsel.

**MOTION:**

Mr. Davis made a motion to reinstate Mr. Cox's Residential Electrical and Plumbing License. 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. Timothy S. Allison*

The Commission held an Application Hearing regarding Mr. Timothy S. Allison. Mr. Allison appeared before the Commission to present testimony and waived his right to be represented by counsel.

**MOTION:**

Mr. Bailey made a motion to approve Mr. Allison's Specialty Contractors Application. 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.)*

*Mr. Paul S. Rowland*

The Commission held an Application Hearing regarding Mr. Paul S. Rowland. Mr. Rowland appeared before the Commission to present testimony and waived his right to be represented by counsel.

**MOTION:**

Mr. Bailey made a motion to approve Mr. Rowland's Residential Specialty Contractors Application. 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 Riddle*

The Commission held an Application Hearing regarding Mr. Charles Riddle. Mr. Riddle appeared before the Commission to present testimony and waived his right to be represented by counsel.

**MOTION:**

Mr. Dillard made a motion to reinstate Mr. Riddles' Residential HVAC License. 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. Walter Johnson*

The Commission held an Application Hearing regarding Mr. Walter Johnson. Mr. Johnson was not present. No Action Taken.

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

*Mr. Anthony Moultrie*

The Commission held an Application Hearing regarding Mr. Anthony Moultrie. Mr. Moultrie appeared before the Commission to present testimony and waived his right to be represented by counsel.

**MOTION:**

Mr. Bailey made a motion to approve Mr. Moultrie's request to reinstate his Residential Electrical License. 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. Stewart Collver*

The Commission held an Application Hearing regarding Mr. Stewart Collver. Mr. Collver appeared before the Commission to present testimony and waived his right to be represented by counsel.

**MOTION:**

Mr. Davis made a motion to approve Mr. Collver's request to reinstate his Residential HVAC and Electrical License. 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. Rodney V. Spires*

The Commission held an Application Hearing regarding Mr. Rodney V. Spires. Mr. Spires was not present. No action taken.

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

*Mr. Dennis Chastain*

The Commission held an Application Hearing regarding Mr. Dennis Chastain. Mr. Chastain appeared before the Commission to present testimony and waived his right to be represented by counsel.

**MOTION:**

Mr. Davis made a motion to approve Mr. Chastain's request to reinstate his Residential HVAC; Electrical; and Plumbing Licenses. 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. Raymond Wright*

The Commission held an Application Hearing regarding Mr. Raymond Wright. Mr. Wright appeared before the Commission to present testimony and waived his right to be represented by counsel.

**MOTION:**

Mr. Davis made a motion to approve Mr. Chastain's request to reinstate his Residential Electrical License. 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. Lawrence Mathis*

The Commission held an Application Hearing regarding Mr. Lawrence Mathis. Mr. Mathis appeared before the Commission to present testimony and waived his right to be represented by counsel.

**MOTION:**

Mr. Davis made a motion to approve Mr. Mathis' request to reinstate his Residential HVAC License. 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.)*

**Approval of Hearing Officer's Recommendation for Bond Claims:**

*Mr. Robert Coleman – Case #2008-833*

The Commission held a Bond Claim Hearing regarding Mr. Robert Coleman. Mr. Coleman was not present.

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

**MOTION:**

Mr. Bailey made a motion to approve the Administrator's Recommendation for Bond Claim against Mr. Robert Coleman case #2008-833. 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.)*

**Public Comments:**

Mr. Bailey asked whether Bond Claims should be placed on the next agenda for discussion.

**Date of Next Meeting:**

The next meeting of the Commission is scheduled for Wednesday, October 13, 2010, in conference room 108.

**Adjournment:**

Mr. Davis moved the meeting be adjourned. Mr. Clark seconded the motion, which carried unanimously. The August 11, 2010, meeting of the South Carolina Residential Builders Commission adjourned at 12:50 p.m.