

RESIDENTIAL BUILDERS COMMISSION
Synergy Business Park (formerly the Koger Business Park)
110 Centerview Drive Kingstree Building, Room 108
Columbia, South Carolina 29210
Wednesday, June 8, 2011

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: Al Bailey; 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: Christa Bell, Assistant General Counsel; Mr. Jamie Saxon, Advice Counsel; Suzanne Hawkins, Laura Cook, Advice Counsel; Janet Baumberger, Administrator; Gary Wiggins, Administrator; Christine Driver, Administrative Assistant; Angela Scott, Administrative Assistant; Steve Deer, Investigation; Jerry Merritt, Investigation; Gregg Hembree, Investigations; Bennie Page, Investigations; Ronald Brewer, Investigation; and Faye Grainger, Court Reporter.

Others present participating in the meeting included: Jacklyn Chambers; Bridget Brown; Chris Davis; Anthony Holmes; Tamara Holmes; Lisa Lake; Stuart Herrick; Mark Feathers; Carl Bryant; Cliff Hall; and Michael Dim.

Approval of Agenda

MOTION:

Mr. Roberts made a motion to approve the June 8, 2011 Residential Builders Commission Meeting Agenda. Mr. Bailey seconded the motion, which carried unanimously.

Approval of Minutes for the May 11, 2011 Meeting:

MOTION:

Mr. Bailey made a motion to approve the May 11, 2011 meeting minutes. Mr. Dowd seconded the motion, which carried unanimously.

Approval /Disapproval of Absent Members:

Mr. Clark received and excused absence.

Chairman's Remarks:

Derrick Williams

There were no remarks made.

Administrator's Remarks

Janet Baumberger

There were no remarks made.

Advisory Opinions – Christa Bell, Office of General Counsel:

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Christa Bell

There were no remarks made.

OIE Report – Mr. Stephen Deer:

Stephen Deer, Interim Chief Investigator of OIE

Mr. Deer reported the number of investigations as of today: **Open Cases:** 334 and 84 **Cases pending in OLC.** The investigators currently are averaging approximately **35** cases each.

Mr. Deer reported that they are still experiencing problems with unlicensed roofing contractors. OIE is currently looking into different avenues to try to rectify the problem. They are currently seeking assistance from the Building Officials and the Insurance Industry.

DLC Report – Mrs. Suzanne Hawkins:

Suzanne Hawkins

There was no report given.

Old Business:

There was no Old Business presented.

IRC Resolution Guidelines:

MOTION:

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

Application Reviews:

Mr. Carl L. Bryant

The Commission held an Application Review Hearing regarding Mr. Carl L. Bryant. Mr. Bryant appeared before Commission to present testimony and waived his right to counsel.

MOTION:

Mr. Bailey made a motion to approve Mr. Bryant to sit for the Residential Heating & Air Examination; and once he successfully passes the examination a license be issued with a two-year probationary status. 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.)

Ms. Lisa J. Lake

The Commission held an Application Review Hearing regarding Ms. Lisa J. Lake. Ms. Lake appeared before the Commission to present testimony and waived her right to counsel.

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Mr. Davis made a motion to approve Ms. Lisa J. Lake's experience and qualifications to sit for the Residential Builder's Examination. Mr. Dillard seconded the motion, which carried unanimously.

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Mr. Michael G. Morris

The Commission held an Application Review Hearing regarding Mr. Michael G. Morris. Mr. Morris was not present. The Commission took no action.

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Mr. Mark A. Feathers

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

MOTION:

Mr. Davis made a motion to approve Mr. Feathers to sit for the Residential Builder's Home Inspector's Examination; providing that he provide written documentation that he has been dismissed from Bankruptcy Court; and written documentation that he has made necessary arrangements to rectify the outstanding liens and judgments on his credit report. Mr. Bailey seconded the motion, which carried unanimously.

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Reinstatement Hearings (Jamie Saxon):

Mr. Michael Griffin

The Commission held a Reinstatement Hearing regarding Mr. Griffin. Mr. Griffin appeared before the Commission to present testimony and waived his right to counsel. Mrs. Suzanne Hawkins represented the State.

MOTION:

Mr. Dillard made a motion to go into executive session for legal advice. Mr. Roberts seconded the motion, which carried unanimously.

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

MOTION:

Mr. Bailey made a motion to deny Mr. Michael Griffin's request for reinstatement of his Specialty Contractor's Registration. Mr. Roberts seconded the motion, which carried unanimously.

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Mr. Cliff Hall

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The Commission held a Reinstatement Hearing regarding Mr. Hall. Mr. Hall appeared before the Commission to present testimony and waived his right to counsel. Ms. Laura Cook represented the State.

MOTION:

Mr. Davis made a motion to deny Mr. Hall's request for reinstatement of his Residential Home Builder's License until such time as the Bankruptcy is discharge; once the charges have been discharge Mr. Hall may reapply for licensure. Mr. Roberts seconded the motion, which carried unanimously.

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Mr. Michael Diaz

The Commission held a Reinstatement Hearing regarding Mr. Diaz. Mr. Diaz appeared before the Commission to present testimony and waived his right to counsel.

MOTION:

Mr. Davis made a motion to deny Mr. Michael Diaz's request for reinstatement of his Residential Builder's License until he provide written documentation from the Court system stating he has made arrangements to rectify the outstanding liens and judgments filed against him. Mr. Dillard seconded the motion, which carried unanimously.

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Motion to Reconsider

Mr. Jason A. Hodge

The Commission held a Motion to Reconsider Hearing regarding Mr. Jason A. Hodge. Mr. Hodge was not present but written notification was received requesting that a hearing be held on behalf Mr. Hodge's. Mrs. Suzanne Hawkins represented the State.

MOTION:

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

MOTION:

Mr. Davis made a motion to deny Mr. Hodge's request for Reconsideration. Mr. Dowd seconded the motion, which carried unanimously.

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Approval of Administrator's Recommendation for Bond Claims (Jamie Saxon):

Mr. Leroy Stenersen – Case #2010-735

The Commission held a hearing to approve the Administrator's Recommendations for a Bond Claim regarding Mr. Leroy Stenersen. Mr. Stenersen was not present.

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MOTION:

Mr. Bailey made a motion to approve the Administrator's Recommendations for a Bond Claim regarding Mr. Stenersen. Mr. Davis seconded the motion, which carried unanimously.

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Mr. Mitchell A. Pingry – Case #2009-703

The Commission held a hearing to approve the Administrator's Recommendations for a Bond Claim regarding Mr. Mitchell A. Pingry. Mr. Pingry was not present.

MOTION:

Mr. Bailey made a motion to approve the Administrator's Recommendations for a Bond Claim regarding Mr. Pingry. Mr. Dowd seconded the motion, which carried unanimously.

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Administrative Hearings:

Mr. Thomas Johnson – Case # 2010-48

The Board held an Administrative Hearing regarding Mr. Thomas Johnson. Mr. Johnson appeared to present testimony and waived his right to counsel. Ms. Suzanne Hawkins represented the State.

MOTION:

Mr. Bailey made a motion to approve the Hearing Officer's Recommendation regarding Mr. Thomas Johnson. Mr. Dowd seconded the motion, which carried unanimously.

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Mr. Joseph Johnson – Case # 2010-944

The Board held an Administrative Hearing regarding Mr. Joseph Johnson. Mr. Johnson was not present.

MOTION:

Mr. Bailey made a motion to approve the Hearing Officer's Recommendation regarding Mr. Joseph Johnson. Mr. Dowd seconded the motion, which carried unanimously.

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Mr. Chris Davis – Case # 2010-681

The Board held an Administrative Hearing regarding Mr. Chris Davis. Ms. Laura Cook represented the State. Mr. Davis appeared to present testimony and waived his right to counsel.

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MOTION:

Mr. Davis made a motion to approve the Hearing Officer's Recommendation regarding Mr. Chris Davis with the following amendment: Mr. Davis must pay the fine within ninety (90) days of the Final Order Hearing. Mr. Roberts seconded the motion, which carried unanimously.

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Mr. Kipling Christine Lee – Case # 2010-208

The Board held an Administrative Hearing regarding Mr. Kipling Christine Lee. Mr. Lee was not present.

MOTION:

Mr. Bailey made a motion to approve the Hearing Officer's Recommendation regarding Mr. Kipling C. Lee. Mr. Davis seconded the motion, which carried unanimously.

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Mr. Marcus Pinson – Case # 2010-316

The Board held an Administrative Hearing regarding Mr. Marcus Pinson. Mr. Pinson was not present. Ms. Lilla Ann Gray represented the State.

MOTION:

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

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

MOTION:

Mr. Roberts made a motion to approve the Hearing Officer's Recommendation regarding Mr. Pinson with the following amendments: Mr. Pinson shall receive a public reprimand; pay a fine of Five Thousand Dollars (\$5,000.00) within ninety (90) days of the Final Order; furnish a Surety Bond; appear before the Commission before reinstatement; authorized the calling on the Surety bond that was in place at the period in question; should Mr. Pinson not comply he should not be re-licensed; and Mr. Pinson's license remain suspended status until he complies with the Order. Mr. Dowd seconded the motion, which carried unanimously.

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Public Comments:

There were no public comments made.

Date of Next Meeting:

The next Residential Builders Commission meeting will be held Wednesday, July 13, 2011 in room 108.

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Adjournment:

Mr. Bailey made a motion to adjourn the Residential Builders Commission Meeting. Mr. Roberts seconded the motion, which carried unanimously. The Residential Builders Commission Meeting was adjourned at 12:45 p.m.