

RESIDENTIAL BUILDERS COMMISSION
Synergy Business Park
110 Centerview Drive Kingstree Building
Columbia, South Carolina 29210
Videoconference
Wednesday, April 14, 2021

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 10:30 a.m. Other members present for the meeting included: Al Bailey, Christy Rhyne, Hal Dillard and Bryan Dowd.

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 April 14th, 2021 Residential Builders Commission Meeting Agenda. Mr. Dowd seconded the motion, which carried unanimously.

Approval of the March 10th, 2021 minutes:

MOTION:

Mr. Bailey made a motion to approve the March 10th, 2021 minutes. Mr. Dillard 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, licensees, staff to direct their questions to the chairman of the board and asked for patience as the board used the WebEx Platform.

Initial Applications:

Ryan Sands

Mr. Ryan Sands did not appear before the Commission.

MOTION:

No motion was made.

Malcolm Johnson Jr

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

MOTION:

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

Derrick Harrod

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

MOTION:

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

James Vest

The Commission held an application review regarding James Vest. Mr. Vest appeared before the Commission and waived his right to counsel. He presented a witness, Mr. Brian M Zannino.

MOTION:

Mr. Bailey made a motion to deny Mr. Vest's request at this time due to lack of evidence of hands-on experience. Mr. Dowd seconded the motion, which did not carry unanimously. Mr. Dillard opposed.

Nathan Wall

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

MOTION:

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

Ryan Becker

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

MOTION:

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

Igor Savich

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

MOTION:

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

Susan C. Dover

The Commission held an application review regarding Ms. Susan C. Dover. Ms. Dover appeared before the Commission and waived her right to counsel. She presented a witness, Mr. Ronald "Ron" Yeary.

MOTION:

Ms. Rhyne made a motion to allow Ms. Dover to sit for the exam. Mr. Dillard seconded the motion, which did not carry. Mr. Dillard, Mr. Dowd and Mr. Bailey opposed.

MOTION:

Mr. Bailey made a motion to deny Ms. Dover's request at this time due to lack of evidence of hands-on experience. Mr. Dowd seconded the motion, which carried unanimously.

Karlton Overholt

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

MOTION:

Mr. Bailey made a motion to deny Mr. Overholt's request due to lack of experience. Mr. Dillard seconded the motion, which carried unanimously.

Dunu Christopher Fabyunkey

The Commission held an application review regarding Mr. Dunu Christopher Fabyunkey. Mr. Fabyunkey appeared before the Commission and waived his right to counsel.

MOTION:

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

Darren L Andrews

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

MOTION:

Mr. Bailey made a motion to approved Mr. Andrew's request for a specialty registration. Mr. Dowd seconded the motion, which carried unanimously.

Angela Poulton

Ms. Angela Poulton did not appear before the Commission

MOTION:

No motion was made.

Luis Lopez

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

MOTION:

Mr. Bailey made a motion to approve Mr. Lopez's request with the condition that he have a \$5,000 bond on file with the Commission at all times. Ms. Rhyne seconded the motion, which carried unanimously.

Reinstatement:

Brian Shirley

The Commission held a reinstatement application review regarding Mr. Brian Shirley. Mr. Shirley appeared before the Commission and waived his right to counsel.

MOTION:

Mr. Bailey made a motion to allow Mr. Shirley to reinstate his license with the following conditions: (1) he notify the Commission within ten days of any resolution of the criminal charges pending against him and if the charges result in any sentence or penalties greater than probation, he will be required to appear before the Commission for further consideration of licensure; however, if the criminal charges result only in probation, he must comply with all conditions and terms of his probation; and (2) he maintain on file with the Commission with a surety bond in the amount of \$10,000.00 at all times. Mr. Dillard seconded the motion, which did not carry unanimously. Mr. Dillard opposed.

** Mr. Bailey recused himself due to his service as the hearing officer for the following portion of the Commission Meeting

Hearing Officer Recommendations:

Trevis Cooper Case no 2018-762 and 2019-235

Mr. Trevis Cooper cases were continued until a later date.

George Ihrle Case no 2018-561 and 2018-627

The Board held a Final Order hearing regarding Mr. George Ihrle. Mr. Ihrle was not present. Mr. Charlie Gwynne, Esq. represented the State in the matter.

MOTION:

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

** Mr. Bailey returned to the meeting.

Administrator's Remarks for Information:

Janet Baumberger, Administrator, presented the financial report and PSI exam statistics quarterly report to the Commission. She also reminded the Commission that the June 9th, 2021 meeting is tentatively planned to be an in-person meeting.

ODC Report- Mr. Charlie Gwynne:

Charlie Gwynne, Office of Disciplinary Counsel

Mr. Charlie Gwynne, presented the ODC Report. Mr. Gwynne reported the number of cases prosecuted through April 14, 2021.

Open: 212	Pending Closures: 0
Pending Hearing/Agreements: 50	Closed since last meeting 2/12/21: 19
Closed: 19	Closed since 1/1/21: 26
Appeals: 0	

OIE Report – Mr. Todd Bond:

Todd Bond, Chief Investigator of OIE

Charlie Gwynne, ODC, presented the reports on Mr. Bond's behalf. Mr. Gwynne reported the number of cases received by the Office of Investigations as of 04/14/2021.

Complaints received: 296
Active Complaints: 266
Closed: 244

New Business:

A. Resolution Guidelines

MOTION

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

B. Recommendations of the IRC

MOTION

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

Old Business:

License requirements for constructing enclosed screened porch or addition

MOTION

Ms. Rhyne made a motion to accept the document to be used for guidance in determining whether something is structural. Mr. Dowd seconded the motion, which carried unanimously.

Public Comments:

None.

Date of Next Meeting:

The next Residential Builders Commission meeting will be held Wednesday, May 12, 2021.

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 1:33 pm.

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