

SOUTH CAROLINA RESIDENTIAL BUILDERS COMMISSION

Synergy Business Park, Kingstree Building
110 Centerview Drive, Kingstree Building, Room 108
Columbia, South Carolina 29210

Minutes

Wednesday, December 13, 2017

10:00 a.m.

Timothy W. Roberts, Board Chair, announced that the meeting was held in accordance with §30-4-80 of the South Carolina Freedom of Information Act by notice mailed to all requesting persons, organizations, and news media. In addition, notice was posted on the bulletin boards at the main entrance of the Kingstree Building.

Welcome and Call to Order:

Timothy W. Roberts, Board Chair, called the regular meeting of the South Carolina Residential Builders Commission to order at 10:00 a.m. Other Board members present for the meeting included:

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

Approval of Agenda:

Wednesday, December 13th, 2017

MOTION:

Mr. Dowd made a motion to approve the December 13, 2017, agenda. Ms. Rhyne seconded the motion, which carried unanimously.

Approval of Minutes:

Wednesday, November 8th, 2017

MOTION:

Mr. Bailey made a motion to approve the November 8th, 2017 minutes. Ms. Rhyne seconded the motion, which carried unanimously.

Application/License Reviews:

Christopher Bedson

The Commission held an application review regarding Christopher Bedson. Mr. Bedson appeared before the Commission with his counsel Susanne Hawkins.

MOTION:

Mr. Bailey made a motion to approve Mr. Bedson reinstatement with the condition that he supply the Commission with the final outcome of the criminal charges. Should it result in a felony conviction he will have to re-appear. Ms. Rhyne seconded the motion which carried unanimously.

Scott Jacoby

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

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Mr. Dillard made a motion to all Mr. Jacoby to sit for the exam. Mr. Bailey seconded the motion which carried unanimously.

Jeffrey Reed

Mr. Jeffrey Reed did not appear before the Commission

MOTION:

No motions were made.

Dmitry Pipenko

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

MOTION:

Mr. Dillard made a motion to enter into executive session for legal advice. Ms. Rhyne 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. Pipenko to sit for the exam. Mr. Dillard seconded the motion which carried unanimously.

Matthew Baker

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

MOTION:

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

Billy Bass

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

MOTION:

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

Ames Hamilton

The Commission held an application review regarding Mr. Ames Hamilton. Mr. Hamilton appeared before the Commission and waived his right to counsel. Mr. Hamilton presented a witness, Mr. George Ishak, Department Head with Greenville Technical College.

MOTION:

Ms. Rhyne made a motion to allow Mr. Hamilton to sit for the exam. Mr. Lemmon seconded the motion which did not carry unanimously. Mr. Dowd opposed.

Vladislav Arsenenko

The Commission held an application review regarding Mr. Arsenenko. Mr. Arsenenko appeared before the Commission and waived his right to counsel. He presented a witness, Mr. George Ishak, Department Head with Greenville Technical College.

MOTION:

Mr. Dillard 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 out of executive session after receiving legal advice. Ms. Rhyne seconded the motion which carried unanimously.

MOTION:

Mr. Bailey made a motion to deny Mr. Arsenenko's application for lack of experience. Mr. Dillard seconded the motion, which carried unanimously.

Vladimir Napechnik

The Commission held an application review regarding Mr. Vladimir Napechnik. Mr. Napechnik appeared before the Commission and waived his right to counsel. He presented a witness, Mr. George Ishak, Department Head with Greenville Technical College.

MOTION:

Mr. Bailey made a motion to deny to Mr. Napechnik's application for lack of experience. Mr. Dowd seconded the motion which carried unanimously.

Timothy Giles

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

MOTION:

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

David Yates

Mr. David Yates did not appear before the Commission.

MOTION:

No motions were made.

Mark Burkholder

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

MOTION:

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

Walter Wyatt

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

MOTION:

Mr. Lemmon made a motion to allow Mr. Wyatt to sit for the exam. Mr. Dowd seconded the motion, which did not carry unanimously. Mr. Bailey opposed.

Craig Lattuga

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

MOTION:

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

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Zachary Pierce

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

MOTION:

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

Nathan Capeder

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

MOTION:

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

Willie Nelems

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

MOTION:

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

Don Buckman

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

MOTION:

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

Bradley Stuart

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

MOTION:

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

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Emanuel Dow

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

MOTION:

Mr. Bailey made a motion to approve Mr. Dow's specialty Registration. Mr. Lemmon seconded the motion, which carried unanimously.

Thomas Nowland Jr

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

MOTION:

Mr. Bailey made a motion to approve Mr. Nowland for his specialty registration. Mr. Dowd seconded the motion, which did not carry unanimously. Mr. Dillard opposed.

Garrett Williams

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

MOTION:

Ms. Rhyne made a motion to approve Mr. William's specialty registration. Mr. Bailey seconded the motion, which carried unanimously.

Casey Huffman

The Commission held an application review regarding Mr. Casey Huffman. Mr. Huffman appeared before the Commission and waived his right to counsel. Mr. Huffman presented a witness, Kerrie Morrison.

MOTION:

Mr. Lemmon made a motion to approve Mr. Huffman's specialty registration. Mr. Dowd seconded the motion, which carried unanimously.

Jermaine Venning

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

MOTION:

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Mr. Dowd made a motion to approve Mr. Venning's specialty registration with the condition that he remains in good standing with his probation and he submit a new sled report at next renewal. Ms. Rhyne seconded the motion, which carried unanimously.

Earnest Pope

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

MOTION:

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

Lester Young Jr

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

MOTION:

Mr. Bailey made a motion to allow Mr. Young to sit for the exam with the condition that he complies with his probation. Mr. Dowd seconded the motion, which carried unanimously.

Alan Berry

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

MOTION:

Mr. Bailey made a motion to approve Mr. Berry's specialty registration. Mr. Lemmon seconded the motion, which carried unanimously.

Hearing Officer Recommendation – Final Order Hearings:

Johnny Hall (Case No.: 2017-154)

Mr. Daniel Gourley, Esq. represented the State and requested the Board uphold the Hearing Officer's Recommendation(s).

MOTION:

Mr. Dowd made a motion to accept the Hearing Officer's recommendation(s). Ms. Rhyne seconded the motion, which carried unanimously.

Christopher Bishop (Case No. 2017-53)

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Mr. Daniel Gourley, Esq. represented the State and requested the Board uphold the Hearing Officer's Recommendation(s).

MOTION:

Mr. Bailey made a motion to accept the Hearing Officer's recommendation(s). Ms. Rhyne seconded the motion, which carried unanimously.

Jason Votra (Case# 2015-63)

Mr. Kyle Tennis, Esq. represented the State and requested the Board uphold the Hearing Officer's Recommendation(s). Mr. Tim Roberts served as the hearing officer and recused himself.

MOTION:

Mr. Dowd made a motion to accept the Hearing Officer's recommendation(s). Ms. Rhyne seconded the motion, which carried unanimously.

Request to Rescind Citation for Case no 2017-54

Mr. Kyle Tennis, Esq. requested that the citation be rescinded.

MOTION:

Mr. Bailey made a motion to rescind the citation for case no 2017-54. Ms. Rhyne seconded the motion, which carried unanimously.

MASC request to accept the MASC Residential HVAC

Ms. Hope Kumar with Municipal Association of South Carolina requested the Commission accept the MASC Master Residential HVAC exam. Ms. Kumar will be getting further information to bring back before the commission.

Recoupment of Investigation and prosecution costs pursuant to S.C. Code Ann. §40-59-170

The Commission discussed the recoupment of cost for the investigations and prosecution of disciplinary cases. The Commission requested further documentation for review at a future meeting.

MOTION:

Mr. Dowd made a motion to move this item to a future meeting. Ms. Rhyne seconded the motion, which carried unanimously.

Administrator's Remarks for Information:

No remarks at this time

Office of Investigations and Enforcement (OIE Report)

Todd Bond

OIE Status Report – Mr. Bond reported, 809 cases were received with 198 active investigations, with 787 cases closed as for November 8, 2017.

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Recommendation of Investigation Review Committee (IRC)

IRC Recommendations:

MOTION:

Mr. Bailey made a motion to approve the recommendations of the Investigative Review Committee. Mr. Dowd seconded the motion, which carried unanimously.

Resolution Guidelines:

MOTION:

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

Jerry Ford

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

MOTION:

Mr. Bailey made a motion to approve specialty registration. Mr. Dowd seconded the motion, which did not carry unanimously. Mr. Lemmon and Mr. Dillard opposed.

Public Comments:

No Public Comments were made.

Date of Next Meeting:

The next meeting of the SC Residential Builders Commission will be held Wednesday January 10, 2018, beginning at 10:00 A.M., at the Synergy Business Complex, Kingtree Building, Room 108, in Columbia, SC

Adjournment:

Mr. Dowd made a motion to adjourn the meeting. Mr. Dillard seconded the motion, which carried unanimously.

The December 13, 2017, meeting of the South Carolina Builders Commission was adjourned at 3:31 pm.