

RESIDENTIAL BUILDERS COMMISSION
Synergy Business Park
110 Center view Drive Kingstree Building, Room 108
Columbia, South Carolina 29210
Wednesday, August 14, 2019

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

Called To Order:

Timothy W. 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, Monte Lemmon, Christy Rhyne, and Hal Dillard.

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 person, organizations and news media in accordance with §30-4-80 of the South Carolina Freedom of Information Act.

Approval of Agenda:

MOTION:

Ms. Rhyne made a motion to approve the August 14, 2019 Residential Builders Commission Meeting Agenda. Mr. Lemmon seconded the motion, which carried unanimously.

Approval of Minutes for the July 10, 2019 Meeting:

MOTION:

Mr. Bailey made a motion to approve the July 10, 2019 meeting minutes. Ms. Rhyne seconded the motion, which carried unanimously.

Approval /Disapproval of Absent Members:

All members present.

Chairman's Remarks:

Timothy W. Roberts

Mr. Roberts reminded everyone that this meeting is being recorded and asked that everyone please speak clearly. Additionally, he advised all applicants and licensees to direct their questions to the chairman of the board.

Disclosure Statement:

Victoria Bolt

The Commission held a hearing regarding Ms. Bolt's request for waiver of the disclosure statement under the owner/builder exemption. Ms. Bolt appeared before the Commission and waived her right to counsel.

MOTION:

Ms. Rhyne made a motion to enter into executive session to receive legal advice in regards to Ms. Bolt's request. Mr. Dowd seconded the motion, which carried unanimously.

MOTION:

Ms. Rhyne made a motion to exit executive session after receiving legal advice regarding to Ms. Bolt's request. Mr. Dillard seconded the motion, which carried unanimously.

MOTION:

Mr. Bailey made a motion to approve Ms. Bolt's request for a waiver. Ms. Rhyne seconded the motion, which carried unanimously.

Application Reviews:

Randy Cornell

The Commission held an application review regarding Randy Cornell. Mr. Cornell appeared before the Commission and presented a witness, Mr. David Pittard.

MOTION:

Mr. Dillard made a motion to allow Mr. Randy Cornell to sit for the exam. Mr. Dowd seconded the motion, which did not carry unanimously. Ms. Rhyne opposed.

Michael Lewis

The Commission held an application review regarding Mr. Michael Lewis. Mr. Lewis appeared before the Commission.

MOTION:

Mr. Dillard made a motion to approve Mr. Lewis to sit for exam. Ms. Rhyne the motion, which carried unanimously.

David Drew

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

MOTION:

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

Gregory Cartrette

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

MOTION:

Mr. Dowd made a motion to allow Mr. Cartrette to sit for the exam. Mr. Lemmon seconded the motion, which carried unanimously.

Steven Snack

The Commission held an application review regarding Mr. Steven Snack. Mr. Snack appeared before the Commission and waived his right to counsel. He presented a witness, Ms. Tracey Pavlock.

MOTION:

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

Tyrique Golden

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

MOTION:

Mr. Dillard made a motion to approve Mr. Golden's request for his specialty registration. Mr. Lemmon seconded the motion, which carried unanimously.

Mark Barlow Sr

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

MOTION:

Mr. Lemmon made a motion to approve Mr. Barlow's request for his specialty registration. Mr. Bailey seconded the motion, which carried unanimously.

Steven Burgess

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

MOTION:

Mr. Bailey made a motion to approve Mr. Burgess' request for a Specialty Registration. Ms. Dowd seconded the motion, which did not carry unanimously. Mr. Bailey opposed.

Michael Miller

The Commission held an application review regarding Michael Miller. Mr. Miller appeared before the Commission. He was represented by Mr. Ray Chandler, Esq.

MOTION:

Mr. Lemmon made a motion to approve Mr. Miller's renewal. Mr. Bailey seconded the motion, which carried unanimously.

Hearing Officer Recommendation

Mr. Joshua Owens case # 2018-243

The Board held a Final Order hearing regarding Mr. Joshua Owens. Mr. Owens was present. Mr. Al Bailey recused himself due to his service as the hearing officer.

MOTION:

Mr. Dillard made a motion to adopt the Hearing Officer's Recommendation with the modification that he would not be required to appear before the commission after all fines are paid. Ms. Rhyne seconded the motion, which carried unanimously.

Mr. Jacob Pawlowski case # 2017-541

The Board held a Final Order hearing regarding Mr. Jacob Pawlowski. Mr. Pawlowski was not present. Mr. Al Bailey recused himself due to his service as the hearing officer.

MOTION:

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

Mr. Mark Weizenecker case # 2017-400

The Board held a Final Order hearing regarding Mr. Mark Weizenecker. Mr. Weizenecker was present and represented by Ms. Shelley S. Montague, Esq. Mr. Al Bailey recused himself due to his service as the hearing officer.

MOTION:

Mr. Dillard made a motion to adopt the Hearing Officer's Recommendation. Ms. Rhyne seconded the motion, which carried unanimously.

Mr. David Vess case # 2018-84

The Board held a Final Order hearing regarding Mr. David Vess. Mr. Vess was not present. Mr. Al Bailey recused himself due to his service as the hearing officer.

MOTION:

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

** Mr. Bailey rejoined the meeting.

Memorandum of Agreement:

Thomas Wooten Case# 2014-458

Mr. Thomas Wooten was present and was represented by Mr. Daniel Hughes. The state was represented by Mr. Kyle Tennis; Esq. Mr. Tennis requested that the Commission accept the Memorandum of Agreement (MOA).

MOTION:

Mr. Bailey made a motion to accept the MOA, assess a total fine of \$250.00. Mr. Dowd seconded the motion which carried unanimously.

Office of Disciplinary Counsel- Erin Baldwin

Discussion regarding use of memorandums of agreement to resolve disciplinary matters.

MOTION:

Mr. Bailey made a motion to enter into executive session to receive legal advice. Mr. Dowd seconded the motion which carried unanimously.

MOTION:

Mr. Bailey made a motion to exit executive session after receiving legal advice. Ms. Rhyne seconded the motion which carried unanimously.

** Mr. Hal Dillard had to leave the meeting at 2:04 pm.

Administrator's Remarks: None.

OIE Report – Mr. Maurice Smith:

Maurice Smith, Investigator of OIE

Mr. Todd Bond presented the OIE report. Mr. Todd Bond reported the number of investigations today:

Complaints Received – 542

Active Investigations – 244

Closed Cases – 510

New Business

A. Recommendations of IRC

MOTION:

Mr. Bailey made a motion to approve the Recommendation of the IRC. Ms. Rhyne seconded the motion, which carried unanimously.

B. Resolution Guidelines

MOTION:

Ms. Rhyne made a motion to approve the IRC Resolution Guidelines. Mr. Lemmon seconded the motion, which carried unanimously.

Old Business:

Public Comments:

Date of Next Meeting:

The next Residential Builders Commission meeting will be held on Wednesday, September 11, 2019, in room 108.

Adjournment:

Mr. Dowd made a motion to adjourn the Residential Builders Commission Meeting. Ms. Rhyne seconded the motion, which carried unanimously. The Residential Builders Commission Meeting was adjourned at 2:26p.m.

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