

RESIDENTIAL BUILDERS
COMMISSION
Synergy Business Park
110 Centerview Drive
Kingstree Building
Columbia, South Carolina 29210
Wednesday, December 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 10:02 a.m. Other members present for the meeting included: Al Bailey, Hal Dillard, 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 December 14, 2022 Residential Builders Commission Meeting Agenda. Mr. Dowd seconded the motion, which carried unanimously.

Approval of Minutes for the November 9, 2022 Meeting:

MOTION:

Mr. Bailey made a motion to approve the November 9, 2022 minutes. Mrs. Rhyne seconded the motion, which carried unanimously.

Approval /Disapproval of Absent Members:

Mr. McLeod was absent.

MOTION:

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

Chairman's Remarks:

Timothy W. Roberts

No remarks were made for this meeting.

Applications:

Joshua K Paterson

The Commission held an application review regarding Joshua K Paterson. Mr. Paterson appeared before the Commission, waived his right to counsel, and presented a witness, Cayle Anderson, for testimony.

MOTION:

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

Anatoliy Molofiy

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

David Andrew Earle

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

MOTION:

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

Samuel M Pushin

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

MOTION:

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

Brandon Sloan Thornton

The Commission held an application review regarding Brandon Sloan Thornton. Mr. Thornton appeared before the Commission and waived his right to counsel.

MOTION:

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

Gerald H Marseille

The Commission held an application review regarding Gerald H Marseille. Mr. Marseille appeared before the Commission and waived his right to counsel.

MOTION:

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

Peter Isaiah Hollands

The Commission held an application review regarding Peter Isaiah Hollands. Mr. Hollands appeared before the Commission and waived his right to counsel.

MOTION:

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

Daniel M Messina

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

MOTION:

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

Don L McLemore Jr

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

Johnnie Dalton Keen III

The Commission held an application review regarding Johnnie Dalton Keen. Mr. Keen appeared before the Commission and waived his right to counsel.

MOTION:

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

David John Murillo

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

MOTION:

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

Thomas Reid Rodgers

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

MOTION:

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

Claude Wallace Gwin III

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

MOTION:

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

Isaac Leo Israel

The Commission held an application review regarding Isaac Leo Israel. Mr. Israel appeared before the Commission and waived his right to counsel.

MOTION:

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

Chandler Kane Lawson-Harbin

The Commission held an application review regarding Chandler Kane Lawson-Harbin. Mr. Lawson-Harbin appeared before the Commission, waived his right to counsel, and presented a witness, Kevin King, for testimony.

MOTION:

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

Ashleigh Renee Rabon

The Commission held an application review regarding Ashleigh Renee Rabon. Mrs. Rabon appeared before the Commission and waived her right to counsel.

MOTION:

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

David T Pickens

The Commission held an application review regarding David T Pickens. Mr. Pickens 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. Mr. Dowd seconded the motion, which carried unanimously.

MOTION:

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

David J Kozimbo

The Commission held an application review regarding David J Kozimbo. Mr. Kozimbo appeared before the Commission with counsel, Dylan Glick.

MOTION:

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

Robert Jason Yarbrough

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

MOTION:

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

Freddy Lee Timmons

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

MOTION:

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

Zachary Allen Kerr

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

MOTION:

Mr. Bailey made a motion to approve Mr. Kerr for a Residential Specialty Contractor registration on condition that he submit a status update on his probation prior to issuing the registration and that he maintain a \$5000 bond on file with the Commission at all times his registration is active. Mrs. Rhyne seconded the motion, which carried unanimously.

Steve Savage

The Commission held an application review regarding Steve Savage. Mr. Savage appeared before the Commission, waived his right to counsel, and presented a witness, Monica Savage, for testimony.

MOTION:

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

Ambrose Pierre Young

The Commission held an application review regarding Ambrose Pierre Young. Mr. Young appeared before the Commission and waived his right to counsel.

MOTION:

Mr. Dowd made a motion to approve Mr. Young for a Residential Contractor Specialty registration with the condition that he maintain a \$5000 bond on file with the Commission at all times his registration is active and that he submit an updated SLED report at each renewal. Mr. Bailey seconded the motion, which did not carry unanimously. Mr. Dillard opposed.

Guillermo Omana Islas

The Commission held an application review regarding Guillermo Omana Islas. Mr. Islas appeared before the Commission and waived his right to counsel.

MOTION:

Mr. Graves made a motion to approve Mr. Omana Islas for a Residential Specialty Contractor registration. Mr. Dowd seconded the motion, which carried unanimously.

Hearing Officer Recommendations:

Princess Hodges, Office of Disciplinary Counsel

Ms. Hodges presented the report to the Commission.

1. *Jason Aaron Gilmer 2019-452*

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

MOTION:

Mrs. Rhyne made a motion to adopt the Hearing Officer Recommendation. Mr. Dillard 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. *William Blakely III 2020-657*
2. *Brandon L Pilgrim 2020-222; 2020-419*
3. *Kent A Ravaoli 2021-955*

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 December 14, 2022.

As of December 14, 2022:

Complaints Received – 1006; Active Investigations – 204; Closed Cases – 831

Administrator’s Recommendation for Bond Claim #2020-257:

MOTION:

Mr. Bailey made a motion to approve the Administrator’s Recommendation. Mr. Dowd seconded the motion, which carried unanimously.

Commission-Approved Form for Home Inspections:

The Commission will discuss further whether it will have a Commission-approved form for home inspections at next month’s meeting after more research is completed.

Number of Monthly Staff-Approved Applications:

The Commission discussed the reports presented and will review the issue again at next month’s meeting after more research is completed and additional information is provided.

Administrator’s Remarks for Information:

Janet Baumberger, Administrator for the Residential Builders Commission

Mrs. Baumberger had no remarks.

Old Business:

a. **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 within five years for both licensed and unlicensed persons. Upon a 2nd offense within five years, licensed persons shall be issued a formal complaint and scheduled for hearing. With respect to unlicensed persons, the Commission will continue its current process by issuing a 2nd citation and providing a hearing if requested by the respondent.

b. May meeting rescheduled for May 17, 2023

Public Comments:

None.

Date of Next Meeting:

The next Residential Builders Commission meeting will be held Wednesday, January 11, 2023, at 10:00 am.

Adjournment:

Mr. Dillard 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 3:18 p.m.

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