

RESIDENTIAL BUILDERS
COMMISSION
Synergy Business Park
110 Centerview Drive
Kingstree Building
Columbia, South Carolina 29210
Wednesday, July 13, 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 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:

Ms. Rhyne made a motion to approve the July 13, 2022 Residential Builders Commission Meeting Agenda. Mr. Bailey seconded the motion, which carried unanimously.

Approval of Minutes for the June 8, 2022 Meeting:

MOTION:

Mr. Bailey made a motion to approve the June 8, 2022 minutes. Mrs. Rhyne seconded the motion, which carried unanimously.

Approval /Disapproval of Absent Members:

Mr. Dowd was absent.

MOTION:

Mr. Bailey made a motion to approve the absent member. Mrs. Rhyne seconded the motion, which carried unanimously.

Chairman's Remarks:

Timothy W. Roberts

Chairman Roberts reminded everyone that the meeting was being livestreamed via YouTube.

Initial Applications:

William Terry Willis

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

MOTION:

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

Eddie Christopher Hill

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

MOTION:

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

Frank W Jackson

The Commission held an application review regarding Frank W Jackson. Mr. Jackson appeared before the Commission and waived his right to counsel.

MOTION:

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

Luther Blackwell

The Commission held an application review regarding Luther Blackwell. Mr. Blackwell appeared before the Commission, waived his right to counsel, and presented a witness, Kenneth Bowman, for testimony.

MOTION:

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

Al Howard Strickland

The Commission held an application review regarding Al Howard Strickland. Mr. Strickland appeared before the Commission and waived his right to counsel.

MOTION:

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

Robert Thomas Simeon

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

MOTION:

Mrs. Rhyne made a motion to deny Mr. Simeon's application for lack of documented experience. Mr. Bailey seconded the motion, which carried unanimously.

Thomas A Michaels Jr.

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

MOTION:

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

Robert Kyle Lugar

The Commission held an application review regarding Robert Kyle Lugar. Mr. Lugar appeared before the Commission, waived his right to counsel, and presented two witnesses, Matthew Cunningham and Erin Lugar, for testimony.

MOTION:

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

Carlos Bulnes

The Commission held an application review regarding Carlos Bulnes. Mr. Bulnes appeared before the Commission, waived his right to counsel, and presented two witnesses, Mr. Garcia and Mr. Leon Alfidia, for testimony.

MOTION:

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

Elijah Antonavich Lama Sloan

The Commission held an application review regarding Elijah Antonavich Lama Sloan. Mr. Sloan appeared before the Commission and waived his right to counsel. Mr. Dillard recused himself.

MOTION:

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

Maksim Popov

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

MOTION:

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

Jacqueline Sia Tamaklo

The Commission held an application review regarding Jacqueline Sia Tamaklo. Ms. Tamaklo appeared before the Commission and waived her right to counsel.

MOTION:

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

Hayward Wiggins III

The Commission held an application review regarding Hayward Wiggins III. Mr. Wiggins appeared before the Commission and waived his right to counsel.

MOTION:

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

David Andrew Earle

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

Johnathon T Cammack

The Commission held an application review regarding Johnathon T Cammack. Mr. Cammack appeared before the Commission and waived his right to counsel.

MOTION:

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

John Kenneth Gerrato

The Commission held an application review regarding John Kenneth Gerrato. Mr. Gerrato appeared before the Commission, waived his right to counsel, and presented a witness, John Suter, for testimony.

MOTION:

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

Mark Steven Kovacs

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

MOTION:

Mr. Dillard made a motion to deny Mr. Kovacs to sit for the exam. Mrs. Rhyne seconded the motion, which did not carry unanimously; Mr. Bailey opposed.

Collins Greer Weber

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

MOTION:

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

Gary Scot Gildner

The Commission held an application review regarding Gary Scott Gildner. Mr. Gildner 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. Gildner for licensure. Mrs. 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 a witness, Eve Herbick, for testimony.

MOTION:

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

Motion to Waive Exam:

Malcolm S Harris

The Commission held an application review hearing regarding Malcolm S Harris. Mr. Harris appeared before the Commission with counsel, Mr. Seth Rose.

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:

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

MOTION:

Mr. Bailey made a motion to deny Mr. Harris's request for exam waiver. Mr. Dowd seconded the motion, which did not carry unanimously; Mr. McLeod opposed.

Hearing Officer Recommendations:

Princess Hodges, Office of Disciplinary Counsel

Ms. Hodges presented the recommendations to the Commission.

1. *Kyle Myers 2020-633 and 2021-78*

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

MOTION:

Mr. McLeod made a motion to adopt the Hearing Officer Recommendation.

Mrs. Rhyne seconded the motion, which carried unanimously.

Final Order Hearings Report on Accepted Hearing Officer Recommendations:

Kate Barroll, Office of Disciplinary Counsel

Ms. Barroll presented the report to the Commission.

Joseph Wilson (Wick) Jackson 2019-348

Angela E. Sage 2020-342

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

MOTION:

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

**Legal Advice Regarding a Pending Administrative Law Court Appeal, Kate Barroll,
Office of Disciplinary Counsel:
Executive Session**

MOTION:

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

Return from Executive Session

Mr. Bailey made a motion to return from Executive Session. 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:**

Erin Baldwin, Office of Disciplinary Counsel

Ms. Baldwin presented the ODC status report. She reported the number of cases as of June 27, 2022.

As of June 27, 2022:

Open Cases – 190, Pending Hearings & Agreements – 81, Pending Closure – 1, Closed* – 6, Appeals – 8

***Closed since last report – 6, Closed since 1/1/2022 - 34**

2. **OIE Report:**

Todd Bond, Office of Investigations and Enforcement

Mr. Bond presented the OIE report. He reported the number of Investigations as of July 13, 2022.

As of July 13, 2022:

Complaints Received – 507; Active Investigations – 181; Closed Cases – 423

New Business:

Todd Bond, Office of Investigations and Enforcement

Mr. Bond presented the IRC report and Resolution Guidelines report.

1. Recommendation of IRC

MOTION

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

2. Resolution Guidelines

MOTION

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

**Acceptable Time Interval Since Completion of Formal Course of Study or Training
in Home Inspection to Qualify for License:**

MOTION

Mr. Bailey made a motion that for an approved Home Inspector formal course of study or training to qualify an applicant for licensure, the course must have been completed within the last three years of application. Mrs. Rhyne seconded the motion, which carried unanimously.

Hourly Course Requirement for Home Inspectors:

MOTION

Mr. McLeod made a motion that the Home Inspection course requirement for licensure be a minimum of 120 hours. Mrs. Rhyne seconded the motion, which carried unanimously.

Clarification of Residential Specialty Contractor's Authority to Subcontract in Registered Trades:

MOTION

Mr. Bailey made a motion to clarify that a Residential Specialty Contractor may subcontract only in the trades in which they are registered. Mrs. Rhyne seconded the motion, which carried unanimously.

Old Business:

Discussion regarding updating of the South Carolina Residential Construction Standards.

Public Comments:

None.

Date of Next Meeting:

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

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 4:37 p.m.

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