

BOARD FOR CONTRACTORS BOARD MEETING

MINUTES

The Board for Contractors met on Tuesday, March 2, 2004 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, Chairman
Anthony Orange, Co-Chairman
Robert O Burch, Jr.
Charles W. Falwell
David O. Harris, Sr.
Kenneth Hart
James Hollar
Robert M. Kirby
William A. Paulette
Michael D. Redifer

Board members, Jennifer Parrish, Robert M. McDowell, and Dorothy Wood were not present the meeting.

Staff present for all or part of the meeting were:

Louise Ware, Director
Karen O'Neal, Deputy Director of Regulatory Programs
Eric L. Olson, Executive Director
Kimberly Freiburger, Regulatory Boards Administrator
Victoria Traylor, Legal Assistant
Sheila Watkins, Administrative Assistant
Jennifer Kazzie, Assistant Director, Adjudication
Eric Gregory, Counsel, Attorney General's Office
James Guffey, Deputy Director, Enforcement

Chairman Mark Kinser called the meeting to order at 9:07 a.m. and declared
orum of board members was in attendance.

Call
To Order

Mr. Hart moved to approve the agenda as written. Mr. Orange seconded the
motion which was unanimously approved by members: Burch, Falwell,
Harris, Hart, Hollar, Kinser, Kirby, Orange, Paulette and Redifer.

Approval of
the Agenda

Mr. Kirby moved to approve the following minutes as written:

Approval of
Minutes

January 20, 2004, Contractor Board Meeting
January 07, 2004, Informal Fact Finding Conference
January 15, 2004, Informal Fact Finding Conference
January 22, 2004, Informal Fact Finding Conference
January 27, 2004, Informal Fact Finding Conference
January 29, 2004, Informal Fact Finding Conference
February 05, 2004, Informal Fact Finding Conference
February 11, 2004 Tradesman and Education Committee Meeting

Mr. Falwell seconded the motion which was unanimously approved by
members: Burch, Falwell, Harris, Hart, Hollar, Kinser, Kirby, Orange,
Paulette and Redifer.

There was no public comment.

Public
Comment
Period

**In the matter of File Number 2002-01625, Michael Fouche t/a Fouche
Options Unlimited, Inc.**, the Board members reviewed the record of the
Informal Fact-Finding Conference, which consisted of the investigative file,
transcript and exhibits, and Summary of the Informal Fact-Finding
Conference of the presiding hearing officer.

File Number
2002-01625
Michael
Fouche

Michael Fouche` appeared at the IFF and the Board meeting. He addressed
the Board and shared his disagreement with portions of the presiding officer's
summary and recommendation. He shared that he does not feel his license
should be revoked. The presiding officer **Wall** was not present did not
participate in the discussion and did not vote. **Falwell** moved to amend the
Summary of the Informal Fact-Finding Conference as follows:

Count I: 1999 18 VAC 50-22-260(b)(8)

Count II: 2001 18 VAC 50-22-260(B)(6)

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Count III: 1999 18 VAC 50-22-260(B)(6)

Count IV: 1999 18 VAC 50-22-260(B)(12) \$500. and remedial education.

Count V: 1999 18 VAC 50-22-260(B)(6) \$500. and remedial education.

Mr. Falwell felt the violations of Counts 5 and 6 did not arise to license revocation.

Paulette seconded the motion which was unanimously approved by members: Burch, Falwell, Harris, Hart, Hollar, Kinser, Kirby, Orange, Paulette and Redifer. **Mr. Orange** moved to adopt the Summary of the Informal Fact-Finding Conference for sanctions as follows:

Count I: \$250.00 (the Board has the requested contract)

Count II: \$250.00

Count III: \$250.00

Count IV: \$500.00 and remedial education

Count V: \$500.00 and remedial education

Total monetary penalties: \$1,750.00.

Mr. Falwell seconded the motion which was approved by members: Burch, Falwell, Harris, Kinser, Orange, Paulette and Redifer. The following members voted in opposition to the motion: Hart, Hollar and Kirby. The motion passed with a majority vote. **Ms. Traylor** pointed out that Count 1 in the summary says \$500.00 to be reduced to \$250.00 if the contract is submitted within 7 days of the Final Order. **Mr. Olson** stated the contract has already been received therefore the fine for Count I should reflect \$250.00. **Mr. Fouche`** requested a copy of the minutes be mailed to him.

In the matter of File Number 2003-00025, Hand Construction, Inc. t/a Hand Construction, Inc. , the Board members reviewed the record of the Informal Fact-Finding Conference, which consisted of the investigative file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference of the presiding hearing officer. Board Members also reviewed a handout from Dr. Donald Stern, Director of the Rappahannock Area Health District which was given out by Eric Olson.

File Number
2003-00025
Hand
Construction
, Inc.

Gary M. Nuckols, Esquire for Hand Construction appeared at the IFF and the Board meeting. He addressed the Board and shared his client's disagreement with portions of the presiding officer's summary and recommendation. **Mr. Morrison** , complainant addressed the Board with his concerns and he shared that he felt the fines were not stiff enough for the violations that occurred. Mr. Morrison was also in attendance at the IFF. As the presiding hearing officer at the Informal Fact-Finding Conference, **Mr. Redifer** was not present during the discussion and did not vote. **Mr. Hollar** moved to accept the Summary of the Informal Fact-Finding Conference as to

the violations which are as follows:

Count I: 2001 18 VAC 50-22-260(B)(9)

Count II: 2001 18 VAC 50-22-260(B)(15)

Count III: 200118 VAC 50-22-260(B)(30)

Mr. Falwell seconded the motion which was unanimously approved by members: Burch, Falwell, Harris, Hart, Hollar, Kinser, Kirby, Orange, Paulette and Redifer. Ms. Traylor shared with the Board that a prior existed for file 2002-01714 with reference to a consent order not being paid in the amount of \$1,000.00. **Mr. Hollar** moved to adopt the Summary of the Informal Fact-Finding Conference for sanctions as follows:

Count I: \$350.00 and remedial educational. The Board felt completion of the Board's Basic Contracting Licensing Class will provide Hand Construction, Inc. with a better understanding of the requirements needed as a licensed contractor.

Count II: \$1,500.00

Count III: \$1,500.00

Total monetary penalties: \$3,350.00.

Mr. Paulette seconded the motion which was unanimously approved by members: Burch, Falwell, Harris, Hart, Hollar, Kirby, Kinser, Orange, Paulette and Redifer.

In the matter of File Number 2003-02233, Hubert L. Dail, Jr. t/a Enterprise Builders Construction, Inc., the Board members reviewed the record of the Informal Fact-Finding Conference, which consisted of the investigative file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference of the presiding hearing officer.

File Number
2003-02233
Enterprise
Builders
Construction
, Inc.

Hubert L. Dail, Jr., Regulant, did not appear at the IFF or the Board meeting. **Karen Hatch**, Complainant, appeared at the IFF and she addressed the Board at the meeting and shared her disagreement with portions of the presiding officer's summary and recommendation. The presiding hearing officer **Paulette** was not present did not participate in the discussion and did not vote.

Mr. Kirby moved to amend the Summary of the Informal Fact-Finding Conference for violations as follows:

Count I: 2001 18 VAC 50-22-260(B)(9)

Count II: 18 VAC 50-22—260(B)(15) No violation

Count III: 18 VAC 50-22-260 (B) (31) No violation

Count IV: 2001 18 VAC 50-22-260(B)(5)

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Count V: 2001 18 VAC 50-22-260(B)(5)

Count VI: 18 VAC 50-22-260(B)(15) No Violation

Count VII: 18 VAC 50-22-260(B)(16) No Violation

Mr. Hollar seconded the motion which was unanimously approved by members: Burch, Falwell, Harris, Hart, Hollar, Kinser, Kirby, Orange, and Redifer. **Mr. Orange** moved to adopt the Summary of the Informal Fact-Finding Conference for sanctions with amendments as follows:

Count I: \$100.00 and Remedial Education

Count II: \$2,500.00 increased from \$2,000.00 because the Board felt Mr. Dail was aware of the implication of driving across the drain field. Remedial Education also required.

Count IV: \$1,000.00 and Remedial Education

Total monetary penalties: \$3,600.00 and completion of the Board's Basic Contractor Licensing Class.

Mr. Burch seconded the motion which was unanimously approved by members: Burch, Falwell, Harris, Kinser, Orange, Hart, Hollar, Kirby and Redifer.

In the matter of File Number 2003-01426, Ronald Miller t/a Miller Plumbing & Water Restoration., the Board members reviewed the record of the Informal Fact-Finding Conference, which consisted of the investigative file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference of the presiding hearing officer.

File Number
2003-01426
Ronald
Miller

Ronald Miller., Regulant, did not appear at the IFF or the Board meeting. **Glen Coats and Wayne Johnson**, Complainants, appeared at the IFF and they addressed the Board at the meeting and shared their concerns with portions of the presiding officer's summary and recommendation. The presiding officer **Wall** was not present did not participate in the discussion and did not vote.

Mr. Paulette moved to adopt the Summary of the Informal Fact-Finding Conference for violations as follows:

Count I: 2001 18 VAC 50-22-230(A)

Count II: 2001 18 VAC 50-22-210(3)

Count III: 2001 18 VAC 50-22-260 (B) (9)

Count IV: 2001 18 VAC 50-22-260(B)(6)

Mr. Orange seconded the motion which was unanimously approved by members: Burch, Falwell, Harris, Hart, Hollar, Kinser, Kirby, Orange, Paulette and Redifer. **Mr. Paulette** moved to adopt the Summary of the Informal Fact-Finding Conference for sanctions with amendments as follows:

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- Count I:** \$500.00 and Remedial Education
Count II: \$250.00 and Remedial Education
Count III: \$250.00 and Remedial Education
Count IV: \$1,750.00 and Remedial Education

Total monetary penalties: \$2,750.00 and completion of the Board's Basic Contractor Licensing Class. The Board felt Ronald W. Miller's completion of its Basic Contracting Licensing Class would give him a better understanding of the requirements needed as a licensed contractor. **Mr. Hart** seconded the motion which was unanimously approved by members: Burch, Falwell, Harris, Kinser, Orange, Paulette Hart, Hollar, Kirby and Redifer.

In the matter of File Number 2003-03532, Howard D. Kenner, the Board Members reviewed the record, which consisted of the transcript and exhibits from the IFF, and the presiding hearing officer's summary and recommendation. **Mr. Robert Pritchard (Esquire)** appeared at the IFF and before the board on behalf of Howard D. Kenner voicing his client's desire to become licensed. Mr. and Mrs. Kenner also addressed the Board. Mrs. Kenner shared with the Board that she accompanies her husband on all of his jobs so he won't be alone. After discussion, **Mr. Hollar** moved to adopt the summary and deny the license based on the record, including the information obtained from the Central Criminal Records Exchange, and in consideration of the criteria outlined in §54.1-204.B, 18 VAC 50-30-30(10). **Mr. Kirby** seconded the motion. The motion was approved by members: Burch, Harris, Hart, Hollar, Kirby, Orange, and Paulette. The following members voted in opposition to the motion: Falwell and Redifer. The motion passed with a majority vote. As the presiding hearing officer at the Informal Fact-Finding Conference, Mr. Kinser was not present during the discussion or vote. Mr. Orange chaired this case.

File Number
2003-03532
Howard D.
Kenner

In the matter of File Number 2004-02266, Landscapes of Richmond t/a Mulch Xpress, the Board Members reviewed the record, which consisted of the transcript and exhibits from the IFF, and the presiding hearing officer's summary and recommendation. **Steven Burkholder** appeared at the IFF and before the board and he voiced his desire to become licensed. After discussion, **Mr. Paulette** moved to adopt the summary and grant the license. **Mr. Falwell** seconded the motion. The motion was approved unanimously by members: Burch, Harris, Hart, Hollar, Kirby, Kinser, Orange, Falwell, Redifer and Paulette. As the presiding officer at the Informal Fact-Finding Conference, Ms. Cooper was not present during the discussion or vote. Mr. Kinser resumed chairing the meeting at the beginning of this case.

File Number
2004-02266
Landscapes
of Richmond

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In the matter of File Number 2004-01035, David M. Adams, the Board Members reviewed the record, which consisted of the transcript and exhibits from the IFF, and the presiding hearing officer's summary and recommendation. **David M. Adams** appeared at the IFF and before the board and he voiced his desire to become licensed. After discussion, **Mr. Burch** moved to adopt the summary and grant the license. **Mr. Hollar** seconded the motion. The motion was approved unanimously by members: Burch, Harris, Hart, Hollar, Kirby, Kinser, Orange, Falwell, Redifer and Paulette. As the presiding officer at the Informal Fact-Finding Conference, Ms. Cooper was not present during the discussion or vote.

File Number
2004-01035
David M.
Adams

In the matter of File Number 2004-02256, Mark E. Bores, the Board Members reviewed the record, which consisted of the transcript and exhibits from the IFF, and the presiding hearing officer's summary and recommendation. **Mark E. Bores** appeared at the IFF and before the board. After discussion, **Mr. Kirby** moved to deny the license based on Mr. Bores being a possible threat to the public. **Mr. Burch** seconded the motion. Mr. Bores asked to address the Board. The motion was withdrawn. He shared that he wanted to be given the opportunity to serve the public in a positive capacity. He wants to re establish himself in the community. He is always accompanied by someone when going on jobs where children might be present. After discussion, **Mr. Hart** offered a motion to deny the issuance of a license to Mr. Bores based on the nature of the crime not enough time having elapsed since his release and based on the record, including the information obtained from the Central Criminal Records Exchange, and in consideration the criteria outlined in §54.1-204.B, 18VAC50-22-30-30(10). The Board felt they would not be protecting the health, safety and welfare of the public if they issued Mr. Bores` a license. **Mr. Kirby** seconded the motion. The motion was approved unanimously by members: Burch, Harris, Hart, Hollar, Kirby, Kinser, Orange, Falwell, Redifer and Paulette. As the presiding officer at the Informal Fact-Finding Conference, Ms. Cooper was not present during the discussion or vote.

File Number
2004-02256
Mark E.
Bores

The Board members recessed for a break from 11:02 a.m. to 11:15 a.m..

Break

In the matter of File Number 2004-01833, Daniel Humphrey t/a Pungo Electric and Construction, the Board Members reviewed the record, which consisted of the transcript and exhibits from the IFF, and the presiding hearing officer's summary and recommendation. **Daniel W. Humphrey** appeared at the IFF and before the board and he voiced his desire to become licensed.

File Number
2004-01833
Daniel
Humphrey

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After discussion, **Mr. Hollar** moved to adopt the summary and grant the license. **Mr. Orange** seconded the motion. The motion was approved unanimously by members: Burch, Harris, Hart, Hollar, Kirby, Kinser, Orange, Falwell, Redifer and Paulette. As the presiding officer at the Informal Fact-Finding Conference, Ms. Cooper was not present during the discussion or vote.

In the matter of File Number 2004-01953, Barry Harris, the Board Members reviewed the record, which consisted of the transcript and exhibits from the IFF, and the presiding hearing officer's summary and recommendation. **Barry Harris** appeared at the IFF and before the board and he voiced his desire to become licensed. After discussion, **Mr. Kirby** moved to adopt the summary and grant the license. **Mr. Harris** seconded the motion. The motion was approved by members: Burch, Harris, Hart, Hollar, Kirby, Kinser, Orange, Falwell, Redifer and Paulette. The following members voted in opposition to the motion: Redifer and Hollar. The motion passed with a majority vote. As the presiding officer at the Informal Fact-Finding Conference, Ms. Cooper was not present during the discussion or vote.

File Number
2004-01953
Barry Harris

In the matter of matter of File Number 2004-02223, Larry E. White, the Board Members reviewed the record, which consisted of the transcript and exhibits from the IFF, and the presiding hearing officer's summary and recommendation. **Larry E. White** appeared at the IFF and he voiced his desire to become licensed. After discussion, **Mr. Paulette** moved to adopt the summary and grant the license. **Mr. Orange** seconded the motion. The motion was approved by members: Burch, Harris, Kinser, Orange, Falwell, and Paulette. The following members voted in opposition to the motion: Hart, Hollar, Kirby and Redifer. The motion passed with a majority vote. As the presiding officer at the Informal Fact-Finding Conference, Ms. Cooper was not present during the discussion or vote.

File Number
2004-02223
Larry E.
White

In the matter of File Number 2004-02054, Gregory N. Ferguson t/a More 4 Less Home Improvements and Maintenance, the Board Members reviewed the record, which consisted of the transcript and exhibits from the IFF, and the presiding hearing officer's summary and recommendation. **Mr. Gregory N. Ferguson**, Complainant, appeared at the IFF and before the board voicing his disagreement with portions of the presiding officer's summary and recommendation.. He indicated that he disagreed with the findings of the presiding officer. After discussion, **Mr. Orange** moved to adopt the Summary of the Informal Fact-Finding Conference for violations as follows:

File Number
2002-02054
Gregory N.
Ferguson

Count I: 2001 18 VAC 50-22-260(B)(9)

Count II: 2001 18 VAC 50-22-260(B)(25)

Mr. Paulette seconded the motion which was unanimously approved by members: Burch, Falwell, Harris, Hart, Hollar, Kinser, Kirby, Orange, Paulette and Redifer. **Mr. Orange** moved to adopt the Summary of the Informal Fact-Finding Conference for sanctions with amendments as follows:

Count I: \$50.00 and Remedial Education

Count II: \$750.00 and Remedial Education

Total monetary penalties: \$800.00 and completion of the Board's Basic Contractor Licensing Class.

Mr. Paulette seconded the motion which was unanimously approved by members: Burch, Falwell, Harris, Kinser, Orange, Paulette Hart, Hollar, Kirby and Redifer. The motion was approved by members: Burch, Harris, Hart, Hollar, Kirby, Kinser, Orange, Falwell, Redifer and Paulette. As the presiding hearing officer at the Informal Fact-Finding Conference, Ms. Wood was not present during the discussion or vote.

In the matter of File Number 2004-02148, William B. Beckner, Jr., Howard D. Kenner, the Board Members reviewed the record, which consisted of the transcript and exhibits from the IFF, and the presiding hearing officer's summary and recommendation. **Mr. Beckner** appeared at the IFF and before the board. He voiced his desire to become licensed After discussion, **Mr. Paulette** moved to adopt the summary and grant the license. **Mr. Harris** seconded the motion. The motion was approved by members: Burch, Harris, Hart, Kirby, Orange Falwell, Redifer, and Paulette. The following member voted in opposition to the motion: Hollar. The motion passed with a majority vote. As the presiding officer at the Informal Fact-Finding Conference, Ms. Cooper was not present during the discussion or vote.

File Number
2004-02148
William B.
Beckner, Jr.

In the matter of File Number 2003-01785, Donald W. Simmons, t/a Payless Plumbing Co., the Board members reviewed the record of the Informal Fact-Finding Conference, which consisted of the investigative file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference of the presiding hearing officer.

File Number
2003-01785
Donald w.
Simmons

Donald W. Simmons., Regulant, appeared at the IFF. **Ralph Woodson**, Complainant, appeared at the IFF and he addressed the Board at the meeting and shared his agreement with f the presiding officer's summary and recommendation. The presiding hearing officer **Ms. Wall** was not present did not participate in the discussion and did not vote. **Mr. Kirby** moved to adopt the Summary of the Informal Fact-Finding Conference for violations as follows:

Count 1: 2001 18 VAC 50-22-260(B)(9)

Count II: 2001 18 VAC 50-22-260(B)(27)

Count III: 2001 18 VAC 50-22-260 (B) (16)

Mr. Paulette seconded the motion which was unanimously approved by members: Burch, Falwell, Harris, Hart, Hollar, Kinser, Kirby, Orange, Paulette and Redifer. **Mr. Falwell** moved to adopt the Summary of the Informal Fact-Finding Conference for sanctions with amendments as follows:

Count I: \$250.00 and Remedial Education

Count II: \$500.00 increased from \$250.00 due to the severity of the violation and to be consistent with previous Board actions for similar violations and Remedial Education

Count III: \$750.00 and Remedial Education

Total monetary penalties: \$1,500.00 and completion of the Board's Basic Contractor Licensing Class. The Board required Donald W Simmons to successfully complete the Board's Basic Contracting Licensing Class because they felt it would help him have a better understanding of the requirements needed as a licensed contractor. **Mr. Orange** seconded the motion which was unanimously approved by members: Burch, Falwell, Harris, Kinser, Orange, Paulette Hart, Hollar, Kirby and Redifer.

In the matter of File Number 2004-02149, Leon F. Berry, Jr., the Board Members reviewed the record, which consisted of the transcript and exhibits from the IFF, and the presiding hearing officer's summary and recommendation. **Mr. Berry** appeared at the IFF and before the board and he voiced his desire to become licensed. After discussion, **Mr. Kirby** moved to adopt the summary and grant the license. **Mr. Harris** seconded the motion. The motion was approved by members: Burch, Harris, Hart, Kirby, Kinser, Falwell, Redifer and Paulette. The Member voting in opposition was: Hollar. The member abstaining from discussion and from voting was: Orange. The motion was adopted by a majority vote and the license was granted. As the presiding officer at the Informal Fact-Finding Conference, Ms. Cooper was not present during the discussion or vote.

File Number
2004-02149
Leon F.
Berry, Jr.

In the matter of File Number 2003-01423, Waltman Heating & Electrical Contractors, Inc. t/a Waltman Heating & Electrical Contractors, Inc., the Board members reviewed the record of the Informal Fact-Finding Conference, which consisted of the investigative file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference of the presiding hearing officer.

File Number
2003-01423
Waltman
Heating &
Electrical

Irving Waltman Regulant, addressed the Board and he attended the IFF. **He shared** his disagreement with portions of the presiding officer's summary and recommendation. He told the Board he was performing routine maintenance on the customer's air conditioner. The presiding hearing officers

Parrish and Kinser were not present did not participate in the discussion and did not vote. **Mr. Orange** chaired this case.

Mr. Kirby moved to amend the Summary of the Informal Fact-Finding Conference for violations as follows:

Count 1: No Violation The Board rejected the presiding officer's recommendation and voted this was routine service work and there was no violation. **Mr. Paulette** seconded the motion which was approved by members: Burch, Falwell, Harris, Hart, Hollar, Kirby, Orange and Paulette. The member voting in opposition was Redifer. The motion was adopted with the majority vote. The case was closed with a finding of no violation.

In the matter of File Number 2002-02640, Timothy L. Sturgill & Bill Sturgill t/a Sturgill & Son; the Board members reviewed the Consent Order as seen and agreed to by Mr.'s Sturgill . Ms. Cheryl Tyner, Complainant, spoke to the Board. She was disappointed in the Consent Order and she wanted the Board to administer additional penalties. After discussion it was determined that Ms. Tyner received a \$10,000 settlement over damage in civil court. **Mr. Paulette** moved to accept the Consent Order wherein Messer's Timothy and Bill Sturgill admit to violations of 18 VAC 50-22-260(B)(8) and 18 VAC 50-22-260(B)(6) all of the Board's 1999 regulations, and agrees to the imposition of the following sanctions: \$100.00 for the violation of 18 VAC 50-22-260(B)(6) and \$250.00 for the violation of 18 VAC 50-22-260(B)(6). In addition they agree to successfully complete the Board's Basic Contracting Licensing Class (remedial education) within six months of the entry of the order. **Mr. Paulette** further moved that Mr. Sturgill's failure to pay the penalty, costs, or to comply with all terms of the Order within the specified time period shall result in the automatic suspension of Sturgill & Son's license. **Mr. Hollar** seconded the motion which was approved by members: Burch, Falwell, Harris, Hart, Hollar, Kinser and Paulette. The members voting in opposition were: Orange, Redifer and Kirby. The motion was approved by majority vote.

File Number
2002-02640
**Timothy L.
Sturgill and
Bill Sturgill**

In the matter of File Number 2003-011570, Roger G. McClure t/a Exterior Concepts; the Board members reviewed the Consent Order as seen and agreed to by Mr. McClure. Mr. Harold Habeck, Complainant, spoke to the Board. He expressed his concerns about the Consent Order. After discussion, Mr. Falwell moved to accept the Consent Order wherein Mr. McClure admits to violations of 18 VAC 50-22-230(A) and 18 VAC 50-22-260(B)(9) all of the Board's 2001 regulations, and agrees to the imposition of the following sanctions: \$100.00 for the violation of 18 VAC 50-22-230(A) and \$100.00 for the violation of 18 VAC 50-22-260(B)(9). In addition he

File Number
2003-01570
**Roger G.
McClure**

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agrees to successfully complete the Board's Basic Contracting Licensing Class (remedial education) within six months of the entry of the order. Mr. Falwell further moved that Mr. McClure's failure to pay the penalty, costs, or to comply with all terms of the Order within the specified time period shall result in the automatic suspension of Exterior Concepts' license. Mr. Hart seconded the motion which was unanimously approved by members: Burch, Falwell, Harris, Hart, Hollar, Kinser, Paulette, Orange, Redifer and Kirby.

In the matter of File Number 2003-03039, James Dollins t/a Landscapes Utilities Unlimited, the Board Members reviewed the record of the Informal Fact-Finding Conference, which consisted of the investigative file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference of the presiding hearing officer. **James Dollins, Regulant**, did not appear at the IFF but he did attend the Board meeting. Mr. Dollins addressed the Board and shared that he had given his attorney the funds to pay his judgment but that still hadn't been done. He shared his disagreement with portions of the presiding officer's summary and recommendation. The presiding hearing officer **Burch** was not present did not participate in the discussion and did not vote. **Mr. Orange** moved to amend the Summary of the Informal Fact-Finding Conference for violations as follows:

- Count I:** 2001 18 VAC 50-22-260(B)(9)
- Count II:** 2001 18 VAC 50-22-260(B)(16)
- Count III:** 2001 18 VAC 50-22-260 (B) (28)

Mr. Redifer seconded the motion which was approved by members: Falwell, Harris, Hart, Kinser, Kirby, Orange, Paulette and Redifer. The opposing vote was cast by: Hollar. The motion was adopted with a majority vote. Ms. Traylor pointed out to the Board that the license number should read: 2701-039230 for the record. After discussion, Mr. Paulette offered a motion to amend the Summary of the Informal Fact-finding Conference for sanctions as follows:

- Count I:** \$300.00 and Remedial Education
- Count II: & III** \$1,000.00 each decreased from \$2500.00 because the Board felt that it should be consistent with previous Board policy. The violation was not sufficient enough to warrant the maximum penalty. Remedial Education also required. Total monetary penalties: \$2,300.00 and completion of the Board's Basic Contractor Licensing Class. **Mr. Falwell** seconded the motion which was unanimously approved by members to include an amendment by **Mr. Orange** to require Mr. Dollins to satisfy the Orange county General District Court's judgment awarded to John Prinz and provide proof of payment to the Board in lieu of license and that the license will be suspended until proof that the judgment has been satisfied is provided: Burch, Falwell,

File
2003-03039
James
Dollins

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Harris, Kinser, Orange, Paulette Hart, Hollar, Kirby and Redifer. The motion was unanimously accepted.

In the matter of File Number 2002-03801, Eddie W. Yates, t/a E. W. Yates, the Board Members reviewed the record, which consisted of the transcript and exhibits from the IFF, and Summary of the Informal Fact-Finding Conference of the presiding hearing officer. **Mr. Yates, Regulant,** appeared at the IFF but he did not attend the Board meeting. The presiding hearing officer **Burch** was not present did not participate in the discussion and did not vote. **Mr. Orange** moved to adopt the Summary of the Informal Fact-Finding Conference for violations as follows:

- Count I:** 1999 18 VAC 50-22-230(A)
- Count II:** 1999 18 VAC 50-22-260(B)(14)
- Count III:** 1999 18 VAC 50-22-260 (B) (15)

Mr. Hart seconded the motion which was approved unanimously by members: Falwell, Harris, Hart, Hollar, Kinser, Kirby, Orange, Paulette and Redifer. After discussion, Mr. Harris offered a motion to amend the Summary of the Informal Fact-finding Conference for sanctions as follows:

- Count I:** \$100.00 and Remedial Education
- Count II:** \$500.00 and Remedial Education
- Count III:** \$500.00 and Remedial Education

Total monetary penalties: \$1,100.00 and completion of the Board's Basic Contractor Licensing Class. The Board felt that Mr. Yates successful completion of its BCLC will help Mr. Yates get a better understanding of requirements needed as a licensed contractor. **Mr. Hart** seconded the motion which was unanimously approved by members: Falwell, Harris, Kinser, Orange, Paulette Hart, Hollar, Kirby and Redifer.

In the matter of File Number 2003-01855, William H. Anderson & Weather guard Construction Inc. t/a Weatherguard Construction, the board reviewed the licensing record, which consisted of the transcript and exhibits from the IFF, and the presiding hearing officer's summary. **Mr. Anderson** attended the IFF but not the Board meeting. The presiding officer **Burch** was not present and did not participate and did not vote. **Mr. Redifer** offered a motion to accept the presiding officer's recommendation pay the claim in the amount of \$1,596.68. **Mr. Orange** seconded the motion. The motion was approved with a unanimous "Yes" vote. Members voting were: Orange, Falwell, Hollar, Paulette, Kirby, Hart, Harris and Redifer.

File Number
2002-03801
Eddie W.
Yates

File e
Number
2003-01855
Weather-
guard
Construction

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In the matter of File Number 2003-01419, Debra M. Belew (Regulant) t/a Construction R Us., Disciplinary Record File. Ms. Belew called the Board for Contractor Office and verbally requested a continuance to the Board's April 2004 meeting due to her illness. This information was shared with the Board. Mr. Orange offered a motion to grant the continuance to the April 13, 2004 Contractor Board Meeting due to the Regulant's illness. Mr. Harris seconded the motion. The motion was adopted with members voting: Falwell, Harris, Hart, Kinser, Kirby, Orange, Paulette and Redifer. The opposing vote was cast by: Hollar. The motion was adopted by a majority vote and the continuance was granted. Ms. Traylor will send notification to the parties involved. Mr. Burch, the Board Presiding officer was not present and did not vote.

File Number
2003-01419
Debra M.
Belew

In the matter of File Number 2003-011048, Davendra Merhai t/a d & N Construction, the Board members reviewed the record of the Informal Fact-Finding Conference, which consisted of the investigative file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference of the presiding hearing officer. **Davendra Merhai, Regulant,** did not appear at the Board meeting. The presiding hearing officer **Burch** was not present did not participate in the discussion and did not vote. **Mr. Kirby** moved to adopt the Summary of the Informal Fact-Finding Conference for violations as follows:

File Number
2003-01048
Davendra
Merhai

- Count I: 2001 18 VAC 50-22-260(B)(8)**
- Count II: 2001 18 VAC 50-22-260(B)(9)**
- Count III: 2001 18 VAC 50-22-260 (B) (27)**
- Count IV: 2001 18 VAC 50-22-260(B)(15) and license revocation**
- Count V: 2001 18 VAC 50-22-260(B)(31)**

Mr. Hart seconded the motion which was approved with a unanimous vote by members: Falwell, Harris, Hart, Kinser, Kirby, Orange, Paulette, Hollar and Redifer. After discussion, **Mr. Kirby** offered a motion to adopt the Summary of the Informal Fact-finding Conference for sanctions as follows:

- Count I: \$375.00**
- Count II: \$ 300.00**
- Count III: \$1,000.00**
- Count IV: \$2,500.00**
- Count V: \$ 250.00**

Total monetary penalties: \$4,425.00. **Mr. Redifer** seconded the motion which was unanimously approved by members: Falwell, Harris, Kinser, Orange, Paulette Hart, Hollar, Kirby and Redifer.

In the matter of File Number 2003-02577, Frederick C. Taylor t/a Heavy's, the Board members reviewed the record of the Informal Fact-Finding Conference, which consisted of the investigative file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference of the presiding hearing officer. **Frederick C. Taylor, Regulant**, did not appear at the IFF or the Board meeting. The presiding hearing officer **Burch** was not present did not participate in the discussion and did not vote. **Mr. Redifer** moved to adopt the Summary of the Informal Fact-Finding Conference for violations as follows:

File Number
2003-02577
Frederick C.
Taylor

Count 1: 2001 18 VAC 50-22-260(B)(29)

Mr. Hart seconded the motion which was approved with a unanimous vote by members: Falwell, Harris, Hart, Kinser, Kirby, Orange, Paulette, Hollar and Redifer. After discussion, **Mr. Orange** offered a motion to adopt the Summary of the Informal Fact-finding Conference for sanctions as follows:

Count I: \$2,500.00

Total monetary penalties: \$2,500.00. **Mr. Hart** seconded the motion which was approved by members: Falwell, Harris, Kinser, Orange, Paulette Hart, Kirby and Redifer. The member casting the opposing vote was: Hollar. The motion was adopted by majority vote.

In the matter of File Number 2003-00050, David W. May, Sr., t/a Virginia Remodeling, the Board members reviewed the record of the Informal Fact-Finding Conference, which consisted of the investigative file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference of the presiding hearing officer. **David W. May, Sr., Regulant**, did not appear at the Board meeting. He did participate in the I F F. The presiding hearing officer **Burch** was not present did not participate in the discussion and did not vote. **Mr. Kirby** moved to adopt the Summary of the Informal Fact-Finding Conference for violations as follows:

File Number
2003-00050
David W.
May

Count I: 2001 18 VAC 50-22-230(A)

Count II: 2001 18 VAC 50-22-210(3)

Count III: 2001 18 VAC 50-22-260 (B) (9)

Mr. Orange seconded the motion which was approved with a unanimous vote by members: Falwell, Harris, Hart, Kinser, Kirby, Orange, Paulette, Hollar and Redifer. After discussion, **Mr. Orange** offered a motion to adopt the Summary of the Informal Fact-finding Conference for sanctions as follows:

Count I: \$350.00 and Remedial Education

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Count II: \$ 100.00 and Remedial Education

Count III: \$350.00 increased from \$50.00 due to the severity of the violation and to be consistent with previous Board actions for similar violations. The Board felt by completing the course David W. May Sr., would have a better understanding of requirements needed as a licensed contractor. The total monetary penalties: \$800.00. **Mr. Hart** seconded the motion which was unanimously approved by members: Falwell, Harris, Kinser, Orange, Paulette Hart, Hollar, Kirby and Redifer

In the matter of File Number 2003-02928, Clarence E. Frazier t/a C & L Enterprise Services, the Board members reviewed the record of the Informal Fact-Finding Conference, which consisted of the investigative file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference of the presiding hearing officer. **Clarence E. Frazier, Regulant**, did not appear at the IFF or the Board meeting. The presiding hearing officer **Parrish** was not present did not participate in the discussion and did not vote. **Mr. Orange** moved to adopt the Summary of the Informal Fact-Finding Conference for violations as follows:

Count I: 2001 18 VAC 50-22-230(B)

Count II: 2001 18 VAC 50-22-260(B)(15)

Count III: 2001 18 VAC 50-22-260 (B) (15)

Mr. Redifer seconded the motion which was approved with a vote by members: Burch, Falwell, Harris, Hart, Kinser, Kirby, Orange, Paulette and Redifer. The opposing vote was cast by Mr. Hollar. The motion was adopted with a majority vote. After discussion, **Mr. Orange** offered a motion to adopt the Summary of the Informal Fact-finding Conference for sanctions as follows:

Count I: \$250.00

Count II: \$750.00

Count III: \$2,500.00 and license revocation

Total monetary penalties: \$3, 500.00. **Mr. Redifer** seconded the motion which was approved by members: Burch, Falwell, Harris, Kinser, Orange, Paulette Hart, Kirby and Redifer. The opposing vote was cast by: Hollar. The motion was adopted by a majority vote.

In the matter of File Number 2003-02889, Clarence E. Fraizer, Disciplinary File t/a C & L Enterprise Services, the Board members reviewed the record of the Informal Fact-Finding Conference, which consisted of the investigative file, transcript and exhibits, and Summary of the

File Number
2003-02928
Clarence E.
Frazier

File Number
2003-02889
Clarence E.
Fraizer

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Informal Fact-Finding Conference of the presiding hearing officer. **Clarence E. Frazier, Regulant**, did not appear at the IFF or the Board meeting. The presiding hearing officer **Parrish** was not present did not participate in the discussion and did not vote. **Mr. Orange** moved to adopt the Summary of the Informal Fact-Finding Conference for violations as follows:

Count I: 2001 18 VAC 50-22-260(B)(15)

Count II: 2001 18 VAC 50-22-260(B)(6)

Count III: 2001 18 VAC 50-22-260 (B) (31)

Count IV: 2001 18 VAC 50-22-260(B)(6)

Mr. Harris seconded the motion which was approved with a unanimous vote by members: Burch, Falwell, Harris, Hart, Kinser, Kirby, Orange, Hollar, Paulette and Redifer. After discussion, **Mr. Orange** offered a motion to adopt the Summary of the Informal Fact-finding Conference for sanctions as follows:

Count I: \$250.00

Count II: \$500.00

Count III: \$250.00

Count IV: \$2,500.00 and license revocation

Total monetary penalties: \$3,500.00 and license revocation. **Mr. Kirby** seconded the motion which was approved with a unanimous vote by members: Burch, Falwell, Harris, Kinser, Orange, Paulette Hart, Kirby, Hollar and Redifer.

In the matter of File Number 2003-02565, Frederick C. Taylor t/a Heavy's, the Board members reviewed the record of the Informal Fact-Finding Conference, which consisted of the investigative file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference of the presiding hearing officer. **Frederick C. Taylor, Regulant**, did not appear at the IFF or the Board meeting. The presiding hearing officer **Burch** was not present did not participate in the discussion and did not vote. **Mr. Orange** moved to adopt the Summary of the Informal Fact-Finding Conference for violations as follows:

Count I: 2001 18 VAC 50-22-260(B)(29)

Count II: 2001 18 VAC 50-22-260(B)(28)

Mr. Redifer seconded the motion which was approved with a unanimous vote by members: Falwell, Harris, Hart, Kinser, Kirby, Orange, Paulette, Hollar and Redifer. After discussion, **Mr. Orange** offered a motion to adopt the Summary of the Informal Fact-finding Conference for sanctions as follows:

File Number
2003-02565
Frederick C.
Taylor

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Count I: \$2,500.00

Count II: \$2,500.00 and license revocation

Total monetary penalties: \$5,000.00 and license revocation. **Mr. Hart** seconded the motion which was unanimously approved by members: Falwell, Harris, Kinser, Orange, Paulette Hart, Kirby, Hollar and Redifer.

In the matter of File Number 2003-02544, Clarence E. Fraizer, Disciplinary File t/a C & L Enterprise Services, the Board members reviewed the record of the Informal Fact-Finding Conference, which consisted of the investigative file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference of the presiding hearing officer. **Clarence E. Frazier, Regulant,** did not appear at the IFF or the Board meeting. The presiding hearing officer **Parrish** was not present did not participate in the discussion and did not vote. **Mr. Kirby** moved to adopt the Summary of the Informal Fact-Finding Conference for violations as follows:

Count I: 2001 18 VAC 50-22-260(B)(6)

Count II: 2001 18 VAC 50-22-260(B)(31)

Count III: 2001 18 VAC 50-22-260 (B) (6)

Mr. Falwell seconded the motion which was approved with a unanimous vote by members: Burch, Falwell, Harris, Hart, Kinser, Kirby, Orange, Paulette, Hollar and Redifer. After discussion, **Mr. Falwell** offered a motion to adopt the Summary of the Informal Fact-finding Conference for sanctions as follows:

Count I: \$250.00

Count II: \$500.00

Count III: \$2,500.00 and license revocation

Count IV: \$2,500.00 and license revocation

Total monetary penalties: \$5,750.00 and license revocation. **Mr. Burch** seconded the motion which was unanimously approved by members: Burch, Falwell, Harris, Kinser, Orange, Paulette Hart, Kirby, Hollar and Redifer.

In the matter of File Number 2004-02428, Robert Douglas McMillian t/a RDM Painting Application for License, the board reviewed the licensing record, which consisted of the transcript and exhibits from the IFF, and the presiding hearing officer's summary. **Mr. McMillian** attended the IFF but not the Board meeting. The Presiding officer **Cooper** was not present and did not participate and did not vote. **Mr. Kirby** offered a motion to adopt the

File Number
2004-02544
Clarence E.
Fraizer

File Number
2004-02428
Robert
Douglas
McMillan

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presiding officer's recommendation and grant the license. **Mr. Hollar** seconded the motion which was unanimously approved by members: Burch, Falwell, Harris Hart, Hollar, Kinser, Kirby Orange, Paulette and Redifer.

In the matter of File Number 2004-02380, Alma W. Foster, t/a The Tile Master, Inc., Application for License, the board reviewed the licensing record, which consisted of the transcript and exhibits from the IFF, and the Presiding officer's summary. **Ms. Foster** attended the IFF but not the Board meeting. The Presiding officer **Cooper** was not present and did not participate and did not vote. After discussion **Mr. Falwell** offered a motion to accept the presiding officer's recommendation and grant the license. **Mr. Kirby** seconded the motion which was unanimously approved by members: Burch, Hart, Hollar, Harris, Falwell, Orange, Kirby, Kinser, Paulette and Redifer.

File Number
2004-02380
**Alma W.
Foster**

In the matter of File Number 2004-02269, Gregory Masonry & Construction, Inc., Application for License, the board reviewed the licensing record, which consisted of the transcript and exhibits from the IFF, and the Presiding officer's summary. The presiding officer **Cooper** was not present and did not participate and did not vote. After discussion **Mr. Hart** offered a motion to accept the presiding officer's recommendation and grant he license. **Mr. Kirby** seconded the motion which was unanimously approved by members: Orange, Falwell, Hollar, Burch, Paulette, Kirby, Hart, Kinser, Harris and Redifer.

File Number
2004-02269
**Gregory
Masonry &
Construction
, Inc.**

In the matter of File Number 2004-02257, Sharon D. Davis, Application for License, the board reviewed the licensing record, which consisted of the transcript and exhibits from the IFF, and the presiding officer's summary. The presiding officer **Cooper** was not present and did not participate and did not vote. After discussion, **Mr. Kirby** offered a motion to accept the presiding officer's recommendation and grant the license. **Mr. Hollar** seconded the motion which was unanimously approved by members: Orange, Falwell, Hollar, Burch, Kirby, Kinser, Hart, Harris, Paulette and Redifer.

File Number
2004-02257
**Sharon D.
Davis**

In the matter of File Number 2004-02150, Jeffrey Hunter, Application for License, the board reviewed the licensing record, which consisted of the transcript and exhibits from the IFF, and the presiding hearing officer's summary. The presiding officer **Cooper** was not present and did not participate and did not vote. After discussion, **Redifer** offered a motion to reject the presiding officer's recommendation and deny the license based on

File Number
2004-02150
**Jeffrey
Hunter**

the record, including the information obtained from the Central Criminal Records Exchange, and in consideration of the criteria outlined in §54.1-204.B, 18 VAC 50-30-30(10). **Mr. Hollar** seconded the motion which was unanimously approved by members: Orange, Falwell, Hollar, Burch, Paulette, Kirby, Hart, Harris, Kinser and Redifer.

In the matter of File Number 2004-02147, John E. Kirk Application for License, the board reviewed the licensing record, which consisted of the transcript and exhibits from the IFF, and the presiding hearing officer's summary. The presiding officer **Cooper** was not present and did not participate and did not vote. After discussion, **Mr. Paulette** offered a motion to accept the presiding officer's recommendation and grant the license. **Mr. Orange** seconded the motion which was approved with a unanimous vote by members: Orange, Falwell, Hollar, Kinser, Burch, Kirby, Hart, Paulette, Harris and Redifer.

File Number
2004-02147
John E. Kirk

In the matter of File Number 2003-00054, Larry Hix, t/a Larry Hix, the Board members reviewed the record of the Informal Fact-Finding Conference, which consisted of the investigative file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference of the presiding hearing officer. **Larry Hix, Regulant**, did not appear at the IFF or the Board meeting. The presiding hearing officer **Kirby** was not present did not participate in the discussion and did not vote. After discussion, **Mr. Orange** moved to adopt the Summary of the Informal Fact-Finding Conference for violations as follows:

File Number
2003-00054
Larry Hix

- Count I:** 2001 18 VAC 50-22-260(B)(10)
- Count II:** 2001 18 VAC 50-22-260(B)(15)
- Count III:** 2001 18 VAC 50-22-260(B)(16)
- Count IV:** 2001 18 VAC 50-22-260(B)(12)

Mr. Falwell seconded the motion which was approved with a unanimous vote by members: Falwell, Harris, Hart, Kinser, Burch, Orange, Paulette, Hollar and Redifer. After discussion, **Mr. Orange** offered a motion to adopt the Summary of the Informal Fact-finding Conference for sanctions as follows:

- Count I:** \$350.00
- Count II:** \$1,500.00
- Count III:** \$1,500.00 and license revocation
- Count IV:** \$1,000.00

Total monetary penalties: \$4,350.00 and license revocation. **Mr. Falwell** seconded the motion which was unanimously approved by members: Falwell, Harris, Kinser, Hollar, Orange, Paulette, Burch, Hart and Redifer.

In the matter of File Number 2003-01457, K. J. Construction Of Virginia Corporation t/a K J Roofing Inc. the Board members reviewed the record of the Informal Fact-Finding Conference, which consisted of the investigative file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference of the presiding hearing officer. **K J Construction of Virginia Corporation, Regulant**, did not appear at the IFF or the Board meeting. The presiding hearing officer **Parrish** was not present did not participate in the discussion and did not vote. **Mr. Orange** moved to adopt the Summary of the Informal Fact-Finding Conference for violations as follows:

Count I: 1999 18 VAC 50-22-260(B)(6)

Count II: 1999 18 VAC 50-22-260(B)(6)

Count III: 2003 18 VAC 50-22-260 (B) (13)

Mr. Kirby seconded the motion which was approved with a unanimous vote by members: Burch, Falwell, Harris, Hart, Kinser, Kirby, Orange, Paulette, Hollar and Redifer. After discussion, **Mr. Orange** offered a motion to adopt the Summary of the Informal Fact-finding Conference for sanctions as follows:

Count I: \$500.00

Count II: \$2,500.00 and license revocation

Count III: \$2,500.00 and license revocation

Total monetary penalties: \$5,500.00 and license revocation. **Mr. Redifer** seconded the motion which was unanimously approved by members: Burch, Falwell, Harris, Kinser, Orange, Hollar, Paulette Hart, Kirby and Redifer.

In the matter of File Number 2003-01188, Juan Caba t/a Bon Air Construction, t/a C & L Enterprise Services, the Board members reviewed the record of the Informal Fact-Finding Conference, which consisted of the investigative file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference of the presiding hearing officer. **Juan Caba, Regulant**, did not appear at the IFF or the Board meeting. The presiding hearing officer **Parrish** was not present did not participate in the discussion and did not vote. **Mr. Kirby** moved to adopt the Summary of the Informal Fact-Finding Conference for violations as follows:

Count I: 2001 18 VAC 50-22-260(B)(9)

Count II: 2001 18 VAC 50-22-260(B)(27)

Count III: 2001 18 VAC 50-22-260 (B) (6)

Count IV: 2001 18 VAC 50-22-260(B)(13)

Mr. Hart seconded the motion which was approved with a unanimous vote by members: Burch, Falwell, Harris, Hart, Kinser, Kirby, Orange, Hollar, Paulette and Redifer. After discussion, **Mr. Kirby** offered a motion to adopt the Summary of the Informal Fact-finding Conference for sanctions as

File Number
2003-01457
K. J.
Construction
of Virginia
Corporation

File Number
2003-01188
Juan Caba

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follows:

- Count I:** \$250.00
Count II: \$1,000.00 and remedial education
Count III: \$500.00 and remedial education
Count IV: \$2,000.00 and remedial education

Total monetary penalties: \$3,750.00 and remedial education. The Board felt that Juan Caba would have a better understanding of the requirements needed as a licensed contractor by completing the Board's Basic contracting Licensing Class. **Mr. Hart** seconded the motion which was unanimously approved by members: Burch, Falwell, Harris, Kinser, Orange, Paulette Hart, Hollar, Kirby and Redifer..

In the matter of File Number 2003-00911, Ivan D. Porter t/a Commonwealth Construction & Restoration, the Board members reviewed the record of the Informal Fact-Finding Conference, which consisted of the investigative file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference of the presiding hearing officer. **Ivan D Porter, Regulant**, did not appear at the IFF or the Board meeting. The presiding hearing officer **Parrish** was not present did not participate in the discussion and did not vote. **Mr. Kirby** moved to adopt the Summary of the Informal Fact-Finding Conference for violations as follows:

- Count I:** 1999 18 VAC 50-22-260(B)(8)
Count II: 2003 18 VAC 50-22-260(B)(13)

Mr. Hart seconded the motion which was approved with a unanimous vote by members: Burch, Falwell, Hollar, Harris, Hart, Kinser, Kirby, Orange, Paulette and Redifer. After discussion, **Mr. Hart** offered a motion to adopt the Summary of the Informal Fact-finding Conference for sanctions as follows:

- Count I:** \$300.00 and remedial education
Count II: \$500.00 and remedial education

Total monetary penalties: \$800.00 and remedial education. The Board felt Ivan D. Porter would have a better understanding of the requirements needed as a licensed contractor by completing the class. **Mr. Redifer** seconded the motion which was unanimously approved by members: Burch, Falwell, Harris, Kinser, Orange, Paulette, Hollar, Hart, Kirby and Redifer.

In the matter of File Number 2002-02814, Doris Newton t/a M & M Mobile Home Contractors, the Board members reviewed the record of the Informal Fact-Finding Conference, which consisted of the investigative file,

File Number
2003-00911
**Ivan D.
Porter**

File Number
2002-02814
Doris

transcript and exhibits, and Summary of the Informal Fact-Finding Conference of the presiding hearing officer. **Doris Newton, Regulant**, did not appear at the IFF or the Board meeting. The presiding officer **Wall** was not present did not participate in the discussion and did not vote. **Mr. Kirby** moved to adopt the Summary of the Informal Fact-Finding Conference for violations as follows:

Newton

Count I: 2001 18 VAC 50-22-260(B)(9)

Count II: 2001 18 VAC 50-22-260(B)(13)

Mr. Hart seconded the motion which was approved with a unanimous vote by members: Burch, Falwell, Harris, Hollar, Hart, Kinser, Kirby, Orange, Paulette and Redifer. After discussion, **Mr. Orange** offered a motion to adopt the Summary of the Informal Fact-finding Conference for sanctions as follows:

Count I: \$500.00 and remedial education

Count II: \$1,000.00 and remedial education

Total monetary penalties: \$1,500.00 and remedial education. The Board felt by completing the course Doris Newton would have a better understanding of requirements needed as a licensed contractor. **Mr. Burch** seconded the motion which was unanimously approved by members: Burch, Falwell, Harris, Kinser, Orange, Hollar, Paulette Hart, Kirby and Redifer.

In the matter of File Number 2003-01904, Robert R. Byrd t/Robert Byrd's Home Improvements the Board members reviewed the record of the Informal Fact-Finding Conference, which consisted of the investigative file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference of the presiding hearing officer. **Robert R. Byrd, Regulant**, did not appear at the IFF or the Board meeting. The presiding officer **Wall** was not present did not participate in the discussion and did not vote. Mr. Olson reminded the Board to review their supplemental information for this case contained in their handout packets. The handout was from Mr. Denney, attorney for Mr. Byrd. **Mr. Kirby** moved to adopt the Summary of the Informal Fact-Finding Conference for violations as follows:

File Number
2003-01904
Robert R.
Byrd

Count 1: 2001 18 VAC 50-22-260(B)(29)

Mr. Burch seconded the motion which was approved with a unanimous vote by members: Burch, Falwell, Harris, Hollar, Hart, Kinser, Kirby, Orange, Paulette and Redifer. After discussion, **Mr. Kirby** offered a motion to adopt the Summary of the Informal Fact-finding Conference for sanctions as follows:

Count I: \$200.00 and remedial education

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Total monetary penalties: \$200.00 and remedial education. The Board felt by completing the course Robert R. Byrd would have a better understanding of requirements needed as a licensed contractor. **Mr. Burch** seconded the motion which was unanimously approved by members: Burch, Falwell, Harris, Kinser, Orange, Hollar, Paulette Hart, Kirby and Redifer.

Mr. Kinser left the meeting at 12:45 PM to conduct IFF Hearings and Mr. Orange chaired the remainder of the meeting.

Kinser Left

In the matter of File Number 2002-00582, R A W Associates, Inc. t/a Design Associates and Drapery House, the Board members reviewed the record of the Informal Fact-Finding Conference, which consisted of the investigative file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference of the presiding hearing officer. Mr. Robert A Williams on behalf **RAW Associates, Inc Regulant**, appeared at the IFF but he did not attend the Board meeting. The presiding officer **Wall** was not present did not participate in the discussion and did not vote. **Mr. Redifer** moved to adopt the Summary of the Informal Fact-Finding Conference for violations as follows:

File Number
2002-00582
R A W
Associates,
Inc.

Count 1: 2001 18 VAC 50-22-260(B)(8)

Mr. Burch seconded the motion which was approved with a unanimous vote by members: Burch, Falwell, Harris, Hollar, Hart, Kirby, Orange, Paulette and Redifer. After discussion, **Mr. Hollar** offered a motion to adopt the Summary of the Informal Fact-finding Conference for sanctions as follows:

Count 1: \$500.00

Total monetary penalties: \$500.00. **Mr. Falwell** seconded the motion which was unanimously approved by members: Burch, Falwell, Harris, Orange, Hollar, Paulette, Hart, Kirby and Redifer.

In the matter of File Number 2004-00077, Global Coatings & Restorations LLC t/a Global Coatings & Restorations, LLC the Board members reviewed the record of the Informal Fact-Finding Conference, which consisted of the investigative file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference of the presiding hearing officer. **Global Coatings & Restorations, LLC, Regulant**, did not appear at the IFF or the Board meeting. The presiding officer **Wall** was not present did not participate in the discussion and did not vote. **Mr. Kirby** moved to adopt the

File Number
2004-00077
Global
Coatings &
Restorations,
LLC

Summary of the Informal Fact-Finding Conference for violations as follows:

- Count I:** 2001 18 VAC 50-22-260(B)(9)
- Count II:** 2001 18 VAC 50-22-260(B)(16)
- Count III:** 2003 18 VAC 50-22-260(B)(28)

Mr. Redifer seconded the motion which was approved with a unanimous vote by members: Burch, Falwell, Harris, Hollar, Hart, Kirby, Orange, Paulette and Redifer. After discussion, **Mr. Redifer** offered a motion to adopt the Summary of the Informal Fact-finding Conference for sanctions as follows:

- Count I:** \$1,000.00
- Count II:** \$2,500.00 and revocation
- Count III:** \$2,500.00 and revocation

Total monetary penalties: \$6,000.00 and license revocation. **Mr. Hollar** seconded the motion which was unanimously approved by members: Burch, Falwell, Harris, Orange, Hollar, Paulette Hart, Kirby and Redifer.

In the matter of File Number 2004-01200, Stacy N. Stanley t/a Colonial Paving Contractors, the Board members reviewed the record of the Informal Fact-Finding Conference, which consisted of the investigative file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference of the presiding hearing officer. **Stacy N. Stanley, Regulant**, did not appear at the IFF or the Board meeting. The presiding officer **Wood** was not present did not participate in the discussion and did not vote. **Mr. Falwell** moved to adopt the Summary of the Informal Fact-Finding Conference for violations as follows:

- Count I:** 2001 18 VAC 50-22-260(B)(8)
- Count II:** 2001 18 VAC 50-22-260(B)(9)
- Count III:** 2001 18 VAC 50-22-260(B)(15)
- Count IV:** 2001 18 VAC 50-22-260(B)(16)
- Count V:** 2003 18 VAC 50-22-260(B)(30)
- Count VI:** 2003-18 VAC 50-22-230(B)

Ms. Traylor pointed out that Ms. Stanley has prior violations. **Mr. Kirby** seconded the motion which was approved with a unanimous vote by members: Burch, Falwell, Harris, Hollar, Hart, Kirby, Orange, Paulette and Redifer. After discussion, **Mr. Hollar** offered a motion to adopt the Summary of the Informal Fact-finding Conference for sanctions as follows:

- Count I:** \$1,000.00
- Count II:** \$1,000.00
- Count III:** \$2,500.00 and license revocation
- Count IV:** \$2,500.00 and license revocation
- Count V:** \$2,500.00 and license revocation

File
2004-01200
Stacy N
Stanley

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Count VI: \$1,000.00

Total monetary penalties: \$10,500.00. **Mr. Redifer** seconded the motion which was unanimously approved by members: Burch, Falwell, Harris, Orange, Hollar, Paulette Hart, Kirby and Redifer.

In the matter of File Number 2004-00892, Stacy N. Stanley t/a Colonial Paving Contractors, the Board members reviewed the record of the Informal Fact-Finding Conference, which consisted of the investigative file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference of the presiding hearing officer. **Stacy N. Stanley, Regulant**, did not appear at the IFF or the Board meeting. The presiding officer **Wood** was not present did not participate in the discussion and did not vote. **Mr. Falwell** moved to adopt the Summary of the Informal Fact-Finding Conference for violations as follows:

Count I: 2003 18 VAC 50-22-260(B)(9)

Count II: 2003 18 VAC 50-22-260(B)(30)

Count III: 2003 18 VAC 50-22-230(B)

Ms. Traylor pointed out that Ms. Stanley has prior violations. **Mr. Redifer** seconded the motion which was approved with a unanimous vote by members: Burch, Falwell, Harris, Hollar, Hart, Kirby, Orange, Paulette and Redifer. After discussion, **Mr. Redifer** offered a motion to adopt the Summary of the Informal Fact-finding Conference for sanctions as follows:

Count I: \$1,000.00

Count II: \$2,500.00

Count III: \$1,000.00

Total monetary penalties: \$4,500.00. **Mr. Hollar** seconded the motion which was unanimously approved by members: Burch, Falwell, Harris, Orange, Hollar, Paulette Hart, Kirby and Redifer

In the matter of File Number 2004-00734, Stacy N. Stanley t/a Colonial Paving Contractors, the Board members reviewed the record of the Informal Fact-Finding Conference, which consisted of the investigative file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference of the presiding hearing officer. **Stacy N. Stanley, Regulant**, did not appear at the IFF or the Board meeting. The presiding officer **Wood** was not present did not participate in the discussion and did not vote. **Mr. Hollar** moved to adopt the Summary of the Informal Fact-Finding Conference for violations as follows:

Count I: 2001 18 VAC 50-22-260(B)(30)

File Number
2004-00892
Stacy N.
Stanley

File Number
2004-00734
Stacy N
Stanley

Contractor Board Meeting Minutes

March 02, 2004

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Count II: 2003 18 VAC 50-22-230(B)

Ms. Traylor pointed out that Ms. Stanley has prior violations. **Mr. Kirby** seconded the motion which was approved with a unanimous vote by members: Burch, Falwell, Harris, Hollar, Hart, Kirby, Orange, Paulette and Redifer. After discussion, **Mr. Hollar** offered a motion to adopt the Summary of the Informal Fact-finding Conference for sanctions as follows:

Count I: \$2,500.00 and license revocation

Count II: \$1,000.00

Total monetary penalties: \$3,500.00 and license revocation. **Mr. Redifer** seconded the motion which was unanimously approved by members: Burch, Falwell, Harris, Orange, Hollar, Paulette, Hart, Kirby and Redifer

In the matter of File Number 2004-00064, Stacy N. Stanley t/a Colonial Paving Contractors, the Board members reviewed the record of the Informal Fact-Finding Conference, which consisted of the investigative file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference of the presiding hearing officer. **Stacy N. Stanley, Regulant**, did not appear at the IFF or the Board meeting. The presiding officer **Wood** was not present did not participate in the discussion and did not vote. **Mr. Hart** moved to adopt the Summary of the Informal Fact-Finding Conference for violations as follows:

Count I: 2001 18 VAC 50-22-260(B)(9)

Count II: 2001 18 VAC 50-22-260(B)(30)

Count III: 2003 18 VAC 50-22-230(B)

Ms. Traylor pointed out that Ms. Stanley has prior violations. **Mr. Kirby** seconded the motion which was approved with a unanimous vote by members: Burch, Falwell, Harris, Hollar, Hart, Kirby, Orange, Paulette and Redifer. After discussion, **Mr. Hollar** offered a motion to adopt the Summary of the Informal Fact-finding Conference for sanctions as follows:

Count I: \$1,000.00 and license revocation

Count II: \$2,500.00

Count III: \$1,000.00

Total monetary penalties: \$4,500.00 and license revocation. **Mr. Kirby** seconded the motion which was unanimously approved by members: Burch, Falwell, Harris, Orange, Hollar, Paulette Hart, Kirby and Redifer

File Number
2004-00064
Stacy N
Stanley

In the matter of File Number 2003-01659, the Board members reviewed

File Number

the record of the Informal Fact-Finding Conference, which consisted of the investigative file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference of the presiding hearing officer. **Carolyn or James Battle, Regulant**, both appeared at the IFF but not the Board meeting. The presiding officer **Burch** was not present did not participate in the discussion and did not vote. **Mr. Kirby** moved to adopt the Summary of the Informal Fact-Finding Conference for violations as follows:

Count III: 2001 18 VAC 50-22-260(B)(13)

Mr. Hart seconded the motion which was approved with a unanimous vote by members: Falwell, Harris, Hollar, Hart, Kirby, Orange, Paulette and Redifer. After discussion, **Mr. Falwell** offered a motion to adopt the Summary of the Informal Fact-finding Conference for sanctions with an amendment as follows:

Count III: \$1,000.00 and remedial education

Total monetary penalties: \$1,000.00 and remedial education. The Board felt by completing the course Battle Oil Company Inc. would have a better understanding of requirements needed as a licensed contractor. The Board increased the fine for count III from \$300.00 to \$1,000.00 due to the severity of the violation and to be consistent with previous Board actions for similar violations. **Mr. Hollar** seconded the motion which was unanimously approved by members: Falwell, Harris, Orange, Hollar, Paulette Hart, Kirby and Redifer.

In the matter of File Number 2003-03162, Estate Construction LLC t/a Estate Construction LLC; the board reviewed the Consent Order as seen and agreed to by Mr. Wayland Hockaby. **Mr. Paulette** moved to accept the Consent Order wherein Mr. Hockaby admits to violations of:

Count 1: 2001 Regulation 18 VAC 50-22-260(B)(27)

Count II: 2001 18 VAC 50-22-260(B)(9)

Count III: 2001 18 VAC 50-22-260(B)(31) and agrees to the imposition of the following sanctions:

Count 1: \$250.00 and Remedial Education

Count II: \$150.00 and Remedial Education

Count III: \$250.00 and Remedial Education

Total monetary penalties: \$650.00. **Mr. Paulette** moved that, in accordance with the terms of the Consent Order, Mr. Hockaby's failure to pay the penalty, costs or to comply with all terms of the Order within the specified time period shall result in the automatic suspension of Estate Construction LLC's license until such time as there is compliance with all terms of the Order. **Mr. Harris** seconded the motion which was unanimously approved by members: Burch, Falwell, Harris, Hart, Hollar, Kirby, Orange, Paulette and Redifer.

2003-01659
Battle Oil
Company
Inc.

File Number
2003-03162
Estate
Construction
LLC

In the matter of File Number 2003-02528, Virginia Building Service of Roanoke Inc t/a Virginia Building Service of Roanoke Inc; the board reviewed the Consent Order as seen and agreed to by **Michael E. Levan**. **Mr. Paulette** moved to accept the Consent Order wherein **Mr. Levan** admits to violations of:

Count 1: 2003 Regulation 18 VAC 50-22-260(B)(9) Two counts and agrees to the imposition of the following sanctions:

Count 1: \$200.00 and Remedial Education for each violation

Total monetary penalties: \$200.00. **Mr. Paulette** moved that, in accordance with the terms of the Consent Order, **Mr. Levan's** failure to pay the penalty, costs or to comply with all terms of the Order within the specified time period shall result in the automatic suspension of **Virginia Building Service of Roanoke Inc's** license until such time as there is compliance with all terms of the Order. **Mr. Harris** seconded the motion which was unanimously approved by members: **Burch, Falwell, Harris, Hart, Hollar, Kirby, Orange, Paulette and Redifer.**

File Number
2003-02528
Virginia
Building
Service of
Roanoke Inc

In the matter of File Number 2002-02149, Edward G. Massoller t/a Crewe's Unlimited Services; the board reviewed the Consent Order as seen and agreed to by **Edward G. Massoller**. **Mr. Paulette** moved to accept the Consent Order wherein **Mr. Massoller** admits to violations of:

Count 1: 2001 Regulation 18 VAC 50-22-260(B)(27)

Count II: 2001 18 VAC 50-22-260(B)(9)

and agrees to the imposition of the following sanctions:

Count 1: \$150.00 and Remedial Education

Count II: \$100.00 and Remedial Education

Total monetary penalties: \$250.00. **Mr. Paulette** moved that, in accordance with the terms of the Consent Order, **Mr. Massoller's** failure to pay the penalty, costs or to comply with all terms of the Order within the specified time period shall result in the automatic suspension of **Crewe's Unlimited Services's** license until such time as there is compliance with all terms of the Order. **Mr. Harris** seconded the motion which was unanimously approved by members: **Burch, Falwell, Harris, Hart, Hollar, Kirby, Orange, Paulette and Redifer.**

File Number
2002-02149
Edward G.
Masoller

In the matter of File Number 2004-01280, D Wayne Westover, t/a C & W Building; the board reviewed the Consent Order as seen and agreed to by

File Number
2004-01280
D Wayne

D Wayne Westover. Mr. Paulette moved to accept the Consent Order wherein Mr. Westover admits to violations of: **Westover**

Count 1: 2003 Regulation 18 VAC 50-22-260(B)(9)

Count II: 2003 Regulation 18 VAC 50-22-260(B)(27)

and agrees to the imposition of the following sanctions:

Count 1: \$250.00 and Remedial Education

Count II: \$250.00 and Remedial Education

Total monetary penalties: \$500.00. Mr. Paulette moved that, in accordance with the terms of the Consent Order, Mr. Westover's failure to pay the penalty, costs or to comply with all terms of the Order within the specified time period shall result in the automatic suspension of C & W Building's license until such time as there is compliance with all terms of the Order. Mr. Harris seconded the motion which was unanimously approved by members: Burch, Falwell, Harris, Hart, Hollar, Kirby, Orange, Paulette and Redifer..

In the matter of File Number 2003-00964, John Henry Mann t/a Mann Builders; the board reviewed the Consent Order as seen and agreed to by John H. Mann. Mr. Paulette moved to accept the Consent Order wherein Mr. Mann admits to violations of:

File Number

2003-00964

**John Henry
Mann**

Count 1: 2003 Regulation 18 VAC 50-22-260(B)(9)

Count II: 2001 Regulation 18 VAC 50-22-260(B)(27)

and agrees to the imposition of the following sanctions:

Count 1: \$100.00 and Remedial Education

Count II: \$ 250.00 and Remedial Education

Total monetary penalties: \$350.00. Mr. Paulette moved that, in accordance with the terms of the Consent Order, Mr. Mann's failure to pay the penalty, costs or to comply with all terms of the Order within the specified time period shall result in the automatic suspension of Mann Builder's license until such time as there is compliance with all terms of the Order. Mr. Harris seconded the motion which was unanimously approved by members: Burch, Falwell, Harris, Hart, Hollar, Kirby, Orange, Paulette and Redifer.

In the matter of File Number 2003-02450, Alexander N Wingo, t/a Wingo Construction; the board reviewed the Consent Order as seen and agreed to by Alexander N Wingo. Mr. Redifer the presiding officer was not present and did not participate and did not vote. Mr. Paulette moved to

File Number

2003-02450

**Alexander N.
Wingo**

accept the Consent Order wherein **Mr. Wingo** admits to violations of:

Count 1: 2001 Regulation 18 VAC 50-22-260(B)(9) and agrees to the imposition of the following sanctions:

Count 1: \$250.00 and Remedial Education

Total monetary penalties: \$250.00. **Mr. Paulette** moved that, in accordance with the terms of the Consent Order, **Mr. Levan's** failure to pay the penalty, costs or to comply with all terms of the Order within the specified time period shall result in the automatic suspension of **Wingo Construction's** license until such time as there is compliance with all terms of the Order. **Mr. Harris** seconded the motion which was unanimously approved by members: **Burch, Falwell, Harris, Hart, Hollar, Kirby, Orange and Paulette.**

In the matter of File Number 2003-03007, Aubrey Michael L Asphalt Maintenance Systems Corporation, t/a Aubrey Michael L Asphalt Maintenance Systems Corporation; the board reviewed the Consent Order as seen and agreed to by **Michael L. Asphalt.** Mr. Redifer the presiding officer was not present and did not participate and did not vote. **Mr. Paulette** moved to accept the Consent Order wherein **Mr. Asphalt** admits to violations of:

Count 1: 2001 Regulation 18 VAC 50-22-260(B)(9)

Count II: 2001 Regulation 18 VAC 50-22-260(B)(8) and agrees to the imposition of the following sanctions:

Count 1: \$250.00 and Remedial Education

Count II: \$150.00 and Remedial Education

Total monetary penalties: \$400.00. **Mr. Paulette** moved that, in accordance with the terms of the Consent Order, **Mr. Asphalt's** failure to pay the penalty, costs or to comply with all terms of the Order within the specified time period shall result in the automatic suspension of **Aubrey Michael L Asphalt Maintenance Systems Corporation's** license until such time as there is compliance with all terms of the Order. **Mr. Harris** seconded the motion which was unanimously approved by members: **Burch, Falwell, Harris, Hart, Hollar, Kirby, Orange and Paulette.**

File Number
2003-03007
**Aubrey
Michael L
Asphalt
Maintenance
Systems
Corporation**

At 1:05 PM Mr. Burch moved to recess the meeting. He further stated, "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**

Contractor Board Meeting Minutes

March 02, 2004

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consideration of the topic; Eric Olson, Executive Director. The motion is made with respect to the matter(s) identified as agenda item 7, Other Board Business, File Numbers 2001-02956; 2002-00449; and 2002-03219. **Mr. Falwell** seconded the motion which was unanimously adopted by members: Burch, Falwell, Hollar, Hart, Harris, Orange, Kirby, Paulette and Redifer.

At 1:23 PM the meeting was reconvened. Mr. Burch made a motion seconded by Mr. Falwell, 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 business matters as were identified in the motion convening the closed meeting were: Call for vote (each member must answer "Aye" or "Nay")" **Robert Burch, Jr. Aye, David Harris "Aye", Jim Hollar "Aye", Dorothy Wood (Absent), Jennifer Parrish, (Absent), Michael Redifer, "Aye"; Charles Falwell, "Aye", Kenneth Hart, "Aye", Mark Kinser, (Absent), Robert McDowell, (Absent), Anthony Orange, "Aye", and William Paulette "Aye".**

**Meeting
Reconvened**

In the matter of 2002-00449, Mr. Kirby offered a motion that the Board rejects the offer of settlement proposed. **Mr. Redifer** seconded the motion and it was unanimously adopted by members: Burch, Harris, Hollar, Hart, Falwell, Orange, Paulette, Redifer and Kirby.

**Case
2002-00449**

In the matter of 2001-02956 Mr. Kirby offered a motion that the Board rejects the offer of settlement proposed. **Mr. Redifer** seconded the motion and it was unanimously adopted by members: Burch, Harris, Hollar, Hart, Falwell, Orange, Paulette, Redifer and Kirby.

**Case
2001-02956**

In the matter of 2002-03219, Mr. Kirby offered a motion that the Board stay the final order pending the outcome of the court case. **Mr. Redifer** seconded the motion and it was unanimously adopted by members: Burch, Harris, Hollar, Hart, Falwell, Orange, Paulette, Redifer and Kirby.

**Case
2002-03219**

Kim Freiburger gave a brief overview of the Tradesman and education report. **Mr. Hollar** offered a motion to adopt the Tradesman and Education Committee meeting report and the recommendations as it related to policies.

**Tradesman
And
Education**

Contractor Board Meeting Minutes

March 02, 2004

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Mr. Redifer seconded the motion which was unanimously approved by members: Burch, Harris, Hollar, Hart, Falwell, Orange, Paulette, Redifer and Kirby.

**Committee
Report**

Mr. Hollar shared with the Board that the Washington Suburban Sanitary Commission may now be more receptive to our offer for a licensure agreement. Lori Crigler asked the Board if they were interested in any Mold remediation training? Kim Freiberger shared with the Board that she anticipated having a calendar date for their "additional sex offender training" soon.

**New
Business**

Eric Olson reminded the Board they had copies of the Recovery Fund Reports for December of 2003.

**Recovery
Fund
Reports**

Kim Freiberger shared she is currently working on confirming a date for training with a specialist in the sex offender field. Kim will provide additional information later this month. All Board members will be notified and invited to the training session.

**New
Business**

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

**Completion
of
Paperwork**

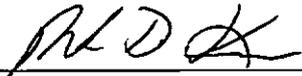
There being no further business to come before the board, the meeting was adjourned upon a motion by **Paulette** and seconded by **Falwell**. The vote was unanimous. Members voting yes were, Hollar, Harris, Hart, Kirby, Orange, Falwell, Paulette, Burch and Redifer at 2:45 P M.

**Adjourn-
ment**

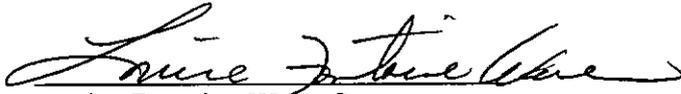
Contractor Board Meeting Minutes

March 02, 2004

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Mark D. Kinser, Chairman



Louise Fontaine Ware, Secretary

Copy teste:

Custodian of the Record

STATE AND LOCAL GOVERNMENT

CONFLICT OF INTEREST ACT

1. Name: Robert O. Burch, 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.

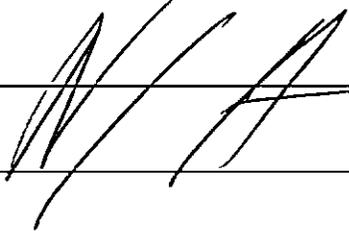
Signature

Robert O. Burch, Jr.

March 2, 2004
Date

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

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



6. I declare that:

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

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


Signature

March 2, 2004
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

March 2, 2004
Date

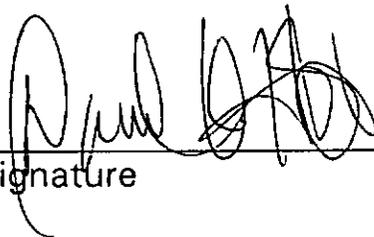
STATE AND LOCAL GOVERNMENT

CONFLICT OF INTEREST ACT

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

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

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



Signature

March 2, 2004
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:

C. M. H. INC

6. I declare that:

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

ACCA, PHCC, PMC-NV, ELECT. ASSOC.

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

James A. Hollar
Signature

March 2, 2004
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. KASH, INC. PARTNER KASH &
KASH 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:

ALL OF VA, BUILDERS & CONTRACTORS EXCH,
PUPVA.

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


Signature

March 2, 2004
Date

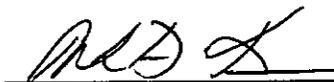
**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTEREST ACT**

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

March 2, 2004
Date

STATE AND LOCAL GOVERNMENT

CONFLICT OF INTEREST ACT

RECEIVED
MAR 10 2004
ED FOR CONTRACTORS

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

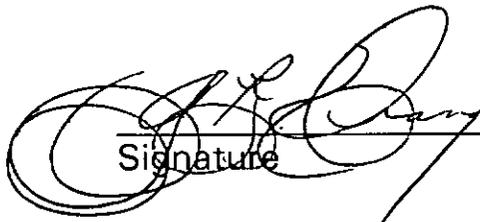
N/A

6. I declare that:

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

I. B. E. W LOCAL UNION 666

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


Signature

March 2, 2004
Date

STATE AND LOCAL GOVERNMENT

CONFLICT OF INTEREST ACT

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

6. I declare that:

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

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

WPA
Signature

March 2, 2004
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:

UBCDA, UPMA, IAET, NFPA, ILL

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



Signature

March 2, 2004
Date