

SOUTH CAROLINA RESIDENTIAL BUILDERS COMMISSION
Meeting Minutes

Wednesday, February 14, 2024 at 10:00 A.M. in the Low Country 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 (Mr. Bailey left the meeting at 3:30 p.m.), 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 February 14, 2024 Meeting:

MOTION:

Mrs. Rhyne made a motion to approve the February 14, 2024 Residential Builders Commission Meeting Agenda. Mr. Bailey seconded the motion, which carried unanimously.

Approval of Minutes for the January 10, 2024 Meeting:

MOTION:

Mr. Bailey made a motion to approve the January 10, 2024 minutes. Mr. Dowd seconded the motion, which carried unanimously.

Approval /Disapproval of Absent Members:

Mr. Dillard was absent.

MOTION:

Mr. Dowd made a motion to approve Mr. Dillard's absence. Mr. Bailey seconded the motion, which carried unanimously.

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:

Jeffrey R. Floyd

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

Michael N. Randazzo

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

MOTION:

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

Ross A. Davis

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

MOTION:

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

Joel D. Janssen

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

MOTION:

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

David John Robertson

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

MOTION:

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

Erik Herndon

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

MOTION:

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

Matthew David Hall

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

MOTION:

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

Thad L. Turnipseed

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

MOTION:

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

Joao Romao Vogel

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

Billy Ray Johnson, Jr.

The Commission held an application review regarding Billy Ray Johnson, Jr. Mr. Johnson appeared before the Commission, waived his right to counsel, and presented a witness for testimony.

MOTION:

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

Matthew Allen Haroff

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

MOTION:

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

David McNeely Hopper

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

MOTION:

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

Dallas Skye Penagos

The Commission held an application review regarding Dallas Skye Penagos. Ms. Penagos appeared before the Commission and waived her right to counsel.

MOTION:

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

Victor S. Borisik

The Commission held an application review regarding Victor S. Borisik. Mr. Borisik appeared before the Commission and waived his right to counsel.

MOTION:

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

Daniel D. Dunn

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

MOTION:

Mr. McLeod made a motion that Mr. Dunn be approved to sit for the exam if an experience affidavit or affidavits is/are submitted, and such experience is approved by the Commission Chairman or another single member of the Commission. Mr. Graves seconded the motion, which carried unanimously.

Tommy Lee Pitman, Sr.

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

Leroy Williams, Jr.

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

MOTION:

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

Isaac Diaz

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

MOTION:

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

Caleb Alan Anderson

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

MOTION:

Mrs. Rhyne made a motion to deny Mr. Anderson to sit for the exam. Mr. Bailey seconded the motion. The motion and second were withdrawn and no vote was taken on the motion.

MOTION:

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

Juan Pedro Sanchez

The Commission held an application review regarding Juan Pedro Sanchez. Mr. Sanchez appeared before the Commission and waived his right to counsel.

MOTION:

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

Christopher Lamar Moyer

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

MOTION:

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

Jesse Antonio Olivero

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

MOTION:

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

Travis Cole King

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

MOTION:

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

Tarano Ronald Nelson

The Commission held an application review regarding Tarano Ronald Nelson. Mr. Nelson appeared before the Commission and waived his right to counsel.

MOTION:

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

Hearing Officer Recommendations:

Robert Elam, Office of Disciplinary Counsel

Mr. Elam presented the reports to the Commission.

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

1. *Denis Paukov #2021-424*

MOTION:

Mr. Graves made a motion to uphold the Hearing Officer Recommendation with a modification to the recommended sanctions to reduce the fine from \$2500 to \$1000. Mr. McLeod seconded the motion, which carried unanimously.

2. *Thomas M. Evans III #2022-682*

MOTION:

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

3. *Vasiliy Busko #2021-340*

MOTION:

Mr. Graves 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:

Robert Elam, Office of Disciplinary Counsel

Mr. Elam presented the report to the Commission.

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

1. *Tiffany Khalid #2023-160*

MOTION:

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

Board Information:

1. OIE Report:

Chris Cudd, Office of Investigations and Enforcement

Mr. Cudd presented the OIE Report. He reported the number of Investigations as of February 14, 2024.

**As of February 14, 2024:
Complaints Received – 229; Active Investigations – 171; Closed Cases – 98**

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. Dowd 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.

Legislative Update, Holly Beeson, Office of Communications and Governmental Affairs:

Holly Beeson provided an update concerning proposed legislation that may affect the Commission (H.4086). The Commission provided feedback regarding the proposed legislation.

Discussion of Enforcement for Noncompliance with Owner-Builder Statute – Executive Session for Legal Advice:

The Commission deferred this item to next month's agenda. The Commission did not take any action.

Approval of NASCLA Travel:

The Commission reviewed and discussed the upcoming NASCLA travel for the Residential Builders Commission.

MOTION

Mr. Dowd made a motion to approve up to five individuals for all 2024 NASCLA travel. Mrs. Rhyne seconded the motion, which carried unanimously.

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, March 13, 2024 at 10:00 am.

Adjournment:

Mrs. Rhyne 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 5:11 p.m.

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