

RESIDENTIAL BUILDERS COMMISSION
Synergy Business Park
110 Centerview Drive Kingstree Building, Room 108
Columbia, South Carolina 29210
Wednesday, October 8th, 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 October 8th, 2014 Residential Builders Commission Meeting Agenda. Mr. Dowd seconded the motion, which carried unanimously.

Approval of Minutes for the September 10th, 2014 Meeting:

MOTION:

Mr. Bailey made a motion to approve the September 10th, 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.

Application Reviews:

Mr. Theodore C. Brush Jr

The Commission held an Application Review Hearing regarding Mr. Theodore C. Brush Jr. Mr. Brush appeared before the Commission to present testimony with his attorney Brad Young.

MOTION:

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

Mr. Kevin O’Gorman

The Commission held an Application Review Hearing regarding Mr. Kevin O’Gorman. Mr. O’Gorman appeared before the Commission to present testimony and waived his right to counsel.

MOTION:

Mr. Davis made a motion to allow Mr. O’Gorman to sit for the Plumbing exam. Mr. Clark seconded the motion, which carried unanimously.

Mr. Scott A. Perry

The Commission held an Application Review Hearing regarding Mr. Scott A Perry. Mr. Perry appeared before the Commission to present testimony with a witness Bethany Perry and waived his right to counsel.

MOTION:

Mr. Davis made a motion to allow Mr. Perry to sit for the Residential Builders Exam. Mr. Dillard seconded the motion, Mr. Davis amended his motion to allow Mr. Perry to sit for the Residential Builders Exam, provide a clean credit report at next renewal and an updated report from the IRS within 12 months. Mr. Dillard seconded the amended motion, which carried unanimously.

Mr. James E. Gentile

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

MOTION:

Mr. Bailey made a motion to allow Mr. Gentile to sit for the Plumbing exam. Mr. Dillard seconded the motion, which carried unanimously.

Mr. Jeffrey Wood

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

MOTION:

Mr. Dowd made a motion to allow Mr. Wood to sit for the Residential Builders Exam and within 12 months from the license issuance date he must provide an updated report from the IRS and a clean credit report. Mr. Roberts seconded the motion, which did not carry unanimously. Mr. Dillard opposed.

Mr. John A Higgins

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

MOTION:

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

Mr. Kenneth Beaudion

The Commission held an Application Review Hearing regarding Mr. Kenneth Beaudion. Mr. Beaudion appeared before the Commission to present testimony with witnesses Roger Beaudion and Shawn Masten. He waived his right to counsel.

MOTION:

Mr. Roberts made a motion to allow Mr. Beaudion to sit for the Residential Builders Exam. Mr. Clark seconded the motion, which carried unanimously.

Mr. Oliver Daniels

The Commission held an Application Review Hearing regarding Mr. Oliver Daniels. Mr. Daniels did not appear to present testimony.

MOTION:

There were no motions made.

Mr. Cecil Geiger

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

MOTION:

Mr. Bailey made a motion to allow Mr. Geiger to sit for the Electrical Exam. Mr. Dowd seconded the motion, which carried unanimously.

Mr. Michael Riffert

The Commission held an Application Review Hearing regarding Mr. Michael Riffert. Mr. Riffert appeared before the Commission to present testimony with his attorney Mr. James R. Davis.

MOTION:

Mr. Dowd made a motion to go into Executive Session. Mr. Bailey seconded the motion, which carried unanimously.

MOTION:

Mr. Bailey made a motion to come out of Executive Session. Mr. Dillard seconded the motion, which carried unanimously.

MOTION:

Mr. Dowd made a motion to deny the renewal until all judgments and liens had been resolved. Mr. Dillard seconded the motion.

MOTION:

Mr. Bailey made a motion to go into Executive Session. Mr. Dowd seconded the motion, which carried unanimously.

MOTION:

Mr. Dowd made a motion to come out of Executive Session. Mr. Bailey seconded the motion, which carried unanimously.

MOTION:

Mr. Davis made a motion to reopen Mr. Riffert's case before the board. Mr. Bailey seconded the motion, which carried unanimously.

MOTION:

Mr. Dowd made a motion to amend his motion to deny renewal until all judgments and liens had been resolved but to allow him to finish all jobs he is currently permitted for. Mr. Bailey seconded the motion, which carried unanimously.

Mr. Hal Dillard had to excuse himself from the meeting at 1:05pm.

Mr. Rodney Martin

The Commission held an Application Review Hearing regarding Mr. Rodney Martin before the Commission to present testimony and waived his right to counsel. He also presented a witness Mr. Thomas Seegars.

MOTION:

Mr. Dowd made a motion to issue a 90 day license and provide a final resolution or repayment by the end of the 90 days. Mr. Bailey seconded the motion, which carried unanimously.

Mr. Walter Seinsheimer

The Commission held an Application Review Hearing regarding Mr. Walter Seinsheimer. Mr. Seinsheimer appeared before the Commission to present testimony along with his attorney David Marvel. Mr. Bailey recused himself.

MOTION:

Mr. Roberts made a motion 120 day probationary license and provide a resolution to the judgment before the end of the probationary license expiration. Mr. Davis seconded the motion which carried unanimously.

Mr. David Bridges Jr.

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

MOTION:

Mr. Dowd made a motion to issue a 90 day license, and must provide final resolution or repayment plan before the expiration of the 90 license. Mr. Clark seconded the motion, which carried unanimously.

Mr. Frank Roberts

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

MOTION:

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

Mr. Brian Ranger

The Commission held an Application Review Hearing regarding Mr. Brian Ranger. Mr. Ranger appeared before the Commission to present testimony and waived his right to counsel. He also presented a witness Mr. David W. Hillburn.

MOTION:

Mr. Bailey made a motion to issue a 90 day license, and must provide final resolution or repayment plan with the 90 days. Mr. Roberts seconded the motion, which carried unanimously.

Mr. William Douglas Jr

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

MOTION:

Mr. Bailey made a motion to issue a 90 day license and must provide final resolution or repayment plan with the 90 days. Mr. Roberts seconded the motion, which carried unanimously.

Mr. Franklin White

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

MOTION:

Mr. Bailey made a motion to issue a 90 day license must provide final resolution or repayment plan within the 90 days. Mr. Roberts seconded the motion, which carried unanimously.

Mr. Mark Strong

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

MOTION:

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

MOTION:

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

MOTION:

Mr. Roberts made a motion allow Mr. Strong to sit for the exam but not to issue the license until liens and judgments had been paid. Mr. Bailey seconded the motion, which carried unanimously.

Mr. Eric Newton

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

MOTION:

Mr. Bailey made a motion to allow Mr. Newton to reinstate his license without exam. Mr. Roberts seconded the motion, which carried unanimously.

Mr. Anthony Pinnix

The Commission held an Application Review Hearing regarding Mr. Anthony Pinnix. Mr. Pinnix appeared before the Commission to present testimony and waived his right to counsel. He presented a witness Ms. Michelle Pinnix.

MOTION:

Mr. Bailey made a motion to approve the Specialty Registration conditional to the outcome of the felony charges. Mr. Roberts seconded the motion, which carried unanimously

Final Order Hearings:

Mr. Robert Jones Case# 2013-411

The Board held a Final Order hearing regarding Mr. Robert Jones. Mr. Jones appeared to request a reduction of assessed civil penalty.

MOTION:

Mr. Bailey made a motion to reduce the assessed civil penalty to \$750.00 per offense for a total of \$2,250.00. Mr. Davis seconded the motion, which carried unanimously.

Mr. Robert Hosey case# 2012-274

The Board held a Final Order hearing regarding Mr. Robert Hosey.

MOTION:

Mr. Davis made a motion to uphold the Hearing Officer’s Recommendation. Mr. Roberts 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 – 416
Closed Cases – 383**

Active Investigations – 94

New Business

A. Recommendations of IRC

MOTION:

Mr. Bailey made a motion to approve the Recommendation of the IRC. Mr. Davis seconded the motion, which carried unanimously.

B. Resolution Guidelines

MOTION:

Mr. Davis made a motion to approve the IRC Resolution Guidelines. Mr. Dowd seconded the motion, which carried unanimously

Legal Advice- §40-59-20(6)

MOTION:

Mr. Roberts made a motion to go into Executive Session. Mr. Dowd seconded the motion, which carries unanimously.

MOTION:

Mr. Dowd made a motion to come out of Executive Session. Mr. Bailey seconded the motion, which carried unanimously.

Mr. Caleb Davis had to excuse himself from the meeting at 3:30 PM.

Old Business:

Public Comments:

Mark Nix with the Home Builders Association of South Carolina and Roger K. Lowe, MCP CBO Administrator, SC Building Codes Council, SC Contractors' Licensing Board, and SC Manufactured Housing Board requested that the board have further discussion on multiple family dwellings during an upcoming board meeting and recommended the board accept an image from the ICC that shows acceptable types of structures for building officials to use when determining work to be completed by a residential builder.

Date of Next Meeting:

The next Residential Builders Commission meeting will be held Wednesday, November 12th, 2014 in room 108.

Adjournment:

Mr. Clark made a motion to adjourn the Residential Builders Commission Meeting. Mr. Roberts seconded the motion, which carried unanimously. The Residential Builders Commission Meeting was adjourned at 3:50 p.m.

NOTE: These minutes are a record of the motion and official actions taken by the Board and brief summary of the meeting.