

SOUTH CAROLINA RESIDENTIAL BUILDERS COMMISSION
Meeting Minutes

Wednesday, May 8, 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 10:01 a.m. Other members present for the meeting included: Al Bailey, Hal Dillard, Earl McLeod, Christy Rhyne, 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 May 8, 2024 Meeting:

MOTION:

Mrs. Rhyne made a motion to approve the May 8, 2024 Residential Builders Commission Meeting Agenda. Mr. Bailey seconded the motion, which carried unanimously.

Approval of Minutes for the April 10, 2024 Meeting:

MOTION:

Mr. Bailey made a motion to approve the April 10, 2024 minutes. Mrs. Rhyne seconded the motion, which carried unanimously.

Approval /Disapproval of Absent Members:

Mr. Dowd was absent.

MOTION:

Mrs. Rhyne made a motion to approve Mr. Dowd'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:

Reba Suzanne Cole

Ms. Cole rescheduled. Therefore, the Commission did not take any action.

Catherine Craven

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

MOTION:

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

Christian De Jesus

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

MOTION:

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

Anthony Todd Carnes

The Commission held an application review regarding Anthony Todd Carnes. Mr. Carnes appeared before the Commission and waived his right to counsel.

MOTION:

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

Christopher J. Maeder

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

MOTION:

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

Deonte D. Morgan

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

MOTION:

Mr. Bailey made a motion to deny Mr. Morgan to sit for the exam. Mr. McLeod seconded the motion, which carried unanimously. However, Mr. Morgan was given leave to submit additional documentation concerning his experience and education, which may be reviewed and approved by a single Commission member.

Geovanny A. Marquez

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

MOTION:

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

Kyle A. Price

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

MOTION:

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

Laurence Sansone Dubow

The Commission held an application review regarding Laurence Sansone Dubow. Mr. Dubow appeared before the Commission and waived his right to counsel.

MOTION:

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

Marcus Russell McPherson

The Commission held an application review regarding Marcus Russell McPherson. Mr. McPherson appeared before the Commission and waived his right to counsel.

MOTION:

Mr. Bailey made a motion that Mr. McPherson be approved to sit for the exam if an experience affidavit is submitted from his employer, and such experience is approved by the Commission Chairman or another single member of the Commission. Mr. McLeod seconded the motion, which carried unanimously.

Justin Allen Bunch

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

MOTION:

Mrs. Rhyne made a motion to approve Mr. Bunch to sit for the exam. Mr. McLeod seconded the motion, which carried. Mr. Dillard abstained.

Joseph Frank Masella

The Commission held an application review regarding Joseph Frank Masella. Mr. Masella appeared before the Commission and waived his right to counsel.

MOTION:

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

David Alan Bales [CLOSED]

The Commission held an application review regarding David Alan Bales in closed session due to confidentiality and privacy laws. Mr. Bales appeared before the Commission and waived his right to counsel.

MOTION:

Mr. Bailey made a motion to approve Mr. Bales for his Residential Specialty Contractor Registration with the condition that he must have a \$5000 bond on file with the Commission at all times. Mr. Graves seconded the Motion which did not carry. Mrs. Rhyne, Mr. McLeod, and Mr. Dillard opposed.

Into Executive Session

MOTION:

Mr. Dillard made a motion to go into Executive Session for legal advice. Mrs. Rhyne seconded the motion, which carried unanimously.

Out of Executive Session

MOTION:

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

MOTION:

Mr. Bailey made a motion to approve Mr. Bales for his Residential Specialty Contractor Registration with the condition that he must have a \$5000 bond on file with the Commission at all times. Mr. Dillard seconded the Motion which carried, but not unanimously. Mrs. Rhyne and Mr. McLeod opposed.

Marcus Stan Tuttle

The Commission held an application review regarding Marcus Stan Tuttle. Mr. Tuttle appeared before the Commission and waived his right to counsel.

MOTION:

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

Stephen Anthony Lee

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

MOTION:

Mr. McLeod made a motion to approve Mr. Lee for his Residential Specialty Contractor Registration. Mr. Graves seconded the motion, which did not carry. Mr. Bailey, Mrs. Rhyne, and Mr. Dillard opposed.

MOTION:

Mr. Dillard made a motion to deny Mr. Lee for a Residential Specialty Contractor Registration. Mr. Bailey seconded the motion. Following the executive session, the motion was withdrawn and no vote was taken on the motion.

Into Executive Session

MOTION:

Mr. Dillard made a motion to go into Executive Session for legal advice. Mrs. Rhyne seconded the motion, which carried unanimously.

Out of Executive Session

MOTION:

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

MOTION:

Mr. Dillard made a new motion to deny Mr. Lee for a Residential Specialty Contractor Registration. Mrs. Rhyne seconded the motion, which carried, but not unanimously. Mr. Graves and Mr. McLeod opposed.

Cullen Whitman Dupree

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

MOTION:

Mr. McLeod made a motion to approve Mr. Dupree to sit for the exam. There was no

second to the motion, so the motion failed.

MOTION:

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

MOTION:

Mr. McLeod made a motion to approve Mr. Dupree to sit for the exam based on additional information provided. Mr. Bailey seconded the motion which carried, but not unanimously. Mr. Dillard and Mr. Graves opposed.

Christopher Glen Canaday

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

MOTION:

Mr. Graves made a motion to approve Mr. Canaday for his Residential Specialty Contractor Registration. Mr. McLeod seconded the motion, which carried, but not unanimously. Mr. Bailey and Mrs. Rhyne opposed.

Ann Marie McCoy

Ms. McCoy canceled her appearance. Therefore, the Commission did not take any action.

Final Order Hearings on Hearing Officer Recommendations:

Sherrie Butterbaugh, Office of Disciplinary Counsel

Ms. Butterbaugh presented the report to the Commission.

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

1. *Thomas V. Oswald #2021-849*

MOTION:

Mr. Dillard made a motion to adopt the Hearing Officer Recommendation. 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 May 8, 2024.

As of May 8, 2024:

Complaints Received – 540; Active Investigations – 100; Closed Cases – 323

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. Bailey seconded the motion, which carried unanimously.

Licensure Requirement for Wheelchair Ramps:

The Commission reviewed and discussed licensure requirements for installing residential wheelchair ramps. The Commission will set the parameters and let each jurisdiction enforce those parameters. The Commission determined that a ramp becomes structural when it is more than 30 inches above grade in height at any point and would require a Residential Builders license; otherwise, a Residential Specialty Registration with a classification of carpentry and under the supervision of a licensed Residential Builder would also be allowed.

Applicants with Pending Criminal Charges:

Into Executive Session

MOTION:

Mr. Bailey made a motion to go into Executive Session for legal advice. Mrs. Rhyne seconded the motion, which carried unanimously.

Out of Executive Session

MOTION:

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

Certificate of Authorization Applications - Judgments and Credit Report Information:

The Commission reviewed and discussed the procedure for processing Certificate of Authorization applications with outstanding judgments and/or liens. The Commission deferred this item to next month's agenda.

MOTION:

Mrs. Rhyne made a motion to allow the Commission Chairman to decide if company judgments for pending Certificate of Authorization applications are within parameters for approval in the interim until the Commission is able to provide further guidance. Mr. Bailey seconded the motion, which carried unanimously.

Commission Executive's Remarks for Information:

None.

Public Comments:

Mr. McLeod requested that the following item be added to next month's agenda: Experience Affidavit Revision. Mrs. Price noted that she would send Bill updates for H. 4086 to all the Commissioners via email.

Date of Next Meeting:

The next Residential Builders Commission meeting will be held Wednesday, June 12, 2024 at 10:00 am.

Adjournment:

Mrs. Rhyne made a motion to adjourn the Residential Builders Commission Meeting. Mr. Bailey seconded the motion, which carried unanimously. The Residential Builders Commission Meeting was adjourned at 3:15 p.m.

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