

RESIDENTIAL BUILDERS COMMISSION
Synergy Business Park
110 Centerview Drive Kingstree Building, Room 204
Columbia, South Carolina 29210
Wednesday, November 13, 2019

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 9:30 a.m. Other members present for the meeting included: Christy Rhyne, Bryan Dowd, Hal Dillard, Monte Lemmon 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:

Ms. Rhyne made a motion to approve the November 13, 2019 Residential Builders Commission Meeting Agenda. Mr. Dowd seconded the motion, which carried unanimously.

Approval of Minutes for the October 9, 2019 Meeting:

MOTION:

Mr. Bailey made a motion to approve the October 9, 2019 meeting minutes. Mr. Lemmon seconded the motion, which carried unanimously.

Approval /Disapproval of Absent Members:

All members were present.

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 Commission.

Mold Study Committee:

Katie Phillips, Director of Governmental Affairs

Ms. Phillips presented information to the Commission regarding the Mold Study Committee formed by the legislature. Ms. Phillips was seeking the Commission's input on mold issues and remediation.

Application Reviews:

Brian Petty

Mr. Petty did not appear before the Commission.

MOTION:

No motions were made.

Melissa Lee

The Commission held an application review regarding Melissa Lee. Ms. Lee appeared before the Commission, waiving her right to counsel, and presented a witness, Anthony Dezinna.

MOTION:

Mr. Dillard made a motion to approve Ms. Lee to sit for the exam. Ms. Rhyne seconded the motion, which carried unanimously.

Flemmie Harris

The Commission held a Residential Electrical and Residential Plumbing application review regarding Flemmie Harris. Mr. Harris before the Commission and waived his right to counsel.

MOTION:

Mr. Dillard made a motion to deny Mr. Harris' request for the electrical and plumbing license at this time due to lack proof of experience. Mr. Bailey seconded the motion, which carried unanimously.

Jack Hayes

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

MOTION:

Mr. Bailey made a motion to allow Mr. Hayes to sit for the exam. Ms. Rhyne seconded the motion, which carried unanimously.

Clayton Bowman

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

MOTION:

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

Shannon Vick

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

MOTION:

Mr. Dillard made a motion to enter into executive session to receive legal advice regarding Mr. Vick's application. Mr. Dowd seconded the motion, which carried unanimously.

MOTION:

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

MOTION:

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

Eric Schmidt

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

MOTION:

Mr. Bailey made a motion to deny Mr. Schmidt's application at this time due to lack of experience. Mr. Dowd seconded the motion, which carried unanimously.

Nolan Scarborough

The Commission held an application review regarding Nolan Scarborough. Mr. Scarborough appeared before the Commission, waiving his right to counsel, and presented a witness, Mr. Edward Thompson.

MOTION

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

David McKenney

The Commission held an application review regarding David McKenney. Mr. McKenney appeared before the Commission, waiving his right to counsel, and presented a witness, Mr. Kenneth Lee.

MOTION:

Mr. Bailey made a motion to allow Mr. McKenney to sit for the exam. Ms. Rhyne seconded the motion, which carried unanimously.

Dario Hernandez

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

MOTION:

Mr. Dowd made a motion to approve Mr. Hernandez's specialty registration with the condition that at the next renewal, if there were any further arrests or a conviction, he would have to appear before the full commission. Mr. Lemmon seconded the motion, which carried unanimously.

Richard Quick

Mr. Quick did not appear before the Commission.

MOTION:

No motions were made.

*Mr. Dowd recused himself from the Steve Welch Case no. 2017-709 hearing.

Final Order Hearings:

Mr. Steve Welch case # 2017-709

The Board held a Final Order hearing regarding Mr. Steve Welch. Mr. Welch was present. Mr. Bailey recused himself due to his service as the hearing officer. Mr. Chris Elliott, Esq. represented the State in the matter.

MOTION:

Mr. Rhyne made a motion to adopt the Hearing Officer's Recommendation. Mr. Lemmon seconded the motion, which carried unanimously.

Memorandum of Agreement

Allen Harrison Case no. 2018-109

Mr. Allen Harrison appeared before the Commission and was not represented by counsel. Mr. Chris Elliott, Esq. represented the State. Mr. Harrison answered questions from the Commission. Mr. Elliott, Esq. requested that the Commission accept the Memorandum of Agreement (MOA).

MOTION:

Mr. Bailey made a motion to accept the MOA and issue a non-disciplinary letter of caution. Mr. Dowd seconded the motion, which carried unanimously.

Joseph Salle Case no. 2018-130

Mr. Joseph Salle appeared before the Commission and was not represented by counsel. Mr. Chris Elliott, Esq. represented the State. Mr. Salle answered questions from the Commission. Mr. Elliott's requested that the Commission accept the Memorandum of Agreement (MOA).

MOTION:

Mr. Bailey made a motion to accept the MOA and issue a non-disciplinary letter of caution. Mr. Dowd seconded the motion, which carried unanimously.

Temporary licensure for military spouse:

The Commission discussed temporary licensure for a military spouse and the requirements for licensure with the Residential Builders Commission.

Administrator's Remarks For Information:

Janet Baumberger- Administrator

Ms. Baumberger presented Mr. Michael Ross, Business Solutions Director with Midlands Technical College. Mr. Ross presented information to the Commission in regards to programs that Midlands Technical College offers and the Midlands Youth Apprenticeship program.

OIE Report – Mr. Todd Bond:

Todd Bond, Chief Investigator of OIE

Mr. Todd Bond, presented the OIE report. He reported the number of investigations as of November 13, 2019:

Complaints Received – 704 Active Investigations – 241 Closed Cases – 669

New Business

A. Recommendations of IRC

MOTION:

Mr. Bailey made a motion to approve the Recommendation of the IRC. Mr. Dowd seconded the motion, which carried unanimously.

B. Resolution Guidelines

MOTION

Mr. Dowd made a motion to approve the IRC Resolution Guidelines. Ms. Rhyne seconded the motion, which carried unanimously

Old Business:

Public Comments:

Mark Nix, Home Builders Association of South Carolina

Mr. Nix addressed the Commission regarding the sealing of plans for town homes.

Date of Next Meeting:

The next Residential Builders Commission meeting will be held Wednesday, December 11, 2019 in room 108.

Adjournment:

Mr. Bailey 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 1:25 p.m.

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