

RESIDENTIAL BUILDERS COMMISSION  
Synergy Business Park  
110 Centerview Drive Kingstree Building, Room 108  
Columbia, South Carolina 29210  
Wednesday, December 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, Tim Roberts, Frank Clark, 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. Dowd made a motion to approve the December 10<sup>th</sup>, 2014 Residential Builders Commission Meeting Agenda. Mr. Roberts seconded the motion, which carried unanimously.

**Approval of Minutes for the November 12<sup>th</sup>, 2014 Meeting:**

**MOTION:**

Mr. Clark made a motion to approve the November 12<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.

**Application Reviews:**

*Mr. David W. Koster*

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

**MOTION:**

Mr. Bailey made a motion to allow Mr. Koster to sit for the Residential HVAC Exam. Mr. Dillard seconded the motion, which carried unanimously.

*Mr. Joe Chamberlin*

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

**MOTION:**

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

**MOTION:**

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

**MOTION:**

Mr. Dowd made a motion to allow Mr. Chamberlin to sit for the Residential Builders exam once he completes a 16 hour course regarding codes and this course should be approved by the administrator prior to taking the course. Mr. Roberts seconded the motion, which carried unanimously.

*Mr. Dustin Owenby*

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

**MOTION:**

Mr. Dillard made a motion to allow Mr. Owenby to sit for the Residential Builder Exam. Mr. Roberts seconded the motion, which carried unanimously.

*Mr. Colby Boseman*

The Commission held an Application Review Hearing regarding Mr. Colby Boseman. Mr. Boseman did not appear before the Commission to present testimony.

**MOTION:**

No motions were made.

*Mr. Campbell Brown*

The Commission held an Application Review Hearing regarding Mr. Campbell Brown. Mr. Brown did not appear before the Commission to present testimony.

**MOTION:**

No motions were made.

*Mr. Wayne Millar*

The Commission Held an Application Review Hearing regarding Mr. Wayne Millar. Mr. Millar did not appear before the Commission to present testimony.

**MOTION:**

No motions were made.

*Mr. John Kicklighter*

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

**MOTION:**

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

*Mr. Patrick Drown*

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

**MOTION:**

Mr. Bailey made a motion to approve to allow Mr. Drown to sit for the Residential Heating and Air Exam. Mr. Roberts seconded the motion, which carried unanimously.

*Mr. Adam Maar*

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

**MOTION:**

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

*Mr. Ariosto Schenone*

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

**MOTION:**

Mr. Bailey made a motion to allow Mr. Schenone to sit for the Residential Heating and Air Exam once he provides an affidavit from ARS. Mr. Roberts seconded the motion, which carried unanimously

*Mr. Danny Temples*

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

**MOTION:**

Mr. Bailey made a motion to allow Mr. Temples to sit for the Residential Heating and Air Exam. Mr. Davis seconded the motion. Mr. Dowd inquired about the year of Mr. Temples' graduation date. Upon further review of Mr. Temples' graduation date from Aiken Technical College, Mr. Bailey withdrew his motion and Mr. Davis withdrew his second.

**MOTION:**

Mr. Bailey made a motion to allow Mr. Temples to sit for the Residential Heating and Air Exam once he completes a 20 hour HVAC course and provides proof of completion to the Commission. Mr. Davis seconded the motion, which carried unanimously.

*Mr. Michael Bookman*

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

**MOTION:**

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

*Mr. Daron Owens*

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

**MOTION:**

Mr. Roberts made a motion to allow Mr. Owens to sit for the Residential Plumbing Exam. Mr. Bailey seconded the motion, which carried unanimously.

*Mr. Allen Howell*

The Commission held an Application Review Hearing regarding Mr. Allen Howell. Mr. Howell appeared before the Commission to present testimony with his attorney Mr. Alan Peace.

**MOTION:**

Mr. Davis made a motion to approve Mr. Howell's license with the condition that he updates the commission every 90 days of the status of the payment agreement with the bank, failure to abide by the condition would result in immediate suspension. Mr. Dowd seconded the motion, which carried unanimously.

*Mr. Roger Mechling*

The Commission held an Application Review Hearing for Roger Mechling. Mr. Mechling appeared before the Commission to present testimony and waived his right to counsel.

**MOTION:**

Mr. Bailey made a motion to approve Mr. Mechling for the reinstatement of his builder's license once he provides an accepted agreement or approved repayment plan with the South Carolina Department of Revenue and the Internal Revenue Service. Mr. Dillard seconded the motion, which carried unanimously.

*Mr. Scott Bashor*

The Commission held a Renewal Review Hearing regarding Mr. Scott Bashor. Mr. Bashor appeared before the commission to present testimony with his Attorney, Mr. Tom Dudley.

**MOTION:**

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

**MOTION:**

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

**MOTION:**

Mr. Bailey made a motion to approve Mr. Bashor's license and required that Mr. Bashor provides a credit report at the next two renewals. Mr. Davis seconded the motion, which carried unanimously.

*Mr. Stephen Anthony*

The Commission held an Application Review Hearing regarding Mr. Stephen Anthony. Mr. Anthony did not appear before the Commission to present testimony.

**MOTION:**

No motions were made.

**Final Order Hearings:**

*Mr. David Nute- case # 2012-215*

The Commission held a Final Order Hearing regarding Mr. David Nute. Mr. Bailey recused himself.

**MOTION:**

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

*Mr. James Pinson- case# 2011-557*

The Commission held a Final Order Hearing regarding Mr. James Pinson. Mr. Bailey recused himself.

**MOTION:**

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

*Mr. Demetria Dinkins - case#2011-376*

The Commission held a Final Order Hearing regarding Mr. Demetria Dinkins. Mr. Roberts recused himself.

**MOTION:**

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

*Mr. Joel Christy - case# 2014-34*

The Commission held a Final Order Hearing regarding Mr. Joel Christy.

**MOTION:**

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

*Mr. Thomas Davis - case#2014-66*

The Commission held a Final Order Hearing regarding Mr. Thomas Davis.

**MOTION:**

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

**Administrator's Remarks:**

*Administrative Suspension*

The Administrator inquired about the current process when a licensee is administratively suspended due to non-payment of fines. A question was presented to the Commissioners that once the individual has complied would the Commission like for those administratively suspended to reappear or would the Commission like to have the suspension lifted at staff level.

**MOTION:**

Mr. Dowd made a motion to allow the administrative suspensions to be lifted at staff level once the individual becomes in compliance. Mr. Roberts seconded the motion, which carried unanimously.

*NASCLA Travel*

The Commission was presented information regarding the upcoming 2015 NASCLA Mid-year and Annual Conferences.

**MOTION:**

Mr. Bailey made a motion to approve travel for the administrator to the mid-year conference and travel for four to the annual conference. Mr. Davis seconded the motion, which carried unanimously.

**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 – 530**  
**Closed Cases – 514**

**Active Investigations – 104**

**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>Open Cases- 200</b>	<b>Pending Action-</b>	<b>105</b>
<b>Pending Advice Action- 21</b>	<b>Pending FO-</b>	<b>7</b>
<b>Pending CA/MOA- 22</b>	<b>Closed-</b>	<b>41</b>
<b>Pending Hearings- 31</b>	<b>Appeals -</b>	<b>8</b>
<b>Pending FO Hearings- 6</b>		

**New Business**

A. Recommendations of IRC

**MOTION:**

Mr. Bailey made a motion to approve the Recommendation of the IRC. Mr. Roberts 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

C. The Home Inspection Training Center

**MOTION:**

Mr. Roberts made a motion to approve the Home Inspection Training Center course for the home inspectors. Mr. Bailey seconded the motion, which carried unanimously.

D. Clarification of Memo regarding Detached Garages

The Commission was presented with a previously issued memorandum regarding Detached Garages, and what license a person working on detached garages should hold. The Commission

decided to do some further research prior to making a decision to further clarify the previously drafted memo.

**MOTION:**

No motion made at this time.

E. Denial Based on Criminal Background

The Commission reviewed section 40-1-140 regarding denial of a license based on Criminal Background. It was determined that each case has and will continue to be looked on a case by case basis.

**MOTION:**

No motion made at this time.

F. Georgia Reciprocity

The commission reviewed a comparison of the Georgia Contractors exam for licensure and South Carolina exam for licensure.

**MOTION:**

Mr. Bailey made a motion to approve reciprocity with Georgia. Mr. Roberts seconded the motion, which carried unanimously.

**Old Business:**

**Public Comments:**

Public Comments were made.

**Date of Next Meeting:**

The next Residential Builders Commission meeting will be held Wednesday, January 14<sup>th</sup>, 2015 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 2:20 p.m.

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