

RESIDENTIAL BUILDER'S COMMISSION
Synergy Business Park
110 Centerview Drive, Kingstree Building, Room 108
Columbia, South Carolina
Wednesday, December 9th, 2015

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:

Tim Roberts, Chairman, called the regular meeting of the Residential Builders Commission to order at 10:00 A.M. Others members present for the meeting included:

Al Bailey; Frank Clark; Hal Dillard; Monte Lemmon; Christy Rhyne; and Bryan Dowd

Approval of Agenda:

MOTION:

Mr. Clark made a motion to approve the December 9th, 2015, Residential Builders Commission Meeting Agenda. Mr. Lemmon seconded the motion, which carried unanimously.

Approval of Minutes for the November 4th, 2015 Meeting:

MOTION:

Mr. Bailey made a motion to approve the November 4th, 2015, meeting minutes. Mr. Dowd seconded the motion, which carried unanimously.

Approval/Disapproval of Absent Members:

MOTION:

Mr. Bailey made a motion to excuse the absence of Mr. Dill due to illness. Mr. Clark seconded the motion, which carried unanimously.

Chairman's Remarks:

Timothy Roberts – Chairman
No comments were made.

Owner/Builder Waiver Request:

Haile Watson Jr.

The Commission held a hearing regarding Mr. Haile Watson's request. Mr. Watson Mr. Bean appeared before the Commission to present testimony and he waived his right to counsel.

MOTION:

Mr. Bailey made a motion to approve Mr. Watson's request to allow for the waiver from the disclosure statement and that he should not build another house until he has gotten his builders license. Mr. Clark seconded the motion, which carried unanimously.

Application Reviews:

Clarence Temples

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

MOTION:

Ms. Rhyne made a motion to allow Mr. Temples to sit for the Exam. Mr. Dillard seconded the motion, which carried unanimously.

Matthew Anderson

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

MOTION:

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

Dannie Morris

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

MOTION:

Mr. Bailey made a motion to approve Mr. Morris registration and he must carry a five thousand (\$5,000) bond. Mr. Dowd seconded the motion, which carried unanimously.

Carroll Fox

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

MOTION:

No Motions were made.

Sean Maher

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

MOTION:

Mr. Bailey made a motion to approve allow Mr. Maher to sit for the exam. Ms. Rhyne seconded the motion, which carried unanimously.

Ralph Quinn

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

MOTION:

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

MOTION:

Mr. Dowd made a motion to exit executive session after receiving legal advice regarding Mr. Quinn's application. Mr. Bailey seconded the motion, which carried unanimously.

MOTION:

Mr. Bailey made a motion allowing Mr. Quinn to sit for the exam. Mr. Dillard seconded the motion, which carried unanimously.

Patrick Sheehan

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

MOTION:

Mr. Dowd made a motion to enter into executive session for legal advice regarding Mr. Sheehan's application. Ms. Rhyne seconded the motion, which carried unanimously.

MOTION:

Mr. Bailey made a motion to exit executive session after receiving legal advice regarding Mr. Sheehan's application. Ms. Rhyne seconded the motion, which carried unanimously.

MOTION:

Mr. Dowd made a motion to deny Mr. Sheehan's request to take the exam at this time. Mr. Dillard seconded the motion, which carried unanimously.

John Howell

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

MOTION:

Mr. Bailey made a motion to approve allow Mr. Howell to sit for the exam one more time. Mr. Dowd seconded motion for discussion.

Mr. Bailey withdrew his motion after discussion and Mr. Dowd withdrew his second.

MOTION:

Mr. Bailey made a motion to approve allow Mr. Howell to sit for the exam and he must reappear should he fail. Mr. Dowd seconded the motion, which carried unanimously.

Jason Carter

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

MOTION:

Mr. Dillard made a motion to allow Mr. Carter to sit for the exam. Mr. Lemmon seconded the motion, which carried unanimously.

Thomas Evans

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

MOTION:

Mr. Bailey made a motion to approve the Home Inspector license without exam for Mr. Thomas Evans. Mr. Dowd seconded the motion, which carried unanimously.

Kurt Dever

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

MOTION:

Mr. Bailey made a motion to approve Mr. Dever's specialty registration. Ms. Rhyne seconded the motion, which carried unanimously.

Herbert Koger

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

MOTION:

Ms. Rhyne made a motion to allow Mr. Koger to sit for the exam. Mr. Dowd seconded the motion, which carried unanimously.

John Williams Jr

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

MOTION:

Mr. Dillard made a motion to allow Mr. Williams to sit for the exam for HVAC and Electrical. Ms. Rhyne seconded the motion, which carried unanimously.

Ulysses Hicks

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

MOTION:

Mr. Dowd made a motion to close the meeting to the public due to the privacy interests of Mr. Hicks pursuant to state and federal law. Mr. Bailey seconded the motion, which carried unanimously.

MOTION:

Mr. Lemmon made a motion to approve Mr. Hicks Specialty Registration with the condition that he carries a Five Thousand Dollar bond. Mr. Dowd seconded the motion, which carried unanimously.

Mr. Roberts moved the meeting back to a public forum.

Reinstatement:

Benjamin Crawford

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

MOTION:

Mr. Dowd made a motion to approve for six months to get tax and 84 Lumber repayment agreements in place. Mr. Dillard seconded the motion, which did not carry unanimously Mr. Bailey opposed.

Michael Riffert

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

MOTION:

Mr. Bailey made a motion to approved Reinstatement with the condition that Mr. Riffert provides an update on all judgments at the next renewal. Mr. Lemmon seconded the motion, which carried unanimously.

Gary Joyner

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

MOTION:

Mr. Bailey made a motion to approved Mr. Joyner for reinstatement. Mr. Dillard seconded the motion, which carried unanimously.

Final Order Hearings:

David Simmons, Case# 2013-403

The Board held a Final Order hearing regarding Mr. David Simmons. Mr. Simmons was present at hearing. Mr. Simmons waived his right to counsel and present no witnesses.

MOTION:

Mr. Dowd made a motion to uphold the Hearing Officer's Recommendation with exception of the fine which was reduced to five hundred dollars and no/100 cents (\$500.00). Ms. Rhyne seconded the motion, which carried unanimously.

Lance McKamey, Case# 2014-234

The Board held a Final Order hearing regarding Mr. Lance McKamey. Mr. Bailey recused himself due to his service as the Hearing Officer.

MOTION:

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

John Parker, Case # 2014-510

The Board held a Final Order hearing regarding Mr. John Parker.

MOTION:

Mr. Dowd made a motion to uphold the Hearing Officer's Recommendation, with the exception of the fine which was reduced to one thousand two hundred fifty dollars and no/100 cents (\$1,250.00). Ms. Rhyne seconded the motion, which carried unanimously.

Memorandum of Agreement:

Peter Shaw, Case# 2014-324

Mr. Van Conner was not present. Erin Baldwin, Esq. represented the State.

MOTION:

No motion made case moved to the January 13th, 2016 meeting.

InterNachi:

Ben Gromicko, Director of Education came to speak and request approval of the InterNACHI SOP.

MOTION:

Mr. Bailey made a motion to table a decision until comparison of the Current adopted SOP and InterNACHI SOP could be compared. Mr. Dowd seconded the motion, which carried unanimously.

Approval of Revised Bond Form:

Janet Baumberger, Administrator

Ms. Baumberger updated the Commission of the recent changes to the bond form.

MOTION:

Mr. Dowd made a motion approved changes to bond form. Mr. Lemmon seconded the motion, which carried unanimously.

Administrator's Remarks for Information:

Janet Baumberger, Administrator

Ms. Baumberger updated the Commission regarding the Emergency Licenses. Staff is not currently getting any calls, and to date only one application has been received. There has been an increase in Reinstatement of previously held licenses and registraions with Commission.

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.

<u>Complaints Received -</u>	<u>700</u>	<u>Active Investigations -</u>	<u>95</u>
	<u>Dismissed Cases -</u>	<u>787</u>	

New Business:

A. Recommendation of IRC

MOTION:

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

B. Resolution Guidelines

MOTION:

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

Old Business:

None

Public Comments:

Public comments were made.

Mr. Frank Clark resigned as a Commissioner.

Date of Next Meeting:

The next Residential Builders Commission meeting will be held Wednesday, January 13th, 2016, in room 108. Mr. Roberts informed the Commissioner and Staff he would not be in attendance at the January meeting.

Adjournment:

Mr. Dowd made a motion to adjourn the Residential Builders Commission meeting. Mr. Lemmon seconded the motion, which carried unanimously. The Residential Builders Commission Meeting was adjourned at 2:50 pm.

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