

RESIDENTIAL BUILDERS  
COMMISSION  
Synergy Business Park  
110 Centerview Drive  
Kingstree Building  
Columbia, South Carolina 29210  
Wednesday, February 9, 2022

**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 10:01 a.m. Other members present for the meeting included: Al Bailey, Hal Dillard, Earl McLeod, Christy Rhyne, 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 9, 2022 Residential Builders Commission Meeting Agenda. Mr. Bailey seconded the motion, which carried unanimously.

**Approval of Minutes for the January 12, 2022 Meeting:**

***MOTION:***

Mr. Bailey made a motion to approve the January 12, 2022 minutes. Mr. Dowd seconded the motion, which carried unanimously.

**Approval /Disapproval of Absent Members:**

All Commissioners were present.

**Chairman's Remarks:**

***Timothy W. Roberts***

No remarks were made for this meeting.

**Initial Applications:**

*David Tkach*

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

***MOTION:*** Mr. McLeod made a motion to approve Mr. Tkach to sit for the exam. Mr.

Dillard seconded the motion, which carried unanimously.

*Michael Austin Stanley*

Mr. Stanley did not attend. The Commission did not take any action.

*Michael C Hammond*

The Commission held an application review regarding Michael C Hammond. Mr. Hammond appeared before the Commission, waived his right to counsel, and presented a witness, Luke Higginbotham, for testimony.

**MOTION:**

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

*William Robert Overhultz III*

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

**MOTION:**

Mr. McLeod made a motion to approve Mr. Overhultz to sit for the exam. Mr. Dillard seconded the motion, which carried unanimously.

*Cindy Vanessa Hurtado*

The Commission held an application review regarding Cindy Vanessa Hurtado. Ms. Hurtado appeared before the Commission and waived her right to counsel.

**MOTION:**

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

*George Franklin Smith*

The Commission held an application review regarding George Franklin Smith. Mr. Smith appeared before the Commission and waived his right to counsel.

**MOTION:**

Mr. Dillard made a motion to approve Mr. Smith to sit for the exam. Mr. McLeod seconded the motion, which carried unanimously.

*Aaron S Hawley*

The Commission held an application review regarding Aaron S Hawley. Mr. Hawley appeared before the Commission, waived his right to counsel, and presented a witness, Jocelyn Hawley, for testimony.

**MOTION:**

Mr. McLeod made a motion to deny Mr. Hawley to sit for the exam. Mr. Bailey seconded the motion, which carried unanimously.

*Edward C McGuirt*

The Commission held an application review regarding Edward C McGuirt. Mr. McGuirt appeared before the Commission and waived his right to counsel.

**MOTION:**

Mr. McLeod made a motion to approve Mr. McGuirt to sit for the Business and Law

exam. Mr. Dillard seconded the motion, which carried unanimously.

*Nathan S Hindle*

The Commission held an application review regarding Nathan S Hindle. Mr. Hindle appeared before the Commission and waived his right to counsel.

**MOTION:**

Mr. Bailey made a motion to approve Mr. Hindle to sit for the exam. Mrs. Rhyne seconded the motion, which carried unanimously.

*Martin Charles Morrow*

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

**MOTION:**

Mr. Dillard made a motion to deny Mr. Morrow to sit for the exam. Mr. Dowd seconded the motion, which did not carry unanimously. Mr. McLeod opposed.

*Jeffrey Gradzki*

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

**MOTION:**

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

*Jason James Camino*

Mr. Camino asked to be rescheduled. The Commission did not take any action.

*Benjamin J Hromyak*

The Commission held an application review regarding Benjamin J Hromyak. Mr. Hromyak appeared before the Commission and waived his right to counsel.

**MOTION:**

Mr. Bailey made a motion to approve Mr. Hromyak to sit for the exam. Mr. McLeod seconded the motion, which did not carry unanimously. Mr. Dowd opposed.

*Ryley Terence McGillis*

The Commission held an application review regarding Ryley Terence McGillis. Mr. McGillis appeared before the Commission and waived his right to counsel.

**Executive Session**

**MOTION:**

Mr. Dowd made a motion to go into Executive Session for legal advice. Mrs. Rhyne seconded the motion, which carried unanimously.

**Return from Executive Session**

**MOTION:**

Mr. Dowd made a motion to return from Executive Session. Mrs. Rhyne seconded the motion, which carried unanimously.

**MOTION:**

Mr. McLeod made a motion to approve Mr. McGillis to sit for the exam. Mr. Dillard seconded the motion, which did not carry unanimously. Mr. Bailey and Mr. Dowd

opposed.

*Ontario De'Shon Wallace*

The Commission held an application review regarding Ontario De'Shon Wallace. Mr. Wallace appeared before the Commission and waived his right to counsel.

**MOTION:**

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

*Lee Carlton Walker*

The Commission held an application review regarding Lee Carlton Walker. Mr. Walker appeared before the Commission and waived his right to counsel.

**MOTION:**

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

*Travis R Connolly*

The Commission held an application review regarding Travis R Connolly. Mr. Connolly appeared before the Commission and waived his right to counsel.

**MOTION:**

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

*William Michael Forgo*

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

**MOTION:**

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

*Timothy Farrell*

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

**MOTION:**

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

*Elliott Ambrose Altman*

The Commission held an application review regarding Elliott Ambrose Altman. Mr. Altman appeared before the Commission and waived his right to counsel.

**MOTION:**

Mr. Dillard made a motion to approve Mr. Altman to sit for the exam. Mr. McLeod seconded the motion, which carried unanimously.

*Daryl Lynn Ritacco*

Mr. Ritacco did not attend. The Commission did not take any action.

*Mark Anthony Bethea*

The Commission held an application review regarding Mark Anthony Bethea. Mr. Bethea appeared before the Commission and waived his right to counsel.

**MOTION:**

Mr. Dowd made a motion to allow Mr. Bethea a Specialty Registration with the conditions that at renewal, he must provide a SLED report with no new arrests and have the fine referenced in the SLED report resolved. Ms. Rhyne seconded the motion, which carried unanimously.

*Henry Rayford Privette Jr*

The Commission held an application review regarding Henry Rayford Privette Jr. Mr. Privette appeared before the Commission, waived his right to counsel, and presented two witnesses, Ms. Eve Herbert and Mr. Scott Stroblor, for testimony.

**Executive Session**

**MOTION:**

Ms. Rhyne made a motion to go into Executive Session for legal advice. Mr. Dillard seconded the motion, which carried unanimously.

**Return from Executive Session**

**MOTION:**

Ms. Rhyne made a motion to return from Executive Session. Mr. Dillard seconded the motion, which carried unanimously.

**MOTION:**

Mr. McLeod made a motion to take no action until further documentation is provided regarding the restitution as set forth in the federal order. Ms. Rhyne seconded the motion, which carried unanimously.

*Timothy Moses Dingle*

The Commission held an application review regarding Timothy Moses Dingle. Mr. Dingle appeared before the Commission and waived his right to counsel.

**MOTION:**

Mr. Bailey made a motion to approve Mr. Dingle for his residential specialty registration. Mr. Dillard seconded the motion, which carried unanimously.

**Hearing Officer Recommendations:**

1. *James Bache Case Nos. 2018-164 and 2019-69*
2. *Elvis J Peagler Case No. 2019-680*

Mr. Bailey, who served as the hearing officer, recused himself.

**MOTION:**

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

**Administrator's Remarks for Information:**

Janet Baumberger, Administrator for the Residential Builders Commission  
Ms. Baumberger had no remarks.

**Board Information:**

1. **OIE Report – Mr. Todd Bond:**

*Mr. Todd Bond, Chief Investigator of OIE*

Mr. Todd Bond presented the OIE report. He reported the number of Investigations as of February 9, 2022.

**As of February 9, 2022:**

**Complaints Received (1/1/2022-2/9/2022) – 93; Active Investigations – 201; Closed Cases – 61**

**New Business – Mr. Todd Bond:**

*Mr. Todd Bond, Chief Investigator of OIE*

1. Recommendation of IRC

**MOTION**

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

2. Resolution Guidelines

**MOTION**

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

**Listing of majority-owned businesses under individual license and serving as licensee in responsible charge for COA:** The Commission provided guidance that a licensee can list businesses of which they are a majority owner under their individual license and serve as the licensee in responsible of a COA.

**Old Business:**

1. Review Construction Standards:

The South Carolina Home Builders Association (“HBA”) previously submitted an updated version of its South Carolina Residential Construction Standards (“Standards”), which had been reviewed by Advice Counsel, the Chair, and the Administrator. Advice Counsel has provided the HBA with her comments and suggestions regarding its most recent draft of the Standards. The document is still being reviewed.

1. One-Year Experience Requirements for Licensure – Staff Approval Guidelines and Authority:

*Ms. Janet Baumberger, Administrator for the Residential Builders Commission* Administrator is not authorized to approve without W2’s or 1099’s.

**MOTION**

Ms. Rhyne made a motion to adopt the guidelines. Mr. Dowd seconded the motion, which carried unanimously.

**Approval of NASCLA Travel:**

**MOTION**

Mr. Dowd made a motion to approve the NASCLA travel. Ms. Rhyne seconded the motion, which carried unanimously.

**Public Comments:**

None.

**Date of Next Meeting:**

The next Residential Builders Commission meeting will be held Wednesday, March 9, 2022 at 10:00 am.

**Adjournment:**

Mrs. 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 5:09 p.m.

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