

SOUTH CAROLINA RESIDENTIAL BUILDERS COMMISSION

Meeting Minutes

Wednesday, August 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:

Al Bailey, Vice Chairman, called the regular meeting of the Residential Builders Commission to order at 10:00 a.m. Other members present for the meeting included: Hal Dillard, Christy Rhyne, Bryan Dowd and James Graves.

Al Bailey, Vice 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 August 14, 2024 Meeting:

MOTION:

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

Approval of Minutes for the July 10, 2024 Meeting:

MOTION:

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

Approval /Disapproval of Absent Members:

Mr. Roberts and Mr. McLeod were absent.

MOTION:

Mrs. Rhyne made a motion to approve Mr. Robert's and Mr. McLeod's absences. Mr. Graves seconded the motion, which carried unanimously.

Chairman's Remarks:

Al Bailey

Mr. Bailey explained how the Application Hearings would go & welcomed everyone.

Application Reviews:

Roman Vasyl Khmelnitskyi

The Commission held an application review regarding Roman Vasyl Khmelnitskyi. Mr. Khmelnitskyi appeared before the Commission and waived his right to counsel.

MOTION:

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

Joseph Branoke Mills

The Commission held an application review regarding *Joseph Branoke Mills*. Mr. Mills appeared before the Commission and waived his right to counsel.

MOTION:

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

Sam Frank Morris

The Commission held an application review regarding *Sam Frank Morris*. Mr. Morris appeared before the Commission and waived his right to counsel.

MOTION:

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

Phillip Glenn Henson

The Commission held an application review regarding *Phillip Glenn Henson*. Mr. Henson appeared before the Commission and waived his right to counsel.

MOTION:

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

Trenton Rodney Yoder

The Commission held an application review regarding *Trenton Rodney Yoder*. Mr. Yoder appeared before the Commission and waived his right to counsel.

MOTION:

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

Brian A. Schehl

The Commission held an application review regarding *Brian A. Schehl*. Mr. Schehl appeared before the Commission and waived his right to counsel.

MOTION:

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

Michael Alan Bennett

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

MOTION:

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

Caleb Matthew Gantt

The Commission held an application review regarding *Caleb Matthew Gantt*. Mr. Gantt appeared before the Commission and waived his right to counsel.

MOTION:

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

Michel Zaragoza Pereira

The Commission held an application review regarding *Michel Zaragoza Pereira*. Mr. Pereira appeared before the Commission and waived his right to counsel.

MOTION:

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

Thomas Pierce Basha

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

MOTION:

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

Eric Paul Anthony Wallraf

The Commission held an application review regarding *Eric Paul Anthony Wallraf*. Mr. Wallraf appeared before the Commission and waived his right to counsel.

MOTION:

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

Kelli Glaspie Wilder

The Commission held an application review regarding *Kelli Glaspie Wilder*. Ms. Wilder appeared before the Commission and waived her right to counsel.

MOTION:

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

Omar A. Hidalgo Sequera

The Commission held an application review regarding *Omar A. Hidalgo Sequera*. Mr. Hidalgo Sequera appeared before the Commission and waived his right to counsel.

MOTION:

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

Trent Cullen Davis

The Commission held an application review regarding *Trent Cullen Davis*. Mr. Davis appeared before the Commission and waived his right to counsel.

MOTION:

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

Michael Auhmand Bullock

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

MOTION:

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

Jeremy Micah James Hucks

The Commission held an application review regarding *Jeremy Micah James Hucks*. Mr. Hucks appeared before the Commission and waived his right to counsel.

MOTION:

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

Michael James Morgan

Michael James Morgan was noticed to appear before the Commission Order for a hearing and determination as to his fitness and suitability to continue to engage in the profession of residential specialty contracting pursuant to the terms of an Order previously issued by the Commission. Mr. Morgan did not appear before the Commission.

MOTION:

Mrs. Rhyne made a motion to move forward in Mr. Morgan's absence based upon proper notice having been provided to Mr. Morgan. Mr. Dowd seconded the motion, which carried unanimously.

MOTION:

Mr. Dowd made a motion to suspend Mr. Morgan's registration until such time as he appears before the Commission to show cause for reinstatement. Mrs. Rhyne seconded the motion, which carried unanimously.

Request to Change Specialty Contractor Registration Classifications Before Renewal:

Keny Ernesto Sanchez-Duarte

Mr. Sanchez-Duarte did not appear. Therefore, the Commission did not take any action.

Michael Curcio

Mr. Curcio did not appear. Therefore, the Commission did not take any action.

Owner-Builder Waiver:

Adebusola Shala Keels

The Commission held a hearing on Adebusola Shala Keels' request for a waiver of the 2-year waiting period required under S.C. Code Ann. § 40-59-260 to sell or rent her property. Ms. Keels appeared before the Commission and waived her right to counsel.

MOTION:

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

Return from Executive Session

MOTION:

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

MOTION:

Mrs. Rhyne made a motion to deny the request to waive the 2-year waiting period. Mr. Graves seconded the motion, which carried, but not unanimously. Mr. Dowd opposed.

Final Order Hearings on Hearing Officer Recommendations:

Rowland Alston, Office of Disciplinary Counsel

Mr. Bailey, who served as the hearing officer for all of the cases below, recused himself.

Stephen Quickery #2021-379 and #2022-23

MOTION:

Mr. Graves made a motion to adopt the Hearing Officer Recommendation and fine for #2021-379 and to adopt the Hearing Officer Recommendation for #2022-23 but change the fine to \$500. Mr. Dillard seconded this motion, which carried unanimously.

Anthony Steele #2020-228 and #2022-194

Mr. Alston informed the Commission that counsel for Mr. Steele was requesting a continuance of the hearing based upon lack of receipt of notice.

MOTION:

Mr. Dowd made a motion to grant the continuance to the November Meeting. Mr. Graves seconded this motion, which carried unanimously.

Jesse Halfhill #2023-28

MOTION:

Mr. Dowd 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

Mr. Bailey, who served as the hearing officer for all of the cases below, recused himself.

Mr. Alston presented the report to the Commission for the following cases:

2020-854 & 2022-410

2022-725

2023-141

MOTION:

Mr. Dowd made a motion to approve the Accepted Hearing Officer Recommendations. Mr. Dillard 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 August 14, 2024.

As of August 14, 2024:

Complaints Received – 817; Active Investigations – 180; Closed Cases – 963

New Business:

Chris Cudd, Office of Investigations and Enforcement

Mr. Cudd presented the report to the Commission.

Recommendation of IRC:

MOTION:

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

Resolution Guidelines:

MOTION:

Mrs. Rhyne made a motion to approve the Recommendation of the IRC Resolution Guidelines. Mrs. Dowd seconded this motion, which carried unanimously.

Application Revisions Review

Molly Price provided an update on revisions to applications and the application process(es), and the Commission discussed the same.

MOTION:

Mrs. Rhyne made a motion to approve the new process for residential specialty contractor registration applications. Mr. Dowd seconded this motion, which carried unanimously.

Revision of Experience Affidavits

Molly Price provided an update on revisions to the experience affidavit(s) and the experience affidavit process, and the Commission discussed the same.

MOTION:

Mrs. Rhyne made a motion to continue with the new process for experience affidavits, and allow further revisions to the affidavit(s) be made. Mr. Dowd seconded this motion, which carried unanimously.

Commission Executive's Remarks for Information:

None.

Time Limits for Complaints:

The Commission reviewed and discussed the time limits for investigation of complaints set forth in the South Carolina Residential Construction Standards and the effect subsequent repairs.

MOTION:

Mrs. Rhyne made a motion that if a certificate of occupancy or completion is issued, then the time limit begins (or if no certificate of occupancy or completion is issued, the date of final inspection). Otherwise, the date of final payment/acceptance of the work is evidence of substantial completion. Mr. Dowd seconded this motion, which carried unanimously.

Public Comments

None.

Date of Next Meeting: *Wednesday, October 9, 2024 at 10:00 am*

Adjournment

Mrs. Rhyne made a motion to adjourn the Residential Builders Commission Meeting. Mr. Dillard seconded the motion, which carried unanimously. The Residential Builders Commission Meeting was adjourned at 3:59 pm.

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