

SOUTH CAROLINA RESIDENTIAL BUILDERS COMMISSION

Synergy Business Park, Kingstree Building
110 Centerview Drive, Kingstree Building, Room 108
Columbia, South Carolina 29210

Minutes

Wednesday, January 13, 2010

10:00 a.m.

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, Frank Clark, 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 persons, 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: Sheridon Spoon, Assistant Deputy General Counsel; Suzanne Hawkins, Staff Attorney; Lilla Ann Gray, Staff Attorney; Jamie Saxon, Hearing Advisor; Daniel Grigg, Hearing Advisor; Stan Bowen, Administrator, Christine Driver, Administrative Assistant; Charlie Ido, Investigation; and Jerry Merritt, Investigation.

Others present participating in the meeting included: Bryan Smith; Greg B. Collins; Erick Sward; and William Posillico.

Approval of Agenda:

Wednesday, January 13, 2010

Mr. Bowen reported that Mr. John Chisolm withdrew his application and Mr. Michael Squirewell's cases were continued.

MOTION

Mr. Roberts moved to approve the Wednesday, January 13, 2010, agenda as previously noticed. Mr. Clark seconded the motion, which carried unanimously.

Approval of Minutes:

Wednesday, December 9, 2009

MOTION

Mr. Bailey moved to approve the Wednesday, December 9, 2009; meeting minutes with the following corrections add Assistant Deputy Director after Mr. Spoon's name. Mr. Clark seconded the motion, which carried unanimously.

Approval/Disapproval of Absent Members:

NONE

Chairman's Remarks:

Derrick G. Williams, Chairman

NONE

Administrator's Remarks for Information:

Stan Bowen, Administrator

New Mileage Rates - Mr. Bowen presented the Commission a memorandum form Statewide Payroll/Accounts Payable stating that Internal Revenue Service the standard business mileage rate is decreasing to .50 cents per mile effective January 1, 2010. Reimbursements for trips paid on or after January 1, 2010, will be subject to the new IRS rate of .50 cents per mile because it is the lesser rate.

Delegation of Authority – Mr. Bowen reported that occasionally staff needs verification from the Commission that it is their desire to give the Administrator authority to act on behalf of the Commission to approve licensing issues that would normally come before the Commission. Therefore, he requested confirmation from the Commission

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delegating authority to the Administrator to except proof of experience, background checks, credit reports and other licensing issues on determining licensure.

MOTION:

Mr. Clark made a motion to grant the Administrator the authority to except proof of experience, background checks and credit reports and other licensing issues on determining licensure. Mr. Bailey seconded the motion, which carried unanimously.

Advisory Opinions:

Sheridon Spoon, Deputy General Counsel

NONE

Legislative Update:

Robert Selman

NONE

Recommendations of IRC:

MOTION

Mr. Davis made a motion to approve the recommendations of the Investigative Review Committee. Mr. Dowd seconded the motion, which carried unanimously.

Recommendations of Guidelines:

MOTION

Mr. Bailey made a motion to approve the recommendations of the Investigative Review Committee. Mr. Davis seconded the motion, which carried unanimously.

Approval of Hearing Officer's Recommendation for Citations:

Mr. Russell W. Delaney – Citation # 1014

MOTION:

Mr. Davis made a motion to approve the Hearing Officer's Recommendation for Citation against Mr. Russell Delaney for citation #1014. 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.)

Mr. Jason Douglas – Citation #1250

MOTION:

Mr. Bailey made a motion to approve the Hearing Officer's Recommendation for Citation against Mr. Jason Douglas for citation #1250. Mr. Roberts 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.)

Mr. Mike Hamahan – Citation #1114

MOTION:

Mr. Roberts made a motion to approve to Hearing Officer's Recommendation for Citation against Mr. Mike Hamahan for citation #1114. Mr. Clark seconded the motion, which carried unanimously.

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Mr. Steven Dollof – Citation #1155

MOTION:

Mr. Roberts made a motion to approve Hearing Officer's Recommendation for Citation against Mr. Steven Dollof for citation #1155. Mr. Clark 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.)

Mr. Christopher Stancil – Citation #1252

MOTION:

Mr. Bailey made a motion to approve the citation against Mr. Christopher Stancil for citation #1252. Mr. Clark 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.)

Approval of Hearing Officer's Recommendation for Bond Claim:

Mr. Randy W. Burt

MOTION:

Mr. Davis made a motion, to approve the Administrator's Recommendation for Bond Claim against Mr. Randy Burt. Mr. Roberts 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.)

Mr. James Warren Hinson, III

MOTION:

Mr. Bailey made a motion, to approve the Administrator's Recommendation for Bond Claim against Mr. James Hinson, III. Mr. Roberts seconded the motion, which carried unanimously.

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Administrative Hearing:

Jamie Saxon and Daniel Grigg, were the Hearing Advisors. Mrs. Suzann Hawkins represented the State.

Mr. Bryan Smith

Mr. Smith was represented by Mr. Greg B. Collins, Esquire.

MOTION:

Mr. Bailey made a motion to approve Mr. Smith's license with a five years probationary status beginning on the date of the Final Order. Prior to any renewal Mr. Smith shall appear before the Commission and present, among other possible information, evidence satisfactory to the Commission, in its discretion, regarding his fitness and qualifications to be licensed as a residential specialty contractor in this state. At that time, the Commission, in its discretion, may deny licensure, require passage of examination, among other requirements, or impose such additional terms and conditions upon Mr. Smith's license, as it may deem appropriate; Mr. Smith shall pay a fine of Five Hundred (\$500.00) Dollars within sixty - (60) days of the date of the Final Order. The fine shall not be deemed paid until received by the Commission. Failure to pay the fine may prevent Mr. Smith from being re-licensed; Mr.

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Smith is prohibited from working at any site if there is a minor at the residence; Mr. Smith must disclose his sex offender status to all homeowners at whose residence he works. Mr. Roberts seconded the motion, which carried with two nay votes.

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Mr. William Posillico

Jamie Saxon and Daniel Grigg, were the Hearing Advisors. Mrs. Lilla Ann Gray represented the State.

Mr. Erick Sward, Esquire represented Mr. Posillico.

MOTION:

Mr. Bailey made a motion to uphold the Hearing Officer's Recommendations. 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.)

Public Comments:

NONE

Date of Next Meeting:

The next meeting of the Commission is scheduled for Wednesday, February 10, 2010, in conference room 108.

Adjournment:

Mr. Roberts moved the meeting be adjourned. Mr. Bailey seconded the motion, which carried unanimously. The January 13, 2010, meeting of the South Carolina Residential Builders Commission was adjourned at 12:30 p.m.