

RESIDENTIAL BUILDERS COMMISSION
Synergy Business Park
110 Centerview Drive Kingstree Building, Room 108
Columbia, South Carolina 29210
Wednesday, March 14, 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.llr.state.sc.gov

Called To Order:

Derrick G. Williams, Chairman called the regular meeting of the Residential Builders Commission to order at 10:05 a.m. Other members present for the meeting included: ; Frank Clark; 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: Mr. Jamie Saxon, Advice Counsel; Suzanne Hawkins, Assistant General Counsel; Christa Bell, Assistant General Counsel; Teresa Martin, Administrative Assistant; and Cathy Young, Court Reporter.

Others present participating in the meeting included: Jeffery Waldon, Raymond Rivera, Cliff Hall, Jack Scoville, Michael Addison, Attila Lako, James Carter, Domenic Lepore, Chris Polk, Brian Donnelly, Gregg Caruso, and Darren Mason.

MOTION:

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

MOTION:

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

Approval of Agenda:

MOTION:

Mr. Clark made a motion to approve the March 14, 2012 Residential Builders Commission Meeting Agenda. Mr. Williams seconded the motion, which carried unanimously.

Approval of Minutes for the February 11, 2012 Meeting:

MOTION:

Mr. Roberts made a motion to approve the February 11, 2012 meeting minutes. Mr. Williams seconded the motion, which carried unanimously.

Approval /Disapproval of Absent Members:

MOTION:

Mr.Roberts made a motion to approve the absence of Mr. Bailey from the March 14, 2012 Residential Builders Commission Meeting. Mr. Williams seconded the motion which carried unanimously.

Chairman’s Remarks:

Derrick Williams

There were no remarks made.

Administrator’s Remarks :

Janet Baumberger

There were no remarks made.

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 - 61	Active Investigations - 97
Closed Cases - 5	Do Not Open Cases - 0
Pending IRC - 16	Pending Closure - 34

OGC – Mrs. Christa Bell:

Christa Bell

Mrs. Christa Bell reported the number of complaints as of today:

Open Complaints – 78	Cases Pending Actions– 22
Pending CA - 10	Pending Hearings– 10
Pending Final Order Hearings– 21	Pending Final Orders– 13
Closed – 201	Appeals - 2

Old Business:

There was no Old Business presented.

Recommendation of IRC:

MOTION:

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

IRC Resolution Guidelines:

MOTION:

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

Application Reviews:

Mr. Andrew Dill

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

MOTION:

Mr. Dowd made a motion to allow Mr. Dill to apply for his residential specialty contactors registration. 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. Joseph Martin

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

MOTION:

Mr. Davis made a motion to approve Mr. Martin's to take the exam for home inspectors license. Mr. Robert's seconded the motion, which carries unanimously.

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

Mr. Victor Jeffers

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

MOTION:

Mr. Davis made a motion to approve Mr. Jeffers Residential Specialty Contractors Registration. 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. Shannon Young

The Commission held an Application Review Hearing regarding Mr. Shannon Young. Mr. Young was not present. The Commission took no action.

Mr. Andres Rosales

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

MOTION:

Mr. Dowd made a motion to allow Mr. Rosales to get his residential specialty contractor's license with conditions. Mr. Rosales must provide outcome of pending judgment once the case is settled 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. Joseph Davis

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

MOTION:

Mr. Davis made a motion to approve Mr. Davis's Residential Specialty Contractors Application. 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.)

Tim C. Gaines

The commission held an Application Review Hearing regarding Mr. Tim C. Gaines appeared before the Commission to present testimony and waived his right to counsel.

MOTION:

Mr. Davis made a motion for Mr. Gaines to get his residential builder's license. Mr. Robert's 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.)

Jose D. Jauregui

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

MOTION:

Mr. Dowd made a motion to approve Mr. Jauregui's Residential Plumbing Application provided he provides updated work permit each year. Mr. Clark seconded the motion, which carried with one opposed.

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

Aaron M. Youmans.

The commission held an Application Review Hearing regarding Mr. Aaron M. Youmans. Mr. Youmans appeared before the Commission to present testimony and waived his right to counsel.

MOTION:

Mr. Roberts made a motion to approve Mr. Youmans to take the exam for the Residential Builders License once he provides satisfaction of lien, Mr. Youmans has 90 days to clear lien. 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.)

Approval of Administrator's Recommendation for Bond Claims:

Mr. Alfred Pesce – Case #2010-742

The Commission held a hearing to approve the Administrator's Recommendations for a Bond Claim regarding Mr. Alfred Pesce.

MOTION:

Mr. Roberts made a motion to approve the Administrators Recommendations for a Bond Claim regarding Mr. Francis M. Brink Hinson for \$15,000.00. 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. Alfred Pesce. – Case #193

The Commission held a hearing to approve the Administrators Recommendations for a Bond Claim regarding Mr. Alfred Pesce.

MOTION:

Mr. Clark made a motion to approve the Administrators Recommendations for a Bond Claim regarding Mr. Barry F. Bolen for \$15,000.00 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.)

Final Order Hearings:

Mr. Ronnie Landreth-Case#2011-14

The Board held a Final Order Hearing regarding Mr. Ronnie Landreth.

MOTION:

Mr. Davis made a motion to approve the Hearing Officer's Recommendation regarding Mr. Ronnie Landreth. Mr. Davis seconded the motion, which carried unanimously.

Mr. Jariel Capers-Case#2010-987 & 2010-1015

The Board held a Final Order Hearing regarding Mr. Jariel Capers.

MOTION:

Mr. Roberts made a motion to approve the Hearing Officer's Recommendation regarding Mr. Jariel Capers. Mr. Clark seconded the motion, which carried unanimously.

Mr. John Benson-Case# 2010-0230

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

MOTION:

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

Mr. Tony Sherfield-Case#2011-72, 2011-154, 2011-220

The Board held a Final Order Hearing regarding Mr. Tony Sherfield.

MOTION:

Mr. Clark made a motion to approve the Hearing Officer's Recommendation regarding Mr. Tony Sherfield. Mr. Dowd seconded the motion, which carried unanimously.

Mr. Timothy Garland-Case#2011-378

The Board held a Final Order Hearing regarding Mr. Timothy Garland.

MOTION:

Mr. Roberts made a motion to approve the Hearing Officer's Recommendation regarding Mr. Timothy Garland. Mr. Clark seconded the motion, which carried unanimously.

Mr. Raleigh Griggs-Case#2009-664

The Board held a Final Order Hearing regarding Mr. Raleigh Griggs.

MOTION:

Mr. Clark made a motion to approve the Hearing Officer's Recommendation regarding Mr. Raleigh Griggs. Mr. Roberts seconded the motion, which carried unanimously.

Mr. Michael Wilkerson-Case#2011-309

The Board held a Final Order Hearing regarding Mr. Michael Wilkerson.

MOTION:

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

Mr. Edward McDonnell-Case#2011-39

The Board held a Final Order Hearing regarding Mr. Edward McDonnell.

MOTION:

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

Mr. Donald Danford-Case#2011-264

The Board held a Final Order Hearing regarding Mr. Donald Danford.

MOTION:

Mr. Clark made a motion to approve the Hearing Officer's Recommendation regarding Mr. Donald Danford. Mr. Robertss seconded the motion, which carried unanimously.

Mr. Jimmy Davenport-Case#2011-264

The Board held a Final Order Hearing regarding Mr. Jimmy Davenport

MOTION:

Mr. Dowd made a motion to approve the Hearing Officer's Recommendation regarding Mr. Jimmy Davenport. Mr. Clark seconded the motion, which carried unanimously.

Mr. Michael Foreman-Case#2011-176

The Board held a Final Order Hearing regarding Mr. Michael Foreman.

MOTION:

Mr. Roberts made a motion to approve the Hearing Officer's Recommendation regarding Mr. Michael Foreman. 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.)

Public Comments:

There were several public comments .

Date of Next Meeting:

The next Residential Builders Commission meeting will be held Wednesday, April 11, 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 1:35 p.m.

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.llr.state.sc.gov