

RESIDENTIAL BUILDERS COMMISSION
Synergy Business Park (formerly the Koger Business Park)
110 Centerview Drive Kingstree Building, Room 108
Columbia, South Carolina 29210
Wednesday, July 13, 2011

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: Al Bailey; Caleb Davis; Hal Dillard; Brian Dowd; and Tim Roberts.

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.

Staff members participating in the meeting included: Christa Bell, Assistant General Counsel; Mr. Jamie Saxon, Advice Counsel; Suzanne Hawkins, Laura Cook, Advice Counsel; Janet Baumberger, Administrator; Gary Wiggins, Administrator; Christine Driver, Administrative Assistant; Angela Scott, Administrative Assistant; Steve Deer, Investigation; Jerry Merritt, Investigation; Gregg Hembree, Investigations; Bennie Page, Investigations; Ronald Brewer, Investigation; and Faye Grainger, Court Reporter.

Others present participating in the meeting included: Jacklyn Chambers; Bridget Brown; Chris Davis; Anthony Holmes; Tamara Holmes; Lisa Lake; Stuart Herrick; Mark Feathers; Carl Bryant; Cliff Hall; and Michael Dim.

Approval of Agenda

MOTION:

Mr. Bailey made a motion to approve the July 13, 2011 Residential Builders Commission Meeting Agenda. Mr. Roberts seconded the motion, which carried unanimously.

Approval of Minutes for the June 8, 2011 Meeting:

MOTION:

Mr. Roberts made a motion to approve the June 8, 2011 meeting minutes. Mr. Dowd seconded the motion, which carried unanimously.

Approval /Disapproval of Absent Members:

Mr. Clark received and excused absence.

Chairman's Remarks:

Derrick Williams

There were no remarks made.

Administrator's Remarks

Janet Baumberger

Mr. Jamie Saxon, Advice Counsel, introduced Mrs. Holly Gillespie, Ms. Melina Mann, General Counsel to the Commission.

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Advisory Opinions – Christa Bell, Office of General Counsel:

Christa Bell

There were no remarks made.

OIE Report – Mr. Stephen Deer:

Stephen Deer, Interim Chief Investigator of OIE

Mr. Deer reported the number of investigations as of today: **Open Cases:** 334 and 84 **Cases pending in OLC.** The investigators currently are averaging approximately **35** cases each.

Mr. Deer reported that they are still experiencing problems with unlicensed roofing contractors. OIE is currently looking into different avenues to try to rectify the problem. They are currently seeking assistance from the Building Officials and the Insurance Industry.

DLC Report – Mrs. Suzanne Hawkins:

Suzanne Hawkins

There was no report given.

Old Business:

There was no Old Business presented.

IRC Resolution Guidelines:

MOTION:

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

Application Reviews:

Mr. Timothy R. Waller

The Commission held an Application Review Hearing regarding Mr. Timothy R. Walker. Mr. Walker appeared before Commission to present testimony and waived his right to counsel.

MOTION:

Mr. Davis made a motion to approve Mr. Waller's Residential Specialty Contractor's. Mr. Dillard seconded the motion, which carried unanimously.

(This proceeding was recorded by a court reporter in order to produce a verbatim transcript if requested in accordance with the law.)

Mr. Jimmy L. Blount

The Commission held an Application Review Hearing regarding Ms. Jimmy L. Blount. Mr. Blount appeared before the Commission to present testimony and waived her right to counsel.

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MOTION:

Mr. Bailey made a motion to approve Mr. Blount's Residential Builder's License providing he pass the South Carolina Business and Law Examination. Mr. Roberts seconded the motion, which carried unanimously.

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Mr. William Cody Lynch

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

MOTION:

Mr. made a motion to approve Mr. Lynch's Residential Specialty Contractor's License. Mr. Roberts seconded the motion which carried unanimously.

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Mr. Michael G. Morris

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

MOTION:

Mr. Davis made a motion to approve Mr. Morris' Residential Specialty Contractors License with the following stipulations: Mr. Dowd seconded the motion, which carried unanimously.

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Mr. David B. Edge

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

MOTION:

Mr. Roberts made a motion to approve Mr. Edge's Residential Specialty Contractor's license. Mr. Dillard seconded the motion, which carried unanimously.

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Mr. Kenneth Williams

The Commission held an Application Review Hearing regarding Mr. Kenneth Williams. Mr. Williams was not present. The Board took no action.

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Petition of Exam Eligibility Extension:

Mr. William Posillico

The Commission held a Petition of Exam Eligibility Extension Hearing regarding Mr. William Posillico. Ms. Stephine Risinstine, Esquire represented Mr. William Posillico. Mrs. Lilla Ann Gray, represented the State.

MOTION:

Mr. Bailey made a motion to allow Mr. Posillico to sit for the International Residential Code Examination and his license will remain in a lapse status until he successfully pass the examination. Mr. Roberts seconded the motion, which carried unanimously.

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Reinstatement Hearings (Jamie Saxon):

Mr. Peter Delgado

The Commission held a Reinstatement Hearing regarding Mr. Peter Delgado. Mr. Delgado appeared before the Commission to present testimony and waived his right to counsel.

MOTION:

Mr. Bailey made a motion to approve Mr. Delgado's license with the following conditions: Mr. Delgado must provide a Surety Bond and provide a Court approve letter stating that he has satisfied or made arrangements to rectified any outstanding judgments and liens. Mr. Roberts seconded the motion, which carried unanimously.

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Mr. Dubose Davis

The Commission held a Reinstatement Hearing regarding Mr. Hall. Mr. Dubose was not present. The Commission took no action.

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Mr. Michael Griffin

The Commission held a Reinstatement Hearing regarding Mr. Michael Griffin. Mr. Griffin appeared before the Commission to present testimony and waived his right to counsel. Mrs. Suzanne Hawkins represented the State.

MOTION:

Mr. Davis made a motion to deny Mr. Griffin's request for reinstatement of his Mr. Dillard seconded the motion, which carried unanimously.

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Hearing Officer's Recommendation For Citation:

Mr. Eugene Allen Hartley – Case #2011-184

The Commission held a Citation Hearing regarding Mr. Eugene Allen Hartley. Mr. Hartley was not present.

MOTION:

Mr. Davis made a motion to approve the Hearing Officer's Recommendation for a Citation against Mr. Hartley. Mr. Dowd seconded the motion, which carried unanimously.

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Mr. John Edward Bishop – Case 2011-162

The Commission held a Citation Hearing regarding Mr. John Edward Bishop. Mr. Bishop was not present.

MOTION:

Mr. Bailey made a motion to approve the Hearing Officer's Recommendation for a Citation against Mr. Hartley. Mr. Roberts seconded the motion, which carried unanimously.

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Approval of Administrator's Recommendation for Bond Claims (Jamie Saxon):

Mr. Brandon Eich – Case #2009-414

The Commission held a hearing to approve the Administrator's Recommendations for a Bond Claim regarding Mr. Brandon Eich. Mr. Eich was not present.

MOTION:

Mr. Dowd made a motion to approve the Administrator's Recommendations for a Bond Claim regarding Mr. Eich. Mr. Roberts seconded the motion, which carried unanimously.

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Mr. Henry Wright – Case #2010-709

The Commission held a hearing to approve the Administrator's Recommendations for a Bond Claim regarding Mr. Henry Wright. Mr. Wright was not present.

MOTION:

Mr. Bailey made a motion to approve the Administrator's Recommendations for a Bond Claim regarding Mr. Wright. Mr. Roberts seconded the motion, which carried unanimously.

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Administrative Hearings:

Mr. William C. Mitchell– Case # 2010-164

The Board held an Administrative Hearing regarding Mr. William C Mitchell. Mr. Mitchell was not present. Ms. Lilla Ann Gray represented the State.

MOTION:

Mr. Bailey made a motion to approve the Hearing Officer's Recommendation regarding Mr. William Mitchell. Mr. Dowd seconded the motion, which carried unanimously.

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Mr. Kevin Williams – Case # 2010-617

The Board held an Administrative Hearing regarding Mr. Kevin Williams. Mr. Williams was not present. Mrs. Suzanne Hawkins represented the state.

MOTION:

Mr. Roberts made a motion to approve the Hearing Officer's Recommendation regarding Mr. Kevin Williams. Mr. Bailey seconded the motion, which carried unanimously.

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Mr. John Stafford – Case # 2010-632

The Board held an Administrative Hearing regarding Mr. John Stafford. Ms. Suzanne Hawkins represented the State. Mr. Stafford was not present.

MOTION:

Mr. Dowd made a motion to approve the Hearing Officer's Recommendation regarding Mr. John Stafford. Mr. Roberts seconded the motion, which carried unanimously.

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Mr. Duane Schwartz – Case # 2010-410

The Board held an Administrative Hearing regarding Mr. Duane Schwartz. Mr. Schwartz was not present.

MOTION:

Mr. Roberts made a motion to approve the Hearing Officer's Recommendation regarding Mr. Duane Schwartz. Mr. Bailey seconded the motion, which carried unanimously.

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Public Comments:

There were no public comments made.

Date of Next Meeting:

The next Residential Builders Commission meeting will be held Wednesday, August 10, 2011 in room 108.

Adjournment:

Mr. Bailey 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 12:45 p.m.