

RESIDENTIAL BUILDERS COMMISSION  
Synergy Business Park  
110 Centerview Drive Kingstree Building, Room 108  
Columbia, South Carolina 29210  
Wednesday, September 10<sup>th</sup>, 2014

**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:**

Derrick 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, Hal Dillard, Frank Clark; Tim Roberts; Caleb Davis and Bryan Dowd.

Derrick 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.

**Approval of Agenda:**

**MOTION:**

Mr. Clark made a motion to approve the September 10<sup>th</sup>, 2014 Residential Builders Commission Meeting Agenda. Mr. Dowd seconded the motion, which carried unanimously.

**Approval of Minutes for the August 13<sup>th</sup>, 2014 Meeting:**

**MOTION:**

Mr. Clark made a motion to approve the August 13<sup>th</sup>, 2014 meeting minutes. Mr. Roberts seconded the motion, which carried unanimously.

**Approval /Disapproval of Absent Members:**

**Chairman's Remarks:**

*Derrick Williams- chairman*

Mr. Williams, Chairman reminded everyone that this meeting is being recorded and asked that everyone please speak clearly. Additionally, he advised all applicants and licensees to direct their questions to the chairman of the board.

**Owner/Builder Exemption Waiver Request:**

*Mr. Joseph Munson*

The Commission heard a request for Mr. Joseph Munson regarding approval to sell his home prior to the expiration of the owner/builder exemption he signed less than 24 months ago.

**MOTION:**

Mr. Bailey made a motion to allow Mr. Munson the waiver of the owner/builder exemption. Mr. Dillard seconded the motion, which carried unanimously.

**Application Reviews:**

*Mr. William Morrow*

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

**MOTION:**

Mr. Dowd made a motion to approved Mr. Morrow for his specialty registration. Mr. Roberts seconded the motion, which carried unanimously.

*Mr. Richard Pollock*

The Commission held an Application Review Hearing regarding Mr. Richard Pollock . Mr. Pollock appeared before the Commission to present testimony and waived his right to counsel.

**MOTION:**

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

*Mr. James Gibbons*

The Commission held an Application Review Hearing regarding Mr. James Gibbons. Mr. Gibbons appeared before the Commission to present testimony and waived his right to counsel.

**MOTION:**

Mr. Bailey made a motion to allow Mr. Gibbons to sit for the Residential Builders Exam. Mr. Davis seconded the motion, which carried unanimously.

*Ms. Nolan Swartzentruber*

The Commission held an Application Review Hearing regarding Mr. Nolan Swartzentruber. Mr. Swartzentruber appeared before the Commission to present testimony and waived his right to counsel.

**MOTION:**

Mr. Davis made a motion to deny the request to waive the experience requirement at this time. Mr. Clark seconded the motion, which carried unanimously.

*Mr. Johnny Isaiah*

The Commission held an Application Review Hearing regarding Mr. Johnny Isaiah. Mr. Isaiah appeared before the Commission to present testimony and waived his right to counsel.

**MOTION:**

Mr. Bailey made a motion to approved Mr. Isaiah for his specialty registration. Mr. Clark seconded the motion, which carried unanimously.

*Mr. James Lindstedt Jr.*

The Commission held an Application Review Hearing regarding Mr. James Lindstedt Jr. Mr. Lindstedt appeared before the Commission to present testimony and waived his right to counsel.

**MOTION:**

Mr. Davis made a motion to approve the residential specialty registration. Mr. Bailey seconded the motion, which did not carry unanimously. Mr. Dillard opposed.

*Mr. David Acevedo*

The Commission held an Application Review Hearing regarding Mr. David Acevedo. Mr. Acevedo appeared before the Commission to present testimony and waived his right to counsel.

**MOTION:**

Mr. Dowd made a motion to approve the residential specialty registration until the June 30<sup>th</sup>, 2015 renewal at that time Mr. Acevedo would need to reappear before the board. Mr. Davis seconded the motion, which carried unanimously.

*Mr. Randy Webb*

The Commission held an Application Review Hearing regarding Mr. Randy Webb. Mr. Webb appeared before the Commission to present testimony and waived his right to counsel.

**MOTION:**

Mr. Bailey made a motion to allow Mr. Webb to sit for the Residential Builders exam. Mr. Clark seconded the motion, which carried unanimously

*Mr. Richard Santos*

The Commission held an Application Review Hearing regarding Mr. Richard Santos. Mr. Santos appeared before the Commission to present testimony with his attorney Mr. F. Miles Adler.

**MOTION:**

Mr. Bailey made a motion to issue Mr. Santos a temporary license for ninety (90) days from the board order and within that time frame he would need to provide documents regarding the pending offer to resolve the judgment or if offer was rejected he would need to reappear before the board. Mr. Dowd seconded the motion, which carried unanimously.

*Mr. Thomas Meredith*

The Commission held an Application Review Hearing regarding Mr. Thomas Meredith. Mr. Meredith appeared before the Commission to present testimony with his attorney Mr. Shawn French.

**MOTION:**

Mr. Bailey made a motion to deny Mr. Meredith's renewal until judgment is settled. Mr. Dowd seconded the motion, which did not carry unanimously, Mr. Clark and Mr. Dillard opposed.

*Mr. John Delduca*

The Commission held an Application Review Hearing regarding Mr. John Delduca. Mr. Delduca appeared before the Commission to present testimony and waived his right to counsel.

**MOTION:**

Mr. Dowd made a motion to go into executive session. Mr. Clark seconded the motion, which carried unanimously.

**MOTION:**

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 leave Mr. Delduca's license in a pending board review status for ninety (90) days from the board order by the end of the ninety (90) days he will need to reappear with documents in writing from the lien holder regarding the status of the judgment. Mr. Davis seconded the motion, which carried unanimously.

*Mr. William Smith*

The Commission held an Application Review Hearing regarding Mr. William Smith. Mr. Smith appeared before the Commission to present testimony and waived his right to counsel. He also presented a witness Mr. Mark E. Nix.

**MOTION:**

Mr. Bailey made a motion to grant Mr. Smith a 90 day extension and continue to work and reappear within ninety (90) days. Mr. Clark seconded the motion which carried unanimously.

*Mr. John Covert*

The Commission held a Reinstatement Review Hearing regarding Mr. John Covert. Mr. Covert appeared before the commission to present testimony along with his attorney, Michael Montgomery and witness Mr. Mark Nix.

**MOTION:**

Mr. Roberts made a motion to approve the renewal for Mr. Covert's license. Mr. Clark seconded the motion, which carried unanimously.

*Mr. Richard Albriton*

The Commission held an Application Review Hearing regarding Mr. Richard Albriton. Mr. Albriton appeared before the Commission to present testimony and waived his right to counsel.

**MOTION:**

Mr. Bailey made a motion to approve Mr. Albriton's renewal. Mr. Roberts seconded the motion, which carried unanimously.

*Mr. Michael Kennedy*

The Commission held an Application Review Hearing regarding Mr. Michael Kennedy. Mr. Kennedy appeared before the Commission to present testimony and waived his right to counsel.

**MOTION:**

Mr. Bailey made a motion to approve Mr. Kennedy's application for his Residential Builders and Residential Electrical license and required that he provide a letter regarding the judgment status within ninety (90) days. Mr. Roberts seconded the motion, which carried unanimously.

*Mr. Carroll Dailey*

The Commission held an Application Review Hearing regarding Mr. Carroll Dailey. Mr. Dailey appeared before the Commission to present testimony and waived his right to counsel.

**MOTION:**

Mr. Clark made a motion to allow Mr. Dailey to sit for the Residential Builders exam. Mr. Dillard seconded the motion, which carried unanimously.

**Administrator's Remarks:**

No comments were made.

**OIE Report – Mr. Todd Bond:**

*Todd Bond, Chief Investigator of OIE*

Mr. Todd Bond, Chief Investigator appeared to present the information to the commission regarding the OIE monthly report.

**Complaints Received – 359**  
**Closed Cases – 343**

**Active Investigations – 102**

**ODC Report – Ms. Erin Baldwin:**

*Erin Baldwin, Assistant General Counsel*

Ms. Erin Baldwin, Assistant General Counsel, appeared to present the information to the commission regarding the ODC report.

<b>Pending Board Action-</b>	<b>2</b>	<b>Pending FO-</b>	<b>19</b>
<b>Pending CA/MOA-</b>	<b>16</b>	<b>Closed-</b>	<b>35</b>
<b>Pending Hearings-</b>	<b>35</b>	<b>Citation Appeals-</b>	<b>14</b>
<b>Pending FO Hearings-</b>	<b>3</b>	<b>Appeals -</b>	<b>4</b>

**New Business**

A. Recommendations 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. Clark made a motion to approve the IRC Resolution Guidelines. Mr. Roberts seconded the motion, which carried unanimously

**Old Business:**

**Public Comments:**

Mark Nix with the Home Builders Association of South Carolina requested that the board have further discussion on multiple family dwellings in an upcoming board meeting.

**Date of Next Meeting:**

The next Residential Builders Commission meeting will be held Wednesday, October 8<sup>th</sup>, 2014 in room 108.

**Adjournment:**

Mr. Davis made a motion to adjourn the Residential Builders Commission Meeting. Mr. Dow seconded the motion, which carried unanimously. The Residential Builders Commission Meeting was adjourned at 1:50 p.m.

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