

RESIDENTIAL BUILDERS COMMISSION
Synergy Business Park
110 Centerview Drive Kingstree Building
Columbia, South Carolina 29210
Videoconference
Wednesday, May 12, 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 10:08 a.m. Other members present for the meeting included: Christy Rhyne, Hal Dillard, Bryan Dowd 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:

Mr. Bailey made a motion to approve the May 12, 2021 Residential Builders Commission Meeting Agenda. Ms. Rhyne seconded the motion, which carried unanimously.

Approval /Disapproval of Absent Members:

All members were present.

Approval of the April 14th, 2021 minutes:

MOTION:

Mr. Bailey made a motion to approve the April 14th agenda with the correction to add that Mr. Bailey attended the April 14th meeting. Ms. Rhyne 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.

- Mr. Al Bailey recused himself from the meeting due to his service as the hearing officer in the Cases of Trevis Cooper case number 2018-762 and 2019-235 and Russell Kalliainen case number 2017-32.

Hearing Officer Recommendations:

Mr. Trevis Cooper case no 2018-762 & 2019-235

The Board held a Final Order hearing regarding Mr. Trevis Cooper. Mr. Cooper was present at the meeting and represented by Mr. Ed Love, Esq. Ms. Shayla Hayes, Esq. represented the State in the matter. Mr. Bailey recused himself from the hearing due to his service as the hearing officer.

MOTION:

Mr. Dowd made a motion to adopt the Hearing Officer's Recommendation. Ms. Rhyne seconded the motion, which did not carry unanimously. Mr. Dillard opposed.

Mr. Russell Kallianen Case no 2017-32

The Board held a Final Order hearing regarding Mr. Russell Kallianen. Mr. Kallianen was not present at the meeting. Mr. Charlie Gwynne, Esq. represented the State in the matter. Mr. Bailey recused himself from the hearing due to his service as the hearing officer.

MOTION:

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

- Mr. Bailey returned to the meeting.

Mr. Timothy Kallianen Case no 2018-642

The Board held a Final Order hearing regarding Mr. Timothy Kallianen. Mr. Kallianen was not present at the meeting. Mr. Charlie Gwynne, Esq. represented the State in the matter.

MOTION:

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

- Mr. Timothy Roberts recused himself from meeting due to his service as the hearing officer.

Mr. Ethan Richardson Case no 2019-168

The Board held a Final Order hearing regarding Mr. Ethan Richardson. Mr. Richardson was not present at the meeting. 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.

Initial Applications:

John Scalise

The Commission held an application review regarding John Scalise. Mr. Scalise appeared before the Commission, and waived his right to counsel.

MOTION:

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

Lauren Berry

The Commission held an application review regarding Lauren Berry. Ms. Berry appeared before the Commission and waived her right to counsel. She presented a witness, Mr. Bobby Crapps Jr.

MOTION:

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

Charles Hearl Jr.

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

MOTION:

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

Corey Johnson Jr.

The Commission held an application review regarding Corey Johnson Jr. Mr. Johnson 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. Johnson's application. Mr. Dowd seconded the motion, which carried unanimously.

MOTION:

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

MOTION:

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

Eric Tessmann

The Commission held an application review regarding Eric Tessman. Mr. Tessman appeared before the Commission and presented three witnesses: Mr. Joe Hoover, Mr. Eric Rodman and Rickey Merck.

MOTION:

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

Erik Warnick

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

MOTION:

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

Charles Sumner

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

MOTION:

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

Jason Hughes

The Commission held an application review regarding Mr. Jason Hughes. Mr. Hughes appeared before the Commission and waived his right to counsel. He presented two witnesses, Mr. Larry Hughes and Mr. Jonathan Vroon.

MOTION:

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

Pedro Garcia Jr.

The Commission held an application review regarding Mr. Pedro Garcia Jr. Mr. Garcia appeared before the Commission and waived his right to counsel. He presented a witness, Mr. Bryan Swanner.

MOTION:

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

Jody Dupont

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

MOTION:

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

Brian Boyter

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

MOTION:

Mr. Dowd made a motion to enter into executive session to receive legal advice regarding the application of Mr. Boyter. Ms. Rhyne seconded the motion, which carried unanimously.

MOTION:

Mr. Dowd made a motion to exit executive session after receiving legal advice regarding the application of Mr. Boyter. Mr. Bailey seconded the motion, which carried unanimously.

MOTION:

Mr. Dowd made a motion to deny Mr. Boyter's request at this time. Ms. Rhyne seconded the motion, which carried unanimously.

James Poston Jr.

The Commission held an application review regarding Mr. James Poston Jr. Mr. Poston appeared before the Commission along with his counsel, Mr. E.B. Davis Inabit Jr. Esq.

MOTION:

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

Isaac Israel

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

MOTION:

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

Jason Justice

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

MOTION:

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

Russell Davenport

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

MOTION:

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

North Carolina Electrical License Exam Waiver Agreement

Stacey Hewson, Advice Counsel, presented to the Commission for its approval an Agreement Establishing Waiver of Examination Between the SC Residential Builders Commission and the NC State Board of Examiners of Electrical Contractors with respect to the licensing of residential electrical contractors.

MOTION:

Ms. Rhyne made a motion to approve the Agreement Establishing Waiver of Examination with the contingency that the North Carolina Board approved the same agreement. Mr. Bailey seconded the motion, which carried unanimously.

Administrator's Remarks for Information:

Allison Baker, Program Coordinator for the Residential Builders Commission
Ms. Baker provided the Commission with updates on the 2021 -2023 renewals for the specialty licenses and registrations. She also reminded the Commissioners that the June 9th meeting will be in person and not held on WebEx.

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 May 12, 2021.

As of May 12, 2021:

Complaints Received –373 Active Investigations – 269 Closed Cases –329

New Business:

- A. Recommendations of the IRC

MOTION

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

- B. Resolution Guidelines

MOTION

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

Old Business:

No old Business was discussed.

Public Comments:

None.

Date of Next Meeting:

The next Residential Builders Commission meeting will be held Wednesday, June 9, 2021.

Adjournment:

Ms. Rhyne made a motion to adjourn the Residential Builders Commission Meeting. Mr. Bailey seconded the motion, which carried unanimously. The Residential Builders Commission Meeting was adjourned at 02:05 pm.

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