

SOUTH CAROLINA RESIDENTIAL BUILDERS COMMISSION

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

Minutes

Wednesday, December 8, 2010

10:00 AM

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; Hal Dillard; Brian Dowd; and Tim Roberts.

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 person, 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 General Counsel; Jamie Saxon, Advice Counsel; Mr. Dean Grigg, Advice Counsel; Suzanne Hawkins, Staff Attorney; Lilla Ann Gray, Staff Attorney; Stan Bowen, Administrator; Christine Driver, Administrative Assistant; Angela Scott, Administrative Assistant; Sandra Dickert, Administrative Assistant; Jennie Meade, Program Coordinator; Beth Cumalander, Administrative Assistant; Charlie Ido, Investigations; Jerry Merritt, Investigation; Sharon Cook, Investigation; Gregg Hembree, Investigations; and Theresa Richardson, Office of Licensure and Compliance.

Others present participating in the meeting included: Richard Mitchell; Daniel Roberts; Oscar Meadows; Gerald Haynes; Charles Stewart; Frank DiPiero; Bill Adams; Jason Coker, Carl Mills; Patrick Still, III, Esquire; and William Segrest.

Approval of Agenda:

Wednesday, December 8, 2010

MOTION:

Mr. Bailey moved to approve the Wednesday, December 8, 2010, agenda with the following changes Mr. Roberts seconded the motion, which carried unanimously.

Approval of Minutes:

Wednesday, November 10, 2010

MOTION:

Mr. Roberts moved to approve the Wednesday, November 10, 2010, meeting minutes. Mr. Bailey 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

Mr. Bowen reported the number of licenses issued as of today:

South Carolina Residential Builder's Portion Pass Report:

Mr. Bowen presented the Commission with a copy of the PSI Pass Report for the Residential Builders Commission as of November 30, 2010

South Carolina Department of Motor Vehicles:

Mr. Bowen presented to the Commission a copy of the South Carolina Department of Motor Vehicles License Plate Renewal Information.

Advisory Opinions:

Sheridon Spoon, Deputy General Counsel

Legislative Update:

Robert Selman

NONE

Old Business:

Charles Stewart, Residential Fire Sprinklers

Mr. Charles Stewart, Legal Counsel for South Carolina Masters Plumbing Association presented information to the Commission regarding Residential Fire Sprinklers. He stated it is the desire of the SC Master Plumbers Association for the Commission to simply agree that the existing plumbing contractors can install the multipurpose residential sprinklers that are outlined in the plumbing section of the International Residential Code. Attached is a copy of Mr. Stewart's report and become part of the record.

MOTION:

Mr. Clark made a motion that the Commission to table making a decision regarding the Multi-Purpose Piping until the legislators render a decision. Mr. Roberts seconded the motion, which carried unanimously.

New Business:

Recommendations of IRC:

MOTION:

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

IRC Resolution Guidelines:

MOTION:

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

Applications Reviews:

Mr. Elbert Smith

The Commission held an Application Hearing regarding Mr. Elbert Smith. Mr. was not present. The Commission took no action.

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

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Mr. Richard Mitchell, Jr.

The Commission held an Application Hearing regarding Mr. Richard Mitchell, Jr. Mr. Mitchell waived his right to counsel and appeared to give testimony. Mr. Clark requested to be recused from the hearing.

MOTION:

Mr. Dowd made a motion to reinstate Mr. Mitchell's Residential Builders Application providing that he present staff with copies of the receipts where he paid the fees toward restitution of the judgments filed; and license be issued in a probationary status. 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. Daniel D. Roberts

The Commission held an Application Hearing regarding Mr. Daniel D. Roberts. Mr. Roberts waived his right to counsel and appeared to give testimony.

MOTION:

Mr. Davis made a motion to approve Mr. Roberts Specialty Contractor's Application with a probationary status until March 27, 2013. Mr. Bailey seconded the motion, which carried with two nay votes.

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

Mr. Oscar Meadows

The Commission held an Application Hearing regarding Mr. Oscar Meadows. Mr. Meadows waived his right to counsel and appeared to give testimony.

MOTION:

Mr. Dillard made a motion to approve Mr. Meadows' Grandfather Residential Electrical and Plumbing Licenses. 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. Bill R. Adams

The Commission held an Application Hearing regarding Mr. Bill R. Adams. Mr. Adams waived his right to counsel and appeared to give testimony.

MOTION:

Mr. Davis made a motion to approve Mr. Adams Residential Specialty Contractor's Application with a probationary status until March 15, 2014. 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. Jason L. Coker

The Commission held an Application Hearing regarding Mr. Jason L. Coker. Mr. Coker waived his right to counsel and appeared to give testimony.

MOTION:

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

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

MOTION:

Mr. Bailey made a motion to approve Mr. Coker's Residential Specialty Application providing that he provides proof that he has made arrangements to make restitution for the judgment filed. 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.)

Approval of Hearing Officer's Recommendation for Bond Claim:

Jamie Saxon and Dean Griggs, Advice Counsels

Mr. Thomas Ras, Jr., Case #: 2009-398

MOTION:

Mr. Bailey made a motion, to approve the Administrator's Recommendation for Bond Claim against Mr. Thomas Ras. 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. Thomas Ras, Jr., Case#: 2009-600

MOTION:

Mr. Bailey made a motion, to approve the Administrator's Recommendation for Bond Claim against Mr. Thomas Ras. 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. Carl Mills, Case #: 2009-603

MOTION:

Mr. Bailey made a motion, to approve the Administrator's Recommendation for Bond Claim against Mr. Carl Mills. Mr. Dowd seconded the motion, which carried unanimously.

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Mr. Henry Abraham, Case#: 2009-697

MOTION:

Mr. Bailey made a motion, to approve the Administrator's Recommendation for Bond Claim against Mr. Henry Abraham. 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. William Austin Smith, Case #: 2010-169

MOTION:

Mr. Roberts made a motion, to approve the Administrator's Recommendation for Bond Claim against Mr. William Austin Smith. 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. Troy W. Putman, Case #: 2010-428

MOTION:

Mr. Bailey made a motion, to approve the Administrator's Recommendation for Bond Claim against Mr. Troy W. Putman. 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. Seth Satterfield, Case #: 2010-455

MOTION:

Mr. Dowd made a motion, to approve the Administrator's Recommendation for Bond Claim against Mr. Seth Satterfield. 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. Eric Cook, Case #: 2008-602

MOTION:

Mr. Bailey made a motion, to approve the Administrator's Recommendation for Bond Claim against Mr. Eric Cook. 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.)

Reinstatement of License

Mr. Gregory E. Smith

The Commission held a Reinstatement of License Hearing regarding Mr. Gregory E. Smith. Mr. Smith was not present. The Commission took no action.

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

Remand From the Administrative Law Court:

Mr. Jason A. Hodge, Case #: 2009-375

The Commission received an Order from The Administrative Law Court ordering that Mr. Jason A. Hodge's case be remanded to the Commission for a hearing. Mr. Hodge was not present. Mrs. Suzanne Hawkins represented the State. Mr. Patrick Still, III, Esquire, represented the homeowner, Mr. William Segrest.

MOTION:

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

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

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

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

MOTION:

Mr. Bailey made a motion not to call upon the Bond because of insufficient evidence. Mr. Dowd seconded the motion which carried unanimously.

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Public Comments:

NONE

Dates of Next Meeting:

The next meeting of the Residential Builders Commission is scheduled for Wednesday, January 12, 2011 in conference room 108.

Adjournment:

Mr. Roberts moved the meeting be adjourned. Mr. Davis seconded the motion, which carried unanimously. The December 8, 2010, meeting of the South Carolina Residential Commission adjourned at 12:34 p.m.