

MINUTES
South Carolina Manufactured Housing Board
Board Meeting
December 1, 2020 at 10:00 a.m.
VIA TELECONFERENCE
Synergy Business Park, Kingstree Building
110 Centerview Drive, Columbia, South Carolina

Meeting Called to Order

Randall A. Altman, Chairman called the meeting to order at 10:04 a.m. Other members attending the meeting included: Richard L. Bagwell, Dorothy W. Edwards, Stephen Graham, Jefferson T. Howell, III, W. Marion Moore, Arthur M. Newton, David A. Randall, and Shannon Turner.

Staff members present included: Molly Price, Board Administrator; Maggie Castle, Program Coordinator II; Crystal Varn, Program Assistant; Zahid Chinwalla, Program Assistant; Hardwick Stuart, Office of Advice Counsel; Todd Bond, Chief Investigator; Gwyn Morris, Investigator; and Kyle Tennis, Office of Disciplinary Counsel. Members of the public attending the meeting included: Mark Dillard and Shell Suber, Manufactured Housing Institute of South Carolina; Stanley Scruggs, Licensee; Joey JK Williams, Licensee and Creel Court Reporting.

Statement of Public Notice

Mr. Altman announced that public notice of this meeting was properly posted at the Synergy Business Park, Kingstree Building and on the Agency's website, and provided to all requesting persons, organizations and news media in accordance with Section 30-4-80 of the South Carolina Freedom of Information Act. As a result of the COVID-19 public health emergency, this meeting is being conducted via teleconferencing with notice given to all parties of this teleconferencing platform.

Approval of Agenda

MOTION

A motion was made and seconded to approve the December 1, 2020, Agenda.
Randall/Newton/approved.

Introduction of Board Members and Others

Chairman Altman introduced and welcomed the new members joining the Board. They are Jefferson T. Howell, III, Professional Engineer; Steve Graham, Casualty-Fire Insurance; Shannon Tanner, Fire Department Employee.

Approval of Excused Absence

MOTION

A motion was made and seconded to excuse the absence of Mr. Adam Reese.
Bagwell/Randall/approved.

Approval of Meeting Minutes – September 1, 2020

MOTION

A motion was made and seconded to approve the September 1, 2020, minutes as published.
Randall/Moore/approved.

Board Chairman's Remarks

Chairman Altman announced that Mr. Wayne Iseman will no longer sit on the Board. The Board will send him a plaque in appreciation of his service to the board.

Staff Reports

Administrator's Report – Molly Price

Ms. Price presented the Board with the Administrator's Report. As of November 20, 2020, there are 696 active licensees. As of November 30, 2020, 4 manufacturers have not renewed, 25 retail dealers, 26 multi-lot salespeople, 60 single-lot salespeople, 24 contractors, and 3 installers. Those licenses are now lapsed, but can continue to renew with late fees until March 31, 2021. Ms. Price continued with the Cash Balance Report, Number of Active Licensee Report, and the new license report. Ms. Price also updated the Board regarding PSI issues with applicants scheduling exams. She informed the Board that 16 apprentice licenses had been granted an extension until December 31, 2020, due to the issues with scheduling exams before their deadline. The next Board meeting is scheduled for March 2, 2021.

Office of Investigations and Enforcement – Molly Price for Todd Bond

OIE Report: Ms. Price reported that from January 1, 2020, to December 1, 2020, there have been a total of 107 complaints, 31 active investigations and 90 closed cases.

Investigative Review Committee (IRC) Report – Molly Price for Todd Bond

Ms. Price familiarized the new board members with this report. Ms. Price reported that the IRC met on November 19, 2020, and recommends 10 cases for dismissal, 1 for a formal complaint and citation, and 1 for a letter of caution.

MOTION

A motion was made and seconded to accept the IRC reports as presented.
Randall/Bagwell/approved.

Office of Disciplinary Counsel Report – Kyle Tennis

Mr. Tennis familiarize the new board members with the purpose of this report. He informed the Board that there are 12 open cases, 7 pending attorney review, and 3 pending a response to agreement currently in ODC. Mr. Tennis announced that after five years, this is his last board meeting as Disciplinary Counsel and he will be moving to the Office of Advice Counsel at LLR. Erin Baldwin will be the acting Disciplinary Counsel for the Manufactured Housing Board until his replacement is named.

Disciplinary Hearing-Formal Complaint

CONTINUED – Case No.: 2019-73: W & W MHS & Services, Inc.-MDL. 1500

Hearings

Stanley C. Scruggs (MCO. 12112): Request for Amendment to Board Order from December 30, 2016

Richard Bagwell, board member, recused himself from the hearing. Mr. Scruggs was present and without legal counsel. Mr. Scruggs appeared to request a reduction in the bond amount set forth in the December 30, 2016, Board Order. All persons testifying were sworn in by the court reporter.

Hearings are recorded by a certified court reporter in the event a verbatim transcript is necessary. There were no witnesses present at the meeting.

MOTION

A motion was made and seconded to reduce the amount of the bond to the normal amount for a contractor.

Randall/Graham/approved.

Confidential Application Renewal Hearing – Joey J.K. Williams – MS. 11273

This retail salesperson renewal application could not be approved at staff level. Mr. Williams was present and without legal counsel. The hearing was closed because of confidential health information, and federal and state laws. All persons testifying were sworn in by the court reporter. There were no witnesses present at the meeting.

MOTION

A motion was made and seconded to go into executive session for legal advice with Ms. Price present.

Randall/Bagwell/approved.

MOTION

A motion was made and seconded to go come out of executive session. No votes or decisions have been made during executive session.

Moore/Bagwell/approved.

It was noted for the record that Vice Chairman Al Randall would chair the rest of the meeting because Chairman Altman had to leave the meeting.

MOTION

A motion was made for disposition of this case and seconded that the Applicant's retail salesperson license continue in a probationary status for a year beginning December 4, 2020; that Applicant must comply with certain additional conditions known to the Board and Applicant; and that failure to do so will result in suspension of the Applicant's license until he appears before the board to have his license reinstated.

Bagwell/Graham/approved.

New Business

Regulation 79-6(D) – Continuing Education – Molly Price

Ms. Price informed the Board that she had some concerns with this regulation because there are some areas that may lead to confusion for licensees. This Regulation, for clarity purpose, needs clearer verbiage. As it stands, the Regulation says that licensees must have 3 hours of continuing education a year. In her opinion, it would be easier on all those involved if the required hours were in line with the two-year licensure cycle and not separated by year. It was recommended that the Board look at added verbiage to include licensees be required to take a 1-hour ethics course every 2-year renewal cycle. With regard to course providers, the Board should be a little more detailed in what type of courses we would like to see for our licensees. Staff will work on new verbiage with continuing education provider MHISC, and bring it back to the Board at their next meeting.

Public Comments

Mark Dillard, MHISC, stated that member Richard Bagwell, Chair of a Board appointed committee, may have some items that would also fit in recommended regulations.

Adjournment***MOTION***

A motion was made and seconded to adjourn the meeting at 12:12 pm.
Bagwell/Graham/approved.