

SOUTH CAROLINA RESIDENTIAL BUILDERS COMMISSION
Meeting Minutes

Wednesday, January 10, 2024 at 10:00 A.M. in the Upstate 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 10:00 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 for the January 10, 2024 Meeting:

MOTION:

Mrs. Rhyne made a motion to approve the January 10, 2024 Residential Builders Commission Meeting Agenda. Mr. Dowd seconded the motion, which carried unanimously.

Approval of Minutes for the December 13, 2023 Meeting:

MOTION:

Mr. Bailey made a motion to approve the December 13, 2023 minutes. Mrs. Rhyne seconded the motion, which carried unanimously.

Approval /Disapproval of Absent Members:

All members were present.

Chairman's Remarks:

Timothy W. Roberts

Mr. Roberts asked everyone to speak clearly into the microphone when they come up to give their testimony.

Application Reviews:

Vitaliy Vladimirovich Dub

The Commission held an application review regarding Vitaliy Vladimirovich Dub. Mr. Dub appeared before the Commission and waived his right to counsel.

MOTION:

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

Lawrence Patrick Brown

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

MOTION:

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

Henry R. Whitty, Jr.

The Commission held an application review regarding Henry R. Whitty, Jr. Mr. Whitty appeared before the Commission and waived his right to counsel.

MOTION:

Mr. Bailey made a motion to deny Mr. Whitty to sit for the exam. Mr. Dowd seconded the motion, which carried, but not unanimously. Mr. McLeod opposed.

Eryn Alyssa Greene

The Commission held an application review regarding Eryn Alyssa Greene. Ms. Greene appeared before the Commission and waived her right to counsel.

MOTION:

Mr. Graves made a motion to approve Ms. Greene to sit for the exam. Mr. Dillard seconded the motion, which carried, but not unanimously. Mr. Dowd opposed.

Adam Jeffery Brown

Mr. Brown did not appear. The Commission did not take any action.

Brad D. Larson

The Commission held an application review regarding Brad D. Larson. Mr. Larson appeared before the Commission and waived his right to counsel.

MOTION:

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

William Brett Smith

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

MOTION:

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

Brian Joel Steele

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

MOTION:

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

John C. Apida

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

MOTION:

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

seconded the motion, which carried unanimously.

Jaime Perez Urbina

Mr. Urbina rescheduled. Therefore, the Commission did not take any action.

Igor Valeriyevich Tarasyuk

The Commission held an application review regarding Igor Valeriyevich Tarasyuk. Mr. Tarasyuk appeared before the Commission and waived his right to counsel.

MOTION:

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

Brett Chester

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

MOTION:

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

Kyle L. Martin

Mr. Martin did not appear. The Commission did not take any action.

Joshua Westmoreland

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

MOTION:

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

Mark D. McCabe

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

MOTION:

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

Bradley Bush

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

MOTION:

Mr. Dillard made a motion to approve Mr. Bush to sit for the exam. Mrs. Rhyne seconded the motion, which carried, but not unanimously. Mr. Bailey and Mr. Dowd opposed.

Quentin Darell Dye

The Commission held an application review regarding Quentin Darell Dye. Mr. Dye appeared before the Commission and waived his right to counsel.

MOTION:

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

Justin Jeffrey Smith

The Commission held an application review regarding Justin Jeffrey Smith. Mr. Smith appeared before the Commission and waived his right to counsel.

MOTION:

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

Anthony Todd Carnes

Mr. Carnes rescheduled. Therefore, the Commission did not take any action.

Autumn Camp Webb

The Commission held an application review regarding Autumn Camp Webb. Ms. Webb appeared before the Commission, waived her right to counsel, and presented a witness for testimony.

MOTION:

Mr. Bailey made a motion to Approve Ms. Camp to sit for the exam. Mrs. Rhyne seconded the motion, which carried, but not unanimously. Mr. Dowd opposed.

Larry Joshua Kaleb Williams

The Commission held an application review regarding Larry Joshua Kaleb Williams. Mr. Williams appeared before the Commission, waived his right to counsel, and presented a witness for testimony.

MOTION:

Mrs. Rhyne made a motion to approve Mr. Williams to sit for the exam, with conditions imposed on licensure upon successfully passing the required exam. Mr. Bailey seconded the motion, which carried unanimously.

Reconsideration of Application:

James McFarland Easterling III

The Commission held an application review regarding James McFarland Easterling III. Mr. Easterling appeared before the Commission and waived his right to counsel.

MOTION:

Mr. McLeod made a motion to approve Mr. Easterling to sit for the exam. Mrs. Rhyne seconded the motion, which carried, but not unanimously. Mr. Dowd and Mr. Dillard opposed.

Owner-Builder Waiver:

Marc Baillargeon

Mr. Baillargeon did not appear. The Commission did not take any action.

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. #2021-427

2. #2020-841

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 January 2, 2024.

As of January 2, 2024:

Open Cases – 230, Pending Hearings & Agreements – 76, Pending Closure – 0, Closed* – 22, Appeals – 0, *Closed since last report – 22, Closed Cases 2023 – 107

2. OIE Report:

Chris Cudd, Office of Investigations and Enforcement

Mr. Cudd presented the OIE Report. He reported the number of Investigations as of January 10, 2024.

2023 Year End Report:

Complaints Received – 938; Active Investigations – 81; Closed Cases – 834

2024 Supplemental Report:

Complaints Received – 3; Active Investigations – 1; Closed Cases – 17

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:

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

Revised South Carolina Residential Builders Commission and Mississippi State Board of Contractors Exam Waiver Agreement:

The Commission reviewed the revised South Carolina Residential Builders Commission and Mississippi State Board of Contractors Exam Waiver Agreement.

MOTION:

Mrs. Rhyne made a motion to approve the revised exam waiver agreement. Mr. McLeod seconded the motion, which carried unanimously.

Good Cause Designee:

The Commission reviewed information in regard to the Commission designating

member(s) of the Commission to make determinations as to whether good cause exists to withhold the name of a complainant from the person against whom the complaint is made pursuant to S.C. Code Ann. § 40-1-80.

MOTION:

Mr. McLeod made a motion to authorize the Commission Chairman and alternatively the Vice Chairman (if the Commission Chairman is unavailable), to make good cause determinations under S.C. Code Ann. § 40-1-80. Mrs. Rhyne seconded the motion, which carried unanimously.

Financial Report:

The Commission reviewed and discussed the November 30, 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.

Election of Officers:

The Commission discussed adding additional Hearing Officers as Mr. Bailey and Mr. Roberts are the only designated Hearing Officers at this time; however, no further action was taken.

The Commission also discussed election of officers.

MOTION:

Mr. Bailey made a motion to elect Mr. Roberts as Chairman for another term. Mrs. Rhyne seconded the motion, which carried unanimously.

MOTION:

Mrs. Rhyne made a motion to elect Mr. Bailey as Vice Chairman for another term. Mr. Dowd seconded the motion, which carried unanimously.

Old Business:

None.

Administrator's Remarks for Information:

Janet Baumberger, Administrator for the Residential Builders Commission

Mrs. Baumberger provided information concerning proposed legislation that may affect the Commission (H.4086).

Public Comments:

None.

Date of Next Meeting:

The next Residential Builders Commission meeting will be held Wednesday, February 14, 2024 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 3:04 p.m.

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