

RESIDENTIAL BUILDERS COMMISSION
Synergy Business Park
110 Centerview Drive Kingstree Building, Room 108
Columbia, South Carolina 29210
Wednesday, October 10, 2012

NOTE: These minutes are a record of the motion and official actions taken by the Board and brief summary of the meeting. A transcript of this meeting providing more detail will be available on the Board's website: www.ljr.state.sc.gov

Called To Order:

Derrick G. Williams, Chairman called the regular meeting of the Residential Builders Commission to order at 10:04 a.m. Other members present for the meeting included: Frank Clark; Caleb Davis; Brian Dowd; Tim Roberts; 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 October 10, 2012 Residential Builders Commission Meeting Agenda. Mr. Roberts seconded the motion, which carried unanimously.

Approval of Minutes for the September 12, 2012 Meeting:

MOTION:

Mr. Clark made a motion to approve the September 12, 2012 meeting minutes. Mr. Davis seconded the motion, which carried unanimously.

Approval /Disapproval of Absent Members:

MOTION:

Mr. Clark made a motion to approve the absence of Mr. Hal Dillard from the Residential Builders Commission Meeting. Mr. Dowd seconded the motion, which carried unanimously.

Chairman's Remarks:

Derrick Williams

There were no remarks made.

Administrator's Remarks:

Janet Baumberger

Janet Baumberger presented discussion in regards to a Specialty Licensee changing classification mid licensing period.

MOTION:

Mr. Clark made a motion to allowing changes to classifications only during initial licensing, renewal, or reinstatement period. Mr. Bailey seconded the motion, which carried unanimously.

MOTION:

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

MOTION:

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

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 - 420
Closed Cases - 318

Active Investigations - 163

Old Business:

Recommendation of IRC:

MOTION:

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

IRC Resolution Guidelines:

MOTION:

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

Approval of Owner Builder Exemption:

Mr. & Mrs. Chet Rhoades

The Commission held a Hearing regarding Mr. & Mrs. Chet Rhoades. Mrs. Rhoades did a phone conference before the Commission to present testimony and waived her right to counsel.

MOTION:

Mr. Clark made a motion to approve the sale of the home with a disclosure of the owner builder exemption. Mr. Bailey seconded the motion, which carried unanimously.

Ms. Carolyn Blowe

The Commission held a Hearing regarding Ms. Carolyn Blowe. Ms. Carolyn Blowe appeared before the Commission to present testimony and waived her right to counsel.

MOTION:

Mr. Clark made a motion to approve the sale of the home with a disclosure of the owner builder exemption. Mr. Dowd seconded the motion, which carried unanimously.

Motion for Reinstatement:

Mr. Darrell Padgett

The Commission held a motion for reinstatement Hearing regarding Mr. Darrell Padgett. Mr. Padgett appeared before the Commission to present testimony and waived his right to counsel

MOTION:

Mr. Dowd made a motion to approve Mr. Padgett's request to reinstate his license. Mr. Roberts seconded the motion, which carried unanimously.

Application Reviews:

Mr. Michael Miller

Mr. Miller appeared before the Commission and asked for a continuous.

MOTION:

Mr. Davis made a motion to allow Mr. Miller to reschedule his appearance. Mr. Roberts 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. Walter Lowery

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

MOTION:

Mr. Bailey made a motion to allow Mr. Lowery to get his license. Mr. Clark 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. Timothy Edwards

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

MOTION:

Mr. Bailey made a motion to allow Mr. Edwards to get his license as long as Mr. Edwards has a bond on file. Mr. Roberts seconded the motion, which carried unanimously.

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Mr. Christopher Lanoue

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

MOTION:

Mr. Bailey made a motion to allow Mr. Lanoue to get license. Mr. Dowd seconded the motion, which carried unanimously.

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Mr. Wilbur Rease

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

MOTION:

Mr. Davis made a motion to allow Mr. Rease to take the exam. Mr. Roberts seconded the motion, which carried unanimously.

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Mr. Jacques Bourdages

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

MOTION:

Mr. Roberts made a motion to allow Mr. Bourdages to get his license. Mr. Davis seconded the motion, which carried unanimously.

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Renewal Applications

Mr. C. G. Amick

The Commission held an Application Review Hearing regarding Mr. C. G. Amick. Mr. Amick appeared before the Commission to present testimony and was represented by counsel, Attorney Ryan McCabe.

MOTION:

Mr. Bailey made a motion to allow Mr. Campbell to renew his license, with payment plan or satisfaction to Bank of America. Mr. Dowd 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. Timothy Lois

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

MOTION:

Mr. Bailey made a motion to allow Mr. Lois to renew his license. Mr. Clark seconded the motion, which carried unanimously.

Mr. Phillip Gilliam

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

MOTION:

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

MOTION:

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

MOTION:

Mr. Roberts made a motion to allow Mr. Gilliam to renew his license. Mr. Dowd 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. Thomas Meredith

The Commission held an Application Review Hearing regarding Mr. Thomas Meredith. Mr. Meredith appeared before the Commission to present testimony and was represented by counsel, Attorney Sean French.

MOTION:

Mr. Bailey made a motion to allow Mr. Meredith to renew his license. Mr. Clark seconded the motion, which carried unanimously.

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Mr. Mark Creamer

The Commission held an Application Review Hearing regarding Mr. Mark Creamer. Mr. Creamer appeared before the Commission to present testimony and was represented by counsel, Attorney Thomas Finn.

MOTION:

Mr. Bailey made a motion to allow Mr. Creamer to renew his license, but must take care of lien from 2012 SC Department of Revenue. Mr. Roberts 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.)

Final Order Hearings:

Mr. Dwayne Black, Case #2011-452

The Board held a Final Order Hearing regarding Mr. Dwayne Black.

MOTION:

Mr. Davis made a motion to uphold final order. Mr. Bailey seconded the motion, which carried unanimously.

Mr. John Carlisle, IV, Case #2012-18

The Board held a Final Order Hearing regarding Mr. John Carlisle.

MOTION:

Mr. Bailey made a motion to uphold final order. Mr. Davis seconded the motion, which carried unanimously.

Mr. Heath Phillip Dixon, Sr., Case# 2011-379

MOTION:

Mr. Davis made a motion to uphold final order with modifications. Mr. Roberts seconded the motion, which carried unanimously.

Failure to follow the condition of Licensure:

Michael McCoy

The Commission held a motion for not following conditions of a licensure regarding Mr. Michael McCoy. Mr. McCoy appeared before the Commission to present testimony and waived his right to counsel.

MOTION:

Mr. Davis made a motion to place Mr. McCoy on Probation and require he show payments at next renewal. Mr. Dowd 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.)

Steven Burgess

The Commission held a motion for not following conditions of a licensure regarding Mr. Steven Burgess. Mr. Burgess appeared before the Commission to present testimony and waived his right to counsel.

MOTION:

Mr. Davis made a motion to place Mr. McCoy on Probation and require he show payments at next renewal. Mr. Dowd seconded the motion, which carried unanimously.

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Public Comments:

There were none

Date of Next Meeting:

The next Residential Builders Commission meeting will be held Wednesday, November 14, 2012 in room 108.

Adjournment:

Mr. Roberts made a motion to adjourn the Residential Builders Commission Meeting. Mr. Clark seconded the motion, which carried unanimously. The Residential Builders Commission Meeting was adjourned at 1:58 p.m.

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