

SOUTH CAROLINA RESIDENTIAL BUILDERS COMMISSION
Meeting Minutes

Wednesday, November 13, 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, Christy Rhyne, 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 November 13, 2024 Meeting:

MOTION:

Ms. Rhyne made a motion to approve the November 13, 2024, Residential Builders Commission Meeting Agenda. Mr. Bailey seconded the motion, which carried unanimously.

Approval of Minutes for the October 9, 2024 Meeting:

MOTION:

Mr. Bailey made a motion to approve the October 9, 2024 minutes. Ms. Rhyne seconded the motion, which carried unanimously.

Approval /Disapproval of Absent Members:

James Graves was absent.

MOTION:

Ms. Rhyne made a motion to approve James Graves' 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:

Quinn Disrud

The Commission held an application review regarding Quinn Disrud. Quinn Disrud 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. Ms. Rhyne seconded the motion, which carried unanimously.

Jared Grochowski

The Commission held an application review regarding Jared Grochowski. Jared Grochowski appeared before the Commission and waived his right to counsel.

MOTION:

Mr. Bailey initially made a motion to deny the applicant to sit for the exam. Mr. Dowd seconded the motion for discussion.

After discussion, Mr. Bailey withdrew his motion to deny the applicant to sit for the exam. Mr. Dowd withdrew his second on the motion.

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

John Simpkins

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

MOTION:

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

Rickey Withers Hartsoe Jr

The Commission held an application review regarding Rickey Withers Hartsoe Jr. Rickey Withers Hartsoe Jr appeared before the Commission and waived his right to counsel.

MOTION:

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

Kyle Hulbert

The Commission held an application review regarding Kyle Hulbert. Kyle Hulbert 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.

Albert William Lathen

The Commission held an application review regarding Albert William Lathen. Albert William Lathen appeared before the Commission and waived his right to counsel.

MOTION:

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

Rebecca Lynn Ness

The Commission held an application review regarding Rebecca Lynn Ness. Rebecca Lynn Ness 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. Ms. Rhyne seconded the motion. The motion failed as Mr. McLeod, Mr. Bailey, and Mr. Dowd opposed.

Mr. Dowd made a motion to deny the applicant to sit for the exam. Mr. Bailey seconded the motion, which carried, but not unanimously. Mr. Dillard and Ms. Rhyne opposed.

Monica Oliver

The Commission held an application review regarding Monica Oliver.

Monica Oliver appeared before the Commission and waived her right to counsel.

MOTION:

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

George Vonder Haar

The Commission held an application review regarding George Vonder Haar.

George Vonder Haar 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. Ms. Rhyne seconded the motion, which carried unanimously.

Christopher Aaron Moore

The Commission held an application review regarding Christopher Aaron Moore.

Christopher Aaron Moore appeared before the Commission and waived his right to counsel and did bring witnesses.

MOTION:

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

Daniel Joseph Pignato

The Commission held an application review regarding Daniel Joseph Pignato.

Daniel Joseph Pignato 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.

Casey Porter

The Commission held an application review regarding Casey Porter.

Casey Porter appeared before the Commission and waived his right to counsel.

MOTION:

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

Stephen Conrad Stone

The Commission held an application review regarding Stephen Conrad Stone. Stephen Conrad Stone appeared before the Commission and waived his right to counsel.

MOTION:

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

Lonnie Mueller

The Commission held an application review regarding Lonnie Mueller. Lonnie Mueller 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, but not unanimously. Mr. Dowd opposed.

Andre James Boucher

The Commission held an application review regarding Andre James Boucher. Andre James Boucher appeared before the Commission and waived his right to counsel.

MOTION:

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

Kevin Michael Higgins [CLOSED]

The Commission held an application review regarding Kevin Michael Higgins in closed session due to confidentiality and privacy laws.

Kevin Michael Higgins appeared before the Commission and waived his right to counsel and did bring witnesses.

MOTION:

Ms. Rhyne made a motion to approve the applicant for a Residential Specialty Contractor Registration. Mr. Dowd seconded the motion, which carried unanimously.

Billy Myers [CLOSED]

The Commission held an application review regarding Billy Myers in closed session due to confidentiality and privacy laws.

Billy Myers appeared before the Commission and waived his right to counsel.

MOTION:

Ms. Rhyne made a motion to approve the applicant for renewal/reinstatement. Mr. Dowd seconded the motion, which carried unanimously.

Robert Romanelli [CLOSED]

The Commission held an application review regarding Robert Romanelli in closed session due to confidentiality and privacy laws.

Robert Romanelli appeared before the Commission and waived his right to counsel and did bring witnesses.

MOTION:

Mr. Bailey made a motion to approve the applicant to sit for the exam, but the applicant will be required to maintain a \$10,000 Surety Bond on file at all times along with providing a statewide background report at each renewal. Mr. McLeod seconded the motion, which carried, but not unanimously. Mr. Dowd opposed and Mr. Dillard abstained from voting.

Michael Fox [CLOSED]

The Commission held an application review regarding Michael Fox in closed session due to confidentiality and privacy laws.

Michael Fox appeared before the Commission and waived his right to counsel.

MOTION:

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

Return from Executive Session

MOTION:

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

MOTION:

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

Timothy Bazen

The Commission held a Renewal application review regarding Timothy Bazen.

Timothy Bazen appeared before the Commission and was represented by attorney Gary Finklea.

MOTION:

Mr. Bailey made a motion to approve the applicant for renewal with the condition that Mr. Bazen is required to provide yearly updates regarding judgment information every July. Mr. Dowd seconded the motion, which carried unanimously.

Thomas E Smith; and 45P Construction & Consulting LLC

The Commission held a renewal application review regarding Thomas E Smith and 45P Construction & Consulting LLC.

Mr. Smith and 45P Construction & Consulting LLC appeared before the Commission, being represented by attorney Robert Tyson.

MOTION:

Mr. Bailey made a motion to approve Mr. Smith for renewal with the condition that Mr. Smith is required to provide an update on the status of judgments/payment plans at each renewal. Ms. Rhyne seconded the motion, which carried unanimously. 45P Construction & Consulting LLC was approved for certificate of authorization renewal by virtue of Mr. Smith being approved for renewal.

Final Order Hearings:

The Commission held Final Order Hearings for the following cases:
2020-228 & 2022-194; and 2022-985

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

Anthony Steele Case #2020-228 & 2022-194

Rowland Alston, Assistant Disciplinary Counsel, represented the State. The Respondent appeared and was represented by attorney Robert Peele.

MOTION:

Mr. McLeod made a motion to revise the Hearing Officer's Recommendation to remove one finding and to reduce the fine to \$500. Ms. Rhyne seconded the motion, which carried, but not unanimously. Mr. Dillard and Mr. Dowd opposed.

Joe Linder Case #2022-985

Rowland Alston, Assistant Disciplinary Counsel, represented the State. The Respondent appeared and was not represented by an attorney.

MOTION:

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

Return from Executive Session

MOTION:

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

MOTION:

Mr. Dillard made a motion to reject the Hearing Officer's Recommendation and accept the Consent Agreement. Mr. Dowd seconded the motion, which carried unanimously.

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 all of the cases below, recused himself for all of the cases below.

Thomas J. Horton Case #2021-24

MOTION:

Ms. Rhyne made a motion to approve the Accepted Hearing Officer's Recommendation. Mr. Dowd seconded the motion, which carried unanimously.

Case #2021-246

MOTION:

Ms. Rhyne made a motion to approve the Accepted Hearing Officer's Recommendation. Mr. Dowd seconded the motion, which carried unanimously.

Rodney O'Sullivan Case #2022-639

MOTION:

Mr. Dowd made a motion to approve the Accepted Hearing Officer's Recommendation. Ms. Rhyne seconded the motion, which carried unanimously.

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

OIE Status Report

Mr. Cudd reported the number of Investigations as of 11/13/2024

As of 11/13/2024

Complaints Received – 1041 ; Active Investigations – 108 ;

Closed Cases – 1209

IRC Report

MOTION:

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

Resolution Guidelines

MOTION:

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

Commission Executive's Report – Janet Baumberger

None.

Public Comments

None.

Adjournment

Mr. Dowd made a motion to adjourn the Residential Builders Commission Meeting. Mr. Rhyne seconded the motion, which carried unanimously. The Residential Builders Commission Meeting was adjourned at 4:36 pm.

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