

RESIDENTIAL BUILDERS COMMISSION  
Synergy Business Park  
110 Centerview Drive Kingstree Building, Room 108  
Columbia, South Carolina 29210  
Wednesday, June 11, 2014

**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:**

Derrick G. Williams, Chairman called the regular meeting of the Residential Builders Commission to order at 10:00 a.m. Other members present for the meeting included: Frank Clark; Tim Roberts; Caleb Davis; Bryan Dowd, Hal Dillard and Al Bailey.

Derrick G. Williams, 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:**

Mr. Clark made a motion to approve the May 14, 2014 Residential Builders Commission Meeting Agenda. Mr. Bailey seconded the motion, which carried unanimously.

**Approval of Minutes for the May 14, 2014 Meeting:**

**MOTION:**

Mr. Clark made a motion to approve the May 14, 2014 meeting minutes. Mr. Roberts seconded the motion, which carried unanimously.

**Approval /Disapproval of Absent Members:**

All present

**Chairman's Remarks:**

*Derrick Williams*

Mr. Williams 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.

**Application Reviews:**

*Mr. James Eric Jones*

The Commission held an Application Review Hearing regarding Mr. James Eric Jones. Mr. Jones did not appear to present testimony.

**MOTION:**

There were no motions made.

*Mr. Richard Nalbantian*

The Commission held an Application Review Hearing regarding Mr. Richard Nalbantian. Mr. Nalbantian appeared before the Commission to present testimony and waived his right to counsel.

**MOTION:**

Mr. Bailey made a motion to allow Mr. Nalbantian to sit for the Residential Builders exam. Mr. Clark seconded the motion, which carried unanimously.

*Mr. Christopher Byrne*

The Commission held an Application Review Hearing regarding Mr. Christopher Byrne. Mr. Byrne appeared before the Commission to present testimony and waived his right to counsel.

**MOTION:**

Mr. Bailey made a motion for Mr. Byrne to submit a letter of experience from his formal employer to be approved by the Administrator. Davis seconded the motion, which carried unanimously.

*Mr. Gregory Zakrzewski*

The Commission held an Application Review Hearing regarding Mr. Gregory Zakrzewski. Mr. Zakrzewski appeared before the Commission to present testimony and waived his right to counsel.

**MOTION:**

Mr. Roberts made a motion to allow Mr. Zakrzewski to sit for the Residential Builders Exam. Mr. Dillard seconded the motion, which carried unanimously.

*Mr. Ryan McCleary*

The Commission held an Application Review Hearing regarding Mr. Ryan McCleary. Mr. McCleary appeared before the Commission to present testimony and waived his right to counsel.

**MOTION:**

Mr. Dillard made a motion to go into executive session. Mr. Bailey seconded the motion, which carried unanimously.

**MOTION:**

Mr. Bailey made a motion to come out of executive session. Mr. Dowd seconded the motion, which carried unanimously.

**MOTION:**

Mr. Roberts made a motion to allow Mr. McCleary to sit for the Residential Builders exam after he has completed the builders course. Mr. Bailey seconded the motion, which carried unanimously.

*Mr. Brady McCann*

The Commission held an Application Review Hearing regarding Mr. Brady McCann. Mr. McCann appeared before the Commission to present testimony and waived his right to counsel.

**MOTION:**

Mr. Dillard made a motion to allow Mr. McCann to sit for the Residential Builders examination. Mr. Roberts seconded the motion, which carried unanimously.

*Mr. Anthony Chestnutt*

The Commission held an Application Review Hearing regarding Mr. Anthony Chestnutt. Mr. Chestnutt appeared before the Commission to present testimony and waived his right to counsel.

**MOTION:**

Mr. Bailey made a motion to allow Mr. Chestnutt to get his registration. Mr. Dillard seconded the motion, which carried unanimously.

*Mr. Daniel Dorneanu*

The Commission held an Application Review Hearing regarding Mr. John Dorneanu. Mr. Dorneanu appeared before the Commission to present testimony and waived his right to counsel.

**MOTION:**

Mr. Dowd made a motion to allow Mr. Dorneanu to sit for the Residential Electrical exam . Mr. Roberts seconded the motion, which carried unanimously.

*Mr. Enrico Morris*

The Commission held an Application Review Hearing regarding Mr. Enrico Morris. Mr. Morris did not appear before the Commission to present testimony.

**MOTION:**

No motion was made

*Mr. David Jones*

The Commission held an Application Review Hearing regarding Mr. David Jones. Mr. Jones appeared before the Commission to present testimony and waived his right to counsel.

**MOTION:**

Mr. Clark made a motion to allow Mr. Jones to sit for the Residential Builders exam. Mr. Roberts seconded the motion, which carried unanimously.

*Mr. Reuben Mann*

The Commission held an Application Review Hearing regarding Mr. Reuben Mann. Mr. Mann appeared before the Commission to present testimony and waived his right to counsel.

**MOTION:**

Mr. Clark made a motion to allow Mr. Mann to sit for the Residential Builders exam. Mr. Roberts seconded the motion, which carried unanimously.

*Mr. Robert Lyles*

The Commission held an Application Review Hearing regarding Mr. Robert Lyles. Mr. Lyles appeared before the Commission to present testimony and waived his right to counsel.

**MOTION:**

Mr. Roberts made a motion to allow Mr. Lyles to sit for the Residential Builders exam. Mr. Bailey seconded the motion, which carried unanimously.

*Mr. Daren McKenzie*

The Commission held an Application Review Hearing regarding Mr. Daren McKenzie. Mr. McKenzie appeared before the Commission to present testimony and waived his right to counsel.

**MOTION:**

Mr. Bailey made a motion to allow Mr. McKenzie to sit for the Residential Builders exam. Mr. Clark and Mr. Roberts seconded the motion, which carried unanimously.

*Mr. Michael Adams*

The Commission held an Application Review Hearing regarding Mr. Michael Adams. Mr. Adams appeared before the Commission to present testimony and waived his right to counsel.

**MOTION:**

Mr. Bailey made a motion to allow Mr. Adams to sit for the Residential Heating and Air exam. Mr. Dillard seconded the motion, which carried unanimously.

*Ms. Rachel Montgomery*

The Commission held an Application Review Hearing regarding Ms. Rachel Montgomery. Ms. Montgomery appeared before the Commission to present testimony and waived his right to counsel.

**MOTION:**

Mr. Bailey made a motion to allow the request for reinstatement of Residential Specialty Registration under the condition that Ms. Montgomery provide a satisfaction of lien from Jennifer Hudson. Mr. Clark seconded the motion, which carried unanimously.

**Owner/Builder Exemption:**

*Mr. Jose Mercado and Jistine Peters*

The Commission held a Review Hearing regarding Mr. Jose Mercado and Ms. Jistine Peters. Mr. Mercado and Ms. Peters appeared before the Commission to present testimony and waived his right to counsel.

**MOTION:**

Mr. Bailey made a motion to go into executive session. Mr. Dillard seconded the motion, which carried unanimously.

**MOTION:**

Mr. Davis made a motion to come out of executive session. Mr. Dowd seconded the motion, which carried unanimously.

**MOTION:**

Mr. Dowd made a motion to allow Mr. Mercado and Ms. Peters to sale the property under the owner/builder exemption. Mr. Davis seconded the motion, which did not carry unanimously, Mr. Clark was not in favor of the motion.

**Final Order Hearings:**

*Mr. John Nester case # 2012-73 & 2012-125*

The Board held a Final Order hearing regarding Mr. John Nester

**MOTION:**

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

*Mr. Kelsey Adams case #2012-326*

The Board held a Final Order hearing regarding Mr. Kelsey Adams.

**MOTION:**

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

*Mr. Derrick French case # 2012-327*

The Board held a Final Order hearing regarding Mr. French.

**MOTION:**

Mr. Bailey made a motion to go into executive session. Mr. Dillard seconded the motion, which carried unanimously.

**MOTION:**

Mr. Davis made a motion to come out of executive session. Mr. Dowd seconded the motion, which carried unanimously.

**MOTION:**

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

*Mr. Jonathan Nix case # - 2012-295*

The Board held a Final Order hearing regarding Mr. Jonathan Nix. Mr. Roberts recused himself.

**MOTION:**

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

*Mr. Malcolm Mazyck case # - 2012-345*

The Board held a Final Order hearing regarding Mr. Malcolm Mazyck.

**MOTION:**

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

*Mr. Corie Johnson case # - 2011-631*

The Board held a Final Order hearing regarding Mr. Corie Johnson.

*Mr. Brian West case # - 2013-170*

The Board held a Final Order hearing regarding Mr. Brian West.

**MOTION:**

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

*Mr. Donny Sherfield case # - 2013-106 & 2013-199*

The Board held a Final Order hearing regarding Mr. Donny Sherfield.

**MOTION:**

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

*Mr. Homer Hawkins case # - 2013-327*

The Board held a Final Order hearing regarding Mr. Homer Hawkins.

**MOTION:**

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

*Mr. Robert Penney case # - 2013-349*

The Board held a Final Order hearing regarding Mr. Robert Penney.

**MOTION:**

Mr. Bailey made a motion to uphold the Hearing Officer's Findings of Fact, but recommend license be suspended until Mr. Penney provides a satisfaction or payment plan for the Judgment to Discover. Mr. Davis seconded the motion, which carried unanimously.

*Mr. David McCarthy case # - 2012-460*

The Board held a Final Order hearing regarding Mr. David McCarthy.

**MOTION:**

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

*Mr. Thomas Grecheski case # - 2012-457*

The Board held a Final Order hearing regarding Mr. Thomas Grecheski. Mr. Grecheski appeared and asked for a reduction in fine for violation A and B.

**MOTION:**

Mr. Bailey made a motion to uphold the Hearing Officer's Recommendation but reduce the total fine from \$1250.00 to \$750.00. Mr. Roberts seconded the motion, which carried unanimously.

**Approval of Administrators Recommendation for Bond Claim:**

*Mr. Benn Ciardi- case # 2011-574*

The Board held an Administrator's recommendation for bond claim.

**MOTION:**

Mr. Roberts made a motion to approve recommendation. Mr. Dowd seconded the motion, which carried unanimously.

**Administrator's Remarks:**

Mrs. Baumberger gave copies of the new bond form for the commissioners to see.

**OIE Report – Mr. Todd Bond:**

*Todd Bond, Chief Investigator of OIE*

**Complaints Received - 257**

**Active Investigations – 82**

**Closed Cases – 236**

**New Business**

A. Recommendations of IRC

**MOTION:**

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

B. Resolution Guidelines

**MOTION:**

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

C. SC Heating and Air Conditioning Association, proposal to require display of contractor licensure on vehicles: *Randy Pardee*

**MOTION:**

Mr. Roberts made a motion to approve the display of Heating and Air licensure on vehicles. Mr. Davis seconded the motion, which carried unanimously.

**Old Business:**

A. Review and consideration to adopt the updated ASHI standards:

**MOTION:**

Mr. Roberts made a motion to approve updated ASHI standards. Mr. Bailey seconded the motion, which carried unanimously.

**Public Comments:** None were made

**Date of Next Meeting:**

The next Residential Builders Commission meeting will be held Wednesday, July 9, 2014 in room 108.

**Adjournment:**

Mr. Clark made a motion to adjourn the Residential Builders Commission Meeting. Mr. Davis seconded the motion, which carried unanimously. The Residential Builders Commission Meeting was adjourned at 2:00 p.m.

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