

SOUTH CAROLINA RESIDENTIAL BUILDERS COMMISSION

Meeting Minutes

Wednesday, October 9, 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:

Tim 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, Bryan Dowd, James Graves, Hal Dillard, & Earl McLeod

Tim 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 9, 2024 Meeting:

MOTION:

Mr. Bailey made a motion to approve the October 9, 2024 Residential Builders Commission Meeting Agenda. Mr. Dowd seconded the motion, which carried unanimously.

Approval of Minutes for the August 14, 2024 Meeting:

MOTION:

Mr. Dowd made a motion to approve the August 14, 2024 minutes. Mr. Bailey seconded the motion, which carried unanimously.

Approval /Disapproval of Absent Members:

Christy Rhyne was absent.

MOTION:

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

Chairman's Remarks:

Mr. Roberts explained how the Application Hearings would go, instructed the applicants on how to proceed during the Meeting and to speak clearly into the microphones. He then welcomed everyone.

Application Hearings:

Brent Phillip Satterfield

The Commission held an application review regarding Brent Phillip Satterfield. Mr. Satterfield appeared before the Commission and waived his right to counsel.

MOTION:

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

Sander Elias Hicks

The Commission held an application review regarding Sander Elias Hicks. Mr. Hicks appeared before the Commission and waived his right to counsel.

MOTION:

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

Adam L Walden

The Commission held an application review regarding Adam L Walden. Mr. Walden appeared before the Commission and waived his right to counsel.

MOTION:

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

Adam Taylor Strother

The Commission held an application review regarding Adam Taylor Strother. Mr. Strother appeared before the Commission and waived his right to counsel.

MOTION:

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

Joshua Paul Davis

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

MOTION:

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

Edward L Wilhelm

The Commission held an application review regarding Edward L Wilhelm. Mr. Wilhelm appeared before the Commission and waived his right to counsel.

MOTION:

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

Gary Victor Visconti

The Commission held an application review regarding Gary Victor Visconti.

Mr. Visconti 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. Bailey seconded the motion, which carried unanimously.

Frank Bryan Hereda

The Commission held an application review regarding Frank Bryan Hereda.

Mr. Hereda appeared before the Commission and waived his right to counsel.

MOTION:

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

James H Gibson

The Commission held an application review regarding James H Gibson.

Mr. Gibson appeared before the Commission and waived his right to counsel.

MOTION:

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

Bradley Thomas Kassouf

The Commission held an application review regarding Bradley Thomas Kassouf.

Mr. Kassouf 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. Bailey seconded the motion, which carried unanimously.

Andrew Forbes

The Commission held an application review regarding Andrew Forbes.

Mr. Forbes appeared before the Commission and waived his right to counsel.

MOTION:

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

Jan M Gunter

The Commission held an application review regarding Jan M Gunter.

Mr. Gunter appeared before the Commission and waived his right to counsel.

MOTION:

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

Kevin Jackson

The Commission held an application review regarding Kevin Jackson.

Mr. Jackson appeared before the Commission and waived his right to counsel.

MOTION:

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

Rigel Jessen

The Commission held an application review regarding Rigel Jessen.

Mr. Jessen appeared before the Commission and waived his right to counsel.

MOTION:

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

Charles Benjamin Harvey IV

The Commission held an application review regarding Charles Benjamin Harvey IV.

Mr. Harvey 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. Graves seconded the motion, which carried unanimously.

Jack Allen Lostetter

The Commission held an application review regarding Jack Allen Lostetter.

Mr. Lostetter 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. McLeod seconded the motion, which carried unanimously.

Jason Charles MacFarlane

The Commission held an application review regarding Jason Charles MacFarlane.

Mr. MacFarlane appeared before the Commission and waived his right to counsel.

MOTION:

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

Nicholas Charles Kaburek

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

Chaz McKinsey Wood

The Commission held an application review regarding Chaz McKinsey Wood.

Mr. Wood appeared before the Commission and waived his right to counsel.

MOTION:

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

Return from Executive Session

MOTION:

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

MOTION:

Mr. Bailey made a motion to deny the application. Mr. McLeod seconded the motion, which carried unanimously.

Richard Huggins

The Commission held a Renewal application review regarding Richard Huggins. Mr. Huggins did not appear before the Commission.

MOTION:

Mr. Bailey made a motion to move forward in Mr. Huggins' absence based upon proper notice having been provided to Mr. Huggins. Mr. Dillard seconded the motion, which carried unanimously.

MOTION:

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

Return from Executive Session

MOTION:

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

MOTION:

Mr. McLeod made a motion to deny the continuance request. Mr. Bailey seconded the motion, which carried, but not unanimously. Mr. Graves opposed.

MOTION:

Mr. Bailey made a motion to deny the Renewal Application. Mr. McLeod seconded the motion, which carried, but not unanimously. Mr. Graves & Mr. Dillard opposed.

Bobby Barnes

The Commission held a Renewal application review regarding Bobby Barnes. Mr. Barnes appeared before the Commission and waived his right to counsel, and presented a witness.

MOTION:

Mr. McLeod made a motion to approve the Renewal application subject to compliance with the amended settlement agreement, with notification of payments as verified by Staff. Mr. Dillard seconded the motion, which carried, but not unanimously. Mr. Dillard opposed.

Request to Change Specialty Contractor Registration Classifications

Before Renewal:

Rene Subias

Rene Subias did not appear. Therefore, the Commission did not take any action.

William Forrest Deger Jr

William Forrest Deger Jr. did not appear. Therefore, the Commission did not take any action.

Final Order Hearings:

The Commission held Final Order Hearings for the following cases:
2021-716 & 2023-526, 2022-261, 2022-129, and 2021-485

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

John Heubi Case #2021-716 & #2023-526

Rowland Alston, Assistant Disciplinary Counsel, represented the State. The Respondent did not appear.

MOTION:

Mr. Graves made a motion to adopt the Hearing Officer Recommendation but with the addition that before the Respondent may ever be relicensed or re-registered in any classification, Respondent must appear before the Commission. Mr. McLeod seconded the motion, which carried unanimously.

Quincy Pringle Case #2022-261

Katherine Barroll, Assistant Disciplinary Counsel, represented the State. The Respondent did not appear.

MOTION:

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

Paradise Home Improvement LLC Case #2022-129

Rowland Alston, Assistant Disciplinary Counsel, represented the State. The Respondent did not appear.

MOTION:

Mr. Graves made a motion to adopt the Hearing Officer Recommendation. Mr. Dillard seconded the motion, which carried, but not unanimously. Mr. Dillard opposed.

James Francis Dougherty Case #2021-485

Rowland Alston, Assistant Disciplinary Counsel, represented the State. The Respondent did not appear.

MOTION:

Mr. Dowd made a motion to adopt the Hearing Officer Recommendation. Mr. Dillard seconded the motion, which carried, but not unanimously. Mr. McLeod opposed.

Reports:

Rowland Alston, Assistant Disciplinary Counsel, presented the following report to the Commission:

Final Order Hearings Report on Accepted Hearing Officer Recommendations

Mr. Bailey, who served as the hearing officer for the following cases, recused himself for the following cases: 2022-343; 2023-464 & 2022-705

Mr. Roberts, who served as the hearing officer for the following case, recused himself for the following case: 2021-295

Timothy Bazen Case #2022-343; 2023-464

MOTION:

Mr. Dowd made a motion to approve the Accepted Hearing Officer Recommendation. Mr. McLeod seconded the motion, which carried unanimously.

Case #2021-295

Mr. McLeod also recused himself for this matter.

MOTION:

Mr. Dowd made a motion to approve the Accepted Hearing Officer Recommendation. Mr. Dillard seconded the motion, which carried unanimously.

Charles Dean III Case #2022-705

MOTION:

Mr. McLeod made a motion to approve the Accepted Hearing Officer Recommendations. Mr. Dowd seconded the motion, which carried unanimously.

ODC report

As of 9/25/2024

Open Cases – 213, Pending Hearings & Agreements – 85, Pending Closure – 0, Closed* – 23, Appeals – 0, *Closed since last report – 23, Closed Cases 2024 – 71

Chris Cudd, Lead OIE Investigator, presented the following reports to the Commission:

OIE Status Report

Mr. Cudd reported the number of Investigations as of 10/9/2024

As of 10/9/2024

Complaints Received – 957; Active Investigations – 154;

Closed Cases – 1090

IRC Report

MOTION:

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

Resolution Guidelines

MOTION:

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

Commission Executive's Report – Janet Baumberger

None.

New Business:

Additional Hearing Officer(s)

The Commission discussed adding Mr. McLeod as an additional hearing officer.

MOTION:

Mr. Graves made a motion to approve Mr. McLeod as a Hearing Officer. Mr. Bailey seconded the motion, which carried unanimously.

Emergency Licenses under Reg. 106-5

The Commission discussed emergency licenses under Regulation 106-5.

MOTION:

Mr. Graves made a motion to extend the period of any emergency licenses/registrations pertaining to hurricane Helene to the date of the next Commission Meeting, November 13th 2024. Mr. McLeod seconded the motion, which carried unanimously.

Mr. Graves also made a motion to clarify that emergency licenses or registrations will allow the emergency licensee/registrant to complete work under a permit pulled by the emergency license/registrant during the state of emergency or such date extended by

the Commission, for the remainder of the duration of the permit. Mr. McLeod seconded the motion, which carried unanimously.

Disciplinary Actions Involving Certificates of Authorization/Resident Licensees in Responsible Charge

The Commission discussed disciplinary matters involving certificates of authorization and/or resident licensees in responsible charge. The Commission provided guidance that it would like for disciplinary matters to be pursued against both the certificate of authorization holder and the applicable resident licensee in responsible charge.

Public Comments

None.

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 4:50 pm.

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