

SOUTH CAROLINA RESIDENTIAL BUILDERS COMMISSION
Meeting Minutes

Wednesday, October 11, 2023 at 10:00 A.M. in the Lowcountry Conference Room
Synergy Business Park, Kingstree Building
110 Centerview Drive, Columbia, SC 29210

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, Christy Rhyne, Bryan Dowd, Earl McLeod 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 for the October 11, 2023 Meeting:

MOTION:

Mrs. Rhyne made a motion to approve the October 11, 2023 Residential Builders Commission Meeting Agenda. Mr. Dowd seconded the motion, which carried unanimously.

Approval of Minutes for the August 9, 2023 Meeting:

MOTION:

Mr. Bailey made a motion to approve the August 9, 2023 minutes. Mr. Dowd seconded the motion, which carried unanimously.

Approval of Minutes for the September 13, 2023 Meeting:

MOTION:

Mr. Dowd made a motion to approve the September 13, 2023 minutes. Mr. Graves seconded the motion, which carried unanimously.

Approval /Disapproval of Absent Members:

All Commission members were present.

Chairman's Remarks:

Timothy W. Roberts

Mr. Roberts had no remarks.

Application Reviews:

Julius Thomas

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

MOTION:

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

Steven Sobek

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

MOTION:

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

Jimmy Hunsinger

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

MOTION:

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

Timothy Wade

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

MOTION:

Mr. Graves made a motion to approve Mr. Wade to sit for the exam. Mr. McLeod seconded the motion, which did not carry unanimously. Mr. Graves, Mr. McLeod, and Mr. Bailey approved and Mr. Dillard, Mrs. Rhyne, and Mr. Dowd opposed. Mr. Roberts broke the tie by voting in favor of the motion.

John Grooms

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

MOTION:

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

Cleiton De Araujo

The Commission held an application review regarding Cleiton De Araujo. Mr. De Araujo appeared before the Commission and waived his right to counsel.

MOTION:

Mr. Bailey made a motion to deny Mr. De Araujo to sit for the exam at this time with stipulation that the Commission delegate to the Chairman the authority to determine whether the applicant has the necessary qualifications and experience in the event the applicant provides an appropriate experience affidavit in the future. Mrs. Rhyne seconded the motion, which carried unanimously.

Jude Defina

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

MOTION:

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

opposed.

Ammon Powell

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

MOTION:

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

James Moore

Mr. Moore did not attend the meeting. The Commission did not take any action.

Jeremiah Simons

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

MOTION:

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

Jared Honick

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

MOTION:

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

Rolenzo Coker

Mr. Coker did not attend the meeting. The Commission did not take any action.

Michael Day

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

MOTION:

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

Codi Trotter

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

MOTION:

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

Nicholas Marti

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

MOTION:

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

seconded the motion, which carried unanimously.

Darryl Jones II

The Commission held an application review regarding Darryl Jones II. Mr. Jones appeared before the Commission and waived his right to counsel.

MOTION:

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

Aaron Volk

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

MOTION:

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

Eulalio Toledo Jr.

The Commission held an application review regarding Eulalio Toledo Jr. Mr. Toledo appeared before the Commission and waived his right to counsel.

Into Executive Session:

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:

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

MOTION:

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

Vadim Seletskiy

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

MOTION:

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

Philip Leaphart

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

MOTION:

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

Richard Stone

The Commission held an application review regarding Richard Stone. Mr. Stone appeared before the Commission and waived his right to counsel. Mr. Dillard and Mr. Bailey recused themselves.

MOTION:

Mrs. Rhyne made a motion to approve Mr. Stone for his Residential Specialty Contractor Registration Reinstatement. Mr. Dowd seconded the motion, which carried unanimously.

Vladislav Arsenenko

The Commission held an application review regarding *Vladislav Arsenenko*. Mr. Arsenenko appeared before the Commission and waived his right to counsel.

MOTION:

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

Larry Williams

Mr. Williams did not attend the meeting. The Commission did not take any action.

David Becker

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

MOTION:

Mr. Bailey made a motion to approve Mr. Becker for his Residential Specialty Contractor Registration. Mr. Dowd seconded the motion, which did not carry unanimously. Mr. Dillard and Mr. McLeod opposed.

Final Order Hearings Report on Accepted Hearing Officer Recommendations:

Rowland Alston, Office of Disciplinary Counsel

Mr. Alston presented the report to the Commission.

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

1. *David E. Dubose #2021-262*

MOTION:

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

Board Information:

1. ODC Report:

Rowland Alston, Office of Disciplinary Counsel

Mr. Alston presented the ODC status report. He reported the number of cases as of September 27, 2023.

As of September 27, 2023:

Open Cases – 226, Pending Hearings & Agreements – 83, Pending Closure – 0, Closed* – 34, Appeals – 1, *Closed since last report – 34, Closed Cases 2023 – 85

2. OIE Report:

Chris Cudd, Office of Investigations and Enforcement

Mr. Cudd presented the OIE Report. He reported the number of Investigations as of October 11, 2023.

As of October 11, 2023:

Complaints Received – 709; Active Investigations – 141; Closed Cases – 687

New Business:

Chris Cudd, Office of Investigations and Enforcement

Mr. Cudd presented the IRC Report and Resolution Guidelines Report.

1. Recommendation of IRC:

MOTION:

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

2. Resolution Guidelines:

MOTION:

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

Financial Report:

The Commission reviewed and discussed the August 31, 2023 Residential Builders Finance Report.

Number of Monthly Staff-Approved Applications:

The Commission reviewed the monthly staff-approved applications report for the Residential Builders Commission.

Discussion: Can an individual with more than one license issued by the Commission be a Resident Licensee in Responsible Charge for a different COA with each license?

The Commission had a discussion regarding whether an individual with more than one Residential Builder Commission license can be the Resident Licensee in Responsible Charge on a different Certificate of Authorization for each license, e.g. individual with a plumbing license and electrical license can be the Resident Licensee in Responsible Charge for Doe Plumbing COA with his plumbing license and Residential Licensee in Responsible Charge for Doe Electrical COA with his electrical license even though the 2 COAs are unrelated.

Into Executive Session:

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:

Mr. Bailey made a motion to come out of Executive Session. Mrs. Rhyne seconded the motion, which carried unanimously.

MOTION:

Mr. Dowd made a motion in regards to Statute 40-59-410H: anyone holding more than one Residential Builder Commission license should be allowed to be the Resident Licensee in Responsible Charge for a different COA per license. Mrs. Rhyne seconded the motion, which carried unanimously.

Addition of Gas Piping to the Electrical Exam:

The Commission discussed if the addition of gas piping should be added to the electrical exam and determined to review and discuss this item at a future meeting.

Old Business:

None.

Administrator's Remarks for Information:

Janet Baumberger, Administrator for the Residential Builders Commission

Mrs. Baumberger had no remarks.

Public Comments:

None.

Date of Next Meeting:

The next Residential Builders Commission meeting will be held Wednesday, November 8, 2023 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 4:20 p.m.

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