

**RESIDENTIAL BUILDERS
COMMISSION**

Synergy Business Park
110 Centerview Drive
Kingstree Building
Columbia, South Carolina 29210
Videoconference
Wednesday, January 12, 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 10:12 a.m. Other members present for the meeting included: Al Bailey, Hal Dillard, Earl McLeod, and Bryan Dowd. Christy Rhyne joined the meeting at 10:52 am.

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 January 12, 2022 Residential Builders Commission Meeting Agenda. Mr. Dillard seconded the motion, which carried unanimously.

Approval of Revised Minutes for the November 10, 2021 Meeting:

MOTION:

Mr. McLeod made a motion to approve the revised November 10, 2021 minutes. Mr. Bailey seconded the motion, which carried unanimously.

Approval of Minutes for the December 8, 2021 Meeting:

MOTION:

Mr. McLeod made a motion to approve the December 8, 2021 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:

Nicholas Constantine Moses

The Commission held an application review regarding Nicholas Constantine Moses. Mr. Moses appeared before the Commission, waived his right to counsel, and presented a witness, Mr. Carl Moses, for testimony.

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

Aleksey Gossen

The Commission held an application review regarding Aleksey Gossen. Mr. Gossen appeared before the Commission, waived his right to counsel, and presented a witness, his wife, Mrs. Gossen, for testimony.

MOTION:

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

Kevin D. Martin

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

MOTION:

Mr. Bailey made a motion to deny Mr. Martin to sit for the exam due to lack of experience. Mr. Dillard seconded the motion, which carried unanimously.

William John McCourt

The Commission held an application review regarding William John McCourt. Mr. McCourt appeared before the Commission and waived his right to counsel. Mr. McCourt testified that he received his license with Contractors Licensing Board (CLB) in November. The Commission determined that Mr. McCourt meets the experience and technical exam requirements for a restricted residential builders license (no mechanicals) as a result of the CLB license.

MOTION:

No action was taken.

Jossye Anthony Reyes

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

MOTION:

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

Vladimir Popko

The Commission held an application review regarding Vladimir Popko. Mr. Popko appeared before the Commission and waived his right to counsel. During Mr. Popko's testimony, wherein he disclosed that he had a contractor's license issued by the State of North Carolina, the Commission determined that he met experience and technical exam requirements for a restricted builders license (no mechanicals) through reciprocity with North Carolina.

MOTION:

No action was taken.

Anthony L. O'Geen

The Commission held an application review regarding Anthony L. O'Geen. Mr. O'Geen appeared before the Commission and waived his right to counsel.

MOTION:

Mrs. Rhyme made a motion to approve Mr. O'Geen to sit for the exam. Mr. Dillard seconded the motion, which carried unanimously.

Shea M. Sommerville

The Commission held an application review regarding Shea M. Sommerville. Mr. Sommerville appeared before the Commission and waived his right to counsel.

MOTION:

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

Victor Colon

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

MOTION:

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

Richard Victor Priegel

The Commission held an application review regarding Richard Victor Priegel. Mr. Priegel appeared before the Commission and waived his right to counsel.

MOTION:

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

Robert David Proffitt

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

MOTION:

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

Karl F. Rammler

The Commission held an application review regarding Karl F. Rammler. Mr. Rammler appeared before the Commission with counsel, Ms. Tracey Perlman.

MOTION:

Mrs. Rhyme made a motion to approve Mr. Rammler to sit for the exam. Mr. Dowd seconded the motion, which carried unanimously.

Carlos Beltran Acosta

The Commission held an application review regarding Carlos Beltran Acosta. Mr. Acosta appeared before the Commission and waived his right to counsel.

MOTION:

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

John Kevin Clark

The Commission held an application review regarding John Kevin Clark. Mr. Clark

appeared before the Commission and waived his right to counsel.

MOTION:

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

Harrison G. Kloth

The Commission held an application review regarding Harrison G. Kloth. Mr. Kloth appeared before the Commission and waived his right to counsel.

MOTION:

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

Jesse Allen Mouring

The Commission held an application review regarding Jesse Allen Mouring. Mr. Mouring appeared before the Commission and waived his right to counsel.

MOTION:

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

Svetlana Blotner

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

MOTION:

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

Alexander A. Cheatham

The Commission held an application review regarding Alexander A. Cheatham. Mr. Cheatham appeared before the Commission and waived his right to counsel.

MOTION:

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

Robert Maurice Edwards

The Commission held an application review regarding Robert Maurice Edwards. Mr. Edwards appeared before the Commission and waived his right to counsel.

MOTION:

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

Yvin Donald LeBlanc

The Commission held an application review regarding Yvin Donald LeBlanc. Mr. LeBlanc appeared before the Commission and waived his right to counsel.

MOTION:

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

Michael Nunes

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

MOTION:

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

Jameek Williams

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

MOTION:

Mr. Dowd made a motion to allow Mr. Williams a Specialty Registration with the condition that he maintain a \$5000 Bond on file at all times. Mr. Bailey seconded the motion, which did not carry unanimously. Mr. Dillard abstained.

Edward Lamar Bruce

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

Executive Session

MOTION:

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

MOTION:

Mr. Bailey made a motion to approve Mr. Bruce for renewal of his Home Inspector license. Mr. Dillard seconded the motion, which carried unanimously.

Donald J. Keller

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

MOTION:

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

Noah Walstrom: Introduction of Home Inspection Pre-licensing Course from InspectionGo Academy:

Commission will review the course contents and consider approval at the next Commission Meeting on February 9, 2022.

MOTION:

Mrs. Rhyne made a motion to postpone this matter until next month. Mr. Bailey seconded the motion, which carried unanimously.

Hearing Officer Recommendations:

1. James K. Palmer Case No. 2019-688

Mr. Bailey, who served as the hearing officer, recused himself and Mr. Roberts, who is acquainted with the Respondent, also recused himself.

MOTION:

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

Final Order Hearings Report on Accepted Hearing Officer Recommendations:

Mr. Charlie Gwynne, Office of Disciplinary Counsel

Mr. Charlie Gwynne presented the report to the Commission.

Meritage Homes of the Carolinas Case No. 2017-493

Carey L. Palmer Case No. 2018-82

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

MOTION:

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

Election of Officers:

MOTION:

Mr. Dowd made a motion to approve maintaining Mr. Roberts as Chairman and Mr. Bailey as Vice Chairman. 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.

Board Information:

1. **ODC Report – Mr. Charlie Gwynn:**

Mr. Charlie Gwynn, Office of Disciplinary Counsel

Mr. Gwynn presented the ODC Status Report. He reported the number of cases as of December 23, 2021.

As of December 23, 2021:

Open Cases – 108, Pending Hearings & Agreements – 83, Pending Closure – 0, Closed* – 32, Appeals – 0

***Closed since last report – 32, Closed since 1/1/2021 - 136**

2. **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 January 12, 2022.

As of January 12, 2022:

Complaints Received – 971 Active Investigations – 226 Closed Cases – 1051

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

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

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.

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

Ms. Janet Baumberger, Administrator for the Residential Builders Commission

Ms. Baumberger is still currently assisting Advice Counsel in drafting a document to be presented at the next Commission Meeting on February 9, 2022.

Public Comments:

None.

Date of Next Meeting:

The next Residential Builders Commission meeting will be held Wednesday, February 9, 2022.

Adjournment:

Mrs. 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 4:03 p.m.

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