

## BOARD FOR CONTRACTORS BOARD MEETING

### MINUTES

The Board for Contractors met on Tuesday, March 1, 2005 at the Department of Professional and Occupational Regulation (DPOR), 3600 West Broad Street, Richmond, Virginia. The members indicated below were present. Each of the other members present was qualified to vote, except where a specific reason for disqualification is stated. There are 13 members on this board, in which seven constitutes a quorum pursuant to §54.1-1102.

Anthony Orange, Co-Chair  
Ann Rackas Pate  
Charles W. Falwell  
James Hollar  
Robert M. Kirby  
William A. Paulette  
Michael D. Redifer  
Wyatt Walton, III  
David O. Harris, Sr.  
Kenneth W. Hart

Board members, Robert O Burch, Jr., Dorothy Wood, and Mark D Kinser were not present at the meeting.

Staff present for all or part of the meeting were:

Louise Fontaine Ware, Director  
Karen O'Neal, Deputy Director of Regulatory Programs  
Eric L. Olson, Executive Director  
Kevin Hoefl, Regulatory Boards Administrator  
Victoria Traylor, Legal Assistant  
Sheila Watkins, Administrative Assistant  
Jennifer Kazzie, Assistant Director, Adjudication  
Joe Haughwout, Legal Assistant  
Jeffrey Buckley, Legal Assistant  
Nick A. Christner, Deputy Director of Compliance and Investigations

Co Chairman Anthony Orange called the meeting to order at 9:15 a.m. and a Quorum of board members was in attendance.

Call  
To Order

A motion was made by **Mr. Hollar** and seconded by **Mr. Falwell** to approve the agenda. The motion passed unanimously. Members voting "Yes" were: **Hart, Falwell, Rackas Pate, Hollar, Kirby, Orange, Redifer, Walton, Paulette and Harris.**

Approval of  
the Agenda

**Ms. Rackas Pate** moved to approve the following minutes with a correction to the January 18, 2005 minutes identifying members not voting as Wood and Rackas Pate for case files 2003-02946 and 2004-00607 Lan Trac. All others minutes approved as submitted :

Approval of  
Minutes

January 18, 2005, Contractor Board Meeting  
January 4, 2005, Informal Fact Finding Conference  
January 6, 2005, Informal Fact Finding Conference  
January 11, 2005, Informal Fact Finding Conference  
January 12, 2005, Informal Fact Finding Conference  
January 20, 2005, Informal Fact Finding Conference  
January 25, 2005, Informal Fact Finding Conference  
February 1, 2005, Informal Fact Finding Conference  
February 3, 2005, Informal Fact Finding Conference  
February 8, 2005, Informal Fact Finding Conference  
February 9, 2005, Informal Fact Finding Conference  
February 10, 2005, Informal Fact Finding Conference

**Mr. Falwell** seconded the motion and it was unanimously approved by members: **Hart, Falwell, Rackas Pate, Hollar, Kirby, Orange, Redifer, Walton, Paulette and Harris.**

There were no public comments.

Public  
Comment  
Period

**In the matter of License Application File Number 2005-02306, Joseph Monahan t/a Old Dominion Deck & Fence Company**, the Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference.

File Number  
**2005-02306  
Old  
Dominion  
Deck &**

Contractor Board Meeting Minutes

March 1, 2005

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**Mr. Monahan**, appeared at the IFF and the Board meeting. Mr. Monahan addressed the Board. The presiding Board representative **Mrs. Cooper** was not present did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Redifer** and seconded by **Ms. Rackas Pate** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license.

**Fence  
Company**

The motion was approved by majority vote. Members voting "yes" were: **Falwell, Rackas Pate, Hollar, Orange, Redifer, Walton, Paulette and Harris**. Members voting "no" were: **Hart and Kirby**.

**In the matter of License Application File Number 2005-02305, Mark C Mogensen t/a Mowen Construction LLC**, the Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number  
2005-02305  
Mowen  
Construction  
LLC**

**Mr. Mogensen**, appeared at the IFF and the Board meeting. He addressed the Board. The presiding Board representative **Mrs. Cooper** was not present did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Kirby** and seconded by **Mr. Hollar** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license.

The motion was approved by unanimous vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Kirby, Orange, Redifer, Walton, Paulette and Harris**.

**In the matter of License Application File Number 2005-02245, Sylvester D Clay t/a ACP, Inc**, the Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number  
2005-02245  
Sylvester D  
Clay**

**Mr. Clay** appeared at the IFF and the Board meeting. He addressed the Board. The presiding Board representative **Mrs. Cooper** was not present did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Hart** and seconded by **Mr. Falwell** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license.

The motion was approved by majority vote. Members voting "yes" were: **Hart, Falwell, Hollar, Orange, Redifer, Walton, Paulette and Harris**. Members voting "no" were: **Rackas Pate and Kirby**.

**In the matter of License Application File Number 2005-02229, William Carey II** the Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number**  
**2005-02229**  
**William**  
**Carey II**

**Mr. Carey** appeared at the IFF and the Board meeting. He addressed the Board. The presiding Board representative **Mrs. Cooper** was not present did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Walton** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license.

The motion was approved by unanimous vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Kirby, Orange, Redifer, Walton, Paulette and Harris.**

**In the matter of License Application File Number 2005-02170, Michael Baker,** the Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number**  
**2005-02170**  
**Michael**  
**Baker**

**Mr. Baker** appeared at the IFF and the Board meeting. He addressed the Board. The presiding Board representative **Mrs. Cooper** was not present did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Hart** and seconded by **Mr. Kirby** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license.

The motion was approved by majority vote. Members voting "yes" were: **Hart, Falwell, Hollar, Kirby, Orange, Redifer, Walton, Paulette and Harris.** **Ms. Rackas Pate** voted "no".

**In the matter of License Application File Number 2005-02164, Sharmak Tirov Morning,** the Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number**  
**2005-02164**  
**Sharmak**  
**Tirov**  
**Morning**

**Mr. Morning,** appeared at the IFF and the Board meeting. He addressed the Board. The presiding Board representative **Mrs. Cooper** was not present did not participate in the discussion and did not vote. After discussion, a

motion was made by **Ms. Rackas Pate** and seconded by **Mr. Kirby** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license.

The motion was approved by unanimous vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Kirby, Orange, Redifer, Walton, Paulette and Harris.**

**In the matter of License Application File Number 2005-02137, Benjamin Sowinski t/a Sowinski Tile & Marble,** the Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number  
2005-02137  
Benjamin  
Sowinski**

**Mr. Sowinski** appeared at the IFF and the Board meeting. He addressed the Board. The presiding Board representative **Mrs. Cooper** was not present did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Paulette** and seconded by **Mr. Redifer** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license.

The motion was approved by unanimous vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Kirby, Orange, Redifer, Walton, Paulette and Harris.**

**In the matter of Disciplinary File Number 2004-04140, George Tyner t/a Tyner Construction,** the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

**File Number  
2004-04140  
George  
Tyner**

**Mr. George Tyner, respondent,** did not attend the IFF or the Board meeting on behalf of Tyner Construction. **Ms. Lynn Nelson, complainant** appeared at the Board meeting. She addressed the Board. The presiding Board Representative **Mr. Franko** was not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Kirby** to adopt the Summary of the Informal Fact-Finding Conference finding violations of the Boards 2003 Regulations:

- Count 1: 18 VAC 50-22-210.3**
- Count 2: 18 VAC 50-22-230.A**
- Count 3: 18 VAC 50-22-260.B.8**
- Count 4: 18 VAC 50-22-260.B.9**
- Count 5: 18 VAC 50-22-260.B.6**

**Count 6: 18 VAC 50-22-260.B.15**

**Count 7: 18 VAC 50-22-260.B.16**

**Count 8: 18 VAC 50-22-260.B.28**

The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Kirby, Orange, Redifer, Walton, Paulette and Harris.**

A motion was made by **Mr. Redifer** and seconded by **Ms. Rackas Pate** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference imposing a \$500.00 monetary penalty for the violation of (Count 1); \$500.00 monetary penalty for violation of (Count 2); \$400.00 monetary penalty for violation of (Count 3); \$100.00 monetary penalty for violation of (Count 4); \$750 monetary penalty for violation of (Count 5); \$2,500 monetary penalty and license revocation for violation of (Count 6); \$2,000 monetary penalty and license revocation for violation of (Count 7) and \$2,500 monetary penalty and license revocation for violation of (Count 8).. A total monetary penalty of **\$8,750.00** was imposed. The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Kirby, Orange, Redifer, Walton, Paulette and Harris.**

***In the matter of Disciplinary File Number 2004-02655, Wiltshire Incorporated t/a The Greener Side***, the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

**File Number  
2004-02655  
Wiltshire  
Incorporated**

**Wiltshire Inc, respondent**, appeared at the Board meeting. **Mr. Johnathan Stiehm, complainant** appeared at the IFF and the Board meeting. He addressed the Board. The presiding representative **Mr. Franko** was not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Kirby** and seconded by **Mr. Hart** to adopt the Summary of the Informal Fact-Finding Conference finding violations of the Boards 2003 Regulations:

**Count 1: 18 VAC 50-22-260.B.9**

**Count 2: 18 VAC 50-22-260.B.14**

**Count 3: 18 VAC 50-22-260.B.16**

**Count 4: 18 VAC 50-22-260.B.13**

**Count 5: 18 VAC 50-22-230.B**

The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Orange, Redifer, Walton, Hollar, Kirby, Paulette and Harris.**

A motion was made by **Mr. Kirby** and seconded by **Mr. Redifer** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference; (Count 1); \$500.00 monetary penalty imposed; (Count 2); \$2,500.00 monetary penalty imposed; (Count 3); \$2,500.00 monetary penalty imposed; (Count 4) and \$1,500 monetary penalty imposed and (Count 5) \$250.00 monetary penalty imposed. A total monetary penalty of **\$7,250.00** was imposed. The Board further imposed the sanction of revocation of Wiltshire Incorporated license number 2705-035759. The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Orange, Redifer, Walton, Hollar, Kirby, Paulette and Harris.**

**In the matter of Disciplinary File Number 2004-04998, Larry G. Elliott t/a Cross Timbers Concrete**, the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

**File Number  
2004-04998  
Larry G.  
Elliott**

**Mr. Larry G. Elliott, respondent**, was present at the Board meeting. He addressed the Board. Mr. Elliott asked the Board to remand the case back to an IFF so that he might have a chance to attend the IFF. He was out of the state when the IFF notice came and it was not forwarded to him. He did receive notification of the Board meeting. The presiding Board Representative **Ms. Wall** was not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Kirby** and seconded by **Mr. Walton** to remand the case back to an Informal Fact Finding Conference.

The motion passed with a majority vote. Members voting "yes" were: **Hart, Falwell, Hollar, Kirby, Orange, Redifer, Walton, Paulette and Harris.** **Ms. Rackas Pate** voted **no**. The case was remanded back to an IFF.

**In the matter of Disciplinary File Number 2004-01523, Darren Frost & David Steckley t/a Frost Foundations**, the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

**File Number  
2004-01523  
Frost  
Foundations**

**Mr. Darren Frost, respondent**, did not attend the IFF. He attended the Board meeting on behalf of Frost Foundations. He addressed the Board. The presiding Board Representative **Mr. Walton** was not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Falwell** to amend the Summary of the Informal Fact-Finding Conference finding violations of the Boards 2001 and 2003 Regulations and allow Frost Foundations to enter into a

Consent Order with the Board removing license revocation from count 4.

The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Kirby, Orange, Redifer, Paulette and Harris.**

**Consent Order File Number 2004-01523, Board v. Daren Frost & David Steckley t/a Frost Foundations.** The board reviewed the Consent Order. **Frost Foundations** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2001 Regulations; **Count 1: 18 VAC 50-22-260.B.8; Count 2: 18 VAC 50-22-260.B.9; 2003: Count 3: 18 VAC 50-22-260.B.25 and Count 4: 18 VAC 50-22-260.B.12.** **Frost Foundations** consents to the following term(s) by the Board: **\$400.00 fines for Count 1 and completion of the Board's Basic Contractor Licensing Class; Count 2: \$400.00 fines and completion of the Board's Basic Contractor Licensing Class; Count 3: \$750.00 fines and for Count 4: \$1,000.00 in fines.** **Frost Foundation** agrees to successfully complete the Board's Basic Contracting Licensing Class within six months of the order. Mr. Walton the Boards hearing officer did not participate and did not vote. **Total penalties: Frost Foundations** agrees to reimburse the Board **\$2,550.00 in fines.**

Upon a motion by **Mr. Redifer** seconded by **Mr. Kirby** the board ratified the consent order with a unanimous vote from: **Hart, Falwell, Rackas Pate, Hollar, Kirby, Orange, Redifer, Paulette and Harris.**

#### **Closed Session**

**Motion for Closed Meeting: Mr. Paulette** offered a motion at 9:55 AM ; Mr. Chairman, I move that this meeting be recessed and that the Board immediately reconvene in closed meeting for the purpose of consultation with legal counsel and/or briefings by staff members pertaining to actual and /or potential litigation as permitted by § 2.2-3711-A.28 of the Code of Virginia. The following non-members will be in attendance to reasonably aid the consideration of the topic; Eric Gregory, Eric Olson and Karen O'Neal. This motion is made with respect to the matters identified as agenda item 7 E. **Mr. Kirby** seconded the motion. The motion passed unanimously. Members voting "yes" were: Falwell, Harris, Hart, Hollar, Kirby, Orange, Rackas Pate, Paulette, Redifer and Walton. Members absent were: Burch, Kinser and Wood.

**Closed  
Session**

#### **Certification of Closed Meeting**

Whereas, the Board for Contractors has convened a closed meeting on this

**Reconvene  
From Closed**

date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and Whereas, §2.2-3712 of the Code of Virginia requires a certification by this Board for Contractors that such closed meeting was conducted in conformity with Virginia law;

**Now, therefore,** be it resolved that the Board for Contractors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Board for Contractors.

**Ms. Rackas Pate** offered a motion at 10:35 AM that the Board consider state statute and code when making monetary awards. **Mr. Falwell seconded that motion which was unanimously approved by members voting "yes". They were: Harris, Hollar, Orange, Rackas Pate, Falwell, Paulette, Walton, Redifer, Kirby and Hart.** Members absent and not voting were: Burch, Wood and Kinser.

Session

**In the matter of License Application File Number 2005-02560, Travis Raymond** the Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference.

File Number  
**2005-02560**  
**Travis**  
**Raymond**

**Mr. Raymond,** appeared at the IFF and the Board meeting. He addressed the Board. The presiding Board representative **Mrs. Cooper** was not present did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Kirby** and seconded by **Mr. Redifer** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license.

The motion was approved by unanimous vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Kirby, Orange, Redifer, Walton, Paulette and Harris.**

**In the matter of Recovery Fund File Number 2004-03029, Glenn Devol (Claimant) and William Godfrey t/a All American Window Co. (Regulant); Recovery Fund File;** the board reviewed the record, which consisted of the transcript and exhibits from the IFF, and the summary and recommendation. **Neither William Godfrey t/a All American Window Co. (Regulant) nor anyone** on its behalf appeared at the IFF or the Board meeting. **Mr. Devol (Claimant)** appeared at the IFF and the Board meeting. **He addressed the Board.** The Board representative(s), **Ms. Wall** was not present

File Number  
**2004-03029**  
**William**  
**Godfrey**

and did not participate in the discussion nor vote in this matter. After discussion, **Mr. Walton** offered a motion seconded by **Mr. Hart**, to accept the hearing officer's recommendations and summary for violations and approve the claim for payment in the amount of **\$7,518.00**. **Members voted "yes" unanimously to pay the claim: Falwell, Hollar, Hart, Harris, Kirby, Orange, Redifer, Rackas Pate, Walton and Wood.** The motion was approved.

**In the matter of Recovery Fund File Number 2004-03027, Sy and Barbara Weiss (Claimant) and General Construction Co. of Norfolk, Inc. (Regulant); Recovery Fund File;** the board reviewed the record, which consisted of the transcript and exhibits from the IFF, and the summary and recommendation. **Mike Kiriakos, President of General Construction Co. of Norfolk, Inc. (Regulant)** appeared at the Board meeting. He addressed the Board. **Tom Hennessey Attorney for Sy and Barbara Weiss (Claimants)** appeared at the Board meeting. **He addressed the Board.** The Board representative(s), **Ms. Wall** was not present and did not participate in the discussion nor vote in this matter. After discussion, **Mr. Redifer** offered a motion seconded by **Mr. Kirby**, to accept the hearing officer's recommendations and summary for violations and approve the claim for payment in the amount of **\$10,000.00**. **Members voted "yes" unanimously to pay the claim: Falwell, Hollar, Hart, Harris, Kirby, Orange, Redifer, Rackas Pate, Walton and Wood.** The motion was approved.

**File Number**  
**2004-03027**  
**General**  
**Construction**  
**Co. of**  
**Norfolk,**  
**Inc.**

**In the matter of Recovery Fund File Number 2004-02684, Lee and Brenda Taylor (Claimant) and Webb F Henderson, Jr. (Regulant); Recovery Fund File;** the board reviewed the record, which consisted of the transcript and exhibits from the IFF, and the summary and recommendation. The Board reviewed the Handout from the Attorney. **Mr. Shreve**, Attorney for the **(Regulant)** appeared at the Board meeting. He addressed the Board. **Mr. and Mrs. Taylor (Claimants)** appeared the Board meeting. **They addressed the Board.** The Board representative(s), **Ms. Wall** was not present and did not participate in the discussion nor vote in this matter. After discussion, **Mr. Walton** offered a motion seconded by **Mr. Hart**, to accept the hearing officer's recommendations and summary for violations and approve the claim for payment in the amount of **\$10,000.00**. **Members voted "yes" unanimously to pay the claim: Hollar, Hart, Harris, Kirby, Orange, Redifer, Rackas Pate, Walton and Wood.** **Mr. Falwell** abstained from voting and did not participate in the discussion because **Mr. Shreves'** is his attorney. The motion was approved.

**File Number**  
**2004-02684**  
**Webb F**  
**Henderson,**  
**JR.**

**In the matter of Disciplinary File Number 2004-02173, R C Wheeler Construction Company t/a R C Wheeler Construction Company, the**

**File Number**

Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

**2004-02173  
R C Wheeler  
Construction**

**Mr. David Martin, Attorney for respondent**, attended the Board meeting on behalf of R C Wheeler Construction. He addressed the Board. The presiding Board Representative **Mr. Harris** was not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Kirby** and seconded by **Mr. Paulette** to adopt the Summary of the Informal Fact-Finding Conference finding violations of the Boards 2001 Regulations:

**Count 1: 18 VAC 50-22-260.B.9**

**Count 2: 18 VAC 50-22-260.B.31**

**Count 3: 18 VAC 50-22-260.B.5**

**Count 4: 18 VAC 50-22-260.B.15**

**Count 5: 18 VAC 50-22-260.B.15**

The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Kirby, Orange, Redifer, Walton and Paulette.**

A motion was made by **Mr. Kirby** and seconded by **Mr. Paulette** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference imposing a \$350.00 monetary penalty and completion of the Board's Basic Contractor Licensing Class for the violation of (Count 1); \$500.00 monetary penalty and completion of the Board's Basic Contractor Licensing Class for violation of (Count 2); \$1,500.00 monetary penalty for violation of (Count 3); \$1,000.00 monetary penalty for violation of (Count 5). A total monetary penalty of **\$3,350.00** was imposed. The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Kirby, Orange, Redifer, Walton and Paulette.**

**In the matter of Recovery Fund File Number 2004-04005, Annie Cousins (Claimant) and Stanley Lewis Holmes Remodeling & Construction Co. (Regulant); Recovery Fund File;** the board reviewed the record, which consisted of the transcript and exhibits from the IFF, and the summary and recommendation. **None appeared for Stanley Lewis Holmes Remodeling & Construction Co.** at the Board meeting. **Ms. Cousins (Claimant)** appeared at the IFF and the Board meeting. **She addressed the Board.** The Board representative(s), **Ms. Wall** was not present and did not participate in the discussion nor vote in this matter. After discussion, **Mr. Paulette** offered a motion seconded by **Mr. Hollar**, to accept the hearing officer's recommendations and summary for violations and approve the claim for

File Number  
**2004-04005  
Stanley  
Lewis  
Holmes  
Remodeling  
&  
Construction  
Co.**

payment in the amount of \$972.00. **Members voted “yes” unanimously to pay the claim: Falwell, Hollar, Hart, Harris, Kirby, Orange, Redifer, Rackas Pate, Walton and Wood.** The motion was approved.

**In the matter of License Application File Number 2005-02235, Rebecca Malloy t/a Connor’s Construction Services,** the Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference.

File Number  
**2005-02235**  
**Rebecca**  
**Malloy**

**Ms. Malloy,** appeared at the IFF and the Board meeting. Ms. Malloy addressed the Board. The presiding Board representative **Mrs. Cooper** was not present did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Falwell** and seconded by **Mr. Falwell** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license.

The motion was approved by majority vote. Members voting "yes" were: **Falwell, Rackas Pate, Hollar, Orange, Redifer, Walton, Paulette and Harris.** Members voting “no” were: **Hart and Kirby.**

**In the matter of Recovery Fund File Number 2004-02353, David Bottenfield (Claimant) and John Geigle t/a Complete Home Repairs (Regulant); Recovery Fund File;** the board reviewed the record, which consisted of the transcript and exhibits from the IFF, and the summary and recommendation. **Neither Complete Home Repairs (Regulant) nor anyone on its behalf appeared at the** Board meeting. **Mr. Bottenfield (Claimant)** appeared at the IFF and the Board meeting. He addressed the Board. The Board representative(s), **Ms. Wall** was not present and did not participate in the discussion nor vote in this matter. After discussion, **Mr. Hollar** offered a motion seconded by **Mr. Walton** to accept the hearing officer’s recommendations and summary for violations and approve the claim for payment in the amount of **\$4,034.00.** **Members voted unanimously to pay the claim as follows: Falwell, Harris, Hart, Hollar, Kirby, Rackas Pate, Redifer, Walton, Orange and Paulette.** There were no negative votes. The motion was approved.

File Number  
**2004-02353**  
**John Geigle**

**In the matter of Recovery Fund File Number 2005-01800, David Bottenfield (Claimant) and John Geigle, t/a Complete Home Repairs (Regulant); Recovery Fund File;** the board reviewed the record, which consisted of the transcript and exhibits from the IFF, and the summary and recommendation. **Neither Complete Home Repairs (Regulant) nor anyone on its behalf appeared at the** Board meeting. **Mr. Bottenfield**

File Number  
**2005-01800**  
**John Geigle**

**(Claimant)** appeared at the IFF and the Board meeting. He addressed the Board. The Board representative(s), **Ms. Wall** was not present and did not participate in the discussion nor vote in this matter. After discussion, **Mr. Kirby** offered a motion seconded by **Mr. Walton**, to accept the hearing officer's recommendations and summary for violations and approve the claim for payment in the amount of **\$4,784.00**. **Members voted unanimously to pay the claim as follows: Falwell, Rackas Pate, Hollar, Harris, Paulette Kirby, Orange, Redifer, Walton and Hart.** There were no negative votes. The motion was approved.

**Board Member David Harris left the meeting at 12:05 PM.**

**Mr. Harris  
Leaves the  
meeting**

**In the matter of Disciplinary File Number 2004-00032, Star Construction Company Inc. t/a Star Construction Company Inc.,** the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

**File Number  
2004-00032  
Star  
Construction  
Company  
Inc.**

The presiding officer **Mr. Burch** was not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Walton** and seconded by **Mr. Kirby** to adopt the Summary of the Informal Fact-Finding Conference finding no violations of the Board's Regulations and closing this case.

The motion passed unanimously. Members voting "yes" were: **Hart, Falwell, Hollar, Kirby, Orange, Redifer, Walton, Rackas Pate and Paulette.**

**In the matter of License Application File Number 2005-02233, Landscape Dreams Outdoor Construction LLC,** the Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number  
2005-02233  
Landscape  
Dreams  
Outdoor  
Construction  
LLC**

**Landscape Dreams Outdoor Construction LLC** did not appear at the Board meeting. The presiding Board representative **Mrs. Cooper** was not present did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Falwell** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license.

The motion failed by a vote of 4 "yes" and 5 "no". Members voting "yes"

were: **Falwell, Redifer, Orange, and Paulette**. Members voting "no" were: **Rackas Pate, Hollar, Hart, Walton and Kirby**. A motion was offered by Mr. Kirby and seconded by Ms. Rackas Pate to reject the recommendation and deny the license based upon the record, the severity and recentness of the crime and in keeping with the Board's obligation to protect the safety and welfare of the public by not granting the license. The license was denied with a "yes" vote by: **Rackas Pate, Hollar, Kirby Walton, Kirby and Hart**. The "no" votes were cast by: **Falwell, Redifer and Orange**.

**In the matter of License Application File Number 2005-02166, Michael Good t/a Magic Man Home Improvement**, the Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference.

File Number  
**2005-02166**  
**Michael**  
**Good**

**Mr. Good**, appeared at the IFF. The presiding Board representative **Mrs. Cooper** was not present did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Paulette** and seconded by **Mr. Hart** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license.

The motion was approved by majority vote. Members voting "yes" were: **Falwell, Hollar, Kirby, Orange, Redifer, Walton, Paulette and Hart**. Member voting "no" was: **Rackas Pate**.

**In the matter License Application File Number 2005-02168, Linwood Glascoe t/a Triple "C" Diversified**, the Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference.

File Number  
**2005-02168**  
**Linwood**  
**Glascoe**

**Mr. Glascoe**, appeared at the IFF meeting. The presiding Board representative **Mrs. Cooper** was not present did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Kirby** and seconded by **Mr. Redifer** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license.

The motion was approved by unanimous vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Kirby, Orange, Redifer, Walton, and Paulette**.

**In the matter of License Application File Number 2005-02163, Gregory Heishman**, the Board members reviewed the record, which consisted of the

File Number  
**2005-02163**

application file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference.

**Gregory  
Heishman**

**Mr. Heishman**, appeared at the IFF meeting. The presiding Board representative **Mrs. Cooper** was not present did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Hart** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license.

The motion was approved by unanimous vote. Members voting "yes" were: **Falwell, Rackas Pate, Hollar, Kirby, Orange, Redifer, Walton, Paulette and Hart.**

**In the matter of License Application File Number 2005-02136, Suburban Pest Services, Inc.**, the Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number  
2005-02136  
Suburban  
Pest  
Services,  
Inc.**

**Suburban Pest Services Inc.** appeared at the IFF meeting. The presiding Board representative **Mrs. Cooper** was not present did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Paulette** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license.

The motion was approved by majority vote. Members voting "yes" were: **Falwell, Rackas Pate, Hollar, Hart, Orange, Redifer, Walton and Paulette.** Member voting "no" was: **Kirby.**

**In the matter of Disciplinary File Number 2004-03329, Wilmer N Ricks t/a W N Ricks**, the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

**File Number  
2004-03329  
Wilmer  
Ricks**

**Wilmer N Ricks, respondent**, did not appear at the Board meeting. The presiding officers **Mr. Franko and Mr. Walton** were not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Falwell** to adopt the Summary of the Informal Fact-Finding Conference finding violations of the Boards 2003 Regulations:

**Count 1: 18 VAC 50-22-260.B.28**

The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Orange Kirby, Redifer and Walton.**

A motion was made by **Mr. Redifer** and seconded by **Mr. Falwell** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference with an amendment to add suspension of Wilmer N Ricks' license until proof is submitted to the Board that the judgment has been satisfied. The Board imposed a \$1,500.00 monetary penalty and successful completion of Remedial Education for the violation of (Count 1. A total monetary penalty of **\$1,500.00** was imposed. The motion passed with a majority vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Kirby, Paulette, Redifer and Walton.** **Mr. Orange** voted "no".

**In the matter of Disciplinary File Number 2004-02673, William Lloyd Cross** the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

**William Lloyd Cross, respondent,** did not appear at the Board meeting. The presiding officer **Mr. Franko** was not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Falwell** to adopt the Summary of the Informal Fact-Finding Conference finding violations of the Boards 2003 Regulations:

**Count 1: 18 VAC 50-30-190**

The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Orange, Redifer, Kirby, Paulette, Walton and Hollar.**

A motion was made by **Mr. Redifer** and seconded by **Mr. Falwell** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference imposing a \$1,000.00 monetary penalty and successful completion of Remedial Education for the violation of (Count 1. A total monetary penalty of **\$1,000.00** was imposed. The motion passed with a majority vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Orange, Redifer, Walton and Paulette.** **Mr. Kirby** voted "no".

**In the matter of Disciplinary File Number 2003-01530, Charles McCauley t/a Mechanical Advantage Co,** the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

File Number  
**2004-02673**  
**William**  
**Lloyd Cross**

File Number  
**2003-01530**  
**Charles B**  
**McCauley**

**Charles B McCauley, respondent**, did not appear at the Board meeting. The presiding officer **Mr. Franko** was not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Kirby** to adopt the Summary of the Informal Fact-Finding Conference finding violations of the Boards 2001 Regulations:

**Count 1: 18 VAC 50-22-260.B.6**

The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Orange, Redifer, Walton and Kirby.**

A motion was made by **Mr. Redifer** and seconded by **Mr. Falwell** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference with an amendment to count 1 (adding license suspension until evidence is submitted to the Board that the code violation have been abated) imposing a \$2,500.00 monetary penalty and successful completion of Remedial Education for the violation of (Count 1. A total monetary penalty of **\$2,500.00** was imposed. The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Kirby, Orange, Redifer, Walton and Paulette.**

**In the matter of Disciplinary File Number 2004-02534, Roy Boivin t/a Roy Boivin**, the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

**File Number**  
**2004-02534**  
**Roy Boivin**

**Roy Boivin, respondent**, did not appear at the Board meeting. The presiding officer **Mr. Harris** was not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Kirby** to adopt the Summary of the Informal Fact-Finding Conference finding violations of the Boards 2003 Regulations:

**Count 1: 18 VAC 50-22-260.B.28**

The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Orange, Redifer, Paulette, Hollar, Kirby and Walton.**

A motion was made by **Mr. Kirby** and seconded by **Mr. Hart** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference imposing a \$2,500.00 monetary penalty and license revocation for violation of (Count 1). A total monetary penalty of **\$2,500.00** was imposed. The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Kirby, Orange, Redifer, Walton and Paulette.**

**In the matter of Disciplinary File Number 2004-03386, David T Mathews t/a David Mathews Painting**, the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

**File Number**  
**2004-03386**  
**David T**  
**Mathews**

**David T Mathews, respondent**, did not appear at the Board meeting. The presiding officer **Mr. Harris** was not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Kirby** to adopt the Summary of the Informal Fact-Finding Conference finding violations of the Boards 2003 Regulations:

**Count 1: 18 VAC 50-22-230.A**

**Count 2: 18 VAC 50-22-260.B.9**

**Count 3: 18 VAC 50-22-260.B.6**

**Count 4: 18 VAC 50-22-260.B.27**

The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Orange, Redifer, Walton, Kirby, Paulette and Hollar.**

A motion was made by **Mr. Redifer** and seconded by **Mr. Kirby** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference imposing a \$350.00 monetary penalty and successful completion of Remedial Education for the violation of (Count 1); \$350.00 monetary penalty and successful completion of Remedial Education for violation of (Count 2); \$1,000.00 monetary penalty for violation of (Count 3); \$1,000.00 monetary penalty for violation of (Count 4). A total monetary penalty of **\$2,700.00** was imposed. The motion passed with a majority vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Paulette, Kirby, Orange, Redifer and Walton. Mr. Hollar** voted "no".

**In the matter of Disciplinary File Number 2004-02418, Orville L & Gloria J Peters t/a O L Boogie Peters Jr., Plumbing & Heating Company**, the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

**File Number**  
**2004-02418**  
**Orville L**  
**and Gloria J**  
**Peters**

**Orville L & Gloria J. Peters, respondents**, did not appear at the Board meeting. The presiding officer **Mr. Harris** was not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Walton** and seconded by **Mr. Paulette** to adopt the Summary of the Informal Fact-Finding Conference finding violations of the Boards 2003 Regulations:

**Count 1: 18 VAC 50-22-230.A**

**Count 2: 18 VAC 50-22-260.B.9 (2 violations)**

**Count 3: 18 VAC 50-22-260.B.6**

**Count 4: 18 VAC 50-22-260.B.15**

**Count 5: 18 VAC 50-22-260.B.12**

**Count 6: 18 VAC 50-22-260.B.13**

**Count 7: 18 VAC 50-22-260.B.28**

The motion passed with a unanimous vote. Members voting "yes" were: **Paulette, Falwell, Rackas Pate, Orange, Redifer, Hart, Hollar Walton and Kirby.**

A motion was made by **Mr. Kirby** and seconded by **Mr. Paulette** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference with amendment(s) to count 7 (adding revocation of Orville L and Gloria J Peters license) imposing a \$500.00 monetary penalty for the violation of (Count 1); \$1,000.00 monetary penalty for violation of (Count 2); \$1,000.00 monetary penalty for violation of (Count 3); \$2,500.00 monetary penalty for violation of (Count 4); \$1,500 monetary penalty for violation of (Count 5); \$1,000.00 monetary penalty for violation of (Count 6) and \$2,500.00 monetary penalty and license revocation for violation of (Count 7). A total monetary penalty of **\$9,500.00** was imposed. The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Kirby, Orange, Redifer, Walton and Paulette.**

**In the matter of Disciplinary File Number 2004-02083, Bulldog Inc. t/a Bulldog, Inc.,** the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

**File Number  
2004-02083  
Bulldog, Inc.**

**Bulldog Inc, respondent,** did not appear at the Board meeting. The presiding officer **Mr. Harris** was not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Kirby** and seconded by **Ms. Rackas Pate** to adopt the Summary of the Informal Fact-Finding Conference finding violations of the Boards 2003 Regulations:

**Count 1: 18 VAC 50-22-260.B.9**

**Count 2: 18 VAC 50-22-260.B.31**

**Count 3: 18 VAC 50-22-260.B.28**

The motion passed with a unanimous vote. Members voting "yes" were: **Falwell, Rackas Pate, Orange, Redifer, Hollar, Kirby, Walton, Hart and Paulette.**

A motion was made by **Mr. Paulette** and seconded by **Mr. Kirby** to accept

the recommendation contained in the Summary of the Informal Fact-Finding Conference imposing a \$350.00 monetary penalty for the violation of (Count 2) and a \$350.00 monetary penalty for violation of (Count 3). A total monetary penalty of **\$700.00** was imposed. The Board closes Count 1 and Count 4 with a finding of no violation. The motion passed with a majority vote. Members voting "yes" were: **Hart, Falwell, Hollar, Kirby, Orange, Redifer, Walton and Paulette. Ms. Rackas Pate** voted "no".

**In the matter of Disciplinary File Number 2004-02081, Mike White t/a Whites Home Repair**, the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

**File Number  
2004-02081  
Mike White**

**Mr. Mike White, respondent**, did not appear at the Board meeting. The presiding Board Representative **Mr. Harris** was not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Hollar** to adopt the Summary of the Informal Fact-Finding Conference finding violations of the Boards 2003 Regulations with amendments to the monetary amounts:

**Count 1: 18 VAC 50-22-260.B.27**

The motion passed unanimously. Members voting "yes" were: **Hart, Falwell, Hollar, Kirby, Orange, Redifer, Rackas Pate, Walton and Paulette.**

A motion was made by **Mr. Redifer** and seconded by **Mr. Kirby** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference imposing a \$1,000.00 monetary penalty and completion of the Board's Basic Contractor Licensing Class for the violation of (Count 1). A total monetary penalty of \$1,000.00. The motion passed unanimously. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Kirby, Orange, Redifer, Walton and Paulette.**

**In the matter of Disciplinary File Number 2004-01047, TM Daniels Construction LLC**, the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

**File Number  
2004-01047  
T M Daniels  
Construction  
LLC**

**Thomas Daniels, President of TM Daniels Construction, LLC respondent**, faxed a letter to the Board for review at the meeting. A continuance was requested due to inclement weather. The presiding officer **Mr. Harris** was not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Hart** and seconded by **Mr.**

**Redifer** to grant a continuance to April 19, 2005.

The motion passed with a unanimous vote. Members voting "yes" were:  
**Hart, Falwell, Rackas Pate, Orange, Hollar, Kirby, Redifer, Walton and Paulette.**

**In the matter of Disciplinary File Number 2005-00872, Speciality Roofing Inc. t/a Speciality Roofing, Inc.,** the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

File Number  
**2005-00872**  
Speciality  
Roofing Inc.

**Speciality Roofing, Inc., respondent,** did not appear at the Board meeting. The presiding officer **Mr. Harris** was not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Kirby** and seconded by **Mr. Hollar** to adopt the Summary of the Informal Fact-Finding Conference finding violations of the Boards Regulations:

**Count 1: 54.1-1110 of the Code of Virginia**

The motion passed unanimously. Members voting "yes" were: **Hart, Falwell, Hollar, Kirby, Orange, Redifer, Rackas Pate, Walton and Paulette.**

A motion was made by **Mr. Kirby** and seconded by **Mr. Redifer** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference imposing the sanction of license revocation for the violation of (Count 1). The motion passed unanimously. Members voting "yes" were: **Kinser, Falwell, Rackas Pate, Hollar, Kirby, Orange, Redifer, Walton and Wood.**

**In the matter of Disciplinary File Number 2004-00869, Steele Remodeling Service, Inc.** the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

File Number  
**2004-00869**  
Steele  
Remodeling  
Service, Inc.

**Steele Remodeling Service, Inc, respondent,** did not appear at the Board meeting. The presiding officer **Mr. Harris** was not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Kirby** and seconded by **Mr. Falwell** to adopt the finding of no finding of Substantial Identity in this case. The case was closed.

The motion passed unanimously. Members voting "yes" were: **Hart, Falwell, Hollar, Kirby, Orange, Redifer, Rackas Pate, Walton and**

**Paulette.**

**In the matter of Disciplinary File Number 2004-03173, M & I Enterprises Inc. t/a D & D Mechanical Contractors** the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

File Number  
**2004-03173**  
**M & I**  
**Enterprises,**  
**Inc.**

**M & I Enterprises Inc, respondent,** did not appear at the IFF or at the Board meeting and no one else appeared on their behalf. The presiding Board Representative **Mr. Harris** was not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Hart** to adopt the Summary of the Informal Fact-Finding Conference finding violations of the Boards 2003 Regulations:

- Count 1: 18 VAC 50-22-260.B.6**
- Count 2: 18 VAC 50-22-260.B.9**
- Count 3: 18 VAC 50-22-260.B.13**

The motion passed unanimously. Members voting “yes” were: **Hart, Falwell, Hollar, Kirby, Orange, Redifer, Rackas Pate, Walton and Paulette.** Ms. Traylor shared with the Board that prior violations existed.

A motion was made by **Mr. Redifer** and seconded by **Ms. Rackas Pate** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference imposing a \$2,500.00 monetary penalty and license revocation for the violation of (Count 1); \$300.00 monetary penalty for the violation of (Count 2); \$1,000.00 monetary penalty for violation of (Count 3). A total monetary penalty of \$3,800.00. The motion passed unanimously. Members voting “yes” were: **Hart, Falwell, Rackas Pate, Hollar, Kirby, Orange, Redifer, Walton and Paulette.**

**In the matter of Disciplinary File Number 2004-04747, Hunt Country Paving** the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

File Number  
**2004-04747**  
**Hunt**  
**Country**  
**Paving**

**Hunt Country Paving, respondent,** did not appear at the Board meeting. The presiding officer **Ms. Wall** was not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Walton** and seconded by **Mr. Hart** to adopt the Summary of the Informal Fact-Finding Conference finding no violations of the Boards Regulations:

The motion passed by majority vote. Members voting "yes" were: **Hart, Falwell, Hollar, Orange, Redifer, Walton, and Paulette**. Members voting "no" were: **Rackas Pate and Kirby**.

**In the matter of Disciplinary File Number 2004-04723, Wes Young Enterprises Inc. t/a Wes Young Enterprises Inc.** the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

File Number  
**2004-04723**  
**Wes Young Enterprises Inc**

**Wes Young Enterprises, Inc, respondent**, did not appear at the Board meeting in person, by counsel or by any other qualified representative. The presiding Board Representative **Ms. Wall** was not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Kirby** and seconded by **Mr. Hollar** to adopt the Summary of the Informal Fact-Finding Conference finding violations of the Boards 2003 Regulations:

**Count 1: 18 VAC 50-22-260.B.28**

The motion passed unanimously. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Kirby, Orange, Redifer, Walton and Paulette**.

A motion was made by **Mr. Kirby** and seconded by **Mr. Hollar** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference imposing a \$2,500.00 monetary penalty and license revocation for the violation of (Count 1). A total monetary penalty of \$2,500.00. The motion passed unanimously. Members voting "yes" were: **Paulette, Falwell, Rackas Pate, Hollar, Kirby, Orange, Redifer, Walton and Hart**. There were no negative votes.

**In the matter of Disciplinary File Number 2004-04590, Johnson Unlimited LLC t/a Johnson Unlimited LLC** the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

File Number  
**2004-04590**  
**Johnson Unlimited LLC**

**Johnson Unlimited LLC, respondent**, did not appear at the Board meeting in person, by counsel or by any other qualified representative. The presiding Board Representative **Ms. Wall** was not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Paulette** and seconded by **Mr. Kirby** to adopt the Summary of the Informal Fact-Finding Conference finding violations of the Boards 2003 Regulations:

**Count 1: 18 VAC 50-22-260.B.8**

**Count 2: 18 VAC 50-22-260.B.9**

The motion passed unanimously. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Kirby, Orange, Redifer, Walton and Paulette.**

A motion was made by **Mr. Redifer** and seconded by **Mr. Hollar** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference imposing no monetary penalty for the violation of (Count 1 and Count 2). The Board closed Count 3 with a finding of no violation. The motion passed unanimously. Members voting "yes" were: **Paulette, Falwell, Rackas Pate, Hollar, Kirby, Orange, Redifer, Walton and Hart.**

**In the matter of Disciplinary File Number 2004-04496, T W Dettloff** the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

**File Number**  
**2004-04496**  
**T W Dettloff**

**T W Dettloff, respondent**, did not appear at the Board meeting in person, by counsel or by any other qualified representative. The presiding Board Representative **Ms. Wall** was not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Kirby** and seconded by **Mr. Paulette** to adopt the Summary of the Informal Fact-Finding Conference finding violations of the Boards 2003 Regulations:

**Count 1: 18 VAC 50-22-230.A**

**Count 2: 18 VAC 50-22-260.B.9**

**Count 3: 18 VAC 50-22-260.B.29**

**Count 4: 18 VAC 50-22-260.B.6**

The motion passed unanimously. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Kirby, Orange, Redifer, Walton and Paulette.**

A motion was made by **Mr. Redifer** and seconded by **Mr. Walton** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference with an amendment to Count 2: imposing a \$500.00 monetary penalty for the violation of (Count 1); \$500.00 monetary penalty reduced from \$2,400.00 to be more consistent with previous Board actions for violation of (Count 2); \$250.00 monetary penalty for violation of (Count 3); \$250.00 monetary penalty for violation of (Count 4). The Board further imposed successful completion of the Board's Basic Contractor Licensing

Class for Counts 1, 2, 3 and 4. A total monetary penalty of \$1,500.00. The motion passed unanimously. Members voting "yes" were: **Paulette, Falwell, Rackas Pate, Hollar, Kirby, Orange, Redifer, Walton and Hart.**

**In the matter of Disciplinary File Number 2004-03725, Kevin Robert Reynolds** the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

File Number  
**2004-03725**

**Kevin  
Robert  
Reynolds**

**Kevin Robert Reynolds, respondent**, did not appear at the Board meeting in person, by counsel or by any other qualified representative. The presiding Board Representative **Ms. Wall** was not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Kirby** to adopt the Summary of the Informal Fact-Finding Conference finding violations of the Boards 2003 Regulations:

**Count 1: 18 VAC 50-30-190.11**

**Count 2: 18 VAC 50-30-190.12**

The motion passed unanimously. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Kirby, Orange, Redifer, Walton and Paulette.**

A motion was made by **Mr. Kirby** and seconded by **Mr. Falwell** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference imposing a \$500.00 monetary penalty and successful completion of the Board's Basic Contracting License Class for the violation of (Count 2). The Board voted not to impose a monetary penalty for the violation of (Count 1) but to require completion of the Basic Contracting License Class. A total monetary penalty of \$500.00. The Board further imposed the sanction of revocation of Reynolds tradesman license number 2710-029931, due to the severity and recentness of the crime, in order to protect the health, safety and welfare of the public. The motion passed unanimously. Members voting "yes" were: **Paulette, Falwell, Rackas Pate, Hollar, Kirby, Orange, Redifer, Walton and Hart.** There were no negative votes

**In the matter of Disciplinary File Number 2004-03669, First Service Plumbing LLC t/a First Service Plumbing LLC** the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

File Number  
**2004-03669**

**First Service  
Plumbing  
LLC**

**First Service Plumbing LLC, respondent**, did not appear at the Board

meeting in person, by counsel or by any other qualified representative. The presiding Board Representative **Ms. Wall** was not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Kirby** to adopt the Summary of the Informal Fact-Finding Conference finding violations of the Boards 2003 Regulations:

**Count 1: 18 VAC 50-22-260.B.9**

**Count 2: 18 VAC 50-22-260.B.13**

**Count 3: 18 VAC 50-22-230.B**

The motion passed unanimously. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Kirby, Orange, Redifer, Walton and Paulette.**

A motion was made by **Mr. Redifer** and seconded by **Mr. Kirby** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference with amendments imposing a \$500.00 monetary penalty instead of \$2,500.00 and removing license revocation to be more consistent with previous Board actions for the violation of (Count 1); \$1,000.00 monetary penalty for the violation of (Count 2); \$500.00 monetary penalty for violation of (Count 3). A total monetary penalty of \$2,000.00. The Board further imposed the successful completion of its Basic contractor licensing class. The motion passed unanimously. Members voting "yes" were: **Paulette, Falwell, Rackas Pate, Hollar, Kirby, Orange, Redifer, Walton and Hart.**

**In the matter of Recovery Fund File Number 2004-03198, James Gilman (Claimant) and Shawna Robertson t/a Residential Remodeling Concepts (Regulant); Recovery Fund File;** the board reviewed the record, which consisted of the transcript and exhibits from the IFF, and the summary and recommendation. **Neither Residential Remodeling Concepts (Regulant) nor anyone on its behalf appeared at the Board meeting.** The Board representative(s), **Ms. Wall** was not present and did not participate in the discussion nor vote in this matter. After discussion, **Mr. Redifer** offered a motion seconded by **Mr. Walton** to accept the hearing officer's recommendations and summary for violations and approve the claim for payment in the amount of **\$10,000.00.** **Members voted unanimously to pay the claim as follows: Falwell, Hart, Hollar, Kirby, Rackas Pate, Redifer, Walton, Orange and Paulette.** There were no negative votes. The motion was approved.

**File Number**  
**2004-03198**  
**Residential**  
**Remodeling**  
**Concepts**

**In the matter of Disciplinary File Number 2004-02826, Jason Dunsford t/a Jason Dunford Contracting** the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

**File Number  
2004-02826  
Jason  
Dunford  
Contracting**

**Jason Dunsford, respondent**, did not appear at the Board meeting in person, by counsel or by any other qualified representative. The presiding Board Representative **Ms. Wall** was not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Kirby** and seconded by **Mr. Paulette** to adopt the Summary of the Informal Fact-Finding Conference finding no violations of the Boards Regulations. The Board voted to close this case.

The motion passed unanimously. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Kirby, Orange, Redifer, Walton and Paulette.**

**In the matter of Recovery Fund File Number 2004-02695, Viola Barksdale (Claimant) and Harry Wiley, Jr. t/a Jy's Windows & Doors Specialist (Regulant); Recovery Fund File;** the board reviewed the record, which consisted of the transcript and exhibits from the IFF, and the summary and recommendation. **Neither Harry Wiley, Jr. (Regulant) nor anyone on its behalf appeared at the Board meeting. Viola Barksdale (claimant)** was present at the meeting and addressed the board. The Board representative(s), **Ms. Wall** was not present and did not participate in the discussion nor vote in this matter. After discussion, **Mr. Kirby** offered a motion seconded by **Mr. Paulette** to accept the hearing officer's recommendations and summary for violations and approve the claim for payment in the amount of **\$6,729.00. Members voted unanimously to pay the claim as follows: Falwell, Hart, Hollar, Kirby, Rackas Pate, Redifer, Walton, Orange and Paulette.** There were no negative votes. The motion was approved.

**File Number  
2004-02695  
Harry Wiley**

**In the matter of Disciplinary File Number 2004-02635, Sun Thermal Inc. t/a Sun Thermal Inc.** the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

**File Number  
2004-02635  
Sun  
Thermal  
Inc.**

**Sun Thermal Inc, respondent**, did not appear at the Board meeting in person, by counsel or by any other qualified representative. The presiding Board Representative **Ms. Wall** was not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Kirby** and seconded by **Mr. Redifer** to adopt the Summary of the Informal

Fact-Finding Conference finding violations of the Boards 2003 Regulations:

**Count 1: 18 VAC 50-22-260.B.9**

**Count 2: 18 VAC 50-22-260.B.6**

**Count 3: 18 VAC 50-22-220.A**

The motion passed unanimously. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Kirby, Orange, Redifer, Walton and Paulette.**

A motion was made by **Mr. Kirby** and seconded by **Ms. Rackas Pate** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference: imposing a \$500.00 monetary penalty for the violation of (Count 1); \$500.00 monetary penalty for the violation of (Count 2) and \$500.00 monetary penalty for violation of (Count 3). A total monetary penalty of \$1,500.00. The Board further imposed the successful completion of its Basic contractor licensing class for violation of counts 1, 2 and 3. The motion passed unanimously. Members voting "yes" were: **Paulette, Falwell, Rackas Pate, Hollar, Kirby, Orange, Redifer, Walton and Hart.**

**In the matter of Disciplinary File Number 2004-01837, Alan C Williams t/a Exterior Forensics Group** the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

**File Number**  
**2004-01837**  
**Alan C**  
**Williams**

**Alan C Williams, respondent**, did not appear at the Board meeting in person, by counsel or by any other qualified representative. The presiding Board Representative **Ms. Wall** was not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Kirby** and seconded by **Ms. Rackas Pate** to adopt the Summary of the Informal Fact-Finding Conference finding violations of the Boards 2003 and 2001 Regulations:

(2003 Regulations)

**Count 1: 18 VAC 50-22-210**

**Count 5: 18 VAC 50-22-260.B.6**

**Count 8: 18 VAC 50-22-260.B.6**

**Count 11: 18 VAC 50-22-260.B.6**

(2001 Regulations)

**Count 2: 18 VAC 50-22-230.A**

**Count 3: 18 VAC 50-22-260.B.9**

The motion passed unanimously. Members voting "yes" were: **Hart,**

**Falwell, Rackas Pate, Hollar, Kirby, Orange, Redifer, Walton and Paulette.**

A motion was made by **Mr. Redifer** and seconded by **Mr. Hollar** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference with a finding of no violation for Counts: 4, 7, 9, 10 and 12. The Board further imposed a \$250.00 monetary penalty for the violation of (Count 1); \$250.00 monetary penalty for the violation of (Count 2); \$500.00 monetary penalty for violation of (Count 3); \$500.00 monetary penalty for violation of (Count 5); \$1,000.00 monetary penalty for violation of (Count 8); \$1,000.00 monetary penalty for violation of (Count 11). A total monetary penalty of \$3,500.00. The Board further imposed the successful completion of its Basic contractor licensing class for violation of Counts 1, 2, 3, 5, 8 and 11. The motion passed unanimously. Members voting "yes" were: **Paulette, Falwell, Rackas Pate, Hollar, Kirby, Orange, Redifer, Walton and Hart.**

**In the matter of Disciplinary File Number 2004-01646, James Akers t/a Akers Roofing** the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

**File Number**  
**2004-01646**  
**James Akers**

**James Akers, respondent**, did not appear at the IFF or the Board meeting. The presiding officer **Ms. Wood** was not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Hollar** and seconded by **Mr. Kirby** to adopt the Summary of the Informal Fact-Finding Conference finding violations of the Boards 2001 Regulations with an amendment to reflect the correction of the typographical error citing the 2001 Regulations instead of the 2003 Regulations:

**Count 1: 18 VAC 50-22-260.B.5**

The motion passed unanimously. Members voting "yes" were: **Hart, Falwell, Hollar, Kirby, Orange, Redifer, Rackas Pate, Walton and Paulette.**

A motion was made by **Mr. Hollar** and seconded by **Mr. Kirby** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference imposing a \$1,000.00 monetary penalty for the violation of (Count 1). A total monetary penalty of \$1,000.00. The Board also imposes the following sanctions: successful completion of Remedial Education required for violation of Count 1. The motion passed unanimously. Members voting "yes" were: **Hart, Falwell, Hollar, Kirby, Orange, Redifer, Walton, Rackas Pate and Paulette.**

**In the matter of Disciplinary File Number 2004-00429, Insurance Restoration of America t/a Insurance restoration Of America, Inc.** the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

File Number  
**2004-00429**  
**Insurance**  
**Restoration**  
**of America**

**Insurance Restoration of America, respondent**, did not appear at the Board meeting in person, by counsel or by any other qualified representative. The presiding Board Representatives **Ms. Wall and Ms. Wood** were not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Kirby** to adopt the Summary of the Informal Fact-Finding Conference finding violations of the Boards 2001 Regulations:

**Count 1: 18 VAC 50-22-260.B.14**

**Count 2: 18 VAC 50-22-260.B.16**

**Count 3: 18 VAC 50-22-230.B.13**

The motion passed unanimously. Members voting “yes” were: **Hart, Falwell, Rackas Pate, Hollar, Kirby, Orange, Redifer, Walton and Paulette.**

A motion was made by **Mr. Hollar** and seconded by **Mr. Redifer** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference imposing a \$1,000.00 monetary penalty for the violation of (Count 1); \$2,000.00 monetary penalty for the violation of (Count 2) and \$2,500.00 monetary penalty for violation of (Count 3). A total monetary penalty of \$5,500.00. The Board further imposed revocation of Insurance Restoration Of America, Inc license number 2705-070873. The motion passed unanimously. Members voting “yes” were: **Paulette, Falwell, Rackas Pate, Hollar, Kirby, Orange, Redifer, Walton and Hart.**

**In the matter of Disciplinary File Number 2004-032667, Donald W Cotterell Builders, Inc t/a Donald W Cotterell Builders, Inc** the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

File Number  
**2004-02667**  
**Donald W**  
**Cottrell**  
**Builders,**  
**Inc.**

**Donald W Cotterrell Builders, Inc., respondent**, did not appear at the Board meeting in person, by counsel or by any other qualified representative. The presiding Board Representative **Mr. Walton** was not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Hollar** to adopt the Summary of the Informal Fact-Finding Conference finding violations of the Boards 2003 Regulations:

**Count 1: 18 VAC 50-22-260.B.30**

The motion passed unanimously. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Kirby, Orange, Redifer and Paulette.**

A motion was made by **Mr. Redifer** and seconded by **Mr. Hollar** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference imposing a \$1,500.00 monetary penalty for the violation of (Count 1). A total monetary penalty of \$1,500.00. The Board further imposed the successful completion of its Basic contractor licensing class. The motion passed unanimously. Members voting "yes" were: **Paulette, Falwell, Rackas Pate, Hollar, Kirby, Orange, Redifer and Hart.**

**In the matter of Disciplinary File Number 2004-02520, Mary Wells t/a Blue Ridge Solutions** the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

File Number  
**2004-02520**  
**Mary Wells.**

**Mary A Wells, respondent,** did not appear at the Board meeting. The presiding officer **Mr. Walton** was not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Kirby** and seconded by **Mr. Hollar** to adopt the Summary of the Informal Fact-Finding Conference finding violations of the Boards 2003 Regulations:

**Count 1: 18 VAC 50-22-260.B.15**

**Count 2: 18 VAC 50-22-260.B.16**

**Count 3: 18 VAC 50-22-260.B.13**

The motion passed unanimously. Members voting "yes" were: **Paulette, Falwell, Hollar, Kirby, Orange, Redifer, Rackas Pate and Hart.**

A motion was made by **Mr. Hollar** and seconded by **Mr. Kirby** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference imposing: \$1,500.00 monetary penalty for the violation of (Count 1); \$2,500.00 monetary penalty for the violation of (Count 2) and \$1,500.00 monetary penalty for the violation of Count 3. The Board imposed the sanction of revocation of Mary A Wells' license number 2705-077698. A total monetary penalty of \$5,500.00. The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Kirby, Orange, Redifer and Paulette.**

**In the matter of Disciplinary File Number 2004-02101, Mary Wells t/a Blue Ridge Solutions** the Board members reviewed the record, which

File Number  
**2004-02101**

consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

**Mary A  
Wells**

**Mary A Wells, respondent**, did not appear at the Board meeting. The presiding officer **Mr. Walton** was not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Kirby** and seconded by **Mr. Hollar** to adopt the Summary of the Informal Fact-Finding Conference finding violations of the Boards 2003 Regulations:

**Count 1: 18 VAC 50-22-260.B.14**

**Count 2: 18 VAC 50-22-260.B.13**

The motion passed unanimously. Members voting "yes" were: **Paulette, Falwell, Hollar, Kirby, Orange, Redifer, Rackas Pate and Hart.**

A motion was made by **Mr. Hollar** and seconded by **Mr. Hart** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference imposing: \$2,000.00 monetary penalty for the violation of (Count 1) and \$1,500.00 monetary penalty for the violation of (Count 2). The Board imposed the sanction of revocation of Mary A Wells' license number 2705-077698. A total monetary penalty of \$3,500.00. The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Kirby, Orange, Redifer and Paulette.**

**In the matter of Disciplinary File Number 2004-01650, Mary Wells t/a Blue Ridge Solutions** the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

**File Number**  
**2004-01650**  
**Mary A  
Wells**

**Mary A Wells, respondent**, did not appear at the Board meeting. The presiding officer **Mr. Walton** was not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Kirby** and seconded by **Mr. Hollar** to adopt the Summary of the Informal Fact-Finding Conference finding violations of the Boards 2003 Regulations:

**Count 1: 18 VAC 50-22-260.B.20**

The motion passed unanimously. Members voting "yes" were: **Paulette, Falwell, Hollar, Kirby, Orange, Redifer, Rackas Pate and Hart.**

A motion was made by **Mr. Hollar** and seconded by **Mr. Kirby** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference imposing: \$500.00 monetary penalty for the violation of (Count 1). The Board imposed the sanction of revocation of Mary A Wells' license

number 2705-077698. A total monetary penalty of \$500.00. The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Kirby, Orange, Redifer, and Paulette**

**In the matter of Disciplinary File Number 2004-01283, Mary Wells t/a Blue Ridge Solutions** the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

File Number  
**2004-01283**  
**Mary A**  
**Wells**

**Mary A Wells, respondent**, did not appear at the Board meeting. The presiding officer **Mr. Walton** was not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Kirby** and seconded by **Mr. Hollar** to adopt the Summary of the Informal Fact-Finding Conference finding violations of the Boards 2003 Regulations:

**Count 1: 18 VAC 50-22-260.B.14**

**Count 2: 18 VAC 50-22-260.B.16**

**Count 3: 18 VAC 50-22-260.B.13**

The motion passed unanimously. Members voting "yes" were: **Paulette, Falwell, Hollar, Kirby, Orange, Redifer, Rackas Pate and Hart.**

A motion was made by **Mr. Hollar** and seconded by **Mr. Kirby** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference imposing: \$1,500.00 monetary penalty for the violation of (Count 1); \$1,500.00 monetary penalty for the violation of (Count 2) and \$1,500.00 monetary penalty for the violation of (Count 3). The Board imposed the sanction of revocation of Mary A Wells' license number 2705-077698 for violation of Counts 1 and 3. A total monetary penalty of \$4,500.00. The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Kirby, Orange, Redifer and Paulette.**

**In the matter of Disciplinary File Number 2004-00837, James F Booker t/a Booker Construction** the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

File Number  
**2004-00837**  
**Booker**  
**Construction**

**James F Booker, respondent**, did not appear at the Board meeting. The presiding officer **Mr. Walton** was not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mr.**

**Hollar** and seconded by **Ms. Rackas Pate** to adopt the Summary of the Informal Fact-Finding Conference finding violations of the Boards 2001 Regulations:

- Count 1: 18 VAC 50-22-260.B.8**
- Count 2: 18 VAC 50-22-260.B.9**
- Count 3: 18 VAC 50-22-260.B.29**

The motion passed unanimously. Members voting "yes" were: **Paulette, Falwell, Hollar, Kirby, Orange, Redifer, Rackas Pate and Hart.**

A motion was made by **Mr. Hollar** and seconded by **Mr. Kirby** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference imposing: \$300.00 monetary penalty for the violation of (Count 1); \$300.00 monetary penalty for the violation of (Count 2) and \$300.00 monetary penalty for the violation of Count 3. The Board imposed the sanction of successful completion of the Board's Basic Contractor Licensing Class. A total monetary penalty of \$900.00. The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Hollar, Kirby, Orange, Redifer and Paulette.**

**In the matter of Disciplinary File Number 2004-00716, James F Booker t/a Booker Construction respondent**, the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, a handout and Summary of the Informal Fact-Finding Conference of the presiding Board member.

**File Number**  
**2004-00716**  
**Booker**  
**Construction**

**James F Booker, respondent**, did not appear at the Board meeting in person, by counsel or by any other qualified representative. The presiding representative **Mr. Walton** was not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Kirby** and seconded by **Mr. Hollar** to adopt the Summary of the Informal Fact-Finding Conference finding violations of the Boards 2001 and 2003 Regulations:

2001 Regulations

- Count 1: 18 VAC 50-22-260.B.9**
- Count 2: 18 VAC 50-22-260.B.10**
- Count 3: 18 VAC 50-22-260.B.31**
- Count 5: 18 VAC 50-22-260.B.5**
- Count 6: 18 VAC 50-22-260.B.14**

2003 Regulations

- Count 4: 18 VAC 50-22-260.B.29**
- Count 8: 18 VAC 50-222-260.B.11**
- Count 9: 18 VAC 50-22-260.B.12**

The motion passed unanimously. Members voting "yes" were: **Hart, Falwell, Hollar, Kirby, Orange, Redifer and Paulette.**

A motion was made by **Mr. Kirby** and seconded by **Mr. Hollar** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference imposing a monetary penalty \$300.00 for violation of (Count 1); \$300.00 monetary penalty for violation of Count 2; \$300.00 monetary penalty for violation of Count 3; \$300.00 monetary penalty for violation of Count 4; \$2,000.00 monetary penalty for violation of Count 5; \$2,000.00 monetary penalty for violation of Count 6; \$100.00 monetary penalty for violation of Count 8; \$100.00 monetary penalty for violation of Count 8 and \$100.00 monetary penalty for violation of (Count 9). The Board voted to impose the sanction of successful completion of the Board's Basic Contractor Licensing Class for violation of Counts 1, 2, 3 and 4. The Board voted to close Count 7 with a finding of no violation. A total monetary penalty of \$5,400.00. The motion passed unanimously. Members voting "yes" were: **Hart, Falwell, Hollar, Kirby, Orange, Redifer and Paulette.**

There were no negative votes.

**In the matter of Disciplinary File Number 2004-05011, Insurance Restoration of America Inc, t/a Insurance Restoration of America Inc, respondent,** the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

File Number  
**2004-05011**  
**Insurance**  
**Restoration**  
**of America**  
**Inc.**

**Insurance Restoration of America Inc., respondent,** did not appear at the Board meeting in person, by counsel or by any other qualified representative. The presiding representatives **Ms. Wood and Ms. Wall** were not present did not participate in the discussion and did not vote.

After discussion a motion was made by **Mr. Hollar** and seconded by **Mr. Paulette** to adopt the Summary of the Informal Fact-Finding Conference to close this case finding no violations of the Boards Regulations.

The motion passed unanimously. Members voting "yes" were: **Hart, Falwell, Hollar, Kirby, Orange, Redifer, Walton, Rackas Pate and Paulette.**

There were no negative votes.

**In the matter of Disciplinary File Number 2004-01947, Insurance Restoration of America, Inc. t/a Insurance Restoration of America, Inc., respondent,** the Board members reviewed the record, which consisted of the

File Number  
**2004-01947**  
**Insurance**

disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

**Restoration  
of America,  
Inc.**

**Insurance Restoration of America, Inc., respondent**, did not appear at the Board meeting in person, by counsel or by any other qualified representative. The presiding representatives **Ms. Wood and Ms. Wall** were not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Hollar** and seconded by **Mr. Hart** to adopt the Summary of the Informal Fact-Finding Conference finding violations of the Boards 2001 and 2003 Regulations:

2001 Regulations

**Count 1: 18 VAC 50-22-260.B.9**

**Count 2: 18 VAC 50-22-260.B.16**

**Count 3: 18 VAC 50-22-260.B.16**

2003 Regulations

**Count 4: 18 VAC 50-22-260.B.28**

The motion passed unanimously. Members voting "yes" were: **Hart, Falwell, Hollar, Kirby, Orange, Redifer, Walton and Paulette.**

A motion was made by **Mr. Redifer** and seconded by **Mr. Hollar** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference imposing a monetary penalty \$2,500.00 for violation of (Count 1); \$2,500.00 for violation of (Count 2); \$2,500.00 monetary penalty for violation of (Count 3) and \$2,500.00 for violation of (Count 4) . The Board voted to impose the sanction of license revocation for violations on all counts. A total monetary penalty of \$10,000.00. The motion passed unanimously. Members voting "yes" were: **Hart, Falwell, Hollar, Kirby, Orange, Redifer, Walton and Paulette** There were no negative votes.

**In the matter of Disciplinary File Number 2004-00967, Insurance Restoration of America, Inc. t/a Insurance Restoration of America, Inc., respondent**, the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

**File Number  
2004-00967  
Insurance  
Restoration  
of America,  
Inc.**

**Insurance Restoration of America, Inc., respondent**, did not appear at the Board meeting in person, by counsel or by any other qualified representative. The presiding representatives **Ms. Wood and Ms. Wall** were not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Hollar** and seconded by **Mr. Kirby** to adopt the Summary of the Informal Fact-Finding Conference finding violations of the Boards 2003 Regulations:

**Count 1: 18 VAC 50-22-260.B.27**

**Count 2: 18 VAC 50-22-260.B.16**

The motion passed unanimously. Members voting "yes" were: **Hart, Falwell, Hollar, Kirby, Orange, Redifer, Walton and Paulette.**

A motion was made by **Mr. Redifer** and seconded by **Mr. Hollar** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference imposing a monetary penalty \$1,000.00 for violation of (Count 1) and \$2,500.00 for violation of (Count 2). A total monetary penalty of \$3,500.00. The motion passed unanimously. Members voting "yes" were: **Hart, Falwell, Hollar, Kirby, Orange, Redifer, Walton and Paulette.** There were no negative votes.

**In the matter of Disciplinary File Number 2004-00357, Insurance Restoration of America, Inc. t/a Insurance Restoration of America, Inc., respondent,** the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

**File Number  
2004-00357  
Insurance  
Restoration  
Of America,  
Inc.**

**Insurance Restoration of America, Inc., respondent,** did not appear at the Board meeting in person, by counsel or by any other qualified representative. The presiding representatives **Ms. Wood and Ms. Wall** were not present did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Hollar** and seconded by **Mr. Hart** to adopt the Summary of the Informal Fact-Finding Conference finding violations of the Boards 2003 Regulations:

**Count 1: 18 VAC 50-22-260.B.9**

**Count 2: 18 VAC 50-22-260.B.15**

The motion passed unanimously. Members voting "yes" were: **Hart, Falwell, Hollar, Kirby, Orange, Redifer, Walton and Paulette.**

A motion was made by **Mr. Redifer** and seconded by **Mr. Hollar** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference imposing a monetary penalty \$2,500.00 for violation of (Count 1) and \$2,500.00 for violation of (Count 2). The Board voted to impose the sanction of license revocation for violations on all counts. A total monetary penalty of \$5,000.00. The motion passed unanimously. Members voting "yes" were: **Hart, Falwell, Hollar, Kirby, Orange, Redifer, Walton and Paulette.** There were no negative votes.

**In the matter of Consent Order File Number 2004-00045, Board v. Moore Paving Inc. t/a Moore Paving Inc** the board reviewed the Consent Order. **Moore Paving Inc** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: **Count 1: 2003: 18 VAC 50-22-210 and a monetary penalty of \$5000.00; Count 2: 18 VAC 50-22-260.B.9 and a monetary penalty of \$250.00; Count 3: 18 VAC 50-22-260.B.15 and a monetary penalty of \$1,000.00. A total monetary penalty of \$1,750.00 is hereby imposed.**

**File Number**  
**2004-00045**  
**Moore**  
**Paving Inc.**

**The Board agrees to waive the imposition of the \$500.00 monetary penalty for Count 1 provided Moore Paving Inc either applies for a new license or reinstates its corporation and provide the Board with documentation of reinstatement of the corporation and within 30 days of the order. The Board agrees to waive the imposition of the \$1,000.00 monetary penalty for Count 3 provided Moore Paving Inc seals the drive at the subject property and provides the Board with proof of completion with ninety days of the effective date of the order.**

Upon a motion by **Redifer** seconded by **Walton** the board ratified the consent order with a unanimous vote from: **Hollar, Orange, Hart, Rackas Pate, Kirby, Paulette, Redifer and Walton**. The Board's hearing representatives **Falwell and Franko** were not present, did not participate and did not vote.

**In the matter of Consent Order File Number 2004-00867, Board v. Alan W Rogers t/a Lake Anna Contractors** the board reviewed the Consent Order. **Lake Anna Contractors** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: **Count 1: 2001: 18 VAC 50-22-260.B.8 and a monetary penalty of \$2500.00; Count 2: 18 VAC 50-22-260.B.9 and a monetary penalty of \$200.00. Alan W Rogers also agrees to pay \$50.00 investigative costs and to successfully complete the Board's Basic Contractor Licensing Class within six months of the entry of the Order for the violation of Count 2. A total monetary penalty of \$500.00 is hereby imposed.**

**File Number**  
**2004-00867**  
**Alan W**  
**Rogers**

Upon a motion by **Redifer** seconded by **Walton** the board ratified the consent order with a unanimous vote from: **Hollar, Orange, Hart, Rackas Pate, Kirby, Paulette, Falwell Redifer and Walton**.

**In the matter of Consent Order File Number 2004-01196, Board v. TR Gibbs t/a T R Gibbs Construction Inc** the board reviewed the Consent Order. **T R Gibbs Construction Inc** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: **Count 1: 2003: 18 VAC 50-22-230.A and a monetary penalty of \$3500.00; Count 2: 18 VAC 50-22-260.B.9 and a monetary penalty of \$100.00; Count 3: 18 VAC 50-22-260.B.31 and a monetary penalty of \$100.00.** **T R Gibbs Construction** also agrees to pay \$50.00 investigative costs and to successfully complete the Board's Basic Contractor Licensing Class within six months of the entry of the Order. A total monetary penalty of \$550.00 is hereby imposed.

**File Number**  
**2004-01196**  
**TR Gibbs**  
**Construction**  
**INC**

Upon a motion by **Redifer** seconded by **Walton** the board ratified the consent order with a unanimous vote from: **Hollar, Orange, Hart, Rackas Pate, Kirby, Paulette, Falwell, Redifer and Walton.**

**In the matter of Consent Order File Number 2004-01229, Board v. Ty West Builders LLC t/a Ty West Builders LLC** the board reviewed the Consent Order. **Ty West Builders LLC** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: **Count 1: 2003: 18 VAC 50-22-230.A and a monetary penalty of \$50.00; Count 2: 18 VAC 50-22-260.B.9 and a monetary penalty of \$100.00 and Count 3: 18 VAC 50-22-260.B.6 and a monetary penalty of \$250.00.** **Ty West Builders** also agrees to pay \$100.00 investigative costs. A total monetary penalty of \$450.00 is hereby imposed.

**File Number**  
**2004-01229**  
**Ty West**  
**Builders**  
**LLC**

Upon a motion by **Redifer** seconded by **Walton** the board ratified the consent order with a unanimous vote from: **Hollar, Orange, Hart, Rackas Pate, Kirby, Paulette, Falwell, Redifer and Walton.**

**In the matter of Consent Order File Number 2004-01571, Board v. Benjamin D Hilty t/a Hilty Construction** the board reviewed the Consent Order. **Hilty Construction** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: **Count 1: 2003: 18 VAC 50-22-260.B.8 and a monetary penalty of \$450.00; Count 2: 18 VAC 50-22-260.B.6 and a monetary penalty of \$250.00. Benjamin D. Hilty also agrees to successfully complete the Board's Basic Contractor Licensing Class within six months of the entry of the Order. Upon providing the Board with proof of completion the penalty of Count 1 shall be reduced to \$250.00 therefore reducing the total to \$500.00. A total monetary penalty of \$700.00 is hereby imposed.**

**File Number**  
**2004-01571**  
**Benjamin D**  
**Hilty**

Upon a motion by **Redifer** seconded by **Walton** the board ratified the consent order with a unanimous vote from: **Hollar, Orange, Hart, Rackas Pate, Kirby, Paulette, Falwell, Redifer and Walton.**

**In the matter of Consent Order File Number 2004-02270, Board v. DC Home Inc. t/a DC Home Inc.** the board reviewed the Consent Order. **DC Homes Inc** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: **Count 1: 2003: 18 VAC 50-22-260.B.9 and a monetary penalty of \$200.00; Count 2: 18 VAC 50-22-260.B.29 and a monetary penalty of \$300.00; Count 3: 18 VAC 50-22-260.B.6 and a monetary penalty of \$300.00. A responsible manage of DC Home Inc also agrees to successfully complete the Board's Basic Contractor Licensing Class within six months of the entry of the Order f. A total monetary penalty of \$800.00 is hereby imposed.**

**File Number**  
**2004-02270**  
**DC Home**  
**Inc**

Upon a motion by **Redifer** seconded by **Walton** the board ratified the consent order with a unanimous vote from: **Hollar, Orange, Hart, Rackas Pate, Kirby, Paulette, Falwell, Redifer and Walton.**

**In the matter of Consent Order File Number 2004-02310, Board v. Gary T Price t/a Discount Homes** the board reviewed the Consent Order. **Gary T Price** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: **Count 1: 1999: 18 VAC 50-22-260.B.8 and a monetary penalty of \$100.00; Count 2: 18 VAC 50-22-260.B.6 and a monetary penalty of \$100.00; Count 3: 18 VAC 50-22-260.B.11 and a monetary penalty of \$150.00. Gary T Price also agrees to pay \$200.00 investigative costs. A total monetary penalty of \$550.00 is hereby**

**File Number**  
**2004-02310**  
**Gary T Price**

**imposed.**

Upon a motion by **Redifer** seconded by **Walton** the board ratified the consent order with a unanimous vote from: **Hollar, Orange, Hart, Rackas Pate, Kirby, Paulette, Falwell, Redifer and Walton.**

**In the matter of Consent Order File Number 2004-02309 Board v. Transnational Corp t/a Transnational Corp** the board reviewed the Consent Order. **Transnational Corp** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: **Count 1: 2003: 18 VAC 50-22-260.B.6 and a monetary penalty of \$500.00. The board waives the imposition of the \$500.00 monetary penalty for Count 1 provided Transnational provides the Board with proof they have reimbursed the homeowner \$200.00 for repairs to the subject property within thirty days of the entry of the Order. A total monetary penalty of \$500.00 is hereby imposed.**

**File Number  
2004-02309  
Trans-  
national  
Corp**

Upon a motion by **Redifer** seconded by **Walton** the board ratified the consent order with a unanimous vote from: **Hollar, Orange, Hart, Rackas Pate, Kirby, Paulette, Falwell Redifer and Walton.**

**In the matter of Consent Order File Number 2004-02777, Board v. James T Smith Heating And A/c Co t/a Jim Smith Heating & Air Conditioning Co** the board reviewed the Consent Order. **Lake Anna Contractors** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: **Count 1: 2003: 18 VAC 50-22-260.B.9 and a monetary penalty of \$100.00; Count 2: 18 VAC 50-22-260.B.6 and a monetary penalty of \$250.00. James T Smith Heating And A/C Co also agrees to successfully complete the Board's Basic Contractor Licensing Class within six months of the entry of the Order. A total monetary penalty of \$350.00 is hereby imposed.**

**File Number  
2004-02777  
James T  
Smith  
Heating And  
A/c Co**

Upon a motion by **Redifer** seconded by **Walton** the board ratified the consent order with a unanimous vote from: **Hollar, Orange, Hart, Rackas Pate, Kirby, Paulette, Falwell, Redifer and Walton.**

**In the matter of Consent Order File Number 2004-02867, Board v. Advance Home Services Inc t/a Advance Home Services Inc** the board reviewed the Consent Order. **Lake Anna Contractors** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: **Count 1: 2003: 18 VAC 50-22-260.B.17 and a monetary penalty of \$1,200.00. Advance Home Services Inc also agrees to pay \$200.00 investigative costs. A total monetary penalty of \$1,400.00 is hereby imposed.**

**File Number**  
**2004-02867**  
**Advance**  
**Home**  
**Services Inc**

Upon a motion by **Redifer** seconded by **Walton** the board ratified the consent order with a unanimous vote from: **Hollar, Orange, Hart, Rackas Pate, Kirby, Paulette, Falwell, Redifer and Walton.**

**In the Matter of Consent Order File Number 2004-03196, Board v. Mark E Turner t/a Turner Carpentry And Siding** the board reviewed the Consent Order. **Mark E Turner** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: **Count 1: 2003: 18 VAC 50-22-260.B.9 and a monetary penalty of \$100.00. A total monetary penalty of \$100.00 is hereby imposed.**

**File Number**  
**2004-03196**  
**Mark E**  
**Turner**

Upon a motion by **Redifer** seconded by **Walton** the board ratified the consent order with a unanimous vote from: **Hollar, Orange, Hart, Rackas Pate, Kirby, Paulette, Falwell, Redifer and Walton.**

**In the Matter of Consent Order File Number 2004-03225, Board v. Michelle L Jodoin/Baker t/a Okay Construction** the board reviewed the Consent Order. **Michelle L Jodoin/Baker** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: **Count 1: 2003: 18 VAC 50-22-260.B.6 and a monetary penalty of \$200.00; Count 2: 18 VAC 50-22-210.3 and a monetary penalty of \$200.00. Michelle L Jodoin/Baker also agrees to pay \$100.00 investigative costs. A total monetary penalty of \$500.00 is hereby imposed.**

**File Number**  
**2004-03225**  
**Michelle L**  
**Jodoin/**  
**Baker**

Upon a motion by **Redifer** seconded by **Walton** the board ratified the consent order with a unanimous vote from: **Hollar, Orange, Hart, Rackas Pate, Kirby, Paulette, Falwell, Redifer and Walton.**

**In the Matter of Consent Order File Number 2004-03520, Board v. Joseph R Van Dyke Sr t/a Piedmont Deck & Remodeling Co** the board reviewed the Consent Order. **Joseph R Van Dyke Sr** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: **Count 1: 2003: 18 VAC 50-22-260.B.27, \$000.00; Count 2: 18 VAC 50-22-260.B.8 \$000.00; Count 3: 18 VAC 50-22-260.B.9, \$000.00; Count 4: 18 VAC 50-22-260.B.15, \$000.00 and Count 5: 18 VAC 50-22-260.B.16, \$000.00. Joseph R Van Dyke Sr. agrees voluntary revocation of his License for the violations. A total monetary penalty of \$000.00 is hereby imposed.**

**File Number**  
**2004-03520**  
**Joseph R**  
**Van Dyke Sr**

Upon a motion by **Redifer** seconded by **Walton** the board ratified the consent order with a unanimous vote from: **Hollar, Orange, Hart, Rackas Pate, Kirby, Paulette, Falwell, Redifer and Walton.**

**In the matter of Consent Order File Number 2004-04076, Board v. James L Bentley t/a B & R Plumbing & General Construction** the board reviewed the Consent Order. **James L Bentley** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: **Count 1: 2003: 18 VAC 50-22-260.B.29 and a monetary penalty of \$1,000.00; Count 2: 18 VAC 50-22-260.B.19 and a monetary penalty of \$500.00. James L Bentley also agrees to successfully complete the Board's Basic Contractor Licensing Class within six months of the entry of the Order. A total monetary penalty of \$1,500.00 is hereby imposed.**

**File Number**  
**2004-04076**  
**James L**  
**Bentley**

Upon a motion by **Redifer** seconded by **Walton** the board ratified the consent order with a unanimous vote from: **Hollar, Orange, Hart, Rackas Pate, Kirby, Paulette, Falwell, Redifer and Walton.**

**In the Matter of Consent Order File Number 2004-04141, Board v. Alan W Rogers t/a Lake Anna Contractors** the board reviewed the Consent Order. **Lake Anna Contractors** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: **Count 1: 2003: 18 VAC 50-22-260.B.8 and a monetary penalty of \$500.00. Alan W Rogers also agrees to pay \$50.00 investigative costs and to successfully complete the Board's Basic Contractor Licensing Class within six months of the entry of the Order. A total monetary penalty of \$550.00 is hereby imposed.**

**File Number**  
**2004-04141**  
**Alan W**  
**Rogers**

Upon a motion by **Redifer** seconded by **Walton** the board ratified the consent order with a unanimous vote from: **Hollar, Orange, Hart, Rackas Pate, Kirby, Paulette, Falwell Redifer and Walton.**

**In the Matter of Consent Order File Number 2004-04655, Board v. Clifton R Taylor t/a Taylor Home Improvements** the board reviewed the Consent Order. **Clifton R Taylor Jr.** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: **Count 1: 2003: 18 VAC 50-22-260.B.27 and a monetary penalty of \$500.00. A total monetary penalty of \$500.00 is hereby imposed.**

File Number  
**2004-04655**  
**Clifton R**  
**Taylor Jr.**

Upon a motion by **Redifer** seconded by **Walton** the board ratified the consent order with a unanimous vote from: **Hollar, Orange, Hart, Rackas Pate, Kirby, Paulette, Falwell, Redifer and Walton.**

**In the Matter of Consent Order File Number 2004-04690, Board v. Dover Homes Inc t/a Dover Homes Inc.** the board reviewed the Consent Order. **Dover Homes Inc.** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: **Count 1: 2003: 18 VAC 50-22-260.B.8 and a monetary penalty of \$350.00; Count 2: 18 VAC 50-22-260.B.6 and a monetary penalty of \$250.00. Dover Homes Inc also agrees to pay \$50.00 investigative costs and to successfully complete the Board's Basic Contractor Licensing Class within six months of the entry of the Order for the violation of Count 1. A total monetary penalty of \$650.00 is hereby imposed.**

File Number  
**2004-04690**  
**Dover**  
**Homes Inc.**

Upon a motion by **Redifer** seconded by **Walton** the board ratified the consent order with a unanimous vote from: **Hollar, Orange, Hart, Rackas Pate, Kirby, Paulette, Falwell, Redifer and Walton.**

**In the Matter of Consent Order File Number 2004-04764, Board v. Kevin Rooney t/a Kevin Rooney** the board reviewed the Consent Order. **Kevin Rooney** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: **Count 1: 2003: 18 VAC 50-22-230 and a monetary penalty of \$100.00; Count 2: 18 VAC 50-22-260.B.9 and a**

File Number  
**2004-04764**  
**Kevin**  
**Rooney**

**monetary penalty of \$100.00. Kevin Rooney also agrees to pay \$200.00 investigative costs. A total monetary penalty of \$400.00 is hereby imposed.**

Upon a motion by **Redifer** seconded by **Walton** the board ratified the consent order with a unanimous vote from: **Hollar, Orange, Hart, Rackas Pate, Kirby, Paulette, Falwell, Redifer and Walton.**

**In the Matter of Consent Order File Number 2004-05180, Board v. UHS - United Home Services Inc t/a United Home Services** the board reviewed the Consent Order. **United Home Services** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: **Count 1: 2003: 18 VAC 50-22-260.B.9.a and a monetary penalty of \$400.00; Count 2: 18 VAC 50-22-260.B.27 and a monetary penalty of \$500.00; Count 3: 18 VAC 50-22-260.B.31 and a monetary penalty of \$300.00.** **United Home Services** also agrees to successfully complete the Board's Basic Contractor Licensing Class within six months of the entry of the Order. A total monetary penalty of \$1,200.00 is hereby imposed.

File Number  
**2004-05180**  
**UHS -**  
**United**  
**Home**  
**Services Inc**

Upon a motion by **Redifer** seconded by **Walton** the board ratified the consent order with a unanimous vote from: **Hollar, Orange, Hart, Rackas Pate, Kirby, Paulette, Falwell, Redifer and Walton.**

**In the Matter of Consent Order File Number 2004-00052, Board v. Christian Poythress t/a Christian Poythress** the board reviewed the Consent Order. **Christian Poythress** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: **Count 1: 2003: 18 VAC 50-22-260.B.31 and a monetary penalty of \$250.00. A total monetary penalty of \$250.00 is hereby imposed.**

File Number  
**2004-00052**  
**Christian**  
**Poythres**

Upon a motion by **Redifer** seconded by **Walton** the board ratified the consent order with a unanimous vote from: **Hollar, Orange, Hart, Rackas Pate, Kirby, Paulette, Falwell, Redifer and Walton.**

**In the Matter of Consent Order File Number 2004-00225, Board v. Craftmark Homes Inc, t/a Craftmark Homes Inc.** the board reviewed the Consent Order. **Craftmark Homes Ind.** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations

File Number  
**2004-00225**  
**Craftmark**  
**Homes Inc.**

and consents to the following term(s) by the Board: **Count 1: 2003: 18 VAC 50-22-260.B.29; and a monetary penalty of \$250.00. Craftmark Homes Inc agrees to successfully complete the Boards Basic Contractor Licensing Class within six months of the entry of the order. A total monetary penalty of \$250.00 is hereby imposed.**

Upon a motion by **Redifer** seconded by **Walton** the board ratified the consent order with a unanimous vote from: **Falwell, Hollar, Orange, Rackas Pate, Kirby, Hart, Redifer and Walton.**

**In the Matter of Consent Order File Number 2004-01261, Board v. Sunny Daze Construction t/a Sunny Daze Construction** the board reviewed the Consent Order. **Sunny Daze Construction** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: **Count 1: 2003: 18 VAC 50-22-260.B.28 \$000.00 and voluntary revocation of it Class B license number 2705-080836 for the violation and Sunny Daze Construction also agrees to the revocation of its Class C license number 2705-080070. A total monetary penalty of \$000.00 is hereby imposed.**

**File Number**  
**2004-01261**  
**Sunny Daze**  
**Construction**

Upon a motion by **Redifer** seconded by **Walton** the board ratified the consent order with a unanimous vote from: **Hollar, Orange, Hart, Rackas Pate, Kirby, Paulette, Falwell, Redifer and Walton.**

Carol Mitchell, Director of Alternative Dispute Resolution Division at the Department of Professional and Occupational Regulations spoke to the Board and explained how her division offers an alternative to the Regulatory Process. As a mediator for DPOR, Ms. Mitchell has settled 131 cases and made 422 offers in compromise. Out of 384 attempts 62 were unsuccessful in being resolved. She wanted to make the Board aware that her divisions' services are available for "willing" participants.

**Alternative**  
**Dispute**  
**Resolution**

Eric Olson provided the Board with an update of legislation that had been passed by the General Assembly and is currently awaiting signature by the Governor, that would have a direct affect on the Board and its programs.

**Regulatory**  
**Update**

**The Board discussed the increased caseload and a possible resolution to help decrease the case backlog.** After discussion a motion was made by Mr. Redifer and seconded by Mr. Kirby to approve incorporating the Trades and Education Committee along with the Board for Contractors on August 10 and November 16, 2005. The Contractor Board meeting will be held in the morning and the Committee meeting will convene in the afternoon while the

**Caseloads**  
**and Meeting**  
**Schedules**

other Board members not participating in that meeting will hold Informal Finding Conferences. The motion was approved by majority vote. Members voting "yes" were: Falwell, Kirby, Redifer, Hart, Rackas Pate, Paulette, Hollar and Orange. Mr. Walton voted "no".

Mr. Falwell offered a motion to empower staff to research dates and agency schedules and prepare the 2006 meeting dates either using the 1<sup>st</sup> Tuesday, the 4<sup>th</sup> Tuesday or the 2<sup>nd</sup> Tuesday of the month. Mr. Hollar seconded the motion. The motion was adopted with a unanimous "yes" vote by: **Hart, Falwell, Rackas Pate, Orange, Redifer, Walton, Hollar, Kirby and Paulette.**

**Eric Olson** reminded the Board to review their recovery fund statement(s).

**Recovery  
Fund  
Statement**

**Kevin Hoeft** shared information with the Board concerning the recommendations of the Tradesman Committee to advise the Board to approve the vocational training course assigning 60 hours total of formal HVAC vocational education training in accordance with 18 VAC 50-20-40 and 18 VAC 0-30-200 of the Board for Contractors Tradesman Regulations to the course curriculum offered by New River Center For Energy Research And Training. Mr. Bill Beachy, Vice President of Energy Services & NRCERT addressed the Board. After discussion a motion was made by Mr. Walton and seconded by Mr. Kirby to approve the Training Course offered by the New River Center as Board Certified. The motion was approved by unanimous vote. Members voting "yes" were: Falwell, Hollar, Orange, Redifer, Kirby, Paulette, Hart, Rackas Pate and Walton.

**Trades  
Report**

**Kevin Hoeft** informed the Board that Eric Olson sent draft agreements for test reciprocity for tradesman electrical licensing to Kentucky and Alabama but has not yet received either signed agreement. The Committee voted to bring these signed agreements to the Board for Contractors for consideration when they are received. Mr. Hollar wanted to know if there was any progress in this area with Maryland. Staff has not gotten a response from them. Mr. Hoeft updated the Board on the status of the Board's proposed reciprocal testing agreement for plumbing and gas fitting with the Washington Suburban Sanitary Commission and the Board's proposed full reciprocal agreement for plumbing with the Maryland Plumbing Board. The Committee recommended unanimously that the Board seek test reciprocity only with both the Washington Suburban Sanitary Commission and the Maryland Plumbing Board. After discussion, Mr. Falwell offered a motion to proceed at an expedited pace in getting reciprocity in place as soon as possible. Mr. Hollar

**Reciprocity  
Report**

seconded the motion which passed unanimously. Members voting "yes" were: Falwell, Hart, Hollar, Kirby, Orange, Rackas Pate, Paulette, Redifer and Walton.

**Kevin Hoefft** shared the Committee's recommendation on the definition of "practical Experience in a trade" in response to several questions received by staff concerning this definition. The Committee reviewed 18 VAC 50-30-40 of the Board for Contractors Tradesman Regulations and unanimously recommended that the Board consider the definition "Practical experience in a trade is defined as activity regulated by the applicable USBC and referenced model code." After discussion a motion was made by Mr. Redifer and seconded by Mr. Kirby to approve the definition. The motion passed unanimously. Members voting "yes" were: Falwell, Hart, Hollar, Kirby, Orange, Rackas Pate, Paulette, Redifer and Walton.

**Practical  
Experience**

**Karen O'Neal** discussed with the Board the collaborative effort of our agency and other different state and local agencies to adopt and use License 2000. After discussion a motion was made by Mr. Falwell and seconded by Mr. Hollar to recommend the Board's support of License 2000. The motion passed unanimously. Members voting "yes" were: **Hart, Falwell, Rackas Pate, Orange, Redifer, Walton, Hollar, Kirby and Paulette.**

**L 2 K  
Update**

**Mr. Hoefft** presented recommendation from the committee concerning the non routine application matrixes. The Board discussed the matrixes for applications received with criminal and financial history information. After discussion a motion was made by Mr. Redifer and seconded by Mr. Hollar to approve the criminal and financial matrixes with amendments. The motion was unanimously approved by members voting yes: Falwell, Hollar, Hart, Paulette, Rackas Pate, Kirby, Redifer, Orange and Walton. There were no negative votes.

**Non Routine  
Application  
Matrixes**

**Mr. Hoefft** informed the Board that the training on Violations and Sanctions, requested previously by the Board could be conducted at the May 25, 2005 meeting and added as part of the agenda. After discussion a motion was made by Mr. Redifer and seconded by Mr. Kirby to add this training to the May 25<sup>th</sup> agenda. The motion passed unanimously. Members voting "yes" were: Falwell, Hollar, Kinser, Kirby, Orange, Racks Pate, Redifer and Walton. There were no negative votes.

**Board  
Member  
Training**

**Mr. Hoefft** shared the Committee's recommendation with the Board. The Committee affirmed the Board's current policy that Master Tradesmen whose license is past reinstatement must meet all current entry requirements, including passing all required tests. After discussion a motion was made by

**Exam  
Waivers**

Mr. Hollar and seconded by Mr. Kirby to keep the Board's current policy that licensed tradesman who allow their license to lapse past the reinstatement date and who have not taken the current examination, will be required to sit for the current examination and meet all eligibility requirements in place at the time of reapplication. No exam waivers will be given. The motion passed unanimously. Members voting "yes" were: Falwell, Hart, Hollar, Kirby, Orange, Rackas Pate, Paulette, Redifer and Walton.

**The Board for Contractors** discussed the name of the **Tradesman and Education Committee**. The Board decided the name **does not reflect the duties of the committee**. After discussion a motion was made by Mr. Paulette and seconded by Mr. Redifer to change the name of the Tradesman and Education Committee to "The Committee" with the members being: Mr. Kirby, Mr. Redifer, Mr. Hollar, Mr. Orange and a newly elected member Mr. Falwell would replace Mr. Burch and the at large member will be Ms. Rackas Pate replacing Mr. Paulette. The motion passed unanimously. Members voting "yes" were: Falwell, Hart, Hollar, Kirby, Orange, Rackas Pate, Paulette, Redifer and Walton.

**Mr. Redifer** informed the Committee that the 2003 Virginia USBC is in its Public Comment stage until April 17, 2005. The 2003 Virginia USBC is scheduled to be adopted by the Virginia Board of Housing and Community Development on July 1, 2005, and it is scheduled to become effective on October 1, 2005.

The committee reviewed a letter from Kinzie Backup Generator Systems (Class B License Number 2705-084968) as to the appropriate specialty classification required to install emergency generators. After discussion, the Committee unanimously determined that this type of installation requires that the contractor hold a license with the Electrical Contractor specialty classification and that systems that are fueled by gas (natural or LP) would require connection to the fuel source by a properly licensed gas contractor. Mr. Redifer offered a motion that was seconded by Mr. Kirby and approved by majority vote. Members voting "yes" were Falwell, Hollar, Kirby, Orange, Rackas Pate, Paulette, Redifer and Walton. Mr. Hart voted "no".

Mr. Hoeft informed the Board that The Committee recommends that the Board approve two additional Board meeting date in 2005. The Committee suggests that the Board meet from 9 AM to 1:00 PM on August 10, 2005 and on November 16, 2005 to hear a maximum of 40 cases at each meeting. Tradesman, Education & Regulatory Review Committee meeting are currently scheduled for 10: AM on these two dates, and the Committee recommends that these Committee meetings be changed to 1:00 PM. After

New  
Committee  
Name

2003  
Virginia  
USBC  
Implementat  
ion

Kinzie  
Backup  
Generator  
Systems

Board for  
Contractor  
Meeting  
Dates and  
Times

discussion a motion was made by Mr. Redifer and seconded by Mr. Hollar to approve the additional meetings for 2005. The motion passed unanimously. Members voting "yes" were: Falwell, Hart, Hollar, Kirby, Orange, Rackas Pate, Paulette, Redifer and Walton.

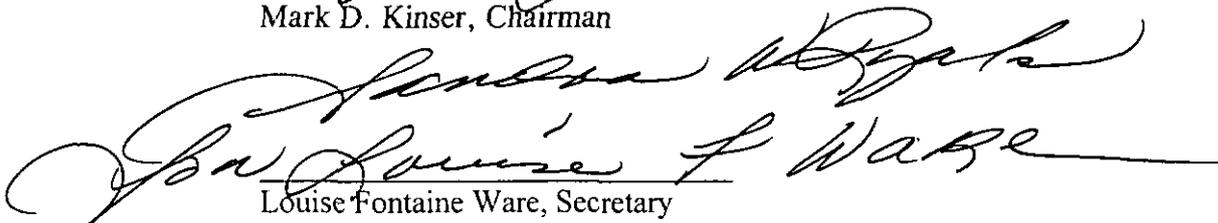
Olson reminded the board members to complete their travel vouchers and Conflict of Interest forms and to give them to Sheila Watkins at the end of the meeting for processing.

Completion  
of  
Paperwork

There being no further business to come before the board, the meeting was adjourned upon a motion by Redifer and seconded by Falwell. The vote was unanimous. Members voting yes were, **Hart, Falwell, Rackas Pate, Orange, Redifer, Walton, Hollar, Kirby and Paulette** at 3:30 P M. There were no negative votes.

Adjourn-  
ment

  
\_\_\_\_\_  
Mark D. Kinser, Chairman

  
\_\_\_\_\_  
Louise Fontaine Ware, Secretary

**Copy teste:**

\_\_\_\_\_  
Custodian of the Record

STATE AND LOCAL GOVERNMENT

CONFLICT OF INTEREST ACT

1. Name: Wyatt H. Walton, III
2. Title: Member - Board for Contractors
3. Agency: Department of Professional & Occupational Regulation
4. Transaction: CONTRACTORS BOARD MEETING
5. Nature of Personal Interest Affected by Transaction:

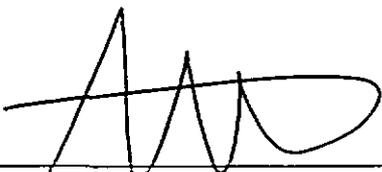
NONE

6. I declare that:

- (a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

N/A

- (b) I am able to participate in this transaction fairly, objectively, and in the public interest.

  
Signature

March 1, 2005  
Date

**STATE AND LOCAL GOVERNMENT**

**CONFLICT OF INTEREST ACT**

1. Name: Anthony R. Orange
2. Title: Member - Board for Contractors
3. Agency: Department of Professional & Occupational Regulation
4. Transaction: CONTRACTORS BOARD MEETING

5. Nature of Personal Interest Affected by Transaction:

N/A

6. I declare that:

- (a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

I.B.E.W. LOCAL UNION 666

- (b) I am able to participate in this transaction fairly, objectively, and in the public interest.

  
Signature

March 1, 2005  
Date

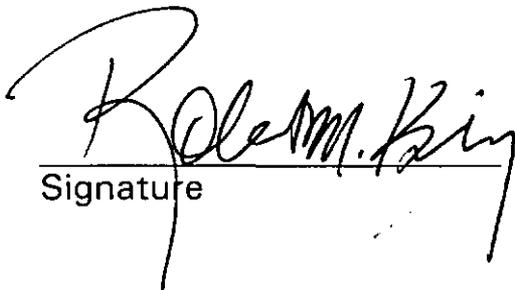
STATE AND LOCAL GOVERNMENT

CONFLICT OF INTEREST ACT

1. Name: Robert M. Kirby
2. Title: Member - Board for Contractors
3. Agency: Department of Professional & Occupational Regulation
4. Transaction: CONTRACTORS BOARD MEETING
5. Nature of Personal Interest Affected by Transaction:

Employment at DE Kirby, Inc.

6. I declare that:
  - (a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:  
DE Kirby Inc., Builders & Contractors Exchange, ABC of VA
  - (b) I am able to participate in this transaction fairly, objectively, and in the public interest.

  
Signature

March 1, 2005  
Date

**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTEREST ACT**

- 1. Name: Kenneth W. Hart
- 2. Title: Member - Board for Contractors
- 3. Agency: Department of Professional & Occupational Regulation
- 4. Transaction: **CONTRACTORS BOARD MEETING**
- 5. Nature of Personal Interest Affected by Transaction:

\_\_\_\_\_  
\_\_\_\_\_

- 6. I declare that:
  - (a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

\_\_\_\_\_  
\_\_\_\_\_

- (b) I am able to participate in this transaction fairly, objectively, and in the public interest.

*Kenneth W. Hart*  
Signature

March 01, 2005  
Date



STATE AND LOCAL GOVERNMENT

CONFLICT OF INTEREST ACT

1. Name: Ann Rackas Pate
2. Title: Member - Board for Contractors
3. Agency: Department of Professional & Occupational Regulation
4. Transaction: CONTRACTORS BOARD MEETING
5. Nature of Personal Interest Affected by Transaction:

\_\_\_\_\_  
\_\_\_\_\_

6. I declare that:
  - (a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

\_\_\_\_\_  
\_\_\_\_\_

(b)

I am able to participate in this transaction fairly, objectively, and in the public interest.

  
Signature

March 1, 2005  
Date

**STATE AND LOCAL GOVERNMENT**

**CONFLICT OF INTEREST ACT**

1. Name: William A. Paulette
2. Title: Member - Board for Contractors
3. Agency: Department of Professional & Occupational Regulation
4. Transaction: CONTRACTORS BOARD MEETING
5. Nature of Personal Interest Affected by Transaction:

\_\_\_\_\_

\_\_\_\_\_

6. I declare that:
  - (a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:  
  
\_\_\_\_\_
  - (b) I am able to participate in this transaction fairly, objectively, and in the public interest.

  
\_\_\_\_\_  
Signature

March 1, 2005  
Date

**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTEREST ACT**

1. Name: Michael D. Redifer
2. Title: Member - Board for Contractors
3. Agency: Department of Professional & Occupational Regulation
4. Transaction: **CONTRACTORS BOARD MEETING**
5. Nature of Personal Interest Affected by Transaction:

\_\_\_\_\_

\_\_\_\_\_

6. I declare that:
  - (a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:  
VBCDA UPMA IAEI ILL NPPA NARSO
  - (b) I am able to participate in this transaction fairly, objectively, and in the public interest.

  
\_\_\_\_\_  
Signature

March 1, 2005  
Date

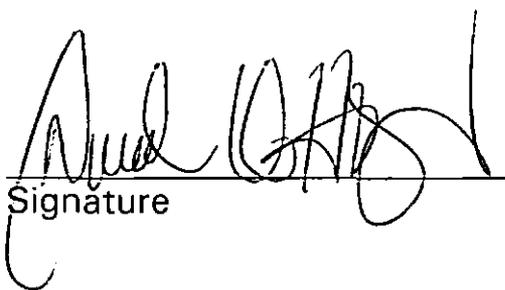
**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTEREST ACT**

1. Name: David O. Harris, Sr.
2. Title: Member - Board for Contractors
3. Agency: Department of Professional & Occupational Regulation
4. Transaction: CONTRACTORS BOARD MEETING
5. Nature of Personal Interest Affected by Transaction:

\_\_\_\_\_

\_\_\_\_\_

6. I declare that:
  - (a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:  
  
\_\_\_\_\_
  - (b) I am able to participate in this transaction fairly, objectively, and in the public interest.

  
\_\_\_\_\_  
Signature

March 01, 2005  
Date

STATE AND LOCAL GOVERNMENT

CONFLICT OF INTEREST ACT

1. Name: James A. Hollar
2. Title: Member - Board for Contractors
3. Agency: Department of Professional & Occupational Regulation
4. Transaction: CONTRACTORS BOARD MEETING
5. Nature of Personal Interest Affected by Transaction:

✓ HVAC, PLG, Elect. Tradesmen

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6. I declare that:

- (a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

✓ C.M.H.Inc, PHCC, ACCA

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- (b) I am able to participate in this transaction fairly, objectively, and in the public interest.

James A. Hollar  
Signature

March 1, 2005  
Date

**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTEREST ACT**

- 1. Name: Charles W. Falwell
- 2. Title: Member - Board for Contractors
- 3. Agency: Department of Professional & Occupational Regulation
- 4. Transaction: **CONTRACTORS BOARD MEETING**

5. Nature of Personal Interest Affected by Transaction:

N/A

6. I declare that:

(a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

\_\_\_\_\_

✓ (b) I am able to participate in this transaction fairly, objectively, and in the public interest.

  
Signature

March 01, 2005  
Date