

RESIDENTIAL BUILDERS COMMISSION
Synergy Business Park
110 Centerview Drive Kingstree Building, Room 108
Columbia, South Carolina 29210
Wednesday, February 11th, 2015

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:

Derrick 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, Hal Dillard; Tim Roberts; Caleb Davis, Frank Clark and Bryan Dowd.

Derrick 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.

Approval of Agenda:

MOTION:

Mr. Clark made a motion to approve the February 11th, 2015 Residential Builders Commission Meeting Agenda. Mr. Dowd seconded the motion, which carried unanimously.

Approval of Minutes for the January 14th, 2015 Meeting:

MOTION:

Mr. Bailey made a motion to approve the January 14th, 2015 meeting minutes. Mr. Roberts seconded the motion, which carried unanimously.

Approval /Disapproval of Absent Members:

Chairman's Remarks:

Derrick Williams- chairman

Mr. Williams, Chairman reminded everyone that this meeting is being recorded and asked that everyone please clearly. Additionally, he advised all applicants and licensees to direct their questions to the chairman of the board.

Owner/Builder Waiver:

Mr. Mark Wiles

The Commission held a Hearing regarding Mr. Mark Wiles' request an Owner/Builder waiver. Mr. Wiles appeared before the Commission to present testimony and waived his right to counsel.

MOTION:

Mr. Bailey made a motion to approve the exemption of the owner builder waiver for Mr. Wiles. Mr. Dillard seconded the motion, which carried unanimously.

Application Reviews:

Mr. Richard Howell

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

MOTION:

Mr. Bailey made a motion to allow Mr. Howell to sit for the Residential HVAC exam. Mr. Dillard seconded the motion, which did not carry unanimously. Mr. Dowd opposed.

Mr. Shareef S. Muhammad

The Commission held an Application Review Hearing regarding Mr. Shareef Muhammad. Mr. Muhammad appeared before the Commission to present testimony with his attorney Mr. Tommy Thomas.

MOTION:

Mr. Davis made a motion to approve Mr. Muhammad's Specialty registration with the condition that his registration be placed under probation which will run concurrent with this Probation with the State Parole board, and Mr. Muhammad must maintain a Five Thousand Dollar (\$5,000) Bond at all times. Mr. Dillard seconded the motion, which did not carry unanimously. Mr. Dillard opposed.

Mr. Matthew Longo

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

MOTION:

Mr. Bailey made a motion to approve the Residential Specialty Registration with the condition that Mr. Longo must maintain a Five Thousand Dollar (\$5,000) Bond at all times. Mr. Roberts seconded the motion, which carried unanimously.

Mr. Talmadge Robinson

The Commission held an Application Review Hearing regarding Mr. Talmadge Robinson. Mr. Robinson did not appear before the board, no testimony was presented.

MOTION:

No motions made.

Mr. William Anthony

The Commission held an Application Review Hearing regarding Mr. William Anthony. Mr. Anthony did not appear before the board, no testimony was presented.

MOTION:

No motions made.

Mr. Thomas Mccaslin

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

MOTION:

Mr. Bailey made a motion to approve the specialty registration for Mr. Mccaslin once he provides written documentation that the judgment has been cleared up or removed within 60 days. Mr. Dowd seconded the motion, which carried unanimously.

Final Order Hearings:

Mr. Jeffrey Hudson Case# 2012-350

The Board held a Final Order hearing regarding Mr. Jeffrey Hudson.

MOTION:

Mr. Bailey made a motion to uphold the Hearing Officer's Recommendation. Mr. Davis seconded the motion which carried unanimously.

Mr. Leon Smith Case# 2011-191

The Board held a Final Order hearing regarding Mr. Leon Smith.

MOTION:

Mr. Davis made a motion to uphold the Hearing Officer's Recommendation. Mr. Roberts seconded the motion which carried unanimously.

Mr. Stephon Edwards Case# 2013-311 & 2011-313

The Board held a Final Order hearing regarding Mr. Stephon Edwards.

MOTION:

Mr. Clark made a motion to uphold the Hearing Officer's Recommendation. Mr. Bailey seconded the motion which carried unanimously.

Mr. Bradley Howard Case# 2013-390

The Board held a Final Order hearing regarding Mr. Bradley Howard.

MOTION:

Mr. Clark made a motion to uphold the Hearing Officer's Recommendation. Mr. Dowd seconded the motion which carried unanimously.

Mr. George Fluharty Case# 2013-24 & 54

The Board held a Final Order hearing regarding Mr. George Fluharty.

MOTION:

Mr. Bailey made a motion to uphold the Hearing Officer's Recommendation. Mr. Clark seconded the motion which carried unanimously.

Mr. Ernest Rouse Case# 2013-234

The Board held a Final Order hearing regarding Mr. Ernest Rouse. Mr. Bailey recused himself.

MOTION:

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

MOTION:

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

MOTION:

Mr. Roberts made a motion to uphold the Hearing Officer's Recommendation with the change of number 1- uphold RBB and number 2 allow renewal/reinstatement and Mr. Rouse must provide a clear current credit report prior to being relicensed. Mr. Dowd seconded the motion which carried unanimously.

Mr. William Brown Case# 2013-484

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

MOTION:

Mr. Clark made a motion to uphold the Hearing Officer's Recommendation. Mr. Roberts seconded the motion which carried unanimously.

Mr. Daniel Lang Case# 2013-127

The Board held a Final Order hearing regarding Mr. Daniel Lang. Mr. Bailey recused himself.

MOTION:

Mr. Clark made a motion to uphold the Hearing Officer's Recommendation. Mr. Davis seconded the motion which carried unanimously.

Mr. Danny Hensarling Case# 2013-33 & 356

The Board held a Final Order hearing regarding Mr. Danny Hensarling.

MOTION:

Mr. Davis made a motion to uphold the Hearing Officer's Recommendation. Mr. Dowd seconded the motion which carried unanimously.

Memorandum of Agreement:

Mr. William Chapman Case# 2013-405

William Chapman was present and sworn in. Mr. Chapman waived his right to counsel. John Carroll, Esq. represented the State. Mr. Chapman answered questions from the Board. Ms. Carroll requested that the Board accept the Memorandum of Agreement (MOA) however but allow for the charge of § 40-59-110A to be dropped.

MOTION:

Mr. Bailey made a motion to accept the Memorandum of Agreement with the exception of the charge of § 40-59-110A. Mr. Chapman will be fined \$500 that will be payable within 60 days, no letter of reprimand and provide proof of repayment plans to the commission. Mr. Roberts seconded the motion, which carried unanimously.

Mr. Robert Breger Case# 2013-165

Robert Breger was present and sworn in. Mr. Breger waived his right to counsel. John Carroll, Esq. represented the State. Mr. Breger answered questions from the Board. Ms. Carroll requested that the Board accept the Memorandum of Agreement (MOA) however but allow for the charge of § 40-59-1 f to be dropped and uphold the charge of § 40-59-110

MOTION:

Mr. Roberts made a motion to accept the Memorandum of Agreement with the exception of the charge of § 40-59-1 f. Mr. Breger will be fined \$250.00 that will be payable within 60 days, no letter of reprimand. Mr. Dowd seconded the motion, which carried unanimously.

Administrator's Remarks:

Ms. Janet Baumberger spoke in regards to the ASHI standards and notified the board that the licensee were sent an email letting them know that the board recently adopted the ASHI standards.

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.

From January 1st, 2015

Complaints Received – 57
Closed Cases – 35

Active Investigations – 108

New Business

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

Old Business:

None at this time.

Public Comments:

Public Comments were made.

Executive Session:

MOTION:

Mr. Roberts made a motion to enter in executive session for legal advice. Mr. Dowd seconded the motion which carried unanimously.

MOTION:

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

Date of Next Meeting:

The next Residential Builders Commission meeting will be held Wednesday, March 11th, 2015 in room 108.

Adjournment:

Mr. Clark 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 1:45 p.m.

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