

RESIDENTIAL
BUILDERS
COMMISSION

Synergy Business
Park 110 Centerview
Drive Kingstree
Building
Columbia, South Carolina 29210
Wednesday, March 09, 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 10:00 a.m. Other members present for the meeting included: Al Bailey, Hal Dillard, Earl McLeod, Christy Rhyne, Bryan Dowd and James Graves.

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:

Mrs. Rhyne made a motion to approve the February 09, 2022 minutes at the next Board meeting on April 14, 2022, 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:

Kevin Clayton Everhart

The Commission held an application review hearing regarding Kevin Clayton Everhart. Mr. Everhart appeared before the Commission, waived his right to counsel.

MOTION: Mr. Dowd made a motion to deny Mr. Everhart to sit for the exam. Mr. Bailey seconded the motion, which did not carry unanimously, Mr. McLeod opposed.

Michael Seabrook

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

MOTION:

Mr. McLeod made a motion to deny Mr. Seabrook to sit for the exam. Mrs. Rhyne seconded the motion, which carried unanimously.

Terrell Antwan Staley

The Commission held an application review hearing regarding Terrell Antwan Staley. Mr. Staley appeared before the Commission and waived his right to counsel.

MOTION:

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

Lonnie M. McKenzie

The Commission held an application review hearing regarding Lonnie M. McKenzie. Mr. McKenzie appeared before the Commission and waived his right to counsel.

MOTION:

Mr. Bailey made a motion to approve Mr. McKenzie to sit for the exam after he provides proof of his North Carolina Builders license. Mr. Dowd seconded the motion, which carried unanimously.

Gregory L. Eberts, Jr.

The Commission held an application review hearing regarding Gregory L. Eberts, Jr. Mr. Eberts appeared before the Commission and waived his right to counsel.

MOTION:

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

Joseph V. Cupertino, Jr.

The Commission held an application review hearing regarding Joseph V. Cupertino, Jr. Mr. Cupertino appeared before the Commission and waived his right to counsel.

MOTION:

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

Frank W. Jackson, Jr.

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

Larry Meister

The Commission held an application review hearing regarding Larry Meister. Mr. Meister appeared before the Commission and waived his right to counsel.

MOTION:

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

Thomas Scott McKenna

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

MOTION:

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

Kevin Obrien Osteen

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

Michael T. Andrade

The Commission held an application review hearing regarding Michael T. Andrade.

Mr. Andrade appeared before the Commission and waived his right to counsel.

MOTION:

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

Matthew Kent Shoemaker

The Commission held an application review hearing regarding Matthew Kent Shoemaker. Mr. Shoemaker appeared before the Commission and waived his right to counsel.

MOTION:

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

Gholamreza Mahoutchian

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

Stephen Edward Plumb

The Commission held an application review hearing regarding Stephen Edward Plumb.

Mr. Plumb appeared before the Commission and waived his right to counsel.

MOTION:

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

Michael J. Pestritto

The Commission held an application review hearing regarding Michael J.

Pestritto. Mr. Pestritto appeared before the Commission and waived his right to counsel.

MOTION:

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

Greg John Palmer

The Commission held an application review hearing regarding Greg John Palmer.

Mr. Palmer appeared before the Commission and waived his right to counsel.

MOTION:

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

Jonathan Cornell McCray

The Commission held an application review hearing regarding Jonathan Cornell McCray. Mr. McCray appeared before the Commission and waived his right to counsel.

MOTION:

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

Daniel Ketola

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

MOTION:

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

Gerald Andrew Rose

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

Joseph Carl Todd

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

MOTION:

Mr. Bailey made a motion to allow Mr. Todd his residential specialty registration. Mr. McLeod seconded the motion, which did not carry unanimously, with a 3/3 tie vote. To break the tie, Chairman Roberts voted to deny Mr. Todd his specialty registration.

Richard L. Owens

The Commission held an application review hearing regarding Richard L. Owens. Mr. Owens appeared before the Commission and waived his right to counsel.

MOTION:

Mr. McLeod made a motion to deny Mr. Owen his residential specialty registration. Mr. Bailey seconded the motion, which carried unanimously.

Motion to Reconsider

David R. Gwinn

The Commission held an application review hearing regarding Mr. David R. Gwinn. Mr. Gwinn appeared before the Commission to present testimony with his attorney Ms. Tracey Pearlman.

MOTION:

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

Request to Waive 12 month waiting period after 3 exam fails

Flemmie Ray Harris

The Commission held an application review hearing regarding Flemmie Ray Harris. Mr. Harris appeared before the Commission and waived his right to counsel.

No motion was needed. Mr. Harris was informed by the Board he can retake the exam a year after his last attempt. Mr. Harris informed the board he wanted to make sure his work affidavit would still be valid in a year when he reapplies. The Board informed him that his work affidavit is good for 5 years.

Request to change specialty contractor registration before renewal

Michael P. Fiorillo

The Commission held an application review hearing regarding Michael P. Fiorillo. Mr. Fiorillo appeared before the Commission and waived his right to counsel.

MOTION:

Mr. Bailey made a motion to approve Mr. Fiorillo's request to change classifications. Mr. McLeod seconded the motion, which did not carry unanimously. Mr. McLeod opposed.

Motion to revisit bond requirement

Travis Williams

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

Final Order Hearing 2018-578; 2019-345; 2019-733

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

MOTION:

Mr. Dillard made a motion to accept the Hearing Officer's Recommendation as modified to reduce the sanctions to zero in both cases. While there were violations, they did not rise to the level requiring sanctions. Mrs. 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.

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 March 9, 2022.

As of March 9, 2022:

Complaints Received – 160 Active Investigations – 195 Closed Cases – 165

New Business – Mr. Todd Bond:

Mr. Todd Bond, Chief Investigator of OIE

1. Recommendations of IRC

MOTION

Mr. Dowd made a motion to revise the date to show February 23, 2022. Mr. Bailey seconded the motion, which carried unanimously

2. Resolution Guidelines

MOTION

Mrs. Rhyne made a motion to approve the IRC Resolution Guidelines. Mr. Dowd 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, April 13, 2022.

Adjournment:

Mr. McLeod made a motion to adjourn the Residential Builders Commission Meeting. Mrs. Rhyne seconded the motion, which carried unanimously. The Residential Builders Commission Meeting was adjourned at 4:19 p.m.

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