

RESIDENTIAL BUILDERS COMMISSION

Synergy Business Park
110 Centerview Drive
Kingstree Building
Columbia, South Carolina 29210
Wednesday, May 11, 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, 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 May 11, 2022 Residential Builders Commission Meeting Agenda. Mr. Dowd seconded the motion, which carried unanimously.

Approval of Minutes for the April 13, 2022 Meeting:

MOTION:

Mr. Bailey made a motion to approve the April 13, 2022 minutes. Mrs. Rhyne seconded the motion, which carried unanimously.

Approval /Disapproval of Absent Members:

All members were present.

Chairman's Remarks:

Timothy W. Roberts

No remarks were made for this meeting.

Initial Applications:

Stephen Michael May Jr

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

MOTION:

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

Ronald Bryan Black

The Commission held an application review regarding Ronald Bryan Black. Mr. Black appeared before the Commission and waived his right to counsel.

MOTION:

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

Thomas Louis Albrecht

The Commission held an application review regarding Thomas Louis Albrecht. Mr. Albrecht appeared before the Commission, waived his right to counsel, and presented a witness, Mr. Richard Runnals.

MOTION:

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

Catina A Broadwater

The Commission held an application review regarding Catina A Broadwater. Ms. Broadwater appeared before the Commission and waived her right to counsel.

MOTION:

Mrs. Rhyne made a motion to approve Ms. Broadwater to sit for the exam. Mr. Dillard seconded the motion, which did not carry unanimously. Mr. Bailey opposed.

Elias Spiro Conits

The Commission held an application review regarding Elias Spiro Conits. Mr. Conits appeared before the Commission and waived his right to counsel. Mr. Dillard recused himself.

MOTION:

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

Daniel Edward Campbell

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

MOTION:

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

Gavin Lee Griffith

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

MOTION:

Mrs. Rhyne made a motion to approve Mr. Griffith to sit for the exam. Mr. McLeod

seconded the motion, which carried unanimously.

Matthew Robert Murray

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

MOTION:

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

Kyle Patrick West

The Commission held an application review regarding Kyle Patrick West. Mr. West appeared before the Commission, waived his right to counsel, and presented a witness, Mr. Miles Daniel, for testimony. Mr. Dillard recused himself.

MOTION:

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

Johnathon T Cammack

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

Ernesto David Ruiz-Fuentes

The Commission held an application review regarding Ernesto David Ruiz-Fuentes. Mr. Ruiz-Fuentes appeared before the Commission and waived his right to counsel.

MOTION:

Mrs. Rhyne made a motion to approve Mr. Ruiz-Fuentes to sit for the exam. Mr. Bailey seconded the motion, which did not carry unanimously. Mr. Dillard and Mr. McLeod opposed.

Dylan Richard Aker

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

MOTION:

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

Robert Aaron Dews

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

MOTION:

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

MOTION:

Mr. Bailey made a motion to allow Mr. Dews to submit applications for the mechanical trades and approved him to sit for the three mechanical trade exams. Mrs. Rhyne seconded the motion, which carried unanimously.

Corey Hosea Mercer

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

David Andrew Earle

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

Barry Paul Kever

The Commission held an application review regarding Barry Paul Kever. Mr. Kever appeared before the Commission and waived his right to counsel.

MOTION:

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

William Conrad Martin

The Commission held an application review regarding William Conrad Martin. Mr. Martin appeared before the Commission, waived his right to counsel, and presented four witnesses, Ms. Lisa Martin, Mr. Charles Williams, Mr. Charles Williams, and Ms. Jackie Williams, for testimony.

MOTION:

Mrs. Dillard made a motion to approve Mr. Martin for a Residential Specialty Registration. Mr. Dowd seconded the motion, which carried unanimously.

Austin James Sarte

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

Robert Allen Brown

The Commission held an application review regarding Robert Allen Brown. Mr. Brown appeared before the Commission, waived his right to counsel, and presented a witness, Ms. Rachel Rober, for testimony.

MOTION:

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

Motion to Waive Exam:

Malcolm S Harris

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

Owner-Builder Waivers:

1. *Nicholas Grano*

The Commission held a hearing on Nicholas Grano's request for a waiver of the 2-year waiting period required under S.C. Code Ann. § 40-59-260 to sell or rent his residence. Mr. Grano appeared before the Commission via WebEx with two witnesses, Mr. Tom Johnson and his father, Mr. Grano. (All via WebEx)

MOTION:

Mr. Graves made a motion to approve Mr. Grano's request for a waiver. Mrs. Rhyne seconded the motion, which carried unanimously.

2. *Chaim and Zahava Ohayon*

The Commission held a hearing on Mr. Ohayon's request for a waiver of the 2-year waiting period required under S.C. Code Ann. § 40-59-260 to sell or rent his residence. Mr. Ohayon appeared before the Commission and waived his right to counsel.

Executive Session

MOTION:

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

Return from Executive Session

MOTION:

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

MOTION:

Mr. Graves made a motion to approve Mr. Ohayon's request for a waiver. Mr. McLeod seconded the motion, which did not carry unanimously. Mrs. Rhyne, Mr. Dowd, Mr. Dillard, and Mr. Bailey opposed the motion and Mr. Ohayon was denied his request for a waiver.

Hearing Officer Recommendations:

1. Joshua Hardee Case No. 2020-257

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

MOTION:

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

Jeff Donaldson: Introduction to Home Inspection Pre-licensing Course from InspectionGo Academy:

MOTION:

Mr. McLeod made a motion to approve InspectionGo Academy as a formal course of training or study in home inspection pursuant to S.C. Code Reg. 106-4. Mr. Bailey seconded the motion, which did not carry unanimously. Mr. Dowd opposed.

Requirements for experience affidavit for exam waiver licensee who seeks full builder license:

MOTION:

Mrs. Rhyne made a motion to approve the following:

- A builder licensee who receives a restricted license by exam waiver may be approved to sit for the SC Builders exam without an experience affidavit in the mechanical trades.
- A licensed general contractor may sign an experience affidavit, which includes the mechanical trades, for a builder license applicant.

Mr. Bailey seconded the motion, which carried unanimously.

Updates to Citation Appeal Procedures:

Ms. Erin Baldwin, Office of Disciplinary Counsel

Ms. Baldwin presented the updates to citation appeal procedures to require the hearing officer to provide a written recommendation to be approved by the full Commission.

MOTION:

Mrs. Rhyne made a motion to approve the updates to citation appeal procedures. Mr. Dillard 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 May 11, 2022.

As of May 11, 2022:

Complaints Received – 329 Active Investigations – 214 Closed Cases – 287

New Business – Mr. Todd Bond:

Mr. Todd Bond, Chief Investigator of OIE

1. Recommendation of IRC

MOTION

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

2. Resolution Guidelines

MOTION

Mr. Dowd made a motion to approve the IRC Resolution Guidelines. Mrs. Rhyne 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, June 8, 2022 at 10:00 am.

Adjournment:

Mrs. Rhyne made a motion to adjourn the Residential Builders Commission Meeting. Mr. McLeod seconded the motion, which carried unanimously. The Residential Builders Commission Meeting was adjourned at 3:19 p.m.

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