

RESIDENTIAL BUILDERS COMMISSION
Synergy Business Park
110 Centerview Drive Kingstree Building
Columbia, South Carolina 29210
Videoconference
Wednesday, February 10, 2021

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: Christy Rhyne, Hal Dillard and Bryan Dowd.

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 February 10th, 2021 Residential Builders Commission Meeting Agenda with the removal of Tab M from the agenda. Mr. Dillard seconded the motion, which carried unanimously.

Approval of the January 13, 2021 minutes:

MOTION:

Mr. Dowd made a motion to approve the January 13, 2021 minutes. Ms. Rhyne seconded the motion, which carried unanimously.

Approval /Disapproval of Absent Members:

Mr. Al Bailey was absent.

MOTION:

Ms. Rhyne made a motion to approve the absent of Mr. Bailey. Mr. Dowd 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, licensees, staff to direct their questions to the chairman of the board and asked for patience as the board used the WebEx Platform.

Initial Applications:

Adam Seigler

The Commission held an application review regarding Adam Seigler. Mr. Seigler appeared before the Commission, and was represented by Counsel Mr. W. Michael Gruenloh, Esq. and presented a witness Mr. Robert "Bob" Seigler.

MOTION:

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

Travis Crosby

The Commission held an application review regarding Travis Crosby. Mr. Crosby appeared before the Commission and waived his right to counsel. He presented a witness Mr. Carson Jolly.

MOTION:

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

Daniel Martin

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

MOTION:

Mr. Dowd made a motion to deny Mr. Martin's request at this time due to lack of evidence of experience. Ms. Rhyne seconded the motion, which carried unanimously.

Samuel Fiorini Jr.

The Commission held an application review regarding Samuel Fiorini Jr. Mr. Fiorini appeared before the Commission and waived his right to counsel.

MOTION:

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

Justin Harvey

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

MOTION:

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

Patrick Bush

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

MOTION:

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

William Baker

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

MOTION:

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

MOTION:

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

MOTION:

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

Kelly Beamer

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

MOTION:

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

Antonio White

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

MOTION:

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

Bradley Fogle

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

MOTION:

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

Justin Head

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

MOTION:

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

Louis Mauro Jr.

The Commission held an application review regarding Mr. Louis Mauro Jr. Mr. Mauro appeared before the Commission and waived his right to counsel.

MOTION:

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

Donald Barrett

The Commission held an application review regarding Mr. Donald Barrett. Mr. Barrett appeared before the Commission and waived his right to counsel. He presented a witness Mr. Nate Hertel.

MOTION:

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

Brian Stahley.

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

MOTION:

Mr. Dowd made a motion to allow Mr. Stahley renew his license once he provides written repayment agreement with Blanton Services to the Commission. Ms. Rhyne seconded the motion, which carried unanimously.

**Mr. Roberts recused himself from the meeting in the matter of Charles Graham Case no 2018-626. Ms. Christy Rhyne took over as Chair.

Hearing Officer Recommendations:

Charles Graham Case no 2018-626

The Board held a Final Order hearing regarding Mr. Charles Graham. Mr. Graham was present. Mr. Charlie Gwynne, Esq. represented the State in the matter. Mr. Graham was not represented by counsel and waived his right to counsel.

MOTION:

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

**Mr. Roberts returned to the meeting and resumed the Chair duties.

Application Review:

Jason Stroud

The Commission held an application review regarding Mr. Jason Stroud. Mr. Stroud 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. Stroud's application. Ms. Rhyne seconded the motion, which carried unanimously.

MOTION:

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

MOTION:

Mr. Dillard made a motion to deny based on Mr. Stroud's record of prior convictions, which included felonies involving drugs and moral turpitude. Ms. Rhyne seconded the motion, which carried unanimously.

Hearing Officer Recommendations:

Jamie Decker Case no 2019-188

The Board held a Final Order hearing regarding Mr. Jamie Decker. Mr. Decker was present. Mr. Charlie Gwynne, Esq. represented the State in the matter. Mr. Jamie Decker waived his right to counsel and represented himself.

MOTION:

Mr. Dowd made a motion to enter into executive session to receive legal advice regarding case number 2019-188. Ms. Rhyne seconded the motion, which carried unanimously.

MOTION:

Mr. Dowd made a motion to exit executive session after receiving legal advice in case number 2019-188. Ms. Rhyne seconded the motion, which carried unanimously.

MOTION:

Mr. Dillard made a motion to adopt the Hearing Officer Recommendations with the exception of Hearing Officer Recommendation #4 and remand for a hearing on the issue of whether the Homeowner may call upon the Respondent's license bond. Mr. Dowd seconded the motion, which carried unanimously.

Legislative Update:

Ms. Katie Phillips, Director of Governmental Affairs

Ms. Phillips informed the Commission of the proposed legislation in H.3606, which was currently in subcommittee for consideration, and provided an update on appointments to the Residential Builders Commission.

Renewal of 501 (c) (3) Registration Certificates:

Janet Baumberger, Administrator

Ms. Baumberger updated the Commission on the number of active certificates and asked the Commission how they would like to proceed when staff receives request to renew the registrations as they expire, since these were originally issued to organizations working in the FEMA disaster areas. After discussion, the Commission recommended sending an e-blast to the Building Officials to inform them of the requirements for a 501(c) (3) to obtain a building permit.

MOTION:

Mr. Dowd made a motion to allow the entities to continue to register as 501 (c) (3) as long as they are working in areas affected by the natural disasters from previous years. Ms. Rhyne seconded the motion, which carried unanimously.

NASCLA Virtual Training for attorney and investigators:

Janet presented the Commission with information regarding a training opportunity for LLR staff and requested approval for payment from the Residential Builders Commission for the staff members to attend the virtual training.

MOTION:

Ms. Rhyne made a motion for approval to pay for 3 members of LLR staff to attend the virtual training. Mr. Dillard seconded the motion, which carried unanimously.

Administrator’s Remarks for Information:

No Comments were made.

ODC Report- Mr. Charlie Gwynne:

Charlie Gwynne, Office of Disciplinary Counsel

Mr. Charlie Gwynne, presented the ODC Report. Mr. Gwynne reported the number of cases prosecuted through February 2, 2021

Open: 201	Pending Actions: 87	Pending ALC Hearings: 12	Pending Scheduling: 34
Citation Appeal: 4	Pending Appeal: 0	Pending Respondent’s Agreement: 40	
Pending Panel Hearing: 0	Pending Board Hearing: 6	Pending New OIE: 14	
Pending Board Action: 0	Pending Scheduling FOH: 6	Closed: 14	
Total closed in 2020:107			

OIE Report – Mr. Todd Bond:

Todd Bond, Chief Investigator of OIE

Charlie Gwynne, ODC, presented the reports on Mr. Bond’s behalf.

New Business:

A. Resolution Guidelines

MOTION

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

B. Recommendations of the IRC

MOTION

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

Old Business:

None.

Public Comments:

None.

Date of Next Meeting:

The next Residential Builders Commission meeting will be held Wednesday, March 10, 2021.

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 2:35 pm.

NOTE: These minutes are a record of the motion and official actions taken by the Board and brief summary of the meeting.