

BOARD FOR CONTRACTORS BOARD MEETING

MINUTES

The Board for Contractors met on Tuesday, September 20, 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.

Mark D Kinser, Chair
Anthony Orange, Co Chair
Charles W. Falwell
James Hollar
Robert M Kirby
Michael D. Redifer
Wyatt Walton, III
Deborah Lynn Tomlin
Troy Smith, Jr.
Ann Rackas Pate
Kenneth W. Hart
Jeffrey Modisett
Dorothy Wood

Staff members present for all or part of the meeting were:

Louise Ware, Director
Brian Hannigan, Chief Deputy
Karen O'Neal, Deputy Director of Regulatory Programs
Eric L. Olson, Executive Director
Kevin Hoeft, Regulatory Boards Administrator
Victoria Traylor, Legal Assistant
Sheila Watkins, Administrative Assistant
Jeffrey Buckley, Legal Assistant
Joe Haughwout, Legal Assistant
Karen Kenney, Administrative Assistant
Linda Jackson, Legal Assistant Supervisor
Nick Christner, Director, Compliance and Investigations
Eric Gregory, Assistant Attorney General

Co Chairman Anthony Orange called the meeting to order at 9:10 a.m. and a Quorum of board members was in attendance.

Call
To Order

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

Approval of
the Agenda

Mr. Falwell moved to approve the following minutes as submitted from the :

Approval of
Minutes

August 08, 2005, Contractor Board Meeting
June 28, 2005, Informal Fact Finding Conference.
August 10, 2005, Informal Fact Finding Conference.
August 11, 2005, Informal Fact Finding Conference.
August 16, 2005, Informal Fact Finding Conference.
August 23, 2005, Informal Fact Finding Conference.
August 25, 2005, Informal Fact Finding Conference.
August 30, 2005, Informal Fact Finding Conference.
September 1, 2005, Informal Fact Finding Conference.

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

Mr. Kinser arrived and began chairing the meeting at 9:15 AM.

Chair
Arrives

Ms. Ware introduced Brian Hannigan as DPOR new Chief deputy. The Board welcomed him.

Introduction
of New
Board
Member

Laurie Crigler of the Plumbing and Mechanical Professionals of Virginia (PMPV) addressed the board regarding the possibility that they may see a number of tradesman move into Virginia from the areas affected by hurricane Katrina. The PMPV would like to see the board actively work on ways to streamline the application process for these tradesman and explore the possibility of either relaxing the examination requirements or invoke a temporary agreement of reciprocity in order to facilitate their merge into the workplace.

Public
Comment
Period

The Board for Contractors presented a Resolution to Mr. Burch and Mr. Paulette for their service to the Board. Mr. Burch was present to receive his

Member
Resolutions

resolution and Mr. Paulette's will be mailed to him.

Sharon Sweet addressed the Board on the renewal of examination vendors and selecting two Board members to serve on the panel. Mr. Redifer and Mr. Kirby volunteered to serve on the panel. Mr. Orange made a motion to accept Redifer and Kirby to the RFP panel and Mr. Falwell seconded the motion. The motion passed unanimously - members voting "yes" were: Falwell, Hollar, Kinser, Hollar, Orange, Rackas Pate, Redifer, Smith, Hart, Walton, Modisett, Kirby, and Tomlin.

**Examination
Request for
Proposal**

In the matter of License Application File Number 2006-00258, John Elsey, t/a All Decked Out, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2006-00258
John Elsey**

Mr. Elsey 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 **Ms. Tomlin** 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, Kinser, Wood, Orange, Redifer, Smith, Hart, Walton, Modisett, Kirby, and Tomlin.** Ms. Rackas Pate voted no.

In the matter of Disciplinary File Number 2005-05115, Michael Pigg, t/a Piggy's Plumbing, 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
2005-05115
Michael W.
Pigg**

Mr. Pigg, respondent, appeared at the IFF and the Board meeting. He addressed the Board. The presiding Board Representative, **Mr. Hart** was not present and he did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Hollar** and seconded by **Mr. Redifer** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found Michael Pigg, violated the following sections of its 2003 Regulations:

Count 1: 18 VAC 50-22-260.B.18 (Effective May 1, 1999)

Count 2: 18 VAC 50-22-260.B.23 (Effective January 1, 2003)

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

After discussion a motion was made by **Mr. Hollar** and seconded by **Mr. Redifer** to impose the following sanction: \$100.00 monetary penalty for the violation of Board's 2003 Regulation 18 VAC 50-22-260.B.23 (Count 2). A total monetary penalty of \$100.00 is imposed. As to Count 1, 18 VAC 50-22-260.B.18, Pigg was sanctioned for the violation pursuant to Section 54.1-202 Code of Virginia, therefore the Board voted not to impose a monetary penalty for the violation. The motion passed with a unanimous "yes" vote. Members voting "yes" were: **Falwell, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Tomlin, Redifer, Smith, Walton, and Wood.** As the presiding Board Representative, **Mr. Hart** was not present and did not vote.

In the matter of Disciplinary File Number 2005-05114, Michael Pigg, t/a Piggy's Plumbing, 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
2005-05114
Michael W.
Pigg**

Mr. Pigg, respondent, appeared at the IFF and the Board meeting. He addressed the Board. The presiding Board Representative, **Mr. Hart** was not present and he did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Hollar** and seconded by **Mr. Falwell** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found Michael Pigg, violated the following sections of its 2003 Regulations:

Count 1: 18 VAC 50-30-190.11 (Effective July 7, 1999)

Count 2: 18 VAC 50-30-190.12 (Effective January 1, 2003)

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

After discussion a motion was made by **Mr. Walton** and seconded by **Mr. Falwell** to impose the following sanction: \$100.00 monetary penalty for the violation of Board's 2003 Regulation 18 VAC 50-30-190.12 (Count 2). A total monetary penalty of \$100.00 is imposed. As to Count 1, 18 VAC 50-30-190.11, Piggy already been sanctioned for the violation pursuant to Section 54.1-202 Code of Virginia, therefore the Board voted not to impose a monetary penalty for the violation. The motion passed with a unanimous "yes" vote. Members voting "yes" were: **Falwell, Hollar, Kinser, Kirby,**

Modisett, Orange, Rackas Pate, Tomlin, Redifer, Smith, Walton, and Wood. As the presiding Board Representative, **Mr. Hart** was not present and did not vote.

In the matter of License Application File Number 2005-05113, Michael W. Pigg, t/a Piggy's Plumbing & Septic Service, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2005-05113
Michael W.
Pigg**

Mr. Pigg 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 majority vote. Members voting "Yes" were: **Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Tomlin, Redifer, Smith, Walton, and Wood.**

In the matter of Disciplinary File Number 2005-00879, Ray Gaskins, t/a Ray's 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
2005-00879
Ray Gaskins**

Ray Gaskins appeared at the IFF and the Board meeting. **Margaret and David Whittington, complainant,** attended the Board meeting and the addressed the Board. The presiding officer **Mr. Kirby** 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 **Mrs. Wood** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found **Ray Gaskins,** violated the following sections of its 2003 Regulations:

- Count 1: 18 VAC 50-22-260.B.27**
- Count 2: 18 VAC 50-22-260.B.9**
- Count 3: 18 VAC 50-22-260.B.31**
- Count 4: 18 VAC 50-22-260.B.5**
- Count 5: 18 VAC 50-22-20.B.14**
- Count 6: 18 VAC 50-22-260.B.16**

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

After discussion a motion was made by **Mr. Redifer** and seconded by **Mrs.**

Wood to impose the following sanctions: \$1,000.00 monetary penalty and successful completion of the Board's Basic Contractor Licensing class for the violation of the Board's 2003 Regulation 18 VAC 50-22-260.B.27 (Count 1); \$600.00 monetary penalty and successful completion of the Board's Basic Contractor Licensing class for the violation of the Board's 2003 Regulation 18 VAC 50-22-260.B.9 (Count 2); \$500.00 monetary penalty and successful completion of the Board's Basic Contractor Licensing class for the violation of the Board's 2003 Regulation 18 VAC 50-22-260.B.31 (Count 3); \$1,500.00 monetary penalty for the violation of the Board's 2003 regulation 18 VAC 50-22-260.B.5 (Count 4); \$2,500.00 monetary penalty and successful completion of the Board's Basic Contractor Licensing class for the violation of the Board's 2003 Regulation 18 VAC 50-22-260.B.16. A total monetary penalty of \$6,100.00 is imposed. The motion passed with a unanimous "yes" vote. Members voting "yes" were: **Falwell, Hart, Hollar, Kinser, Modisett, Orange, Rackas Pate, Tomlin, Redifer, Smith, Walton, and Wood.**

As the presiding Board Representative, Mr. Kirby was not present and did not vote.

In the matter of Recovery Fund File Number 2004-03916, Daniel R. Godfrey (Claimant) and Ronald Frank Quesenberry, t/a Q Services (Regulant); Recovery Fund File; the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither Ronald Frank Quesenberry, t/a Q Services (Regulant) nor anyone on its behalf appeared at the IFF or the Board meeting. Daniel R. Godfrey (Claimant) and Thomas S. Carnes (Claimant's Attorney) appeared at the IFF and the Board meeting.** After discussion, a motion was made by Mrs. Wood and seconded by Mr. Walton to table this case and to seek advice of legal counsel.

File Number
2004-03916
Ronald
Frank
Quesenberry

The motion passed with a majority vote. Members voted "yes" were: Falwell, Kinser, Wood, Walton, Modisett, Rackas Pate, Tomlin, Hart, Redifer, and Smith. Mr. Hollar and Mr. Kirby voted "no."

The motion was approved. As the Board Representative, Mr. Orange was not present and did not participate.

Closed Session

Motion for Closed Meeting: **Mr. Redifer** offered a motion at 10:45 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

Closed
Session

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 33, **Daniel Godfrey vs. Ron Quesenberry t/a Q Services Case Number 2004-03916.** **Mr. Falwell** seconded the motion. The motion passed unanimously. Members voting "yes" were: **Falwell, Smith, Hart, Hollar, Kinser, Modisett, Rackas Pate, Wood, Orange, Tomlin, Walton and Redifer.**
Certification of Closed Meeting

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

Mr. Redifer offered a motion at 11:15 PM that the Board open the Board for Contractors meeting. **Mr. Falwell seconded that motion which was unanimously approved by members voting "yes". They were: Falwell, Smith, Hart, Hollar, Kinser, Modisett, Rackas Pate, Wood, Orange, Tomlin, Walton and Redifer**

In the matter of Recovery Fund File Number 2004-03916, Daniel R. Godfrey (Claimant) and Ronald Frank Quesenberry, t/a Q Services (Regulant); Recovery Fund File; the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither Ronald Frank Quesenberry, t/a Q Services (Regulant) nor anyone** on its behalf appeared at the IFF or the Board meeting. **Daniel R. Godfrey (Claimant) and Thomas S. Carnes (Claimant's Attorney)** appeared at the IFF and the Board meeting. After discussion, a motion was made by Mr. Redifer and seconded by Mrs. Wood to pay the claim.

The motion passed with a majority vote. Members voted "yes" were: Falwell, Kinser, Wood, Walton, Modisett, Rackas Pate, Tomlin, Hart, Redifer, and Smith. Mr. Hollar and Mr. Kirby voted "no."

The motion was approved. As the Board Representative, Mr. Orange was not present and did not participate.

Reconvene
From Closed
Session

File Number
2004-03916
Ronald
Frank
Quesenberry

In the matter of Recovery Fund File Number 2004-03307, Daniel and Elizabeth Leitch (Claimants) and John Flippen, t/a Professional Services Ltd Remodeling & New Homes (Regulant); Recovery Fund File; the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither John Flippen, t/a Professional Services Ltd Remodeling & New Homes (Regulant) nor anyone** on its behalf appeared at the IFF or the Board meeting. **Elizabeth Leitch (Claimant)** appeared at the IFF and the Board meeting. After discussion, **Mr. Walton** offered a motion seconded by **Mr. Kirby**, to adopt the claim review and the hearing officer's recommendations and summary for violations and amended the claim for payment in the amount of \$7,672.84. **The motion passed by a majority vote to pay the claim. Members voted "yes" were: Falwell, Hart, Kinser, Modisett, Orange, Rackas Pate, Tomlin, Redifer, Smith, Walton, and Wood. Mr. Hollar voted "no."** The motion was approved. As the Board Representative, Mr. Kirby was not present and did not participate.

File Number
2004-03307
John Flippen

In the matter of Consent Order File Number 2005-02968, Board v. Steven Broadus, t/a Broadus Properties, the board reviewed the Consent Order. Katrina and Steven Broadus were present at the Board meeting. **Steven Broadus, t/a Broadus Properties** 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: 18 VAC 50-22-260.B.6 \$350.00; and Count 2: 18 VAC 50-22-260.B.27 \$250.00. A total monetary penalty of \$600.00 is hereby imposed. Steven Broadus also agrees to pay \$150.00 in Board costs.**

File Number
2005-02968
Steven
Broadus

Upon a motion by **Redifer** seconded by **Falwell** the board ratified the consent order with a majority vote from: Members voting "Yes" were: **Falwell, Hart, Kinser, Kirby, Modisett, Orange, Rackas Pate, Tomlin, Redifer, Smith, Walton, and Wood. Mr. Hollar voted "no."**

In the matter of License Application File Number 2005-05162, David E. Alloway, Jr., t/a Alloway Painting & Drywall Repair, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2005-05162
David E.
Alloway

Mr. Alloway, Jr. 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. Orange** 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 a majority vote. Members voting "Yes" were: **Falwell, Hart, Hollar, Kinser, Modisett, Orange, Tomlin, Redifer, Smith, Walton, and Wood. Ms. Rackas Pate and Mr. Kirby voted "no."**

In the matter of License Application File Number 2005-05161, James A. Coles, t/a Coles Construction, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2005-05161
James A.
Coles**

Teresa and James Coles appeared at the IFF and the Board meeting. They 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. Hollar** 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 a majority vote. Members voting "Yes" were: **Falwell, Hollar, Hart, Kinser, Modisett, Orange, Rackas Pate, Tomlin, Redifer, Smith, and Wood. Mr. Kirby and Mr. Walton voted "no."**

In the matter of License Application File Number 2005-05160, Timothy Wallace, t/a Wallace Construction & Project Management, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2005-05160
Timothy
Wallace**

Mr. Wallace appeared at the IFF but 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. Orange** 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 a majority vote. Members voting "Yes" were: **Falwell, Hart, Hollar, Kinser, Modisett, Orange, Tomlin, Redifer, and Walton. Ms. Rackas Pate, Ms. Wood, Mr. Smith, and Mr. Kirby voted "no."**

In the matter of License Application File Number 2005-04903, Sterling Banks (J-ELE), the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2005-04903
Sterling
Banks**

Mr. Banks 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. Orange** and seconded by **Mr. Falwell** to reject the recommendation contained in the Summary of the Informal Fact-Finding Conference and deny granting the license.

The motion was approved by a majority vote. Members voting "Yes" were: **Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Tomlin, Smith, and Wood.** **Mr. Redifer and Mr. Walton** voted "no."

In the matter of License Application File Number 2005005102, Michael Mulla of Kitchens-R-Us LLC, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2005-05102
Michael
Mulla

Mr. Michael Mulla appeared at the IFF. He did not appear at the Board meeting. Joseph Mulla, (Michael Mulla's father) represented his son at the Board meeting. Mr. Joseph Mulla 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. Orange** 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 a majority vote. Members voting "Yes" were: **Falwell, Hart, Hollar, Kinser, Kirby, Orange, Rackas Pate, Walton, and Wood.** **Ms. Tomlin, Mr. Redifer, Mr. Modisett, and Smith** voted "no."

In the matter of License Application File Number 2005-05110, J. Scott Higgins, t/a Structural Assurance, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2005-05110
J. Scott
Higgins

Mr. Higgins 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. Hollar** and seconded by **Mr. Modisett** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license.

The motion was approved by a majority vote. Members voting "Yes" were: **Falwell, Hart, Hollar, Kinser, Modisett, Orange, Tomlin, Redifer, Smith,**

and Wood. Mr. Kirby, Ms. Rackas Pate, and Mr. Walton voted “no.”

In the matter of License Application File Number 2005-05101, Dwayne Askew of Branch Rentals, LLC, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2005-05101
Dwayne
Askew**

Mr. Askew 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. Hollar** and seconded by **Mr. Orange** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license.

The motion was approved unanimously. Members voting “Yes” were: **Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Tomlin, Redifer, Smith, Walton, and Wood.**

In the matter of License Application File Number 2005-04900, Ruben Roane, t/a R & R Home Improvement, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2005-04900
Ruben
Roane**

Mr. Roane 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. Hollar** and seconded by **Mr. Smith** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license.

The motion was approved by a majority vote. Members voting “Yes” were: **Falwell, Hollar, Kinser, Modisett, Orange, Tomlin, Redifer, Smith, and Wood. Mr. Kirby, Ms. Rackas Pate, Mr. Walton, and Mr. Hart voted “no.”**

In the matter of License Application File Number 2006-00197, Richard Williams, t/a A & R Contracting, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2006-00197
Richard
Williams**

Mr. Richard Williams and Ms. Aurelia Williams appeared at the IFF and the Board meeting. Mr. Williams 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.**

Hollar and seconded by **Mr. Wood** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license.

The motion was approved unanimously. Members voting "Yes" were: **Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Tomlin, Redifer, Smith, Walton, and Wood.**

In the matter of License Application File Number 2005-05091, Brian Gibson, Sr. (J-ELE). The Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2005-05091
Brian
Gibson, Sr.

Brian Gibson, Sr. and Sarah Gibson appeared at the IFF and 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. Hollar** 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 a majority vote. Members voting "Yes" were: **Falwell, Redifer, Smith, Tomlin, Hollar, Hart, Modisett, and Mr. Orange. Ms. Wood, Ms. Rackas Pate, Mr. Smith, Mr. Walton, and Mr. Kirby** voted "no."

In the matter of License Application File Number 2006-00203 Bob Jarratt, t/a Jarratt General Contracting, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2006-00203
Bob Jarratt

Mr. Bob Jarratt, Sr. and Mr. Bob Jarratt, Jr. appeared 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. Hollar** 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 unanimously. Members voting "Yes" were: **Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Tomlin, Redifer, Smith, Walton, and Wood.**

In the matter of License Application File Number 2005-03996, Val Ensor of E-Quality Builders/developers, LLC the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and

File Number
2005-03996
Val Ensor

Summary of the Informal Fact-Finding Conference.

Val Ensor appeared at the IFF and 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. Smith** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license.

The motion was approved by a majority vote. Members voting "Yes" were: **Falwell, Hart, Kinser, Modisett, Orange, Tomlin, Redifer, and Smith.** **Mr. Hollar, Mr. Walton, Mr. Kirby, Ms. Wood and Ms. Rackas Pate** voted "no."

In the matter of Disciplinary File Number 2005-01840, Artistic Contracting Company, t/a Artistic Decks/Artistic Deck 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
2005-01840
Artistic
Contracting
Company

Mark McKeen and his attorney Charles Hundley appeared at the Board meeting. They both addressed the Board. The presiding officer **Mrs. Wood** 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. Redifer** to recess.

In the matter of Consent Order File Number 2005-01840, Board v. Artistic Contracting Company, t/a Artistic Decks/Artistic Deck Company, the board reviewed the Consent Order. **Artistic Contracting Company, t/a Artistic Decks/Artistic Deck Company** 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: 18 VAC 50-22-260.B.15 \$1,500.00; Count 2: 18 VAC 50-22-260.B.16 \$2,000.00; and Count 3: 18 VAC 50-22-260.B.28 \$2,000.00. A total monetary penalty of \$5,500.00 is hereby imposed.** In addition, **Artistic Contracting Company Inc.** agrees to satisfy the judgment, pursuant to the agreement with Complainants, within three months of the Board date. **Artistic Contracting Company Inc.** must provide proof to the Board of satisfaction of the judgment payment or its license will be revoke. Also, **Artistic Contracting Company Inc.** agrees to a one year probationary period from the effective date of this Order.

File Number
2005-01840
Mark
McKeehan

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

In the matter of Disciplinary File Number 2005-02344 Artistic Contracting Company Inc., t/a Artistic Decks/Artistic Deck 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
2005-02344
Artistic
Contracting**

Mr. Mark McKeehan, respondent, and his attorney, Charles Hundley appeared at the IFF and the Board meeting. Mr. McKeehan disagreed with the Board. Mr. McKeehan and his attorney addressed the Board. The presiding Board Representative, **Ms. Wood** was not present and she 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 Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found Mr. McKeehan, violated the following sections of its 2003 Regulations:

- Count 1: 18 VAC 50-22-260.B.31**
- 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**

The motion passed unanimously. Members voting "Yes" were: **Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Tomlin, Redifer, Smith, and Walton.**

After discussion a motion was made by **Mr. Walton** and seconded by **Mr. Modisett** to impose the following sanction: \$500.00 monetary penalty for the violation of the Board's 2003 Regulation 18 VAC 50-22-260.B.31 (Count 1); \$2,000.00 monetary penalty for the violation of the Board's 2003 Regulation 18 VAC 50-22-260.B.14 (Count 2); \$2,000.00 monetary penalty for the violation of the Board's 2003 Regulation 18 VAC 50-22-260.B.16 (Count 3); and \$500.00 monetary penalty for the violation of the Board's 2003 Regulation 18 VAC 50-22-260.B.13 (Count 4). A total monetary penalty of \$5,000.00 is imposed. As to Count 1 and 4 the Board voted to require the licensee to successfully complete the Board's Basic Contractor Licensing class (remedial education). The motion was approved by a majority vote. Members voting "Yes" were: **Falwell, Hollar, Kinser, Orange, Redifer, Smith, Walton, Modisett, Kirby, Tomlin and Ms. Rackas Pate.** **Mr. Hart** voted "no." As the presiding Board Representative, **Ms. Wood** was not present and did not vote.

In the matter of Disciplinary File Number 2005-03380, Virginia Ruger, t/a Iron Horse Construction Co., the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of

**File Number
2005-03380
Virginia**

the Informal Fact-Finding Conference of the presiding Board member.

Ruger

Ms. Ruger, respondent, appeared at the IFF and the Board meeting. She disagreed with the Board. The presiding Board Representative, **Mr. Kirby** was not present and he 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 adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found Ms. Ruger, violated the following sections of its 2003 Regulations:

Count 1: 18 VAC 50-22-260.B.9 (Three Counts)

Count 2: 18 VAC 50-22-260.B.27 (Two Counts)

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

Count 4: 18 VAC 50-22-260.B.16

The motion was approved by majority vote. Members voting "Yes" were: **Kinser, Wood, Redifer, Smith, Hart, Modisett, Tomlin and Rackas Pate. Mr. Hollar, Mr. Walton, Mr. Orange, and Mr. Falwell voted "no."**

After discussion a motion was made by **Ms. Wood** and seconded by **Mr. Falwell** to impose the following sanction: \$450.00 monetary penalty for the violation of the Board's 2003 Regulation 18 VAC 50-22-260.B.9: Three Counts at \$150.00 each (Count 1), \$2,000.00 monetary penalty for the violation of the Board's 2003 Regulation 18 VAC 50-22-260.B.27: Two Counts at \$1,000.00 each (Count 2); \$2,500.00 monetary penalty for the violation of the Board's 2003 Regulation 18 VAC 50-22-260.B.16 (Count 3) and \$2,500.00 monetary penalty for the violation of the Board's 2003 Regulation 18 VAC 50-22-260.B.16 (Count 4). A total monetary penalty of \$7,450.00 is imposed. The Board voted to require Virginia S. Ruger to successfully complete the Board's Basic Contractor Licensing class (remedial education). As to 18 VAC 50-22-260.B.16, the Board agreed that the violations did not arise to the sanction of license revocation. The motion was approved by a majority vote. Members voting "Yes" were: **Falwell, Hollar, Wood, Orange, Smith, Hart, Walton, Modisett, Tomlin and Rackas Pate. Mr. Kinser and Mr. Redifer voted "no."**

As the presiding Board Representative, **Mr. Kirby** was not present and did not vote.

In the matter of Disciplinary File Number 2004-03067, Cornerstone Custom Builders Inc., t/a Cornerstone Custom 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
2004-03067
Larry
Simpson Sr.

Mr. Larry Simpson Sr., represented Cornerstone Custom Builders Inc., and **Mr. Daniel O'Connell,** respondent's attorney appeared at the IFF and the Board meeting. They addressed the Board. **Vincent Falter,** complainant appeared and agreed with the Board. Presiding Board Representative, **Mr. Orange** was not present and he did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Falwell** and seconded by **Ms. Wood** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found **Mr. Simpson, Sr.** violated the following sections of its 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.14**
- Count 4: 18 VAC 50-22-260.B.15**
- Count 5: 18 VAC 50-22-260.B.16**

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

After discussion a motion was made by **Mr. Falwell** and seconded by **Mr. Walton** to impose the following sanction: \$500.00 monetary penalty for the violation of the Board's 2003 Regulation 18 VAC 50-22-260.B.31 (Count 2); \$2,000.00 monetary penalty for the violation of the Board's 2003 Regulation 18 VAC 50-22-260.B.14 (Count 3); \$2,000.00 monetary penalty for the violation of the Board's 2003 Regulation 18 VAC 50-22-260.B.15 (Count 4) and \$2,500.00 monetary penalty for the violation of the Board's 2003 Regulation 18 VAC 50-22-260.B.16 (Count 5). A total monetary penalty of \$7,000.00 is imposed. As to 18 VAC 50-22-260.B.16, the Board agreed that the violation did not arise to the sanction of license revocation. As to 18 VAC 50-22-260.B.16, the Board voted to require Larry Simpson, Sr. to successfully complete the Board's Basic Contractor Licensing class (remedial education). As to 18 VAC 50-22-260.B.9 (Count 1), the Board closes this aspect of the file with a finding of no violation. The motion passed with a unanimous "yes" vote. Members voting "yes" were: **Falwell, Hollar, Kinser, Kirby, Modisett, Hart, Rackas Pate, Tomlin, Redifer, Smith, Walton, and Wood.** As the presiding Board Representative, **Mr. Orange** was not present and did not vote.

In the matter of Consent Order File Number 2005-02187, Board v. James R. Tipps, t/a James R. Tipps, the board reviewed the Consent Order. **James R. Tipps** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the

File Number
2005-02187
James R.
Tipps

following term(s) by the Board: **Count 1: 18 VAC 50-22-260.B.6; \$100.00 and Count 2: 18 VAC 50-22-260.B.16; \$1,000.00. A total monetary penalty of \$1,100.00 and successful completion of the Board's Basic Contractor Licensing class is hereby imposed. Also, the Board will waive the fine imposed for violation of Count 2 if the Regulant submits payment to the Complainant for the amount in dispute within 30 days of the effective date of this Order.**

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

In the matter of License Application File Number 2005-04904, James Hitt, Jr., t/a JBK Home Improvement. The Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2005-04904
James Hitt,
Jr.

Mr. Hitt, Jr. appeared at the IFF and the Board meeting. He addressed and disagreed with 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. Walton** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license.

The motion was approved by a majority vote. Members voting "Yes" were: **Falwell, Wood, Orange, Redifer, Smith, Walton, Tomlin, Hart, and Rackas Pate.** **Mr. Hollar, Mr. Modisett, Mr. Kirby, and Mr. Kinser** voted "no."

In the matter of License Application File Number 2005-05028, Derrick Freeman (J-PLB/GFC). The Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2005-05028
Derrick
Freeman

Derrick Freeman appeared at the IFF and 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. Hollar** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license.

The motion was approved by a majority vote. Members voting "Yes" were: **Falwell, Orange, Redifer, Smith, Walton, Tomlin, Hart, Hollar, Modisett, and Kinser.** **Mr. Kirby, Ms. Wood, and Ms. Rackas Pate** voted "no."

In the matter of License Application File Number 2006-00201, Edwin Fry, t/a Eagle Home Services. The Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2006-00201
Edwin Fry**

Edwin Fry, t/a Eagle Home Services appeared at the IFF and 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. 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 majority vote. Members voting "Yes" were: **Falwell, Hollar, Kinser, Wood, Orange, Redifer, Smith, Hart, Walton, Modisett, Kirby, and Tomlin.** **Ms. Rackas Pate** voted no.

In the matter of Consent Order File Number 2005-03221, Board v. Perry L. Tate, t/a Libra Masonry Co., the board reviewed the Consent Order. **Mr. Tate** 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: 18 VAC 50-22-260.B.9 \$500.00; Count 2: 18 VAC 50-22-260.B.27 \$1,000.00; and Count 3: 18 VAC 50-22-260.B.5 \$1,500.00** and **Perry L. Tate** agrees to **successfully complete remedial education by attending the Board's Basic Contractor Licensing class.** A total monetary penalty of **\$3,000.00** is hereby imposed.

**File Number
2005-03221
Perry L.
Tate**

Upon a motion by **Walton** seconded by **Kirby** the board ratified the consent order with a unanimous vote: Members voting "Yes" were: **Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Tomlin, Redifer, Smith, Walton, and Wood.**

In the matter of Consent Order File Number 2004-04819, Board v. James R. Jackson, Jr., the board reviewed the Consent Order. **James R. Jackson, 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: § 54.1-1110 of the Code of Virginia: no monetary penalty.** In addition, **James R. Jackson, Jr.** agrees to pay the \$5,350.00 monetary penalty imposed in Final Opinion for File Number 2002-02345; register for remedial education as required in Final Opinion for File Number 2002-02345; and satisfy the judgment awarded to **Douglas and Karen Butler** and provide the Board with proof of the satisfaction within ninety (90) days of the effective date of this Order. Also, any monetary penalties, costs, and/or sanctions are to be paid/performed

**File Number
2004-04819
James R.
Jackson, Jr.**

within sixty (60) days of the effective date of this consent order unless otherwise specifically noted above.

Upon a motion by **Redifer** seconded by **Wood** the board ratified the consent order with a unanimous vote from: Members voting "Yes" were: **Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Tomlin, Redifer, Smith, Walton, and Wood.**

In the matter of License Application File Number 2005-04906, CIC, LLC (Jennifer Merkle Rm, DE, QI). The Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2005-04906
Jennifer
Merkle

CIC, LLC (Jennifer Merkle Rm, DE, QI) appeared at the IFF and 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 with an amendment granting the license, with condition(s), Ms. Merkle must supply the Board with a quarterly report from the Internal Revenue Service as to her payment status with them.

The motion passed unanimously. Members voting "Yes" were: **Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Tomlin, Redifer, Smith, Walton, and Wood.**

In the matter of License Application File Number 2006-00199, Frederick Brown, t/a Brown "N" Brown Home Improvements. The Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2006-00199
Frederick
Brown

Frederick Brown, t/a Brown "N" Brown Home Improvements appeared at the IFF and 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. Walton** 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 majority vote. Members voting "Yes" were: **Falwell, Hollar, Kinser, Wood, Orange, Redifer, Smith, Hart, Walton, Modisett, Rackas Pate, and Tomlin.** **Mr. Kirby** voted no.

In the matter of License Application File Number 2005-05159, Exzabia Blakey. The Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2005-05159
Exzabia
Blakey

Exzabia Blakey appeared at the IFF but not 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. Hollar** 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 majority vote. Members voting "Yes" were: **Falwell, Hollar, Kinser, Wood, Orange, Redifer, Smith, Hart, Walton, Modisett, and Tomlin.** **Ms. Rackas Pate and Mr. Kirby** voted no.

In the matter of License Application File Number 2005-05092, Michael Blackstock, t/a Blackstock Construction. The Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2005-05092
Michael
Blackstock

Michael Blackstock appeared at the IFF but not 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. Hollar** 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 passed unanimously. Members voting "Yes" were: **Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Tomlin, Redifer, Smith, Walton, and Wood.**

In the matter of License Application File Number 2005-04983, TCS Group, LLC (Jamiel Adeyola RM, DE, QI). The Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2005-04983
Jamiel
Adeyola

Jamiel Adeyola appeared at the IFF but not 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. Hart** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license.

The motion was approved by a majority vote. Members voting "Yes" were:

Falwell, Redifer, Smith, Walton, Tomlin, Hollar, Hart, and Rackas Pate. Mr. Modisett, Ms. Wood, Mr. Orange, Mr. Kirby, and Mr. Kinser voted "no."

In the matter of License Application File Number 2005-04905, Brothers Mobile Home Services, Inc. (Candy Long RM,QI). The Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2005-04905
Candy Long**

Candy Long appeared at the IFF but not 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. Hollar** 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 passed unanimously. Members voting "Yes" were: **Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Tomlin, Redifer, Smith, Walton, and Wood.**

In the matter of License Application File Number 2005-04901, Pender Enterprises, Inc. (Marvin Pender RM, QI). The Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2005-04901
Marvin
Pender**

Marvin Pender appeared at the IFF but not 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. Orange** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license.

The motion was approved by a majority vote. Members voting "Yes" were: **Falwell, Wood, Orange, Redifer, Smith, Walton, Tomlin, Hart, Rackas Pate, Modisett, Kirby, and Mr. Kinser. Mr. Hollar voted no.**

In the matter of Disciplinary File Number 2005-02109 Karen Lynn Fritch, t/a Evergreen Sprinkler System, 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
2005-02109
Karen Lynn
Fritch**

Ms. Fritch, respondent, appeared at the IFF but not the Board meeting. The presiding Board Representative, **Mr. Falwell** was not present and he 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 adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found Karen Lynn Fritch violated the following sections of its 2003 Regulations:

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

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

After discussion a motion was made by **Mr. Redifer** and seconded by **Ms. Rackas Pate** to impose the following sanction: \$300.00 monetary penalty for the violation of Board's 2003 Regulation 18 VAC 50-22-260.B.28 and successfully completion of the Board's Basic Contractor Licensing class (remedial education). The motion passed with a unanimous "yes" vote. Members voting "yes" were: **Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Tomlin, Redifer, Smith, Walton, and Wood.** As the presiding Board Representative, **Mr. Falwell** was not present and did not vote.

In the matter of Disciplinary File Number 2005-01103, Kevin Hardin, t/a Hardin 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
2005-01103
Kevin
Hardin

Mr. Hardin, respondent, did not appear at the IFF or the Board meeting. The presiding Board Representative, **Mr. Kirby** was not present and he 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 Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found Kevin Hardin, violated the following sections of its 2003 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.6**
- Count 4: 18 VAC 50-22-260.B.31**
- Count 5: 18 VAC 50-22-260.B.15**

The motion passed unanimously. Members voting "Yes" were: **Falwell, Hart, Hollar, Kinser, Modisett, Orange, Rackas Pate, Tomlin, Redifer,**

Smith, Walton, and Wood.

After discussion a motion was made by **Mr. Orange** and seconded by **Mr. Redifer** to impose the following sanction: \$250.00 monetary penalty and successfully completion of the Board's Basic Contractor Licensing class (remedial education) for the violation of the Board's 2003 Regulation 18 VAC 50-22-260.B.8 (Count 1); \$300.00 monetary penalty and successfully complete the Board's Basic Contractor Licensing class (remedial education) for the violation of the Board's 2003 Regulation 18 VAC 50-22-260.B.9 (Count 2); \$500.00 monetary penalty and successfully complete the Board's Basic Contractor Licensing class (remedial education) for the violation of the Board's 2003 Regulation 18 VAC 50-22-260.B.6 (Count 3); \$500.00 monetary penalty and successful completion of the Board's Basic Contractor Licensing class (remedial education) for the violation of the Board's 2003 Regulation 18 VAC 50-22-260.B.31 (Count 4); and \$2,500.00 monetary penalty and revocation of Mr. Hardin's license (Number 2705-031546) for the violation of the Board's 2003 Regulation 18 VAC 50-22-260.B.15. A total monetary penalty of \$4,050.00 is imposed. The motion passed with a unanimous "yes" vote. Members voting "yes" were: **Falwell, Hollar, Kinser, Hart, Modisett, Orange, Rackas Pate, Tomlin, Redifer, Smith, Walton, and Wood.** As the presiding Board Representative, **Mr. Kirby** was not present and did not vote.

In the matter of Recovery Fund File Number 2005-00516, Larry Hooper (Claimant) and Earl Bailey, t/a Bailey's Custom Builders (Regulant); Recovery Fund File; the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither Earl Bailey, t/a Bailey's Custom (Regulant) nor anyone** on its behalf appeared at the IFF or the Board meeting. **Larry Hooper (Claimant)** did not appear at the IFF or the Board meeting. After discussion, **Mr. Redifer** offered a motion seconded by **Ms. Wood**, to adopt the claim review and the hearing officer's recommendations and summary for violations and amended the claim for payment in the amount of **\$10,543.00**. **The motion passed by a majority vote to pay the claim. Members voted "yes" were: Falwell, Hart, Kinser, Modisett, Orange, Rackas Pate, Tomlin, Redifer, Smith, Walton, and Wood. Mr. Hollar voted "no."** The motion was approved. As the Board Representative, Mr. Kirby was not present and did not participate.

File Number
2005-00516
Larry
Hooper v.
Earl Bailey

In the matter of Recovery Fund File Number 2004-03836, Michael and Vicki Stokes (Claimants) and Hollis McBroom, Jr., t/a Mac's Construction (Regulant); Recovery Fund File; the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither Hollis McBroom, Jr., t/a**

File Number
2004-03836
Michael and
Vicki Stokes
v. Hollis

Mac's Construction (Regulant) nor anyone on its behalf appeared at the IFF or the Board meeting. **Michael and Vicki Stokes (Claimants)** did not appear at the IFF or the Board meeting. After discussion, **Ms. Wood** offered a motion seconded by **Ms. Rackas Pate**, to adopt the claim review and the hearing officer's recommendations and summary for violations and amended the claim for payment in the amount of **\$11,126.00**. **The motion passed by a majority vote to pay the claim. Members voted "yes" were: Falwell, Hart, Kinser, Modisett, Kirby, Rackas Pate, Tomlin, Redifer, Smith, Walton, and Wood. Mr. Hollar voted "no."** The motion was approved. As the Board Representative, Mr. Orange was not present and did not participate.

**McBroom,
Jr.**

In the matter of Disciplinary File Number 2005-03725, Darryl Dewayne Nester, t/a Nester's Construction & Roofing 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
2005-03725
Darryl
Dewayne
Nester**

Mr. Nester, respondent, did not appear at the IFF or the Board meeting. The presiding Board Representative, **Mr. Orange** was not present and he did not participate in the discussion and did not vote. After discussion a motion was made by **Ms. Wood** and seconded by **Mr. Falwell** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found Darryl Nester, violated the following sections of its 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.15**
- Count 4: 18 VAC 50-22-260.B.13**

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

After discussion a motion was made by **Ms. Wood** and seconded by **Mr. Falwell** to impose the following sanction: \$100.00 monetary penalty and successful completion of the Board's Basic Contractor Licensing class (remedial education) for the violation of the Board's 2003 Regulation 18 VAC 50-22-260.B.9 (Count 1); \$1,000.00 monetary penalty for the violation of the Board's 2003 Regulation 18 VAC 50-22-260.B.14 (Count 2); \$1,000.00 monetary penalty for the violation of the Board's 2003 Regulation 18 VAC 50-22-260.B.15 (Count 3); and \$1,000.00 monetary penalty for the

violation of the Board's 2003 Regulation 18 VAC 50-22-260.B.13 (Count 4). A total monetary penalty of \$3,100.00 is imposed. The motion passed with a unanimous "yes" vote. Members voting "yes" were: **Falwell, Hollar, Kinser, Kirby, Modisett, Hart, Rackas Pate, Tomlin, Redifer, Smith, Walton, and Wood.** As the presiding Board Representative, **Mr. Orange** was not present and did not vote.

In the matter of Recovery Fund File Number 2004-03059, Harry and Mavis Switzer (Claimants) and Kevin Medley, t/a Medley Builders (Regulant); Recovery Fund File; the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither Kevin Medley, t/a Medley Builders (Regulant) nor anyone** on its behalf appeared at the IFF or the Board meeting. **Harry and Mavis Switzer (Claimants)** did not appear at the IFF or the Board meeting. After discussion, **Mr. Redifer** offered a motion seconded by **Ms. Wood**, to adopt the claim review and the hearing officer's recommendations and summary for violations and amended the claim for payment in the amount of **\$7,521.17**. The motion passed with a unanimous "yes" vote. Members voting "yes" were: **Falwell, Hollar, Kinser, Kirby, Modisett, Hart, Rackas Pate, Tomlin, Redifer, Smith, Walton, and Wood.** As the presiding Board Representative, **Mr. Orange** was not present and did not vote.

File Number
2004-03059
Harry and
Mavis
Switzer v.
Kevin
Medley

In the matter of Recovery Fund File Number 2004-01890, Garland Gordon (Claimant) and Leon Hundley, III, t/a Home Improvement Regulant); Recovery Fund File; the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither Leon Hundley, III, t/a Home Improvement (Regulant) nor anyone** on its behalf appeared at the IFF or the Board meeting. **Garland Gordon (Claimant)** did not appear the IFF or the Board meeting. After discussion, **Mr. Falwell** offered a motion seconded by **Mr. Redifer**, to adopt the claim review and the hearing officer's recommendations and summary for violations and amended the claim for payment in the amount of **\$1,073.00**. The motion passed with a unanimous "yes" vote. Members voting "yes" were: **Falwell, Hollar, Kinser, Kirby, Modisett, Hart, Rackas Pate, Tomlin, Redifer, Smith, Walton, and Wood.** The motion was approved. As the Board Representative, **Mr. Orange** was not present and did not participate.

File Number
2004-01890
Garland
Gordon v.
Leon
Hundley III

In the matter of Disciplinary File Number 2005-03942, George J. Neher, t/a Affordable Construction, the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the

File Number
2005-03942
George J.

Informal Fact-Finding Conference of the presiding Board member.

Neher

Mr. Neher, respondent, appeared at the IFF but not at the Board meeting. The presiding Board Representative, **Mr. Redifer** was not present and he 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 Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found George J. Neher, violated the following sections of its 2003 Regulations:

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

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

Count 3: 18 VAC 50-22-260.B.12

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

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

After discussion a motion was made by **Mr. Kirby** and seconded by **Ms. Wood** to impose the following sanction: \$150.00 monetary penalty for the violation of the Board's 2003 Regulation 18 VAC 50-22-260.B.9 (Count 1); \$750.00 monetary penalty for the violation of the Board's 2003 Regulation 18 VAC 50-22-260.b.12 (Count 3); and \$750.00 monetary penalty for the violation of the Board's 2003 Regulation 18 VAC 50-22-260.B.13 (Count 4). A total monetary penalty of \$1,650.00 is imposed. As to 18 VAC 50-22-260.B.6 (Count 1), the Board closes this aspect of the file with a finding of no violation. The motion passed with a unanimous "yes" vote. Members voting "yes" were: **Falwell, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Tomlin, Hart, Smith, Walton, and Wood.** As the presiding Board Representative, **Mr. Redifer** was not present and did not vote.

In the matter of Disciplinary File Number 2005-01129, George J. Neher, t/a Affordable 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
2005-01129
George J.
Neher

Mr. Neher, respondent, appeared at the IFF but not at the Board meeting. The presiding Board Representative, **Mr. Redifer** was not present and he did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Kirby** and seconded by **Ms. Wood** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found George J. Neher,

violated the following sections of its 2003 Regulations:

Count 1: 18 VAC 50-22-260.B.27 (Three Counts)

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

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

Count 4: 18 VAC 50-22-20.B.15

Count 5: 18 VAC 50-22-260.B.16

Count 6: 18 VAC 50-22-260.B.17

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

Count 8: 18 VAC 50-22-260.B.7

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

After discussion a motion was made by **Mr. Kirby** and seconded by **Ms. Wood** to impose the following sanction: \$2,250.00 monetary penalty for the violation of the Board's 2003 Regulation 18 VAC 50-22-260.B.27; Three Counts at \$750.00 each (Count 1); \$350.00 monetary penalty for the violation of the Board's 2003 Regulation 18 VAC 50-22-260B.9 (Count 2); violation with no sanction (Count 3); no violation, no sanction (Count 4); no violation, no sanction (Count 5); \$1,500.00 monetary penalty for the violation of the Board's 2003 Regulation 18 VAC 50-22-260.B.17 (Count 6); \$2,500.00 monetary penalty and revocation of Mr. Neher's license (Number 2705-076407) for the violation of the Board's 2003 Regulation 18 VAC 50-22-260.B.28 (Count 7); \$2,500.00 monetary penalty and revocation of Mr. Neher's (Number 2705-076407) for the violation of the Board's 2003 Regulation 18 VAC 50-22-260.B.7 (Count 8). **A total monetary penalty of \$9,100.00 is imposed.** No monetary penalty for (Count 3), 18 VAC 50-22-260.B.9. As to 18 VAC 50-22-20.B.15 (Count 4) and 18 VAC 50-22-260.B.16 (Count 5), the Board closes this aspect of the file with a finding of no violation. The motion was approved by a majority vote. Members voting "Yes" were: **Falwell, Wood, Orange, Smith, Walton, Tomlin, Hart, Kinser, Modisett, Kirby, and Rackas Pate. Mr. Hollar voted "no."** As the presiding Board Representative, **Mr. Redifer** was not present and did not vote.

In the matter of Disciplinary File Number 2005-03090, John Atkins, Sr., t/a Atkins Roofing & Siding, 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
2005-03090
John Atkins,
Sr.**

Mr. Atkins, respondent, appeared at the IFF but not at the Board meeting. The presiding Board Representative, **Ms. Wall** was not present and she did not participate in the discussion and did not vote. After discussion a motion

was made by **Mr. Walton** and seconded by **Mr. Falwell** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found John Atkins, Sr. violated the following sections of its 2003 Regulations:

- Count 1: 18 VAC 50-22-260.B.9**
- Count 2: 18 VAC 50-22-260.B.27**
- Count 3: 18 VAC 50-22-260.B.27**
- Count 4: 18 VAC 50-22-260.B.16**
- Count 5: 18 VAC 50-22-260.B.28**
- Count 6: 18 VAC 50-22-260.B.13**

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

After discussion a motion was made by **Mr. Walton** and seconded by **Mr. Falwell** to impose the following sanction: \$500.00 monetary penalty for the violation of the Board's 2003 Regulation 18 VAC 50-22-260.B.9 (Count 1); \$500.00 monetary penalty for the violation of the Board's 2003 Regulation 18 VAC 50-22-260.B.27 (Count 2); \$500.00 monetary penalty for the violation of the Board's 2003 Regulation 18 VAC 50-22-260.B.27 (Count 3); \$,500.00 monetary penalty for the violation of the Board's 2003 Regulation 18 VAC 50-22-260.B.16 (Count 4); and \$500.00 monetary penalty for the violation of the Board's 2003 Regulation 18 VAC 50-22-260.B.13 (Count 6). A total monetary penalty of \$2,500.00 is imposed. The Board also imposes the following sanctions: successful completion of the Board's Basic Contractor Licensing class (remedial education) for Counts 1,2,3,4, and 6. As to 18 VAC 50-22-260.B.28 (Count 5), the Board closes this aspect of the file with a finding of no violation. The motion passed with a unanimous "yes" vote. Members voting "yes" were: **Falwell, Hollar, Kinser, Kirby, Modisett, Hart, Rackas Pate, Tomlin, Redifer, Smith, Walton, Redifer, and Wood.** As the presiding Board Representative, **Mr. Orange** was not present and did not vote.

In the matter of Recovery Fund File Number 2004-01812 Linda Funk (Claimant) and Doug Ruckman, t/a DLR Contracting (Regulant); Recovery Fund File; the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither Doug Ruckman, t/a DLR Contracting (Regulant) nor anyone** on its behalf appeared at the IFF or the Board meeting. **Linda Funk (Claimant)** did not appear at the IFF or the Board meeting. After discussion, **Mr. Kirby** offered a motion seconded by **Ms. Wood**, to adopt the claim review and the hearing officer's recommendations

File Number
2004-01812
Linda Funk
v. Doug
Ruckman

and summary for violations and amended the claim for payment in the amount of \$9,690.58. The motion was approved unanimously. Members voting "Yes" were: **Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Tomlin, Redifer, Smith, Walton, and Wood.** The motion was approved.

In the matter of Disciplinary File Number 2005-01502, The Great Southern Contracting Co, 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
2005-01502
The Great
Southern
Contracting
Co, Inc.**

The Great Southern Contracting Co Inc appeared at the IFF but not the Board meeting. The presiding Board Representative, **Ms. Wall** was not present and he did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Kirby** and seconded by **Mr. Orange** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found Kevin Hardin, violated the following sections of its 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.28

The motion passed unanimously. Members voting "Yes" were: **Falwell, Hart, Hollar, Kinser, Modisett, Orange, Rackas Pate, Tomlin, Redifer, Smith, Walton, Kirby, and Wood.**

After discussion a motion was made by **Mr. Kirby** and seconded by **Ms. Rackas Pate** to impose the following sanction: \$1,000.00 monetary penalty and successfully completion of the Board's Basic Contractor Licensing class (remedial education) for the violation of the Board's 2003 Regulation 18 VAC 50-22-260.B.15 (Count 1); and \$500.00 monetary penalty and successfully completion of the Board's Basic Contractor Licensing class (remedial education) for the violation of the Board's 2003 Regulation 18 VAC 50-22-260.B.16; A total monetary penalty of \$1,500.00 is imposed. As to 18 VAC 50-22-260.B.28, the Board closes this aspect of the file with a finding of no violation. The motion passed with a unanimous "yes" vote. Members voting "yes" were: **Falwell, Hollar, Kinser, Hart, Modisett, Orange, Rackas Pate, Tomlin, Redifer, Smith, Walton, Kirby, and Wood.**

In the matter of Recovery Fund File Number 2004-00826 Brian and Kandy Cooper (Claimants) and Jimmy White, t/a White Construction (Regulant); Recovery Fund File; the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither Jimmy White, t/a White Construction (Regulant) nor anyone** on its behalf appeared at the IFF or the Board meeting. **Brian and Kandy Cooper (Claimants)** did not appear at the IFF or the Board meeting. After discussion, **Mr. Redifer** offered a motion seconded by **Mr. Orange** to adopt the claim review and the hearing officer's recommendations and summary for violations and amended the claim for payment in the amount of \$20,000.00 . **The motion passed by a majority vote to pay the claim. Members voted "yes" were: Falwell, Hart, Kinser, Modisett, Orange, Rackas Pate, Tomlin, Redifer, Smith, Walton, Kirby, and Wood. Mr. Hollar voted "no."**

File Number
2004-00826
Brian and
Kandy
Cooper v.
Jimmy
White

In the matter of License Application File Number 2006-00195, Jenny Schooler, t/a Glass & Concrete Contracting. The Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2006-00195
Jenny
Schooler

Jenny Schooler appeared at the IFF and 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. Kirby** and seconded by **Ms. Rackas Pate** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license.

The motion was approved unanimously. Members voting "Yes" were: **Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Tomlin, Redifer, Smith, Walton, and Wood.**

In the matter of Disciplinary File Number 2005-00832, Ackerman Builders Inc, t/a Ackerman 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
2005-00832
Ackerman
Builders Inc

Mr. Ackerman, respondent, did not appear at the IFF or the Board meeting. The presiding Board Representative, **Ms. Wood** was not present and he did not participate in the discussion and did not vote. After discussion a motion was made by **Mr. Kirby** and seconded by **Mr. Modisett** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found Kevin Hardin, violated the following sections of its 2003 Regulations:

- Count 2: 18 VAC 50-22-260.B.9**
- Count 3: 18 VAC 50-22-260.B.26**
- Count 4: 18 VAC 50-22-260.B.31**
- Count 5: 18 VAC 50-22-260.B.15**
- Count 6: 18 VAC 50-22-260.B.16**
- Count 7: 18 VAC 50-22-260.B.28**

The motion passed unanimously. Members voting "Yes" were: **Falwell, Hart, Hollar, Kinser, Modisett, Orange, Rackas Pate, Tomlin, Redifer, Smith, Walton, and Mr. Kirby.**

After discussion a motion was made by **Mr. Kirby** and seconded by **Mr. Hart** to impose the following sanction: \$800.00 monetary penalty for the violation of the Board's 2003 Regulation 18 VAC 50-22-260.B.9 (Count 2); \$250.00 monetary penalty for the violation of the Board's 2003 Regulation 18 VAC 50-22-260.B.26 (Count 3); \$500.00 monetary penalty for the violation of the Board's 2003 Regulation 18 VAC 50-22-260.B.31 (Count 4); \$1,000.00 monetary penalty for the violation of the Board's 2003 Regulation 18 VAC 50-22-260.B.15 (Count 5); \$2,000.00 monetary penalty and license revocation of Mr. Ackerman's license (Number 2705-079035) for the violation of the Board's 2003 Regulation 18 VAC 50-22-260.B.16 (Count 6) and \$2,000.00 monetary penalty and license revocation of Mr. Ackerman's license (Number 2705-079035) for the violation of the Board's 2003 Regulation 18 VAC 50-22-260.B.28 (Count 7). A total monetary penalty of \$6,550.00 is imposed. As to 18 VAC 50-22-260.B.17 and 18 VAC 50-22-260.B.12, the Board closes this aspect of the file with a finding of no violations. The motion passed with a unanimous "yes" vote. Members voting "yes" were: **Falwell, Hollar, Kinser, Hart, Modisett, Orange, Rackas Pate, Tomlin, Redifer, Smith, Walton, and Kirby.** As the presiding Board Representative, **Ms. Wood** was not present and did not vote.

Closed Session

Motion for Closed Meeting: **Mr. Kirby** offered a motion at 12:05 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 8, **Michael Blackstock t/a Blackstock Construction Case Number 2005-05092**. **Mr. Falwell** seconded the motion. The motion passed unanimously. Members voting "yes" were: **Falwell, Smith, Hart, Hollar, Kinser, Modisett, Rackas Pate, Wood, Orange, Tomlin, Walton and Redifer.**

Closed
Session

Certification of Closed Meeting

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

Mr. Kirby offered a motion at 12:25 PM that the Board open the Board for Contractors meeting. **Mr. Falwell seconded that motion which was unanimously approved by members voting "yes". They were: Falwell, Smith, Hart, Hollar, Kinser, Modisett, Rackas Pate, Wood, Orange, Tomlin, Walton and Redifer.**

**Reconvene
From Closed
Session**

In the matter of License Application File Number 2006-00204, Harold Davis, Jr. The Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2006-00204
Harold
Davis, Jr.**

Harold Davis, Jr. appear at the IFF but not 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. Walton** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license.

The motion was approved by a majority vote. Members voting "Yes" were: **Falwell, Redifer, Smith, Walton, Tomlin, Hollar, Hart, Kinser, Rackas Pate, Modisett, Wood, Orange.** **Mr. Kirby** voted "no."

In the matter of Consent Order File Number 2005-03807, Board v. Country Construction Incorporated, t/a Country Construction Incorporated, the board reviewed the Consent Order. **Country Construction Incorporated** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board: **Count 1: 18 VAC 50-22-260.B.8 \$400.00 and Country Construction Incorporated agrees to successfully complete remedial education by attending the Board's Basic**

**File Number
2004-03807
Country
Construction
Incorporated**

Contractor Licensing class; and Count 2: 18 VAC 50-22-260.B.6 \$100.00; A total monetary penalty of \$500.00 is hereby imposed.

Upon a motion by **Falwell** seconded by **Kirby** the board ratified the consent order with a unanimous vote: Members voting "Yes" were: **Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Tomlin, Redifer, Smith, Walton, and Wood.**

In the matter of Consent Order File Number 2004-03924 Board v. Robert T. Yeatman Llc, t/a Robert t Yeatman Llc., the board reviewed the Consent Order. **Mr. Yeatman** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2001 and 2003 Regulations and consents to the following term(s) by the Board: **Count 1: 18 VAC 50-22-260.B.9 \$150.00 (2001 Regulations); and Count 2: 18 VAC 50-22-260.B.30 \$250.00 (2003 Regulations). A total monetary penalty of \$400.00 is hereby imposed.**

File Number
2004-03924
Robert T
Yeatman Llc

Upon a motion by **Falwell** seconded by **Kirby** the board ratified the consent order with a unanimous vote: Members voting "Yes" were: **Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Tomlin, Redifer, Smith, Walton, and Wood.**

In the matter of Consent Order File Number 2005-01733, Board v. Blue ribbon Landscaping Llc, t/a Blue Ribbon Landscaping Llc., the board reviewed the Consent Order. **Blue Ribbon Landscaping Llc** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board: **Count 1: 18 VAC 50-22-260.B.5 \$1,550.00; Count 2: 18 VAC 50-22-260.B.9 \$350.00; Count 3: 18 VAC 50-22-260.B.11 \$150.00; Count 4: 18 VAC 50-22-260.B.14 \$2,215.00; Count 5: 18 VAC 50-22-260.B.16 \$2,118.00; and Count 6: 18 VAC 50-22-260.B.31 \$390.00. A total monetary penalty of \$6,773.00 is hereby imposed. **Blue ribbon Landscaping Llc** also agrees to pay \$150.00 in Board costs. **In addition, the Board shall waive imposition of the \$6,773.00 monetary penalty and \$150.00 Board costs, and in exchange Blue Ribbon Landscaping Llc agrees to revocation of its license.****

File Number
2005-01733
Blue Ribbon
Landscaping
Llc

Upon a motion by **Falwell** seconded by **Kirby** the board ratified the consent order with a unanimous vote: Members voting "Yes" were: **Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Tomlin, Redifer, Smith, Walton, and Wood.**

In the matter of Consent Order File Number 2005-01104, Board v. Lee Fence Co Inc., t/a Lee Fence Co Inc., the board reviewed the Consent Order. Lee Fence Co Inc., t/a Lee Fence Co Inc acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260.B.28 \$0.00. For the violation of Count 1, Lee Fence Co Inc agrees to the voluntary revocation of its license.

**File Number
2005-01104
Lee Fence
Co Inc.**

Upon a motion by Falwell seconded by Kirby the board ratified the consent order with a unanimous vote: Members voting "Yes" were: Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Tomlin, Redifer, Smith, Walton, and Wood.

In the matter of Consent Order File Number 2005-01515, Board v. Dekat Enterprises Inc, t/a Rent-a-guy Handyman Services, the board reviewed the Consent Order. Dekat Enterprises Inc, t/a Rent-a-guy Handyman Services acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-230.A \$400.00; Count 2: 18 VAC 50-22-260.B.9 \$375.00; and Count 3: 18 VAC 50-22-260.B.31 \$500.00. A total monetary penalty of \$1,275.00 is hereby imposed. Dekat Enterprises Inc, t/a Rent-a-guy Handyman Services also agrees to pay \$150.00 in Board costs.

**File Number
2005-01515
Dekat
Enterprises
Inc**

Upon a motion by Falwell seconded by Kirby the board ratified the consent order with a unanimous vote: Members voting "Yes" were: Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Tomlin, Redifer, Smith, Walton, and Wood.

In the matter of Consent Order File Number 2005-01690, Board v. Brian Branscome Building Company LLC, t/a Brian Branscome Building Company LLC, the board reviewed the Consent Order. Branscome Building Company LLC acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260.B.31 \$400.00. A total monetary penalty of \$400.00 is hereby imposed. Branscome Building Company LLC also agrees to pay \$150.00 in Board costs.

**File Number
2005-01690
Brian
Branscome
Building
Company
LLC**

Upon a motion by Falwell seconded by Kirby the board ratified the consent order with a unanimous vote: Members voting "Yes" were: Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Tomlin, Redifer, Smith, Walton, and Wood.

In the matter of Consent Order File Number 2005-02143, Board v. Renovation Solutions Inc, t/a Renovation Solutions Inc, the board reviewed the Consent Order. Renovation Solutions Inc, t/a Renovation Solutions Inc acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260.B.27 \$100.00 and successfully completion of the Board's Basic Contractor Licensing class (remedial education) and passing the examination within six (6) months of the effective date of this order; Count 2: 18 VAC 50-22-210.3 \$0.00. A total monetary penalty of \$100.00 is hereby imposed. For the violation of Count 2, Renovation Solutions Inc also agrees to apply for a new license for the new business entity within thirty (30) days of the effective date of this order. For the violation of Count 2, Renovation Solutions Inc also agrees to terminate license number 2705-056301 within thirty (30) days of the effective date of this order. Renovation Solutions Inc, t/a Renovation Solutions Inc also agrees to pay \$150.00 in Board costs.

**File Number
2005-02143
Renovation
Solutions Inc**

Upon a motion by Falwell seconded by Kirby the board ratified the consent order with a unanimous vote: Members voting "Yes" were: Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Tomlin, Redifer, Smith, Walton, and Wood.

In the matter of Consent Order File Number 2005-00899, Board v. E Luke Greene Company Inc, the board reviewed the Consent Order. E Luke Greene Company Inc acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260.B.6 \$150.00. A total monetary penalty of \$150.00 is hereby imposed.

**File Number
2005-00899
E Luke
Greene
Company
Inc**

Upon a motion by Falwell seconded by Kirby the board ratified the consent order with a unanimous vote: Members voting "Yes" were: Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Tomlin, Redifer, Smith, Walton, and Wood.

In the matter of Consent Order File Number 200501505, Board v. Tom F Smith, t/a Nouveau Builders, the board reviewed the Consent Order. Tom F Smith, t/a Nouveau Builders acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260.B.6 \$300.00; and Count 2: 18 VAC 50-22-260.B.31 \$150.00. A total monetary penalty of \$450.00 is hereby imposed. In addition, for the violation of Count 2, Tom F Smith agrees to successfully complete

**File Number
2005-01505
Tom F
Smith**

remedial education by attending the Board's Basic Contractor Licensing class and passing the examination within six (6) months of the effective date of this order. Tom F Smith also agrees to pay \$150.00 in Board costs.

Upon a motion by Falwell seconded by Kirby the board ratified the consent order with a unanimous vote: Members voting "Yes" were: **Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Tomlin, Redifer, Smith, Walton, and Wood.**

In the matter of Consent Order File Number 2005-01002, Board v. Charles B Peregoy, t/a C B Peregoy Roofing, the board reviewed the Consent Order. Charles B Peregoy, t/a C B Peregoy Roofing acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260.B.8 \$500.00; Count 2: 18 VAC 50-22-260.B.9 \$500.00; Count 3: 18 VAC 50-22-260.B.5 \$1,500.00; and Count 4: 18 VAC 50-22-260.B.28 \$2,500.00. A total monetary penalty of \$5,000.00 is hereby imposed. In addition, for the violation of Count 3, Charles B Peregoy agrees to a six (6) months suspension of his license. Charles B Peregoy also agrees to revocation of his license for the violation of Count 4. The Board shall waive imposition of the \$2,500.00 monetary penalty and license revocation for the violation of Count 4 provided Charles B Peregoy satisfies the judgment and provides the Board with proof of the satisfaction within thirty (30) days of the effective date of this order. If Charles B Peregoy fails to comply with these conditions, then the full monetary penalty and license revocation will be automatically imposed.

**File Number
2005-01002
Charles B
Peregoy**

Upon a motion by Falwell seconded by Kirby the board ratified the consent order with a unanimous vote: Members voting "Yes" were: **Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Tomlin, Redifer, Smith, Walton, and Wood.**

In the matter of Consent Order File Number 2004-05144, Board v. Charles B Peregoy, t/a C B Peregoy Roofing, the board reviewed the Consent Order. Charles B Peregoy, t/a C B Peregoy Roofing acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260.B.9 \$200.00. A total monetary penalty of \$200.00 is hereby imposed. Charles B Peregoy also agrees to pay \$150.00 in Board costs.

**File Number
2004-05144
Charles B
Peregoy**

Upon a motion by Falwell seconded by Kirby the board ratified the consent

order with a unanimous vote: Members voting "Yes" were: **Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Tomlin, Redifer, Smith, Walton, and Wood.**

In the matter of Consent Order File Number 2005-01788, Board v. Creative Touch Painting Co Inc, t/a Creative touch Painting Co Inc, the board reviewed the Consent Order. Creative Touch Painting Co Inc acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260.B.27 \$1,500.00. A total monetary penalty of \$1,500.00 is hereby imposed.

**File Number
2005-01788
Creative
Touch
Painting Co
Inc**

Upon a motion by Falwell seconded by Kirby the board ratified the consent order with a unanimous vote: Members voting "Yes" were: **Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Tomlin, Redifer, Smith, Walton, and Wood.**

In the matter of Consent Order File Number 2004-05023, Board v. Kevin Kelley, t/a ACS Irrigation Co, the board reviewed the Consent Order. Kevin Kelley acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260.B.15 \$250.00. A total monetary penalty of \$250.00 is hereby imposed. In addition, for the violation of Count 1, Kevin Kelley agrees to successfully complete remedial education by attending the Board's Basic Contractor Licensing class and passing the examination within six (6) months of the effective date of this order.

**File Number
2004-05023
Kevin Kelley**

Upon a motion by Falwell seconded by Kirby the board ratified the consent order with a unanimous vote: Members voting "Yes" were: **Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Tomlin, Redifer, Smith, Walton, and Wood.**

In the matter of Consent Order File Number 2005-01290, Board v. Portico Inc, t/a Portico Inc, the board reviewed the Consent Order. Portico Inc, t/a Portico Inc acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2003 Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-230.A \$0.00. A total monetary penalty of \$0.00 is hereby imposed. In addition, for the violation of Count 1, Portico Inc agrees to have member of Responsible Management successfully complete remedial education by attending the Board's Basic Contractor Licensing class and passing the

**File Number
2005-01290
Portico Inc**

examination within six (6) months of the effective date of this order.

Upon a motion by Falwell seconded by Kirby the board ratified the consent order with a unanimous vote: Members voting "Yes" were: **Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Tomlin, Redifer, Smith, Walton, and Wood.**

In the matter of Consent Order File Number 2004-04254, Board v. Sutphin Construction And Renovation Inc, t/a Sutphin Construction And Renovation Inc, the board reviewed the Consent Order. Sutphin Construction And Renovation Inc acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2001 Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260.B.19 \$250.00. A total monetary penalty of \$250.00 is hereby imposed. In addition, for Count 1, Sutphin Construction And Renovation Inc agrees to have a member of Responsible Management successfully complete remedial education by attending the Board's Basic Contractor Licensing class and passing the examination within six (6) months of the effective date of this order. Sutphin Construction And Renovation Inc also agrees to pay \$37.50 in Board costs.

File Number
2004-04254
Sutphin
Construction
And
Renovation
Inc

Upon a motion by Falwell seconded by Kirby the board ratified the consent order with a unanimous vote: Members voting "Yes" were: **Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Tomlin, Redifer, Smith, Walton, and Wood.**

In the matter of Consent Order File Number 2004-04255, Board v. Sutphin Construction And Renovation Inc, t/a Sutphin Construction And Renovation Inc, the board reviewed the Consent Order. Sutphin Construction And Renovation Inc acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2001 Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260.B.19 \$250.00. A total monetary penalty of \$250.00 is hereby imposed. In addition, for Count 1, Sutphin Construction And Renovation Inc agrees to have a member of Responsible Management successfully complete remedial education by attending the Board's Basic Contractor Licensing class and passing the examination within six (6) months of the effective date of this order. Sutphin Construction And Renovation Inc also agrees to pay \$37.50 in Board costs.

File Number
2004-04255
Sutphin
Construction
And
Renovation
Inc

Upon a motion by Falwell seconded by Kirby the board ratified the consent order with a unanimous vote: Members voting "Yes" were: **Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Tomlin, Redifer, Smith, Walton, and Wood.**

In the matter of Consent Order File Number 2004-04253, Board v. Sutphin Construction And Renovation Inc, t/a Sutphin Construction And Renovation Inc, the board reviewed the Consent Order. Sutphin Construction And Renovation Inc acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2001 Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260.B.19 \$250.00. A total monetary penalty of \$250.00 is hereby imposed. In addition, for Count 1, Sutphin Construction And Renovation Inc agrees to have a member of Responsible Management successfully complete remedial education by attending the Board's Basic Contractor Licensing class and passing the examination within six (6) months of the effective date of this order. Sutphin Construction And Renovation Inc also agrees to pay \$37.50 in Board costs.

**File Number
2004-04253
Sutphin
Construction
And
Renovation**

Upon a motion by Falwell seconded by Kirby the board ratified the consent order with a unanimous vote: Members voting "Yes" were: **Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Tomlin, Redifer, Smith, Walton, and Wood.**

In the matter of Consent Order File Number 2004-04261 In the matter of Consent Order File Number 2004-04253, Board v. Sutphin Construction And Renovation Inc, t/a Sutphin Construction And Renovation Inc, the board reviewed the Consent Order. Sutphin Construction And Renovation Inc acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's 2001 Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260.B.19 \$250.00. A total monetary penalty of \$250.00 is hereby imposed. In addition, for Count 1, Sutphin Construction And Renovation Inc agrees to have a member of Responsible Management successfully complete remedial education by attending the Board's Basic Contractor Licensing class and passing the examination within six (6) months of the effective date of this order. Sutphin Construction And Renovation Inc also agrees to pay \$37.50 in Board costs.

**File Number
2004-04261
Sutphin
Construction
And
Renovation**

Upon a motion by Falwell seconded by Kirby the board ratified the consent order with a unanimous vote: Members voting "Yes" were: **Falwell, Hart, Hollar, Kinser, Kirby, Modisett, Orange, Rackas Pate, Tomlin, Redifer, Smith, Walton, and Wood.**

In the matter of Consent Order File Number 2005-03375, Board v. Brian Branscome Building Company LLC, t/a Brian Branscome Building Company LLC, the board reviewed the Consent Order. Brian Branscome Building Company LLC did not attend the Board meeting. Brian Branscome Building Company LLC, t/a Brian Branscome Building

**File Number
2005-03375
Brian
Branscome
Building**

Company 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: § 54,1-1110 of the code of Virginia \$2,234.00. A total monetary penalty of \$2,234.00 is hereby imposed.**

**Company
LLC**

Upon a motion by **Redifer** seconded by **Falwell** the board ratified the consent order with a majority vote from: Members voting "Yes" were: **Falwell, Hart, Kinser, Kirby, Modisett, Orange, Rackas Pate, Hollar, Tomlin, Redifer, Smith, Walton, and Wood.**

In the matter of Consent Order File Number 2005-03039, Board v. Mark A Ingram t/a Mark A Ingram, the board reviewed the Consent Order. **Mark A Ingram** did not attend the Board meeting. **Mark A Ingram t/a Mark A Ingram** 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: 18 VAC 50-22-260.B.9 \$100.00. A total monetary penalty of \$100.00 is hereby imposed. Mark A Ingram also agrees to pay \$150.00 in Board. In addition, Mark A Ingram agrees to successfully complete remedial education by attending the board's Basic Contracting License class and passing the class.**

**File Number
2005-03039
Mark A
Ingram**

Upon a motion by **Redifer** seconded by **Falwell** the board ratified the consent order with a majority vote from: Members voting "Yes" were: **Falwell, Hart, Kinser, Kirby, Modisett, Orange, Rackas Pate, Hollar, Tomlin, Redifer, Smith, Walton, and Wood.**

In the matter of Consent Order File Number 2005-03985, Board v. Mark A Herrick, t/a Brian Pop Pop's Construction, the board reviewed the Consent Order. **Mark A Herrick** did not attend the Board meeting. **Mark A Herrick, t/a Pop Pop's 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: 18 VAC 50-22-260.B.9, Count 2: 18 VAC 50-22-260.B.14, Count 3: 18 VAC 50-22-260.B.15, Count 4: 18 VAC 50-22-260.B.16, Count 5: 18 VAC 50-22-260.B.27, Count 6: 18 VAC 50-22-260.B.27, Count 7: 18 VAC 50-22-260.B.31. A total monetary penalty of \$0 is hereby imposed. Mark A Herrick agrees to revocation of his license for the violations.**

**File Number
2005-03985
Mark A
Herrick**

Upon a motion by **Redifer** seconded by **Falwell** the board ratified the consent order with a majority vote from: Members voting "Yes" were: **Falwell, Hart, Kinser, Kirby, Modisett, Orange, Rackas Pate, Hollar, Tomlin, Redifer, Smith, Walton, and Wood.**

In the matter of Consent Order File Number 2005-005129, Board v. Robert B Smoot, Jr., t/a Robert B Smoot, Jr. the board reviewed the Consent Order. **Robert B. Smoot, Jr.** did not attend the Board meeting. **Robert B Smoot, 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: 18 VAC 50-30-190.11, \$2,500.00. A total monetary penalty of \$2,500.00 is hereby imposed. Mr. Smoot also agrees to pay \$150.00 in Board costs.**

File Number
2005-05129
Robert B
Smoot, Jr.

Upon a motion by **Redifer** seconded by **Falwell** the board ratified the consent order with a majority vote from: Members voting "Yes" were: **Falwell, Hart, Kinser, Kirby, Modisett, Orange, Rackas Pate, Hollar, Tomlin, Redifer, Smith, Walton, and Wood.**

In the matter of Consent Order File Number 2005-05128, Board v. Bobs Electric Inc, the board reviewed the Consent Order. **Bobs Electric Inc** did not attend the Board meeting. **Bobs Electric 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: 18 VAC 50-22-260.B.22 \$0. A total monetary penalty of \$0 is hereby imposed. In addition, Bobs Electric Inc agrees to the voluntary surrender of his class B license. Bobs Electric Inc also agrees to pay \$150.00 in Board costs.**

File Number
2005-05128
Bobs
Electric Inc

Upon a motion by **Redifer** seconded by **Falwell** the board ratified the consent order with a majority vote from: Members voting "Yes" were: **Falwell, Hart, Kinser, Kirby, Modisett, Orange, Rackas Pate, Hollar, Tomlin, Redifer, Smith, Walton, and Wood.**

In the matter of Consent Order File Number 2005-02416, Board v. Henry A Shield t/a The Shield Company, the board reviewed the Consent Order. **Henry A Shield** did not attend the Board meeting. **Henry A Shield, t/a The Shield Company** 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 118 VAC 50-22-260.B.30 \$250.00. A total monetary penalty of \$250.00 is hereby imposed.**

File Number
2005-02416
Henry A
Shield

Upon a motion by **Redifer** seconded by **Falwell** the board ratified the consent order with a majority vote from: Members voting "Yes" were: **Falwell, Hart, Kinser, Kirby, Modisett, Orange, Rackas Pate, Hollar, Tomlin, Redifer, Smith, Walton, and Wood.**

In the matter of Consent Order File Number 2005-03079, Board v. Window World of Cana LLC, t/a window World of Cana LLC, the board reviewed the Consent Order. Window World of Cana LLC did not attend the Board meeting. Window World of Canca LLC, t/a Window World of Cana 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: 18 VAC 50-22-260.B.9, \$100.00, Count 2: 18 VAC 50-22-260.B.27; \$500.00; Count 3: 18 VAC 50-22-260.B.6, \$300.00. A total monetary penalty of \$900.00 is hereby imposed. Window World of Cana LLC also agrees to pay \$150.00 in Board costs. In addition, a member of Responsible Managements agrees to successfully complete remedial education by attending the Board's Basic Contracting License class and passing the examination.

**File Number
2005-03079
Window
World of
Cana LLC**

Upon a motion by **Redifer** seconded by **Falwell** the board ratified the consent order with a majority vote from: Members voting "Yes" were: **Falwell, Hart, Kinser, Kirby, Modisett, Orange, Rackas Pate, Hollar, Tomlin, Redifer, Smith, Walton, and Wood.**

In the matter of Consent Order File Number 2005-03026, Board v. Christopher M Atkins, t/a Adco Construction, the board reviewed the Consent Order. Christopher M Atkins did not attend the Board meeting. Christopher M Atkins, t/a Adco 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: 18 VAC 50-22-260.B.9, \$400.00, Count 2: 18 VAC 50-22-260.B.31, \$400.00. A total monetary penalty of \$800.00 is hereby imposed. Christopher M Atkins also agrees to pay \$150.00 in Board costs and to successfully complete remedial education by attending the board's Basic Contracting License class and passing it.

**File Number
2005-03026
Christopher
M Atkins**

Upon a motion by **Redifer** seconded by **Falwell** the board ratified the consent order with a majority vote from: Members voting "Yes" were: **Falwell, Hart, Kinser, Kirby, Modisett, Orange, Rackas Pate, Hollar, Tomlin, Redifer, Smith, Walton, and Wood.**

In the matter of Consent Order File Number 2005-04466, Board v. Waymon S Anderson, t/a Anderson Concrete, the board reviewed the Consent Order. Waymon S Anderson did not attend the Board meeting. Waymon S Anderson, t/a Anderson Concrete 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: 18 VAC 50-22-260.B.8, \$250.00. A total monetary penalty of

**File Number
2005-04466
Anderson
Concrete**

\$250.00 is hereby imposed. Waymon S Anderson also agrees to pay \$150.00 in Board costs.

Upon a motion by **Redifer** seconded by **Falwell** the board ratified the consent order with a majority vote from: Members voting "Yes" were: **Falwell, Hart, Kinser, Kirby, Modisett, Orange, Rackas Pate, Hollar, Tomlin, Redifer, Smith, Walton, and Wood.**

In the matter of Consent Order File Number 2005-04069, Board v. Oliver's Pools Inc, t/a Oliver's Pools Inc the board reviewed the Consent Order. **Oliver's Pools Inc** did not attend the Board meeting. **Oliver's Pools Inc, t/a Oliver's Pools 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: 18 VAC 50-22-260.B.6, \$500.00; Count2: 18 VAC 50-22-260.B.27 \$500.00. A total monetary penalty of \$1,000.00 is hereby imposed. Oliver's Pools Inc also agrees to pay \$150.00 in Board costs and to successfully complete the Board's Basic Contracting License class.**

File Number
2005-04069
Oliver's
Pools Inc

Upon a motion by **Redifer** seconded by **Falwell** the board ratified the consent order with a majority vote from: Members voting "Yes" were: **Falwell, Hart, Kinser, Kirby, Modisett, Orange, Rackas Pate, Hollar, Tomlin, Redifer, Smith, Walton, and Wood.**

In the matter of Consent Order File Number 2005-04162, Board v. Kevlin Inc, t/a Clippers Limited the board reviewed the Consent Order. **Oliver's Pools Inc** did not attend the Board meeting. **Kevlin Inc, t/a Clippers Limited** 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: 18 VAC 50-22-260.B.31, \$200.00. A total monetary penalty of \$200.00 is hereby imposed. Kevlin Inc also agrees to pay \$150.00 in Board costs and to successfully complete the Board's Basic Contracting License class.**

File Number
2005-04162
Kevlin Inc

Upon a motion by **Redifer** seconded by **Falwell** the board ratified the consent order with a majority vote from: Members voting "Yes" were: **Falwell, Hart, Kinser, Kirby, Modisett, Orange, Rackas Pate, Hollar, Tomlin, Redifer, Smith, Walton, and Wood.**

In the matter of Consent Order File Number 2005-04098, Board v. CPD II Inc, t/a CPDII Inc the board reviewed the Consent Order. **CPD II Inc** did not attend the Board meeting. **CPD II Inc, t/a CPD II Inc** acknowledges an

File Number
2005-04698
CPD II Inc

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: 18 VAC 50-22-260.B.27, \$400.00; Count2: 18 VAC 50-22-260.B.6 \$100.00. A total monetary penalty of \$500.00 is hereby imposed.**

Upon a motion by **Redifer** seconded by **Falwell** the board ratified the consent order with a majority vote from: Members voting "Yes" were: **Falwell, Hart, Kinser, Kirby, Modisett, Orange, Rackas Pate, Hollar, Tomlin, Redifer, Smith, Walton, and Wood.**

In the matter of Consent Order File Number 2005-04910, Board v. Ralph's Plumbing And Heating Inc, t/a Ralph's Plumbing And Heating Inc the board reviewed the Consent Order. **Ralph's Plumbing And Heating Inc** did not attend the Board meeting. **Ralph's Plumbing And Heating Inc, t/a Ralph's Plumbing and Heating 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: 18 VAC 50-22-260.B.18, \$750.00. A total monetary penalty of \$750.00 is hereby imposed. Ralph's Plumbing and Heating Inc also agrees to pay \$150.00 in Board costs and to successfully complete the Board's Basic Contracting License class.**

File Number
2005-04910
Ralph's
Plumbing
And Heating
Inc

Upon a motion by **Redifer** seconded by **Falwell** the board ratified the consent order with a majority vote from: Members voting "Yes" were: **Falwell, Hart, Kinser, Kirby, Modisett, Orange, Rackas Pate, Hollar, Tomlin, Redifer, Smith, Walton, and Wood.**

In the matter of Consent Order File Number 2005-02764, Board v. The Backyard Company LLC, t/a Archadeck Of Central Virginia the board reviewed the Consent Order. **Archadeck Of Central Virginia** did not attend the Board meeting. **The Backyard Company LLC, t/a Archadeck Of Central Virginia** 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: 18 VAC 50-22-230.A, \$100.00. A total monetary penalty of \$100.00 is hereby imposed. The Backyard company LLC also agrees to pay \$150.00 in Board costs.**

File Number
2005-02764
The
Backyard
Company
LLC

Upon a motion by **Redifer** seconded by **Falwell** the board ratified the consent order with a majority vote from: Members voting "Yes" were: **Falwell, Hart, Kinser, Kirby, Modisett, Orange, Rackas Pate, Hollar, Tomlin, Redifer, Smith, Walton, and Wood.**

In the matter of Consent Order File Number 2005-022732, Board v. John M Lefevre, t/a Advent Electrical & Mechanical Service the board reviewed the Consent Order. **John M Lefevre** did not attend the Board meeting. **John M Lefevre, t/a Advent Electrical & Mechanical Service** 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: 18 VAC 50-22-260.B.27, \$750.00. A total monetary penalty of \$750.00 is hereby imposed. John M Lefevre also agrees to pay \$150.00 in Board costs and to complete the Board's Basic Contracting License class and successfully pass it.**

File umber
2005-02732
John M
Lefevre

Upon a motion by **Redifer** seconded by **Falwell** the board ratified the consent order with a majority vote from: Members voting "Yes" were: **Falwell, Hart, Kinser, Kirby, Modisett, Orange, Rackas Pate, Hollar, Tomlin, Redifer, Smith, Walton, and Wood.**

In the matter of Consent Order File Number 2005-03125, Board v. Joseph Eric Bland t/a Bland's Handyman Services the board reviewed the Consent Order. **Joseph Eric Bland** did not attend the Board meeting. **Joseph Eric Bland, t/a Bland's Handyman 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: 18 VAC 50-22-260.B.27, \$150.00. A total monetary penalty of \$150.00 is hereby imposed. Joseph Eric Bland also agrees to pay \$150.00 in Board costs and successfully complete the board's Basic Contracting License class.**

File Number
2005-03125
Joseph Eric
Bland

Upon a motion by **Redifer** seconded by **Falwell** the board ratified the consent order with a majority vote from: Members voting "Yes" were: **Falwell, Hart, Kinser, Kirby, Modisett, Orange, Rackas Pate, Hollar, Tomlin, Redifer, Smith, Walton, and Wood.**

Mr. Bob Gregory addressed the Board and shared comments and information concerning his request for authorization for his company to be able to provide formal electrical vocational training for courses via the internet. **After discussion a motion was made by Mr. Kirby and seconded by Mr. Orange to approve the internet class. The motion passed unanimously. Members voting "yes" were: Modisett, Falwell, Smith, Hart, Hollar, Kinser, Kirby, Orange, Rackas Pate, Tomlin, Redifer, Walton and Wood.**

Robert D
Gregory

Kevin Hoeft presented the Committee report which included updates on water-well regulations; The Committee of the Board for conducted a preliminary review of proposed Certified Water Well Systems Provider draft regulations. The 2005 General Assembly approved the certification of Water Well Systems Providers as a Board for Contractors' Tradesman Program, effective July 1, 2007; reciprocity, Alabama Board of Electrical contractors, approved the examination waiver reciprocal agreement with Virginia on August 1, 2005. **Agreement signatures were secured, and the agreement went into effect on September 1, 2005. Business name. After discussion a motion was made by Mr. Redifer and seconded by Mr. Falwell to approve the Board clarifying that the business name of a licensed contractor cannot reflect work that the contractor is not qualified to perform. The motion passed unanimously. Members voting "yes" were: **Modisett, Falwell, Smith, Hart, Hollar, Kinser, Kirby, Orange, Rackas Pate, Tomlin, Redifer, Walton and Wood.****

Kevin Hoeft

Eric Olson provided new board member training for the Board for Contractors on contractor and tradesman licensing programs, including Trade-related Specialties, RM's, DE's and QI's.

**Board
Member
Training**

Carol Mitchell and Doug Schroeder provided training on CID and LRD. The CID session included an overview of the complaint process, some helpful IFF information and post IFF tidbits. The LRD training was board specific concentrating on the license types, license requirements and consumer education information. These two sessions conclude the new board member training for the Board for Contractors.

Mr. Olson reminded the board members to complete their travel vouchers and Conflict of Interest forms and to give them to Karen Kenney or 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 at 3:30 P.M. upon a motion by Mr. Kirby and seconded by Mr. Hollar. The vote was unanimous. Members voting yes were, **Kinser, Orange, Hollar, Kirby, Hart, Falwell, Redifer, Walton, Tomlin, Smith, Wood, Modisett, and Rackas Pate.** There were no negative votes.

**Adjourn-
ment**

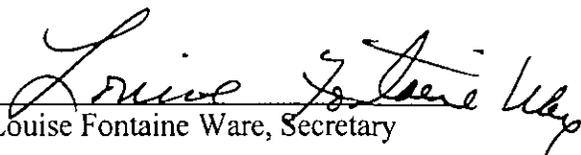
Contractor Board Meeting Minutes

September 20, 2005

Page 47 of 47



Mark D. Kinser, Chairman



Louise Fontaine Ware, Secretary

Copy teste:

Custodian of the Record

STATE AND LOCAL GOVERNMENT

CONFLICT OF INTEREST ACT

1. Name: Charles 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:

NA

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.

Charles Falwell
Signature

September 20, 2005
Date

STATE AND LOCAL GOVERNMENT

CONFLICT OF INTEREST ACT

- 1. Name: Mark D. Kinser
- 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

September 20, 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:

Pres - D.E. Kirby, Inc. - Kirby & Kirby Assoc.

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:

AGC of VA, D.E. Kirby, Inc. BCE of VA,

PMVA

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

Robert M. Kirby
Signature

September 20, 2005
Date

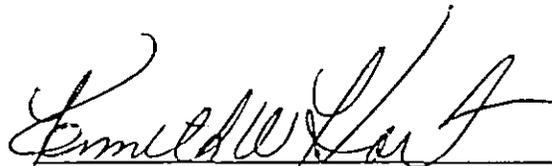
**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTEREST ACT**

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.


Signature

September 20, 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:

electrical, HVAC, PLG, GAS
FITTING.

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:

CMH INC. ACCA, PHCC
PMPV.

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

James A. Hollar
Signature

September 20, 2005
Date

STATE AND LOCAL GOVERNMENT

CONFLICT OF INTEREST ACT

1. Name: Jeffrey A. Modisett
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:

General Contracting, Associated General Contractors
of Virginia

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

Jeffrey A. Modisett
Signature

September 20, 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 L.U. 6666
 - (b) I am able to participate in this transaction fairly, objectively, and in the public interest.


Signature

September 20, 2005
Date

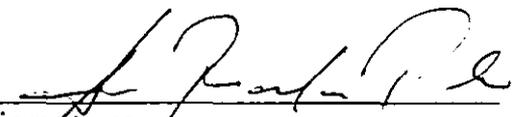
STATE AND LOCAL GOVERNMENT

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:

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


Signature

September 20, 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:

UBLOA UPMEA ILL IAEI NEPA NAARSD

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



Signature

September 20, 2005
Date

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

1. Name: Troy Smith, Jr.
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

September 20, 2005
Date

STATE AND LOCAL GOVERNMENT

CONFLICT OF INTEREST ACT

- 1. Name: Deborah Lynn Tomlin
- 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.

Deborah Lynn Tomlin
Signature

September 20, 2005
Date

**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:

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.



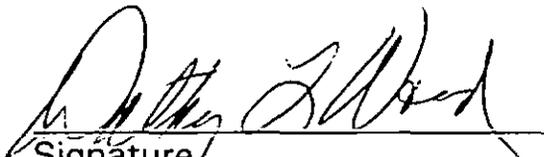
Signature

September 20, 2005
Date

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

1. Name: Dorothy Wood
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

September 20, 2005
Date