

RESIDENTIAL BUILDERS COMMISSION
Synergy Business Park
110 Centerview Drive Kingstree Building, Room 105
Columbia, South Carolina 29210
Wednesday, May 9, 2018

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 W. Roberts, Chairman called the regular meeting of the Residential Builders Commission to order at 10:06 a.m. Other members present for the meeting included: Bryan Dowd, Hal Dillard and Al Bailey.

Timothy W. Roberts, 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. Dowd made a motion to approve the May 9, 2018 Residential Builders Commission Meeting Agenda. Mr. Bailey seconded the motion, which carried unanimously.

Approval of Minutes for the April 11, 2018 Meeting:

MOTION:

Mr. Bailey made a motion to approve the April 11, 2018 meeting minutes. Mr. Dillard seconded the motion, which carried unanimously.

Approval /Disapproval of Absent Members:

Mr. Monte Lemmon and Ms. Christy Rhyne were absent.

MOTION:

Mr. Dowd made a motion to approve Mr. Monte Lemmon's and Christy Rhyne's absences. Mr. Bailey seconded the motion, which carried unanimously.

Chairman's Remarks:

Timothy W. Roberts

Mr. Roberts 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.

Disclosure Statement Waiver Request:

Mary Vinson

The Commission held a hearing regarding Ms. Vinson's request for a waiver of the disclosure statement under the owner/builder exemption. Ms. Mary Vinson appeared before the Commission, she presented a witness, Ms. Christina Muir, and waived her right to counsel.

MOTION:

Mr. Bailey made a motion to approve Ms. Vinson's request for a waiver. Mr. Dillard seconded the motion, which carried unanimously.

Richard Montalbano

The Commission held a hearing regarding Mr. Montalbano's request for a waiver of the disclosure statement under the owner/builder exemption. Mr. Montalbano appeared before the Commission and waived his right to counsel.

MOTION:

Mr. Dowd made a motion to approve Mr. Montalbano's request for a waiver. Mr. Bailey seconded the motion, which carried unanimously.

Application Reviews:

Seth Bursha

The Commission held an application review regarding Mr. Seth Bursha. Mr. Bursha appeared before the Commission and waived his right to counsel.

MOTION:

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

Brendan Ball

The Commission held an application review regarding Brendan Ball. Mr. Ball appeared before the Commission, presented a witness, Mr. Henry Ravenell, and waived his right to counsel.

MOTION:

Mr. Dillard made a motion to allow Mr. Ball to sit for the builders exam and approve him for a specialty registration. Mr. Dowd seconded the motion, which carried unanimously.

Clint Weeks

Mr. Weeks did not appear before the Commission.

MOTION:

No motions were made.

Jason C. Brown

The Commission held an application review regarding Jason C. Brown. Mr. Brown appeared before the Commission and was represented by counsel, Mr. Charles Blackburn, Esq.

MOTION:

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

Paul Nutwell

The Commission held an application review regarding Paul Nutwell. Mr. Nutwell appeared before the Commission, presented a witness, Ms. Michelle Nutwell, and waived his right to counsel.

MOTION:

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

Fabricio Santos

The Commission held an application review regarding Fabricio Santos. Mr. Santos appeared before the Commission and waived his right to counsel.

MOTION:

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

Mark Kelley

The Commission held an application review regarding Mark Kelley. Mr. Kelley appeared before the Commission, presented a witness, Ms. Angela Calafiore, and waived his right to counsel.

MOTION:

Mr. Dowd made a motion to allow Mark Kelley to sit for the exam. Mr. Dillard seconded the motion, which carried unanimously.

Anne Dumont

The Commission held an application review regarding Ann Dumont. Ms. Dumont appeared before the Commission and waived her right to counsel.

MOTION:

Mr. Bailey made a motion to allow Ms. Dumont to change her classification on the Residential Specialty Registration from vinyl/aluminum siding to insulation installer. Mr. Dillard seconded the motion, which carried unanimously.

Nicky Johnson

The Commission held an application review regarding Nicky Johnson. Mr. Johnson appeared before the Commission, presented a witness, Ms. Holland Johnson, and waived his right to counsel.

MOTION:

Mr. Dillard made a motion to allow Mr. Johnson a residential specialty registration with the condition that at renewal he submit an update of the status of the judgment. Mr. Dowd seconded the motion, which carried unanimously.

Final Order Hearings:

Mr. Thomas Thompson case # 2016-450

The Final Order hearing was continued until the June board meeting because the Commission did not have quorum.

MOTION:

No motions were made.

*Al Bailey recused himself due to his service as hearing officer.

MOTION:

Mr. Dillard made a motion to go into executive session to receive legal advice regarding Mr. Thompson. Mr. Dowd seconded motion, which carried unanimously.

MOTION:

Mr. Dowd made a motion to exit executive session after receiving legal advice. Mr. Dillard seconded motion, which carried unanimously.

Stipulation of Facts (SOF)

Sylvester Golden III Case no. 2015-39

Mr. Sylvester Golden III appeared before the Commission and was represented by counsel, Mr. John W. Davidson, Esq. Mr. Kyle Tennis, Esq. represented the State. Mr. Golden answered questions from the Commission. Mr. Tennis requested that the Commission accept the Stipulation of Facts (SOF).

MOTION:

Mr. Bailey made a motion to accept the SOF and assess a fine of Five Hundred Dollars (\$500.00) for violation of 40-1-110(1) (a). Mr. Dillard seconded the motion, which carried unanimously.

Request to rescind citations:

Case number 2017-790

MOTION:

Mr. Dowd made a motion rescind citation for case no 2017-790. Mr. Dillard seconded the motion, which carried unanimously.

OIE Report – Mr. Todd Bond:

Todd Bond, Chief Investigator of OIE

Mr. Todd Bond, presented the OIE report. Mr. Todd Bond reported the number of investigations as of May 9, 2018:

Complaints Received – 254 Active Investigations – 246 Closed Cases – 230

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. Bailey made a motion to approve the IRC Resolution Guidelines. Mr. Dillard seconded the motion, which carried unanimously

C. Approval of Travel Budget for Fiscal Year 2019

MOTION:

Mr. Bailey made a motion to approve the Travel Budget for fiscal year 2019. Mr. Dillard seconded the motion, which carried unanimously.

Administrator’s Remarks for Information:

Old Business:

Public Comments:

Date of Next Meeting:

The next Residential Builders Commission meeting will be held Wednesday, June 13th, 2018 in room 108.

Adjournment:

Mr. Dowd made a motion to adjourn the Residential Builders Commission Meeting. Mr. Dillard seconded the motion, which carried unanimously. The Residential Builders Commission Meeting was adjourned at 12:37 p.m.

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