

RESIDENTIAL BUILDERS COMMISSION
Synergy Business Park
110 Centerview Drive Kingstree Building, Room 108
Columbia, South Carolina 29210
Wednesday, December 11, 2013

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 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: Frank Clark; Tim Roberts; Caleb Davis; Bryan Dowd and Al Bailey.

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.

Approval of Agenda:

MOTION:

Mr. Bailey made a motion to approve the December 11, 2013 Residential Builders Commission Meeting Agenda. Mr. Roberts seconded the motion, which carried unanimously.

Approval of Minutes for the November 13, 2013 Meeting:

MOTION:

Mr. Dowd made a motion to approve the November 13, 2013 meeting minutes. Mr. Clark seconded the motion, which carried unanimously.

Approval /Disapproval of Absent Members:

Commissioner Hal Dillard was absent from this meeting due to family illness. Mr. Clark made a motion to approve his absence. Mr. Dowd seconded the motion, which carried unanimously.

Chairman's Remarks:

Derrick Williams

Mr. Williams 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. Graeme McCulloch

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

MOTION:

Mr. Davis made a motion to allow Mr. McCulloch to sit for the Residential Builder examination. Mr. Roberts seconded the motion, which carried unanimously.

Mr. Shane Henderson

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

MOTION:

Mr. Bailey made a motion to allow Mr. Henderson to get his license provided he shows proof of being bonded. Mr. Dowd seconded the motion, which carried unanimously.

Mr. Christopher Ellisor

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

MOTION:

Mr. Bailey made a motion to allow Mr. Ellisor to sit for the Residential Electrical Specialty Contractor exam provided he shows proof he completed continuing education coursework. Mr. Davis seconded the motion, which carried unanimously.

Mr. Mitchell King

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

MOTION:

Mr. Bailey made a motion to allow Mr. King to get his license provided he shows proof he offered to resolve his outstanding debt. Additionally, he must provide an acceptance or denial letter from his debtor. Mr. Dowd seconded the motion, which carried unanimously.

Mr. Gregory Taylor

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

MOTION:

Mr. Bailey made a motion to allow Mr. Taylor to get his license provided he shows proof of being bonded. Mr. Roberts seconded the motion, which carried unanimously.

Mr. Stephen Cothran

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

MOTION:

There were no motions made.

Final Order Hearings:

Mr. Shannon Conner-Case#2012-92, 2012-135, 2012-136, 2012-137, 2012-138, 2012-182, 2012-306, 2013-212

The Board held a Final Order hearing regarding Mr. Shannon Conner. Mr. Conner did not appear to present testimony.

MOTION:

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

Mr. David Foy-Case#2012-312

The Board held a Final Order hearing regarding Mr. David Foy. Mr. Foy did not appear to present testimony. Mr. Roberts recused himself.

MOTION:

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

Mr. Donald Allen-Case#2011-593

The Board held a Final Order hearing regarding Mr. Donald Allen. Mr. Allen did not appear to present testimony. Mr. Roberts recused himself.

MOTION:

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

Mr. Randy Oliver-Case#2012-303

The Board held a Final Order hearing regarding Mr. Randy Oliver. Mr. Oliver did not appear to present testimony. Mr. Bailey recused himself.

MOTION:

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

Mr. Scott Jerald-Case#2012-223

The Board held a Final Order hearing regarding Mr. Scott Jerald. Mr. Jerald did not appear to present testimony. 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. Dennis Sexton-Case#2013-42

The Board held a Final Order hearing regarding Mr. Dennis Sexton. Mr. Sexton did not appear to present testimony.

MOTION:

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

Mr. Brian Rodgers-Case#2011-527

The Board held a Final Order hearing regarding Mr. Brian Rodgers. Mr. Rodgers appeared before the Commission to present testimony and waived his right to counsel.

MOTION:

Mr. Bailey made a motion to uphold the Hearing Officer's Recommendation. Mr. Dowd seconded the motion, which carried with five (5) affirmative votes and one (1) negative vote.

Mr. Demond Pearson-Case#2012-212

The Board held a Final Order hearing regarding Mr. Demond Pearson. Mr. Pearson did not appear to present testimony

MOTION:

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

Mr. Sherman Gray-Case#2011-553

The Board held a Final Order hearing regarding Mr. Sherman Gray. Mr. Gray did not appear to present testimony

MOTION:

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

Administrator's Remarks:

None

OIE Report – Mr. Todd Bond:

Todd Bond, Chief Investigator of OIE

Mr. Todd Bond, Chief Investigator of Office of Investigation, reported the number of investigations as of today:

Complaints Received - 560

Active Investigations – 86

Closed Cases – 495

Active Age – 79 days

New Business

A. Resolution Guidelines

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

Proposed Chapter 10: Fee Placement Options – Advice Counsel

Mr. Bailey made a motion to ask that fees be set in Chapter Ten (10) with a reference to Chapter Ten (10) in the Residential Builders Commission regulations and to the Residential Builder Commission website. Mr. Clark seconded the motion, which carried unanimously.

Old Business

A. Review for approval of NASCLA Education Program

Mr. Roberts made a motion to use NASCLA to add to Hearing Officers' ability to use this continuing education program as a form of disciplinary sanction. Continued discussion allowed for the Board to defer future decisions about NASCLA to the January 8, 2014 board meeting. Mr. Dowd seconded the motion, which carried unanimously.

Public Comments:

Mr. Frank Clark brought potential legislation regarding certification and continuing education for residential builders to the attention of board members and board meeting attendees.

Date of Next Meeting:

The next Residential Builders Commission meeting will be held Wednesday, January 8, 2014 in room 108.

Adjournment:

Mr. Dowd 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 12:08 p.m.

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