

RESIDENTIAL BUILDERS COMMISSION  
Synergy Business Park  
110 Centerview Drive Kingstree Building, Room 108  
Columbia, South Carolina 29210  
Wednesday, December 11, 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 10:00 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 persons, 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 December 11, 2019 Residential Builders Commission Meeting Agenda. Mr. Lemmon seconded the motion, which carried unanimously.

**Approval of Minutes for the November 13, 2019 Meeting:**

**MOTION:**

Mr. Bailey made a motion to approve the November 13, 2019 meeting minutes. Mr. Dowd 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.

**Application Reviews:**

*Antonio Ribeiro*

The Commission held an application review regarding Antonio Ribeiro. Mr. Ribeiro appeared before the Commission, presented a witness, Mr. Sean O'Reilly, and waived his right to counsel.

**MOTION:**

Mr. Dillard made a motion to enter executive session to receive legal advice regarding Mr. Ribeiro's application. Ms. Rhyne seconded the motion, which carried unanimously.

**MOTION:**

Mr. Bailey made a motion to exit executive session after receiving legal advice regarding Mr. Ribeiro's application. Ms. Rhyne seconded the motion, which carried unanimously.

**MOTION:**

Mr. Bailey made a motion to allow Mr. Ribeiro to sit for the exam. Ms. Rhyne seconded the motion, which did not carry unanimously. Mr. Dowd opposed.

*Sterling Green*

Mr. Green did not appear before the Commission.

**MOTION:**

No motions were made.

*Nicholas L Douglas*

The Commission held an application review regarding Nicholas L. Douglas. Mr. Douglas appeared before the Commission, presented a witness, Mr. Wallace Douglas, and waived his right to counsel.

**MOTION:**

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

*David Baal*

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

**MOTION:**

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

*Jhonatan Ramos Quintanar*

The Commission held an application review regarding Jhonatan Ramos Quintanar. Mr. Ramos Quintanar appeared before the Commission and waived his right to counsel.

**MOTION:**

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

*Joshua Fernandez*

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

**MOTION:**

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

*Joseph Quinn*

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

**MOTION:**

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

*Michael Capalbo*

The Commission held an application review regarding Michael Capalbo. Mr. Capalbo appeared before the Commission, presented a witness, Ms. Nicole Dingle, and waived his right to counsel.

**MOTION:**

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

*Shanika C Milledge*

The Commission held an application review regarding Shanika C. Milledge. Ms. Milledge appeared before the Commission, and waived her right to counsel.

**MOTION:**

Mr. Bailey made a motion to approve Ms. Milledge's specialty registration. Ms. Rhyne seconded the motion, which carried unanimously.

*Timothy Martin*

The Commission held an application review regarding Timothy Martin. Mr. Martin appeared before the Commission, presented a witness, Ms. Laura Martin, and waived his right to counsel.

**MOTION:**

Mr. Bailey made a motion to approve Mr. Martin's specialty registration. Mr. Dillard seconded the motion, which did not carry unanimously. Mr. Lemmon opposed.

*Willie McLeod*

The Commission held an application review regarding Willie McLeod. Mr. McLeod appeared before the Commission, presented a witness, Ms. Princess Bell, and waived his right to counsel.

**MOTION:**

Ms. Rhyne made a motion to approve Mr. McLeod's specialty registration. Mr. Bailey seconded the motion, which carried unanimously.

*Leroy Brown*

The Commission held an application review regarding Leroy Brown. Mr. Brown appeared before the Commission, presented a witness, Ms. Jacqueline Brown, and waived his right to counsel.

**MOTION:**

Mr. Bailey made a motion to approve Mr. Brown's specialty registration. Mr. Dillard seconded the motion, which carried unanimously.

*Morgan Richardson*

The Commission held an application review regarding Morgan Richardson. Mr. Richardson appeared before the Commission, presented multiple witnesses, and waived his right to counsel.

**MOTION:**

Mr. Dowd made a motion to approve Mr. Richardson's specialty registration. Ms. Rhyne seconded the motion, which carried unanimously.

*Leroy Mays*

The Commission held an application review regarding Leroy Mays. Ms. Mays appeared before the Commission, presented a witness, Cassandra Mays, and waived his right to counsel.

**MOTION:**

Ms. Rhyne made a motion to approve Ms. Mays' specialty registration. Mr. Bailey seconded the motion, which carried unanimously.

*Alfredo Yanes*

The Commission held an application review regarding Alfredo Yanes. Mr. Yanes appeared before the Commission, presented a witness, Ms. Julissa Garcia, and waived his right to counsel.

**MOTION:**

Mr. Dowd made a motion to approve Mr. Yanes' specialty registration with the condition that he provide payment arrangements with the SC Department of Revenue within 60 days. Ms. Rhyne seconded the motion, which carried unanimously.

**Final Order Hearings:**

*Mr. Derek Brett case # 2017-794*

The Board held a Final Order hearing regarding Mr. Derek Brett. Mr. Brett was present. Mr. Roberts recused himself due to his service as the hearing officer. Mr. Charlie Gwynne, Esq. represented the State in the matter.

**MOTION:**

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

- *Mr. Roberts returned to the meeting.*

*Mr. Samuel Cernugel case # 2019-32*

The Board held a Final Order hearing regarding Mr. Samuel Cernugel. Neither Mr. Cernugel nor his counsel was present. Mr. Charlie Gwynne, Esq. represented the State in the matter.

**MOTION:**

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

*Mr. Kevin Kolb case # 2017-494*

The Board held a Final Order hearing regarding Mr. Kevin Kolb. Mr. Kolb was not present. Mr. Charlie Gwynne, Esq. represented the State in the matter.

**MOTION:**

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

**Administrator's Remarks For Information:**

Janet Baumberger- Administrator

1. 40-59-300 Exemption

**MOTION:**

Mr. Lemmon made a motion to allow 40-59-300 exemption to apply to the rehabilitation and repairs of existing homes. Ms. Rhyne seconded the motion, which carried unanimously.

**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 December 11, 2019:

**Complaints Received – 847      Active Investigations – 251      Closed Cases – 821**

**New Business**

- A. Resolution Guidelines

**MOTION**

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

**Old Business:**

**Public Comments:** None.

**Date of Next Meeting:**

The next Residential Builders Commission meeting will be held Wednesday, January 8, 2020 in room 108.

**Adjournment:**

Ms. Rhyne made a motion to adjourn the Residential Builders Commission Meeting. Mr. Dowd seconded the motion, which carried unanimously. The Residential Builders Commission Meeting was adjourned at 1:00 p.m.

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