

RESIDENTIAL BUILDERS COMMISSION
Synergy Business Park
110 Centerview Drive Kingstree Building, Room 108
Columbia, South Carolina 29210
Wednesday, February 14, 2018

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:

Timothy W. Roberts, Chairman, called the regular meeting of the Residential Builders Commission to order at 10:00 a.m. Other members present for the meeting included: Christy Rhyne, Monte Lemmon, Bryan Dowd, and Al Bailey.

Timothy W. Roberts, 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. Dowd made a motion to approve the February 14, 2018 Residential Builders Commission Meeting Agenda. Ms. Rhyne seconded the motion, which carried unanimously.

Approval of Minutes for the January 10, 2018 Meeting:

MOTION:

Mr. Bailey made a motion to approve the January 10, 2018 meeting minutes. Ms. Rhyne seconded the motion, which carried unanimously.

Approval /Disapproval of Absent Members:

Mr. Hal Dillard was absent due to a business obligation.

MOTION:

Mr. Bailey made a motion to excuse Mr. Hal Dillard's absence. Mr. Dowd seconded the motion, which carried unanimously.

Chairman's Remarks:

Timothy W. Roberts

Mr. Roberts reminded everyone that this meeting is being recorded and asked that everyone please speak clearly. Additionally, he advised all applicants and licensees to direct their questions to the Chairman of the Board.

Application Reviews:

Henry Davis Jr.

The Commission held an application review regarding Henry Davis Jr. Mr. Davis appeared before the Commission and waived his right to counsel.

MOTION:

Mr. Bailey made a motion to allow Mr. Davis to sit for the exam. Mr. Dowd seconded the motion, which carried unanimously.

David Barch

The Commission held an application review regarding David Barch. Mr. Barch appeared before the Commission and waived his right to counsel.

MOTION:

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

Kenneth Brooks

Mr. Kenneth Brooks did not appear before the Commission

MOTION:

No motions were made.

Yakov Radion

The Commission held an application review regarding Yakov Radion. Mr. Radion appeared before the Commission and waived his right to counsel.

MOTION:

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

John Logue Jr

The Commission held an application review regarding John Logue Jr. Mr. Logue appeared before the Commission and waived his right to counsel.

MOTION:

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

Benjamin Fitzgerald

The Commission held an application review regarding Benjamin Fitzgerald. Mr. Fitzgerald appeared before the Commission and waived his right to counsel.

MOTION:

Ms. Rhyne made a motion to enter into executive session for legal advice regarding the application of Mr. Fitzgerald. Mr. Dowd seconded the motion which carried unanimously.

MOTION:

Mr. Bailey made a motion to exit executive session after receiving legal advice regarding the application of Mr. Fitzgerald. Ms. Rhyne seconded the motion which carried unanimously.

MOTION:

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

Ryen Goff

The Commission held an application review regarding Ryen Goff. Mr. Goff appeared before the Commission and waived his right to counsel.

MOTION:

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

Kevin Petrill

The Commission held an application review regarding Kevin Petrill. Mr. Petrill appeared before the Commission and waived his right to counsel.

MOTION:

Mr. Lemmon made a motion to allow Mr. Petrill to sit for the exam. Motion failed to receive a second.

Mr. Bailey made a motion to deny the request for the license at this time due to lack of hands-on experience. Mr. Dowd seconded the motion, which did not carry unanimously, Mr. Lemmon opposed.

Jonathan Williams

The Commission held an application review regarding Jonathan Williams. Mr. Williams appeared before the Commission and waived his right to counsel.

MOTION:

Mr. Bailey made a motion to approve Mr. Williams for his specialty registration. Mr. Dowd seconded the motion, which carried unanimously.

Trevor Jones

The Commission held an application review regarding Mr. Trevor Jones. Mr. Jones appeared before the Commission and waived his right to counsel.

MOTION:

Mr. Dowd made a motion to approve Mr. Jones' specialty registration. Mr. Lemmon seconded the motion, which carried unanimously.

Daniel Grimes

The Commission held an application review regarding Mr. Daniel Grimes. Mr. Grimes appeared before the Commission and waived his right to counsel.

MOTION:

Mr. Lemmon made a motion to approved Mr. Grimes' specialty registration. Mr. Bailey seconded the motion, which carried unanimously.

James Bennett

The Commission held an application review regarding Mr. James Bennett. Mr. Bennett appeared before the Commission and waived his right to counsel.

MOTION:

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

Leroy Amaker

The Commission held an application review regarding Mr. Leroy Amaker. Mr. Amaker appeared before the Commission and waived his right to counsel.

MOTION:

Mr. Bailey made a motion to approved Mr. Amaker's specialty registration with the condition that he submit a letter from his attorney regarding the status of his appeal. Ms. Rhyne seconded the motion, which did not carry unanimously, Mr. Dowd opposed and Mr. Lemmon abstained.

Paul Owens

The Commission held an application review regarding Mr. Paul Owens. Mr. Owens appeared before the Commission and waived his right to counsel.

MOTION:

Mr. Dowd made a motion to approve Mr. Owens' reinstatement with the condition that he remain current with his payment agreements and that he supply the Commission with proof of payments for the last 7 months. Mr. Lemmon seconded the motion, which carried unanimously.

Greg Keisler

The Commission held an application review regarding Mr. Greg Keisler. Mr. Keisler appeared before the Commission and was represented by Mr. Spencer Syrett, Esq.

MOTION:

Mr. Bailey made a motion to approve the renewal of Mr. Keisler's builders license with the condition that he supply the Commission Administrator with a status update on his outstanding judgments every six months. Mr. Lemmon seconded the motion, which carried unanimously.

Final Order Hearings:

Mr. Cecil Brazell case # 2016-2 and 2014-526

The Board held a Final Order hearing regarding Mr. Cecil Brazell. Mr. Brazell was not present.

MOTION:

Mr. Dowd made a motion to uphold the Hearing Officer's Recommendation. Ms. Rhyne seconded the motion, which carried unanimously.

Mr. Freddie McEachern case # 2016-66

The Board held a Final Order hearing regarding Mr. Freddie McEachern. Mr. McEachern was present.

MOTION:

Mr. Dowd made a motion to uphold the Hearing Officer's Recommendation. Ms. Rhyne seconded the motion, which carried unanimously.

Mr. Jerry Wardlaw case # 2016-315

The Board held a Final Order hearing regarding Mr. Jerry Wardlaw. Mr. Wardlaw was not present.

MOTION:

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

Mr. Mathew Thomas case # 2016-393

The Board held a Final Order hearing regarding Mr. Matthew Thomas. Mr. Thomas was present.

MOTION:

Ms. Rhyne made a motion to uphold the Hearing Officer's Recommendation with the modification that the fine be reduced to \$500.00. Mr. Lemmon seconded the motion, which carried unanimously.

Mr. Marquis B Tate case # 2017-342

The Board held a Final Order hearing regarding Mr. Marquis Tate. Mr. Tate was present.

MOTION:

Mr. Dowd made a motion to uphold the Hearing Officer's Recommendation with the modification that the fine be reduced to \$1,500.00. Ms. Rhyne seconded the motion, which carried unanimously.

Mr. David Scott Kelley case#2017-177

The Board held a Final Order hearing regarding Mr. David Scott Kelley. Mr. Kelley was present.

MOTION:

Mr. Dowd made a motion to uphold the Hearing Officer's Recommendation with the modification of that the fine be reduced to \$1,700.00. Ms. Rhyne seconded the motion, which carried unanimously.

Mr. Edward Allen III case# 2016-518

The Board held a Final Order hearing regarding Mr. Edward Allen III. Mr. Allen was not present.

MOTION:

Mr. Dowd made a motion to uphold the Hearing Officer's Recommendation. Ms. Rhyne seconded the motion, which carried unanimously.

Mr. Joe Falls case # 2017-131

The Board held a Final Order hearing regarding Mr. Joe Falls. Mr. Falls was present.

MOTION:

Ms. Rhyne made a motion to uphold the Hearing Officer's Recommendation with the modification to reduce the fine to \$750.00. Mr. Lemmon seconded the motion, which carried unanimously.

Mr. Nicholas Katsanos case # 2014-352

The Board held a Final Order hearing regarding Mr. Nicholas Katsanos. Mr. Katsanos was not present.

MOTION:

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

Request to rescind Citations:

Case # 2017-18

Mr. Tennis requested that the citation to be rescinded due to lack of evidence.

MOTION:

Ms. Rhyne made a motion to rescind citation for case number 2017-18. Mr. Bailey seconded the motion, which carried unanimously.

Case # 2017-192

Mr. Gourley requested that the citation to be rescinded due to lack of evidence.

MOTION:

Mr. Dowd made a motion to rescind citation for case number 2017-192. Ms. Rhyne seconded the motion, which carried unanimously.

Administrator's Remarks:

No remarks made.

OIE Report – Mr. Todd Bond:

Todd Bond, Chief Investigator of OIE

Mr. Todd Bond, presented the OIE report. Mr. Todd Bond reported the number of investigations for the number of investigations totals to date:

Complaints Received - 83
Closed Cases – 105

Active Investigations – 237

New Business

A. Recommendations of IRC

MOTION:

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

B. Resolution Guidelines

MOTION:

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

Old Business:

Public Comments:

Comments were made

Date of Next Meeting:

The next Residential Builders Commission meeting will be held Wednesday, March 14, 2018 in room 108.

Adjournment:

Ms. Rhyne 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 2:55 p.m.

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