

RESIDENTIAL BUILDERS
COMMISSION
Synergy Business Park
110 Centerview Drive
Kingstree Building
Columbia, South Carolina 29210
Wednesday, November 9, 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 November 9, 2022 Residential Builders Commission Meeting Agenda. Mr. Dowd seconded the motion, which carried unanimously.

Approval of Minutes for the October 12, 2022 Meeting:

MOTION:

Mr. Bailey made a motion to approve the October 12, 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:

Micah Alan Barney

The Commission held an application review regarding Micah Alan Barney. Mr. Barney appeared before the Commission and waived his right to counsel.

MOTION:

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

Anthony Jordan Szady

The Commission held an application review regarding Anthony Jordan Szady. Mr. Szady appeared before the Commission, waived his right to counsel, and presented a witness, Chase Kaylor, for testimony.

MOTION:

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

Richard Benjamin Taylor

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

MOTION:

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

Elmer Estuardo Murillo

Mr. Murillo did not need to attend as his application was approved at staff level. The Commission did not take any action.

Patrick R Kenney

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

MOTION:

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

Antonio Henderson

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

MOTION:

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

Ross William Shinkar

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

MOTION:

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

Larry B Adkins

The Commission held an application review regarding Larry B Adkins. Mr. Adkins

appeared before the Commission, waived his right to counsel, and presented a witness, Robert McCullen, for testimony.

MOTION:

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

Robert Jacob Bassett

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

MOTION:

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

Juan Bautista Gamez Martinez

The Commission held an application review regarding Juan Bautista Gamez Martinez. Mr. Martinez appeared before the Commission and waived his right to counsel.

MOTION:

Mrs. Rhyne made a motion to deny Mr. Martinez to sit for the exam. Mr. Dillard seconded the motion, which did not carry unanimously. Mr. McLeod Opposed.

Tyler Scott Mastera

The Commission held an application review regarding Tyler Scott Mastera. Mr. Mastera appeared before the Commission and waived his right to counsel.

MOTION:

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

Cody Vernon Rode Buntin

The Commission held an application review regarding Cody Vernon Rode Buntin. Mr. Buntin appeared before the Commission, waived his right to counsel, and presented a witness, his father, Mark Buntin, for testimony.

MOTION:

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

James Parker Brown II

The Commission held an application review regarding James Parker Brown II. Mr. Brown appeared before the Commission and waived his right to counsel.

MOTION:

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

Ryan Steven Anderson

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

MOTION:

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

Jorge Demian Fraga

The Commission held an application review regarding Jorge Demian Fraga. Mr. Fraga appeared before the Commission and waived his right to counsel.

MOTION:

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

Robert Easterling Wall IV

The Commission held an application review regarding Robert Easterling Wall IV. Mr. Wall appeared before the Commission and waived his right to counsel.

MOTION:

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

Steven Scott Frazier Jr

The Commission held an application review regarding Steven Scott Frazier Jr. Mr. Frazier appeared before the Commission and waived his right to counsel.

MOTION:

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

Justin Allen Bunch

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

Gary Wayne Dempsey

The Commission held an application review regarding Gary Wayne Dempsey. Mr. Dempsey appeared before the Commission and waived his right to counsel.

MOTION:

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

Clifford Raymond Spencer

Mr. Spencer did not attend and requested to be rescheduled. The Commission did not take any action.

Jonathan Alexander Bull

The Commission held an application review regarding Jonathan Alexander Bull. Mr. Bull appeared before the Commission, waived his right to counsel, and presented a witness, Summer Massey, for testimony.

MOTION:

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

Jonathan Shane Patrick

The Commission held an application review regarding Jonathan Shane Patrick. Mr. Patrick appeared before the Commission, waived her right to counsel, and

presented a witness, Pastor Robert Jarvis, for testimony.

MOTION:

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

John Clifton McCoy III

The Commission held an application review regarding John Clifton McCoy III. Mr. McCoy appeared before the Commission, waived his right to counsel, and presented a witness, his father, John McCoy Jr., for testimony.

MOTION:

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

Hearing Officer Recommendations:

Robert Elam, Office of Disciplinary Counsel

Mr. Elam presented the report to the Commission.

1. *Mildred Amaker 2019-686*

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

MOTION:

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

Rowland Alston, Office of Disciplinary Counsel

Mr. Alston presented the report to the Commission.

2. *Stephen Shelley 2020-243*

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

MOTION:

Mr. Dillard 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:

Rowland Alston, Office of Disciplinary Counsel

Mr. Alston presented the report to the Commission.

1. *Christian Reyes 2021-508*

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.

2. *Travis S Boyd 2017-771*

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

MOTION:

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

3. *John Barry Stricklin 2020-670*

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

MOTION:

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

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 November 9, 2022.

As of November 9, 2022:

Complaints Received – 918; Active Investigations – 218; Closed Cases – 736

New Business:

Todd Bond, Office of Investigations and Enforcement

Mr. Bond presented the Resolution Guidelines report.

1. Recommendation of IRC

MOTION

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

Finance Report, Patrick Jarvis, Finance and Procurement Office:

Patrick Jarvis, Finance and Procurement Office

Mr. Jarvis presented the September 2022 Residential Builders Finance Report and answered questions regarding the report and other financial issues.

May 10, 2023 Board Meeting Conflicts with State Holiday:

Commission requested that the monthly meeting for May 2023 be rescheduled for either the week before or the week after May 10, 2023, according to meeting room availability.

Technical and Business Management and Law Portions of Exam Considered the Same or Separate as the Total Number of Three Fails:

MOTION

Mr. McLeod made a motion that applicants be allowed three attempts for each part of the Commission's licensing examinations: (1) the Technical part and (2) the Business Management and Law part. As a result, the parts may be taken on separate dates and a failure of one part does not count as a failure of the other part. Applicants must still pass both parts of the examination to become licensed. Mrs. Rhyne seconded the motion, which carried unanimously.

Review and Determine Bond Claim Process:

The Commission will continue to address bond claims if they arise in a disciplinary matter and will consider promulgating a regulation regarding bond claim process in 2023.

Digital and Electronic Signatures on Bonds, Continuation Certificates, and/or Riders:

1. All original bonds must have handwritten signatures for the authorized agent for the Surety and the Principal/Licensee. It can also be a copy of the signature.
2. Continuation certificates and/or riders must have a handwritten signature or a copy of a handwritten signature for the Principal/Licensee if the Principal/Licensee's signature is required on the certificate and/or rider.

3. Continuation certificates and/or riders must have a handwritten signature or a copy of the handwritten signature for the authorized agent for the Surety if the bond continuation certificate is sent by the Principal/Licensee.
4. Continuation certificates and/or riders may have an electronic or digital signature from the authorized agent of the Surety if the certificate and/or rider is sent directly from the Surety.

S.C. Code Ann. § 40-59-105(C)(2): 2nd Offense Citations and Process for Licensed and Unlicensed:

The Commission discussed the procedure for handling 2nd offense citations for both licensed and unlicensed persons but postponed any decision until next month's meeting.

Administrator's Remarks for Information:

Kim Humphries, Program Coordinator I for the Residential Builders Commission
Mrs. Humphries had no remarks.

Old Business:

It was noted that the new South Carolina Residential Construction Standards are posted on the Commission's website.

Public Comments:

None.

Date of Next Meeting:

The next Residential Builders Commission meeting will be held Wednesday, December 14, 2022 at 10:00 am.

Adjournment:

Mr. McLeod made a motion to adjourn the Residential Builders Commission Meeting. Mr. Graves seconded the motion, which carried unanimously. The Residential Builders Commission Meeting was adjourned at 4:02 p.m.

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