

**RESIDENTIAL BUILDER'S COMMISSION**  
Synergy Business Park  
110 Centerview Drive, Kingstree Building, Room 108  
Columbia, South Carolina  
Wednesday, February 10<sup>th</sup>, 2016

**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 Roberts, Chairman, called the regular meeting of the Residential Builders Commission to order at 10:04 A.M. Others members present for the meeting included: Al Bailey, Hal Dillard, Christy Rhyne and Bryan Dowd.

**Approval of Agenda:**

**MOTION:**

Mr. Dowd made a motion to approve the February 10<sup>th</sup>, 2016, Residential Builders Commission Meeting Agenda. Ms. Rhyne seconded the motion, which carried unanimously.

**Approval of Minutes for the January 13<sup>th</sup>, 2016 Meeting**

**MOTION:**

Mr. Bailey made a motion to approve the January 13<sup>th</sup>, 2016, meeting minutes. Mr. Dowd seconded the motion, which carried unanimously.

**Approval/Disapproval of Absent Members:**

Mr. Monte Lemmon resigned as of February 9<sup>th</sup>, 2016 and Mr. Harry Dill resigned as of January 28<sup>th</sup>, 2016

**Chairman's Remarks:**

*Timothy Roberts–Chairman*

Mr. Roberts, Chairman 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:**

**Initial**

*Jeffrey Bates*

The Commission held an Application Review Hearing regarding Mr. Jeffrey Bates. Mr. Bates appeared before the Commission to present testimony, via teleconference, and he waived his right to counsel.

**Motion:**

Mr. Bailey made a motion to deny Mr. Bates request for approval to sit for the Residential Builders Exam due to lack experience at this time. Mr. Dowd seconded the motion, which carried unanimously.

*Jesse Norris*

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

**Motion:**

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

*Jeffrey S. Pearson*

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

**Motion:**

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

*Noah Zook*

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

**Motion:**

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

*Steven Schroeder*

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

**Motion:**

Mr. Dillard made a motion to allow Mr. Schroeder to sit for the Exam. Mr. Dowd seconded the motion, which carried unanimously.

*Charles Dembisky*

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

**Motion:**

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

**Mark Nix – South Carolina Home Builders Association:**

*Mark Nix*

Mr. Mark Nix spoke to the Residential Builders Commission regarding the Recovery Process and the volunteer organizations who are assisting in the recovery from the October 2015 Flood Disaster. Mr. Nix stated that the Home Builders Association supported the non-profit groups helping with disaster recovery he supported their work under Specialty registration trades, but opposed the volunteer organizations doing work within the mechanical trades.

*James Gray*

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

**Motion:**

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

*Warren Whitehead*

The Commission held an Application Review Hearing regarding Mr. Warren Whitehead. Mr. Whitehead did not appear before the Commission.

**Motion:**

No Motions were made.

*Gary Strang*

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

**Motion:**

Mr. Dillard made a motion to approve Mr. River's specialty registration. Mr. Dowd seconded the motion, which carried unanimously.

*Aaron Farver*

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

**Motion:**

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

*Robert Nekrasz*

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

**Motion:**

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

*Silvo Savo*

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

**Motion:**

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

*Samuel Simmons*

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

**Motion:**

Mr. Dowd made a motion to approve Mr. Simmons for a Specialty Registration. Mr. Bailey seconded the motion, which carried unanimously.

*Kareem Daise*

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

**Motion:**

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

*Clyde Waymer*

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

**Motion:**

Mr. Bailey made a motion to approve with the condition that at the next renewal he provide resolution of pending criminal charges. Mr. Dowd seconded the motion, which carried unanimously.

*Jarrett Vereen*

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

**Motion:**

Mr. Bailey made a motion to approve with the condition he provide an update to the Commission Administrator documentation that payments made to all three judgment

creditors have been accepted and negotiated. Mr. Dowd seconded the motion, which carried unanimously.

**Final Order Hearings:**

*William Brown, Case # 2015-211*

The Board held a Final Order hearing regarding Mr. William Brown.

**MOTION:**

Mr. Bailey made a motion to uphold the Hearing Officer's Recommendation, with the modification of deletion of numbers 3 and 4 and replaced with Respondent's specialty contractor registration, shall be revoked. Mr. Dillard seconded the motion, which carried unanimously.

*Derrick French, Case # 2014-95*

The Board held a Final Order hearing regarding Mr. Derrick French. Mr. Bailey recused himself due to his service as the hearing officer.

**MOTION:**

Mr. Dillard made a motion to uphold the hearing officer's recommendations. Mr. Dowd seconded the motion, which carried unanimously.

**Aministrator Report and Recommendation for Bond Claim Case# 2014-477**

Ms. Erin Baldwin with the Office of Disciplinary Counsel brought a request to deny the request for the bond claim for case#2014-477, due to the Respondent settling with the Homeowner. Both parties mutually agreed to drop the bond claim.

**MOTION:**

Ms. Rhyne made a motion to deny the request for bond claim in case #2014-477. Mr. Dowd seconded the motion, which carried unanimously.

**Memorandum of Agreement:**

*Willie Taylor case# 2014-457*

Mr. Willie Taylor appeared before the commission and waived his right to counsel. T. Kyle Tennis, Esq. represented the State. Mr. Tennis requested that the Board accept the Memorandum of Agreement (MOA).

**MOTION:**

Mr. Bailey made a motion to accept the Memorandum of Agreement with a fine of \$250.00. Ms. Rhyne seconded the motion, which did not carry unanimously. Mr. Dillard opposed.

**Appointment of New Board Members:**

**MOTION:**

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

**MOTION:**

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

**OIE Report – Mr. Todd Bond**

*Todd Bond, Chief Investigator of OIE*

Mr. Todd Bond, Chief Investigator, appeared to present the information to the Commission regarding the OIE monthly report.

**Complaints Received - 44** **Active Investigations -94**  
**Closed Cases – 40**

**New Business:**

A. Recommendation 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. Bailey made a motion to approve the IRC Resolution Guidelines.

Ms. Rhyne seconded the motion, which carried unanimously.

***Approval for staff to issue administrative orders approving licensure conditioned upon no work in the mechanical trades for applicants with reciprocity, passing score on NASCLA exam, and GC license holders.***

**MOTION:**

Mr. Dowd made a motion to approve the request for administrative orders approving licensure conditioned upon no work in the mechanical trades for applicants with reciprocity with NASCLA, South Carolina General Contractors, North Carolina, Utah, Louisiana, Georgia, and Alabama. Ms. Rhyne seconded the motion, which carried unanimously.

**NASCLA Travel:**

**MOTION:**

Mr. Dowd made a motion to approve travel for all NASCLA 2016 trips for meetings. Mr. Dillard seconded the motion, which carried unanimously.

**Old Business:**

No old business discussed.

**Administrator's Remarks for Information:**

**None at this time.**

**Public Comments:**

No Public Comments were made.

**The South Carolina Untied Methodist Conference: Request for Exemption**

The 501(c)(3) eleemosynary organization appeared before the South Carolina Residential Builders Commission to request the Commission's approval for an exemption under S.C. Code Ann. § 40-59-300 (1976, as amended) to bring in disaster volunteer teams from around the country to repair an estimated 500-700 homes damaged by the statewide October 2015 flooding event.

**MOTION:**

Mr. Dowd made a motion to allow an exemption under § 40-59-300 for 501(c)(3) organizations seeking to assist in the repair of homes damaged by the October 2015 flooding event, under the following conditions:

- The organization must register with the Commission and provide a copy of its 501(c)(3) charter. This registration is valid only for one year but may be renewed by the Commission if requested.
- The homeowner and the 501(c)(3) organization must apply together for any necessary building permits. The Commission will notify the local codes departments of this requirement. Per § 40-59-300, the cost of the building permit must be borne by the 501(c)(3) organization, unless waived by the local codes department.
- Only homes owned by underprivileged or low-income families or individuals located in FEMA-designated disaster areas may be repaired.
- The 501(c)(3) organization must not perform any structural work or work in the mechanical trades, to include plumbing, electrical, and/or air conditioning/heating. The 501(c)(3) organization or the homeowner must contract with an appropriately licensed person or company to perform these types of work.

Mr. Bailey seconded the motion, which carried unanimously.

**Date of Next Meeting:**

The next Residential Builders Commission meeting will be held Wednesday, March 9<sup>th</sup>, 2016, in room 108.

**Adjournment:**

Mr. Dowd made a motion to adjourn the Residential Builders Commission meeting.

Mr. Bailey seconded the motion, which carried unanimously. The Residential Builders Commission Meeting was adjourned at 3:56 pm.

**NOTE: These minute are a record of the motion and official actions taken by the Board and brief summary of the meeting.**