

RESIDENTIAL BUILDERS
COMMISSION
Synergy Business Park
110 Centerview Drive
Kingstree Building
Columbia, South Carolina 29210
Wednesday, September 14, 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, Earl McLeod, Hal Dillard, 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:

Mr. Bailey made a motion to approve the September 14, 2022 Residential Builders Commission Meeting Agenda. Mr. Dowd seconded the motion, which carried unanimously.

Approval of Minutes for the August 10, 2022 Meeting:

MOTION:

Mr. Dowd made a motion to approve the August 10, 2022 minutes. Mr. Bailey seconded the motion, which carried unanimously.

Approval /Disapproval of Absent Members:

Mrs. Christy Rhyne was absent.

MOTION:

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

Chairman's Remarks:

Timothy W. Roberts

No remarks were made for this meeting.

Initial Applications:

Casey Randall Wickline

The Commission held an application review regarding Casey Randall Wickline. Mr. Wickline appeared before the Commission and waived his right to counsel.

MOTION:

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

Marc Antoine Desrivieres

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

Addison L Osborne Jr.

The Commission held an application review regarding Addison L Osborne, Jr. Mr. Osborne appeared before the Commission with counsel, Mr. Michael Jordan.

MOTION:

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

Andrew Hunt Reese

The Commission held an application review regarding Andrew Hunt Reese. Mr. Reese appeared before the Commission and waived his right to counsel.

MOTION:

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

Thanh Ngoc Ta

The Commission held an application review regarding Thanh Ngoc Ta. Mr. Ta appeared before the Commission and waived his right to counsel.

MOTION:

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

Patrick Bryan Wessinger

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

MOTION:

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

Christopher Bogdanoff

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

MOTION:

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

Ector Garcia

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

MOTION:

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

Erin Shannon Wiggins

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

Corey Hosea Mercer

The Commission held an application review regarding Corey Hosea Mercer. Mr. Mercer appeared before the Commission and waived his right to counsel.

MOTION:

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

Jose Rayo Ruiz

The Commission held an application review regarding Jose Rayo Ruiz. Mr. Ruiz appeared before the Commission and waived his right to counsel.

MOTION:

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

Andrew J Ponkow

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

MOTION:

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

Ryan Matthew Fitts

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

MOTION:

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

Christopher Michael Lambeth Jr.

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

MOTION:

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

Casey A Spurlock

The Commission held an application review regarding Casey A Spurlock. Mr. Spurlock appeared before the Commission, waived his right to counsel, and presented a witness, Charles Pinion, for testimony.

MOTION:

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

Brian Clifford Faulkner

The Commission held an application review regarding Brian Clifford Faulkner. Mr. Faulkner appeared before the Commission and waived his right to counsel.

MOTION:

Mr. Bailey made a motion to approve Mr. Faulkner for a Residential Specialty Registration with the condition that he have a \$5000 bond on file at all times his registration is active. Mr. Dowd seconded the motion, which carried unanimously.

Anthony Leroy Richardson

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

MOTION:

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

Ronnie Ralph Quarles

The Commission held an application review regarding Ronnie Ralph Quarles. Mr. Quarles appeared before the Commission and waived his right to counsel.

MOTION:

Mr. Bailey made a motion to approve Mr. Quarles for a Residential Specialty Registration. Mr. Dowd seconded the motion, which carried unanimously.

Seyed Ehsan Mousavi Rizi

The Commission held an application review regarding Seyed Ehsan Mousavi Rizi. Mr. Rizi appeared before the Commission and waived his right to counsel.

MOTION:

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

Joseph Fletcher Anderson

The Commission held an application review regarding Joseph Fletcher Anderson. Mr. Anderson 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. Mr. Dowd seconded the motion, which carried unanimously.

Return from Executive Session

MOTION:

Mr. Bailey made a motion to return from Executive Session. Mr. Dowd seconded the

motion, which carried unanimously.

MOTION:

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

Jeffrey Wainwright

The Commission held an application review regarding Jeffrey Wainwright. Mr. Wainwright appeared before the Commission, waived his right to counsel, and presented four witnesses for testimony: Justin Wainwright, Jeffery Wainwright, Ashley Hayes, and Rachel Wainwright.

MOTION:

Mr. McLeod made a motion to approve Mr. Wainwright for Residential Builders License reinstatement. Mr. Dowd seconded the motion, which carried unanimously.

Brandon Jarmar Haynesworth

The Commission held an application review regarding Brandon Jarmar Haynesworth. Mr. Haynesworth 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. Mr. Dowd seconded the motion, which carried unanimously.

Return from Executive Session

MOTION:

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

MOTION:

Mr. Bailey made a motion to approve Mr. Haynesworth for Residential Specialty Registration with the conditions that he (1) have a \$5000 bond on file at all times his registration is active and (2) provide the Commission with the outcome of his pending criminal charge, and if convicted, reappear before the Commission for further consideration of his registration. Mr. McLeod seconded the motion, which carried unanimously.

DeJohn Dewese

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

MOTION:

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

Final Order Hearings Report on Accepted Hearing Officer Recommendations:

Erin Baldwin, Office of Disciplinary Counsel

Ms. Baldwin presented the report to the Commission.

Robert H. Justice #2021-969

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

MOTION:

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

Citation Appeal Hearing Officer Review Process:

MOTION:

Mr. Bailey made a motion to adopt the process proposed by the State for resolving citation appeals where the State and the respondent agree to a reduction in the fine. Mr. McLeod seconded the motion, which carried unanimously.

Administrator's Remarks for Information:

Janet Baumberger, Administrator for the Residential Builders Commission

Mrs. Baumberger announced that the department had been approved for a new full time employee position.

Board Information:

1. **OIE Report:**

Todd Bond, Office of Investigations and Enforcement

Mr. Bond presented the OIE report. He reported the number of Investigations as of September 14, 2022.

As of September 14, 2022:

Complaints Received – 751; Active Investigations – 199; Closed Cases – 615

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. Mr. Dowd seconded the motion, which carried unanimously.

2. Resolution Guidelines

MOTION

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

Exam Waiver Experience Requirements:

Exam Waiver applicants will still be required to provide the proof of one-year experience.

Old Business:

1. Residential Construction Standards

MOTION

Mr. McLeod made a motion to approve the proposed revisions and updates to the South Carolina Residential Construction Standards. Mr. Dillard seconded the motion, which carried unanimously.

Public Comments:

None.

Date of Next Meeting:

The next Residential Builders Commission meeting will be held Wednesday, October 12, 2022 at 10:00 am.

Adjournment:

Mr. McLeod 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 3:52 p.m.

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