

RESIDENTIAL BUILDERS COMMISSION
Synergy Business Park
110 Centerview Drive Kingstree Building, Room 108
Columbia, South Carolina 29210
Wednesday, October 9, 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; Hal Dillard; 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 9, 2013 Residential Builders Commission Meeting Agenda. Mr. Clark seconded the motion, which carried unanimously.

Approval of Minutes for the September 11, 2013 Meeting:

MOTION:

Mr. Dowd made a motion to approve the September 11, 2013 meeting minutes. Mr. Clark seconded the motion, which carried unanimously.

Approval /Disapproval of Absent Members:

No Absent Members

Chairman's Remarks:

Derrick Williams

Mr. Williams reminded everyone that once their case was heard, they were free to leave.

Application Reviews:

Mr. John Aslain

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

MOTION:

Mr. Bailey made a motion to allow Mr. Aslain to take the exam. 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. James Robinson

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

MOTION:

Mr. Davis made a motion to allow Mr. Robinson to get his license. 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. Jasper Brooks

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

MOTION:

Mr. Davis made a motion to allow Mr. Brooks to get 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. Keith May

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

MOTION:

Mr. Clark made a motion to allow Mr. May to take the exam. 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. David Jones

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

MOTION:

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

Mr. Richard England

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

MOTION:

Mr. Bailey made a motion to allow Mr. England to take the exam. Mr. Davis seconded the motion, which did carry unanimously.

Mr. Ruben Calleiro

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

MOTION:

Mr. Bailey made a motion to allow Mr. Calleiro to take the exam. There was no second to the motion.

MOTION:

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

MOTION:

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

MOTION:

Mr. Bailey affirmed previous motion to allow Mr. Calleiro to take the exam. Mr. Dowd seconded the motion, which did carry unanimously.

Mr. Bernie Miller

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

MOTION:

Mr. Bailey made a motion to approve Mr. Miller's request for reinstatement but with a two year probation and must reappear in front of the board to show proof that he has either made payments to Wells Fargo or has a satisfaction. Mr. Dowd seconded the motion, which did carry unanimously.

Mr. Stephen Snow

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

MOTION:

Mr. Roberts made a motion to approve Mr. Snow's request for renewal, but must provide proof he has paid the Georgia judgment. Mr. Dillard seconded the motion, which carried unanimously.

Final Order Hearings:

Mr. Christopher McCutcheon-Case#2012-330

The Board held a Final order hearing regarding Mr. Christopher McCutcheon.

MOTION:

Mr. Bailey made a motion to uphold Recommendation but reduce the fine to \$1000.00. Mr. Davis second the motion, which carried unanimously.

Mr. Roy Reed-Case#2012-331

The Board held a Final order hearing regarding Mr. Roy Reid.

MOTION:

Mr. Dowd made a motion to uphold Recommendation. Mr. Roberts second the motion, which carried unanimously.

Approval of Administrators Recommendation for Bond Claim:

Mr. Frank Neil-Case#2011-609

The Board approved the Administrator's recommendation for bond claim for Mr. Frank Neil.

MOTION:

Mr. Bailey made a motion to approve recommendation. Mr. Davis seconded the motion, which carried unanimously.

Request for Modification of Private Final Order:

Case #2011-223

The Commission held a review of the request for modification of a final order regarding case # 2011-223. The Licensee appeared before the Commission to present testimony with his attorney, Steven Deberry

MOTION:

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

MOTION:

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

MOTION:

Mr. Roberts made previous motion to remove # 2 and # 3 of the Final Order and reinstate the license. Mr. Bailey seconded the motion, which did carry unanimously.

Administrator's Remarks:

- Clarification of number of classifications for registrations/licensees. It was discussed that a total of up to three(3) classifications for the Residential Specialty Contractor licensee/registrant can be chosen as stated in the statute 40-59-240 (A).
- Clarification of Residential Specialty Contractor's authority to subcontract. It was discussed that Residential Specialty Contractor licensee/registrant does not have the authority to subcontract as stated in statute 40-59-20 (7).

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 - 403
Closed Cases - 377

Active Investigations - 74

Recommendation of IRC:

MOTION:

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

IRC Resolution Guidelines:

MOTION:

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

Public Comments:

None were made

Date of Next Meeting:

The next Residential Builders Commission meeting will be held Wednesday, November 13, 2013 in room 108.

Adjournment:

Mr. Davis made a motion to adjourn the Residential Builders Commission Meeting. Mr. Roberts and Mr. Clark seconded the motion, which carried unanimously. The Residential Builders Commission Meeting was adjourned at 1:25p.m.

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