

RESIDENTIAL BUILDERS COMMISSION
Synergy Business Park
110 Centerview Drive Kingstree Building, Room 108
Columbia, South Carolina 29210
Wednesday, December 12, 2018

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: Bryan Dowd, Christy Rhyne, Monte Lemmon, Hal Dillard and Al Bailey.

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:

MOTION:

Ms. Rhyne made a motion to approve the December 12, 2018 Residential Builders Commission Meeting Agenda. Mr. Lemmon seconded the motion, which carried unanimously.

Approval of Minutes for the November 14th, 2018 Meeting:

MOTION:

Mr. Bailey made a motion to approve the November 14th meeting minutes. Ms. Rhyne seconded the motion, which carried unanimously.

Approval /Disapproval of Absent Members:

All members were 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 Waiver Request:

Christine Kennedy

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

MOTION:

Mr. Dillard made a motion to approve Ms. Kennedy's request for a waiver. Mr. Lemmon seconded the motion, which did not carry. Mr. Dowd, Ms. Rhyne and Mr. Bailey opposed.

Damon Shabeldeen

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

MOTION:

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

Christopher Teachey

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

MOTION:

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

Application Reviews:

Michael Ritchie

The Commission held an application review regarding Michael Ritchie. Mr. Ritchie appeared before the Commission, waived his right to counsel and presented a witness, Mr. Kent Gray.

MOTION:

Mr. Dillard made a motion to deny Mr. Ritchie's request to sit for the exam due to lack of proof of experience. Ms. Rhyne seconded the motion, which carried unanimously.

Latoya Hinson

Ms. Latoya Hinson did not appear before the Commission.

MOTION:

No motions were made.

Andrew Craigie

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

MOTION:

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

Silvestre Donjuan

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

MOTION:

Mr. Bailey made a motion to deny Mr. Donjuan's request to sit for the exam. Mr. Dillard seconded the motion, which carried unanimously.

James McElveen

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

MOTION:

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

Rhett Graham

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

MOTION:

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

Omar Tyler

The Commission held an application review regarding Omar Tyler. Mr. Tyler appeared before the Commission and waived his right to counsel. He presented a witness, Mr. Wesley Wright.

MOTION:

Mr. Bailey made a motion to deny Mr. Tyler's request to sit for the exam due to lack of experience. Mr. Dowd seconded the motion, which carried unanimously.

Julius Thomas Jr

The Commission held an application review regarding Julius Thomas Jr. Mr. Thomas appeared before the Commission and waived his right to counsel.

MOTION:

Mr. Bailey made a motion to deny Mr. Thomas's request to sit for the exam at this time due to lack of experience. Mr. Dowd seconded the motion, which carried unanimously.

Samuel Ozuna

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

MOTION:

Ms. Rhyne made a motion to enter into executive session to receive legal advice regarding the application of Mr. Ozuna. 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.

MOTION:

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

Jamal Hamam

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

MOTION:

Mr. Dowd made a motion to deny Mr. Hamam's request to sit for the exam. Mr. Bailey seconded the motion, which carried unanimously.

Glenn D Herlong

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

MOTION:

Mr. Dillard made a motion to deny Mr. Herlong's request to sit for the exam due to lack of experience. Ms. Rhyne seconded the motion, which carried unanimously.

Jacob B. Wolfe

Mr. Wolfe did not appear before the Commission.

MOTION:

No motions were made.

Dalton K Taylor

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

MOTION:

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

David Partridge

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

MOTION:

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

Randy Kovacs

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

MOTION:

Ms. Rhyne made a motion to deny Mr. Kovac's request to sit for the exam due to lack of experience. Mr. Bailey seconded the motion, which carried unanimously.

David J Branson

Mr. Branson did not appear before the Commission.

MOTION:

No motions were made.

Mauricio DonJuan-Casimiro

Mr. DonJuan- Casimiro did not appear before the Commission.

MOTION:

No motions were made.

Leah C Winton

Ms. Winton did not appear before the Commission.

MOTION:

No motions were made.

Frank Major

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

MOTION:

Mr. Dowd made a motion to approve the specialty registration for Mr. Major. Ms. Rhyne seconded the motion, which carried unanimously

Cherod Johnson

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

MOTION:

Mr. Bailey made a motion to approve the specialty registration for Mr. Johnson. Mr. Dowd seconded the motion, which carried unanimously.

Shawn McGee

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

MOTION:

Mr. Bailey made a motion to approve the specialty registration for Mr. McGee. Mr. Dowd seconded the motion, which carried unanimously.

Matthew Smothers

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

MOTION:

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

MOTION:

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

MOTION:

Mr. Bailey made a motion to deny renewal until the time he can provide proof of satisfaction, or agreed upon payment plans for all outstanding judgments. Mr. Dowd seconded the motion, which carried unanimously.

Final Order Hearings:

Mr. Jason Gillette case # 2017-698

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

MOTION:

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

**Mr. Bailey returned to the meeting.

Mr. Joseph Carter Barksdale case # 2017-419

The Board held a Final Order hearing regarding Mr. Joseph Barksdale. Mr. Barksdale was not present.

MOTION:

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

Memorandum of Agreement (MOA)

Cortez Jones Case no. 2017-347

Mr. Cortez Jones appeared before the Commission and waived his right to counsel. Mr. Kyle Tennis, Esq. represented the State. Mr. Jones answered questions from the Commission. Mr. Tennis requested that the Commission accept the Memorandum of Agreement (MOA).

MOTION:

Mr. Bailey made a motion to accept the MOA and assess a total fine of one thousand two hundred and fifty dollars. The fine must be paid within 30 days of the final order. Mr. Dillard seconded the motion, which carried unanimously.

Administrator's Remarks:

No remarks made.

OIE Report – Mr. Todd Bond:

Todd Bond, Chief Investigator of OIE

Mr. Todd Bond, presented the OIE report. Mr. Todd Bond reported the number of investigations to date:

Complaints Received – 760 Active Investigations – 213
Closed Cases – 728

New Business

A. Recommendations of IRC

MOTION:

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

B. Resolution Guidelines

MOTION:

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

Old Business:

Public Comments:

Date of Next Meeting:

The next Residential Builders Commission meeting will be held Wednesday, January 9, 2019 in room 108.

Adjournment:

Ms. Rhyne 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 2:41 p.m.

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