

RESIDENTIAL BUILDERS COMMISSION
Synergy Business Park
110 Centerview Drive Kingstree Building, Room 108
Columbia, South Carolina 29210
Wednesday, June 13, 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: Bryan Dowd, Monte Lemmon, Christy Rhyne 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. Bailey made a motion to approve the June 13th, 2018 Residential Builders Commission Meeting Agenda. Mr. Dowd seconded the motion, which carried unanimously.

Approval of Minutes for the May 9, 2018 Meeting:

MOTION:

Ms. Rhyne made a motion to approve the May 9, 2018 meeting minutes. Mr. Lemmon seconded the motion, which carried unanimously.

Approval /Disapproval of Absent Members:

Mr. Hal Dillard was absent.

MOTION:

Mr. Bailey made a motion to approve Mr. Hal Dillard's absence. Ms. Rhyne 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.

Disclosure Statement Waiver Request:

Dale H Thompson

The Commission held a hearing regarding Mr. Thompson request for a waiver of the disclosure statement under the owner/builder exemption. Mr. Dale Thompson appeared before the Commission and waived his right to counsel.

MOTION:

Mr. Bailey made a motion to approve Mr. Thompson's request for a waiver. Mr. Dowd seconded the motion, which carried unanimously.

John Ulrich

The Commission held a hearing regarding Mr. Ulrich's request for a waiver of the disclosure statement under the owner/builder exemption. Mr. Ulrich appeared before the Commission and waived his right to counsel.

MOTION:

Mr. Dowd made a motion to approve Mr. Ulrich's request for a waiver. Ms. Rhyne seconded the motion, which carried unanimously.

Application Reviews:

Michael Elder

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

MOTION:

Ms. Rhyne made a motion to enter into executive session to receive legal advice. Mr. Dowd seconded the motion, which carried unanimously.

MOTION:

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

MOTION:

Mr. Dowd made a motion to deny Mr. Elder's request to sit for the exam. Ms. Rhyne seconded the motion, which did not carry unanimously. Mr. Lemmon opposed.

Christopher Greene

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

MOTION:

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

Victor Truesdale

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

MOTION:

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

Arthur Bouye

Mr. Arthur Bouye did not appear before the Commission

MOTION:

No motions were made.

Justin Craven

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

MOTION:

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

Reginald Barker

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

MOTION:

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

Christopher Pellerito

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

MOTION:

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

Lee Nelson

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

MOTION:

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

Marvin House

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

MOTION:

Mr. Bailey made a motion to approve Mr. House's request for a specialty registration. No second was received. The motion failed.

MOTION:

Mr. Dowd made a motion to enter into executive session to receive legal advice. Ms. Rhyne seconded the motion, which carried unanimously.

MOTION:

Mr. Bailey made a motion to exit executive session after receiving legal advice. Mr. Lemmon seconded the motion, which carried unanimously.

MOTION:

Mr. Dowd made a motion to deny Mr. House's request for a specialty registration. Mr. Lemmon seconded the motion, which did not carry unanimously. Mr. Bailey opposed.

Matthew Westbrook

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

MOTION:

Mr. Lemmon made a motion to allow Mr. Westbrook to sit for the exam with the condition that he stay current with his restitution payments and complete the terms of probation. Mr. Dowd seconded the motion, which carried unanimously.

Joe Parks

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

MOTION:

Mr. Bailey made a motion to approve Mr. Parks' request for a specialty registration. Mr. Dowd seconded the motion, which carried unanimously.

Final Order Hearings:

Ms. Catina Williams case # 2017-674

The Board held a Final Order hearing regarding Mr. Catina Williams. Ms. Williams was not present.

MOTION:

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

Mr. Clyde McNeill case # 2015-715

The Board held a Final Order hearing regarding Mr. Clyde McNeill. Mr. McNeill was not present.

MOTION:

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

*Mr. Roberts recused himself from the following hearings due to his service as the hearing officer.

Mr. James Slice case # 2016-496

The Board held a Final Order hearing regarding Mr. James Slice. Mr. Slice was not present.

MOTION:

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

Mr. Manuel Almonte case # 2016-651

The Board held a Final Order hearing regarding Mr. Manuel Almonte. Mr. Almonte was not present.

MOTION:

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

*Mr. Roberts returned to the meeting.

*Mr. Bailey recused himself from the following hearings due to his services as the hearing officer.

Mr. Thomas Bryan Thompson Jr Case # 2015-587; 2016-608; 2017-69; 2017-149; & 2017-362

The Board held a Final Order hearing regarding Mr. Thomas Bryan Thompson Jr. Mr. Thompson was present at the final order hearing.

MOTION:

Mr. Dowd made a motion to enter into executive session to receive legal advice. Ms. Rhyne seconded the motion, which carried unanimously.

MOTION:

Mr. Dowd made a motion to exit executive session after receiving legal advice. Ms. Rhyne seconded the motion, which carried unanimously.

MOTION:

Mr. Dowd made a motion to adopt the Hearing Officer's Recommendation with amendments to include removal of the word "permanently" from the number two of the Hearing Officer Recommendation and permission for Mr. Thompson to complete the two open permits and pull a permit for a third home where the homeowner is hiring a new contractor to complete the job. Mr. Lemmon seconded the motion, which carried unanimously.

Mr. Ramon Rodriguez case # 2017-354

The Board held a Final Order hearing regarding Mr. Ramon Rodriguez. Mr. Rodriguez was not present.

MOTION:

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

Mr. Kenworth Reeves Case# 2015-744 and 2017-272

The Board held a Final Order hearing regarding Mr. Kenworth Reeves. Mr. Reeves was not present.

MOTION:

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

*Mr. Bailey returned to the meeting.

* *Mr. Dowd recused himself due to previous work relationship with Mr. Collins.*

Mr. Dexter Collins case # 2016-460

The Board held a Final Order hearing regarding Mr. Dexter Collins. Mr. Collins was not present.

MOTION:

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

*Mr. Dowd returned to the meeting.

Administrator's Remarks for Information:

Board Information:

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 as of June 13, 2018:

Complaints Received – 334 Active Investigations – 217 Closed Cases – 323

New Business

A. Recommendations of IRC

MOTION:

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

B. Resolution Guidelines

MOTION:

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

Old Business:

Public Comments:

Date of Next Meeting:

The next Residential Builders Commission meeting will be held Wednesday, July 11, 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 1:51pm.

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