

**South Carolina Residential Builders Commission
Board Meeting Minutes, Wednesday, November 8, 2006 – 10:00 am
Synergy Business Park, Kingstree Building
Columbia, South Carolina**

MEMBERS PRESENT

**John Curl
Al Bailey
Frank Clark
Gale Crawford
Caleb Davis
Timothy Roberts
Derrick Williams**

OTHERS PRESENT

**Rick Wilson, Deputy General Counsel
Louis Rosen, Hearing Advisor
Kent Lesesne, Staff Attorney
Charles McAlister, Administrator
Charles Ido, Chief of Investigations, OIE
Christine Driver, Administrative Assistant
Patrice Deas, Administrative Assistant
Faye Grainger, Court Reporter**

MEMBERS ABSENT

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 October 11, 2006 meeting. Mr. Williams seconded the motion, and with all members present voting favorably, the motion carried.

Approval of Recommendations of the Administrative Hearing Officer, David Bennett, for Citation Appeals

Motion: Mr. Williams moved to approve the recommendations of the Administrative Hearing Officer, David Bennett, Citation Appeals on behalf of George Nobles, David Eubanks, Fred Burby, Ricky Garrell, Douglas Heaton, Donnie Kittrell, Michael Cave, and Robert Hart, Sr. Mr. Bailey seconded the motion, and with all members present voting favorably, the motion carried.

Approve Recommendation of Administrative Hearing Officer, David Bennett, for Bond Hearings

Motion: Mr. Davis moved to approve the recommendations of the Administrative Hearing Officer, David Bennett, for Bond Hearings on behalf of John Robinson. Mr. Williams seconded the motion, and with all members present voting favorably, the motion carried.

Approve Recommendations of Administrator, Charles McAlister, for Bond Claims

Motion: Mr. Davis moved to approve the recommendations of the Administrator, Charles McAlister, for Bond Claims on behalf of John Robinson and Judy Harrelson-Burns. Mr. Williams seconded the motion, and with all members present voting favorably, the motion carried.

Request to review Section 40-59-220(C) – Surety Bond v. Financial Statement

Donald O. Carpenter – Mr. McAlister informed the Commission that Mr. Carpenter called and requested that this matter be rescheduled for December 13, 2006. Therefore, the matter will be rescheduled.

Request for Reinstatement of License

Ramon Robinson – Mr. McAlister informed the Commission that Mr. Robinson called and stated that he was waiting to receive additional information from the bonding company concerning reinstatement of his license. Since he did not have the bond information for the Commission to review, the matter was carried over.

Damon McDuffie – Although the record shows that he was properly notified of this appearance he did not appear at the appointed time. No action was taken.

Gerald Waters – Mr. McAlister informed the Commission that Mr. Waters is not currently licensed and a Do Not Renew Order was issued against him on October 11, 2006. Mr. McAlister had received a letter from Bernard Tompkins, Investigator, stating that all items have been completed to the satisfaction of the Commission.

Mr. Waters informed the Commission that he moved and forgot to renew his license this fiscal year. Mr. Waters stated that he had a subcontractor to make the repairs to Mr. Stuart's shower and Mr. Tompkins has approved the repairs.

Motion: Mr. Davis moved to reinstate Mr. Gerald Waters license at this time. Ms. Crawford seconded the motion, and with all members present voting favorably, the motion carried.

Application Review

Eric J. Clark – Mr. McAlister informed the Commission that Mr. Clark submitted an application for a residential specialty contractor’s registration. Mr. Clark answered “yes” to question B on the residential specialty contractor’s application enquiring about criminal conviction. Mr. McAlister presented a copy of a Sled report to the Commissioners for review. Although the record shows that he was properly notified of this appearance he did not appear at the appointed time. No action was taken.

Motion : Mr. Bailey made a motion to take no action at this time until Mr. Clark appears before the full Commission. Mr. Davis seconded the motion, and with all members present voting favorably, the motion carried.

Robert Todd Watson – Mr. Richard Breibart, Esquire, counsel for Mr. Watson informed the Commission that Mr. Watson is before the Commission today because of a conviction of a high and aggravated nature which occurred while he was employed as a teacher.. Mr. Watson pled nolo contendere, and was sentenced to probation rather than any active jail sentence. The court specifically found that he was not a sex offender.

Mr. Breibart further advised that Robert Watson has been in compliance with the Department of Probation, Parole and Pardon Services.

Motion : Ms. Crawford moved to approve Mr. Watson’s application for a residential builders license at this time. Mr. Williams seconded the motion, and with all members present voting favorably, the motion carried.

New Business

None

Unfinished Business

None

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Adjournment

There being no further business, the business meeting for November 8, 2006 concluded at 11:20 a.m.

The next scheduled board meeting will be held on January 10, 2007, at 10:00 a.m. Synergy Business Park, Kingstree Building, Room 108. (Note: Subject to Change)

Hearings

Mr. Williams called the hearings to order. Mr. Louis Rosen was the hearing advisor.

Approve Recommendations of Administrative Hearing Officers, John Curl for Administrative Hearings

Kenneth C. Walker - This matter was heard before John Curl, Administrative Hearing Officer, on July 26, 2006. Mr. Curl's recommendation was as follows:

1. The matter be, and it hereby is, dismissed.
2. This order is to take effect immediately.

Mr. John Curl recused himself from participating because he was the hearing officer in this matter.

Motion: Mr. Bailey moved to approve John Curl's, Administrative Hearing Officer's Recommendation for Kenneth C. Walker. Ms. Crawford seconded the motion, and with all members present voting favorably, the motion carried.

Nels Sauvola – This matter was heard before John Curl, Administrative Hearing Officer, on July 26, 2006. Mr. Curl's recommendation was as follows:

1. The Respondent shall be, and hereby is, publically reprimanded.
2. The Respondent has not cooperated with the Anderson County Building Official or the LLR inspectors in remedying or identifying the cause of problems that exist at the structure built by the Respondent, and therefore, the original complainant (homeowner) is granted permission to file a claim against the Respondent's surety bond.
3. The final order is to take effect immediately upon service of the order upon Respondent or Respondent's counsel.

Mr. John Curl recused himself from participating because he was the hearing officer in this matter.

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Motion: Mr. Davis moved to approve John Curl, Administrative Hearing Officer's Recommendation for Nels Sauvola. Mr. Bailey seconded the motion, and with all members present voting favorably, the motion carried.

Mark E. Weizenecker – This matter was heard before John Curl, Administrative Hearing Officer, on September 26, 2006. Mr. Curl's recommendation was as follows:

1. This matter be, and it hereby is, dismissed.
2. This order is to take effect immediately.

Mr. John Curl recused himself from participating because he was the hearing officer in this matter.

Motion: Mr. Davis moved to approve John Curl, Administrative Hearing Officer's Recommendation for Mark E. Weizenecker. Mr. Roberts seconded the motion, and with all members present voting favorably, the motion carried.

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