

RESIDENTIAL BUILDERS COMMISSION
Synergy Business Park
110 Centerview Drive Kingtree Building
Columbia, South Carolina 29210
Wednesday, June 9, 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 10:04 a.m. Other members present for the meeting included: Christy Rhyne, 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 Kingtree 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 June 9, 2021 Residential Builders Commission Meeting Agenda. Mr. Dowd seconded the motion, which carried unanimously.

Approval of the May 12, 2021 minutes:

MOTION:

Mr. Bailey made a motion to approve the May 12th, 2021 agenda. Mr. Dowd seconded the motion, which carried unanimously.

Approval /Disapproval of Absent Members:

Mr. Hal Dillard was absent.

MOTION:

Mr. Dowd made a motion to approve the absence of Mr. Dillard. 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, and staff to direct their questions to the chairman of the board.

Initial Applications:

Luis Cardoso

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

MOTION:

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

Danielle Michaels

The Commission held an application review regarding Danielle Michaels. Ms. Michaels appeared before the Commission and waived her right to counsel.

MOTION:

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

John Vernon

The Commission held an application review regarding John Vernon. Mr. Vernon appeared before the Commission and waived his right to counsel. He presented a witness, Mr. Tom Dillard.

MOTION:

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

Christopher Figura

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

MOTION:

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

Terry Collins

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

MOTION:

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

Kenneth Mussell

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

MOTION:

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

Lashon Johnson

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

MOTION:

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

Steven Pearson

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

MOTION:

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

Ahmed Alford

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

MOTION:

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

ODC Final Order Hearing Waiver Proposal:

Erin Baldwin, Attorney with the Office of Disciplinary Counsel, presented the Commission with a proposal for a respondent to waive a final order hearing. Under the proposal, if a respondent agrees with the Hearing Officer's Recommendation, they can sign a waiver of appearance at a final order hearing. This process would help reduce the number of final order hearings at monthly Commission meetings in cases where a respondent is satisfied with the Hearing Officer's Recommendation. In the event that the respondent does not sign the waiver or wishes to contest the Hearing Officer's Recommendation, the Commission would then schedule a final order hearing in accordance with its current practice.

MOTION:

Ms. Rhyne made a motion to accept the waiver proposal as presented by Ms. Baldwin. Mr. Bailey seconded the motion, which carried unanimously.

Initial Application reviews: continued

Jeffrey Nelms

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

MOTION:

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

Approval of NASCLA Travel:

Janet Baumberger, Administrator for the Residential Builders Commission, presented the Commission with a travel approval request for NASCLA travel for 2021. Janet provided the Commission with the travel request for all NASCLA travel for 2021 and the NASCLA annual conference travel for two Commissioners, and 4 LLR staff (Administrator, Advice Counsel, One member from ODC and OIE).

MOTION:

Mr. Dowd made a motion to approve NASCLA travel for 2021. Mr. Bailey seconded the motion, which carried unanimously.

Renewal: Failure to answer yes on renewal

James Ginn

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

MOTION:

Mr. Dowd made a motion to give Mr. Ginn 30 days to provide payment arrangements on the outstanding judgment(s) or the license will be suspended. Ms. Rhyne seconded the motion, which carried unanimously.

Administrator's Remarks for Information:

Janet Baumberger, Administrator for the Residential Builders Commission

1. *Agenda order for disciplinary and application reviews hearings*

Ms. Baumberger presented the Commission with information in regards to a recent inquiry from ODC regarding the order of the agenda. The Commission agreed to consider requests to move hearings to the beginning of the agenda on a case by case basis should it be requested by a respondent, an attorney, or the State.

2. *Return to in-person disciplinary hearings*

The Commission will return to in-person disciplinary hearings effective July 1, 2021.

3. *Application Fraud Timeframe*

Ms. Baumberger requested clarification from the Commission if they wanted to place a time frame on disciplinary cases that involve application fraud. The Commission confirmed there was not a time frame on an application fraud complaint. All application fraud complaints should be reviewed no matter the date of occurrence.

4. *Renewal Update*

Ms. Baumberger provided the Commission with a status update for the 2021-2023 Specialty renewal cycle.

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 June 9, 2021.

As of June 9, 2021:
Complaints Received –453 Active Investigations – 261 Closed Cases –482

New Business:

A. Recommendations of the IRC

MOTION

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

B. Resolution Guidelines

MOTION

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

Initial Application reviews: Continued

Thomas Arledge

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

MOTION:

Mr. Bailey made a motion to approve Mr. Arledge with the condition that if arrested on any other charges or convicted of the pending charges, he must reappear before the Commission for further consideration. There was not a second on the motion. The motion failed.

MOTION:

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

Vincenzo Panzarino

Mr. Vincenzo Panzarino did not appear before the Commission.

MOTION:

No motions were made.

Brycen Questad

Mr. Brycen Questad did not appear before the Commission.

MOTION:

No motions were made.

Old Business:

None.

Public Comments:

None.

Date of Next Meeting:

The next Residential Builders Commission meeting will be held Wednesday, July 14, 2021.

Adjournment:

Mr. Bailey made a motion to adjourn the Residential Builders Commission Meeting. Ms. Rhyne seconded the motion, which carried unanimously. The Residential Builders Commission Meeting was adjourned at 1:12 pm.

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