

**South Carolina Residential Builders Commission  
Board Meeting Minutes, Wednesday, January 11, 2006 – 10:00 am  
Synergy Business Park, Kingstree Building  
Columbia, South Carolina**

**MEMBERS PRESENT**

**John Curl  
Al Bailey  
Gale Crawford  
Caleb David  
Derrick Williams**

**OTHERS PRESENT**

**Rick Wilson, General Counsel  
Robert Selman, ADD  
Charles McAlister, Administrator  
Charles Ido, Chief Investigator, OIE  
Christine Driver, Administrative Assistant  
Amy Alston, Administrative Coordinator  
Faye Grainger, Court Reporter**

**MEMBERS ABSENT**

**Frank Clark**

**Public Notice of this meeting was properly posted at the Board office and provided to any requesting persons, organizations, or news media in compliance with Section 30-4-80 of the S. C. Freedom of Information Act. A quorum was present at all times.**

**Call to Order**

Mr. John Curl, Chairman, called the meeting to order.

**Approval of Minutes**

**Motion:** Mr. Bailey moved to approve the minutes of November 9, 2005 meeting. Mr. Davis seconded the motion, and with all members present voting favorably, the motion carried.

**Approval of Recommendations of Investigative Review Committee**

**Motion:** Mr. Williams moved to approve the recommendations of the Investigative Review Committee, dated December 7, 2005 and January 5, 2006. Mr. Bailey seconded the motion, and with all members present voting favorably, the motion carried.

**Approval of Recommendations of the Administrative Hearing Officer for Citation Hearing**

**Motion:** Mr. Davis moved to approve the recommendations of the Administrative Hearing Officer for Citation Hearings, dated November 16 2005, for Richard Farr and Jack Marchant. Mr. Williams seconded the motion, and with all members present voting favorably, the motion carried.

### **Approve Recommendation of Administrative Hearing Officer/Bond Hearing**

**Motion:** Mr. Bailey moved to approve the recommendations of the Administrative Hearing Officer for Bond Hearings on Kevin Johnson, Nonnie Adams, and Frank Taylor. Mr. Williams seconded the motion, and with all members present voting favorably, the motion carried.

### **Approve Recommendations of Administrator for Bond Claims**

**Motion:** Mr. Williams moved to approve the recommendations of the Administrator for Bond Claims for Kevin Johnson, Nonnie Adams, and Frank Taylor. Mr. Davis seconded the motion, and with all members present voting favorably, the motion carried.

### **Approve Recommendations for Administrative Hearing Officer for Panel Hearing**

**Motion:** Mr. Bailey moved to approve the recommendations of the Administrative Hearing Officer for Panel Hearings for Joshua Freeman, Gilbert Smoak, and Tommy McCutcheon. Ms. Crawford seconded the motion, and with all members present voting favorably, the motion carried.

### **Appeal of Administrative Hearing Officer Recommendation for a Bond Hearing**

William King v. Gary E. Cumbee - Mr. McAlister informed the Commission that Mr. William King has appealed the decision of the Administrative Hearing Office for a Bond Hearing. Mr. Williams informed Mr. McAlister that he is not the builder of record and that his license was used illegally to obtain a building permit to do the construction at Mr. Cumbee's home. Therefore, Mr. King feels that his bond should not be called on behalf of Mr. Cumbee.

Although the records show that Mr. King was properly notified of this appearance he did not appear at the appointed time. Mr. Orris Howell presented documentation that he and Mr. King were partners at the time the work was performed on Mr. Cumbee's home. Mrs. Cumbee stated that she only dealt with Mr. Howell, however, Mr. King was at her home on numerous occasions.

**Motion:** Mr. Bailey made a motion to approve the recommendation of the Administrative Hearing Officer for the Bond Hearing to authorize payment on Mr. King's bond. Ms. Crawford seconded the motion and with all members voting favorably the motion carried.

### **Request for Reinstatement of License**

Eric Yoder - Mr. McAlister informed the Commission that Mr. Yoder's license was revoked in 2002 and the bond was called on behalf of the homeowner, and he must pay a \$500.00 fine. Mr. Yoder requested that his license be reinstated because he has paid the fine of \$500.00 and repaid the bonding company. Mr. Yoder stated that he was able to obtain a bond at this time in order to have his license reinstated.

**Motion:** Ms. Crawford made a motion to reinstate Mr. Yoder's license provided he retake and successfully pass the licensing examination. Mr. Bailey seconded the motion, and with all members voting favorably, the motion carried.

**Absence of Member:**

The Chairman reported that Frank Clark was attending the Home Builder Association Conference and asked to be excused from the meeting.

**Motion:** Ms. Crawford moved to excuse Mr. Clark's absence. Mr. Williams seconded the motion, and with all members present voting favorably, the motion carried.

**New Business**

Mr. McAlister presented to the Commissioners a copy of the Statement of Economic Interest Form, which must be filled out and returned to the Ethics Commission before April 1, 2005.

**Unfinished Business**

Mr. McAlister informed the Commission that he would have information concerning the two-year license and reduction of fees available at the next Commission meeting.

Mr. Derrick Williams asked if there is any way to increase the bond amount for licensees. Mr. Wilson informed the Commission that according to Section 49-59-70 this could only be done by legislation.

**Adjournment**

There being no further business, the business meeting for January 11, 2006, concluded at 11:45 a.m.

The next scheduled board meeting will be held on February 8, 2006, at 10:00 a.m. at the Synergy Business Park, Kingstree Building, Room 201-03. (Note: Subject to Change)

**Hearings**

Mr. Curl called the hearings to order. Mr. Louis Rosen was the hearing advisor. Mr. Kent Lesesne represented the state.

<u>Builder</u>	<u>Homeowner</u>	<u>Case #</u>	<u>Order</u>
Johnny R. Strickland	Nathaniel & Ethel Green	970162	Consent Agreement
Clinton McKenzie	Archie & Verinda Wright	2004-557	Revoked/\$5,000. Fine

Dale Sumner

Myra T. Lawson

2004-816

Continued

Transcripts of these hearings may be obtained from Faye Grainger, Certified Court Reporter.