

BOARD FOR CONTRACTORS BOARD MEETING

MINUTES

The Board for Contractors met on Tuesday, July 25th, 2006 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
Troy Smith
Robert M Kirby
Michael D. Redifer
Ann Rackas Pate
Jeffrey Modisett
Deborah Lynn Tomlin
Dorothy Wood

Mr. Walton and Mr. Hart did not attend the meeting.

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

Jay W. DeBoer, Director
David Ashe, Chief Deputy
Karen O'Neal, Deputy Director of Regulatory Programs
Eric L. Olson, Executive Director
Kevin Hoefft, Regulatory Boards Administrator
Sheila Watkins, Administrative Assistant
Jeffrey Buckley, Legal Assistant
Joe Haughwout, Legal Assistant
Karen Kenney, Administrative Assistant
Victoria Traylor, Legal Analyst
Earlyne Perkins, Legal Analyst
Doug Schroder, Director, Adjudication
Bonnie Rhea Adams, Director, CAR

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

Call
To Order

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

Approval of
the Agenda

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

Approval of
Minutes

June 27th, 2006, Board for Contractor Meeting
June 29, 2006, Informal Fact Finding Conference.
June 20, 2006, Informal Fact Finding Conference.
June 15, 2006, Informal Fact Finding Conference.
June 28, 2006, Informal Fact Finding Conference.
June 07, 2006, Informal Fact Finding Conference
June 06, 2006, Informal Fact Finding Conference. two

Mr. Modisett seconded the motion with a correction to the minutes on page 6 of 75 file number 2006-00427 needed to reflect that Modisett voted "yes" and remove one occurrence of Tomlin's name and it was unanimously approved by members: Members voting "Yes" were: **Kinser, Kirby, Modisett, Redifer, Tomlin, Orange, Rackas Pate, Smith and Wood.** **Hart and Walton** were absent.

There was no public comment.

Public
Comment
Period

In the matter of License Application File Number 2006-04920, Cole Mechanical, Inc, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2006-04920
Cole
Mechanical,
Inc

Kenneth Leon Cole and Kathy Cole appeared on behalf of **Cole Mechanical, Inc.** at the IFF and the Board meeting. Mr. and Mrs. Cole addressed the Board with their concerns and disagreements about the hearing officer's recommendation. The presiding Board representative **Ms. Chappell** 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 **Ms. Tomlin** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and deny the license. The Board considered its Regulations 18 VAC 50-22-40E and other applicable law: §54.1-204 and 54.1-1108 2 of the Code of Virginia. The Board denies the application based

upon the record of, including the information obtained from the Central Criminal Records Exchange, and in consideration of the criteria outlined in 18 VAC 50-22-40 C and §54.1-1108.2. The Board is of the opinion Cole has not successfully demonstrated that he has not been successfully rehabilitated and he has not provided evidence to show he has an established payment plan in place for approximately \$25,800 in debt.

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

In the matter of License Application File Number 2006-04919, Kenneth L Cole, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2006-04919
Kenneth L
Cole**

Kenneth L Cole appeared at the IFF and the Board meeting. The presiding Board representative **Ms. Chappell** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Ms. Wood** and seconded by **Mr. Kirby** to reject the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the tradesman license.

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

In the matter of License Application File Number 2006-04915, CND Company, 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
2006-04915
CND
COMPANY,
LLC**

Charles Paret appeared at the IFF and at the Board meeting. He addressed the Board and shared his agreement with the recommendation. The presiding Board representative **Ms. Chappell** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Mrs. Wood** and seconded by **Mrs. Rackas Pate** 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: **Kinser, Kirby, Modisett, Redifer, Tomlin, Rackas Pate, Smith and Wood.** Hart and Walton were absent. **Mr. Orange** voted "no".

In the matter of License Application File Number 2006-04851, Jessica Kristin Reitz and Christopher Ritchey Wallace, t/a CR Wallace Enterprises, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2006-04851
Jessica
Kristin Reitz
and
Christopher
Ritchey
Wallace T/A
CR Wallace
Enterprises**

Applicant Reitz and Wallace appeared at the IFF but not the Board meeting. The presiding Board representative Ms. Chappell 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. Wood to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and deny the license. The Board has considered its Regulations: 18 VAC 50-22-40 E and other applicable law: §54.1-204 and 54.1-1108 2 of the Code of Virginia. The Board denies the application based upon the record, including the information obtained from the Central Criminal Records Exchange, and in consideration of the criteria outlined in §54.1-204. B. The Board is of the opinion that not enough time has elapsed to sufficiently determine whether Wallace has been successfully rehabilitated.

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

In the matter of License Application File Number 2006-04849, R & S Enterprises, Inc, t/a R & S Demolition & Hauling the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2006-04849
R & S
Enterprises,
Inc t/a R & S
Demolition
& Hauling**

Leroy M Shecut for R & S Enterprises, Inc. t/a R & S Demolition & Hauling appeared at the IFF but not the Board meeting. The presiding Board representative Ms. Chappell was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by Ms. Wood and seconded by Ms. Rackas Pate to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and approve the license.

The motion passed by unanimous vote. Members voting "Yes" were: Kinser, Kirby, Modisett, Redifer, Tomlin, Orange, Rackas Pate, Smith and Wood. Hart and Walton were absent.

In the matter of License Application File Number 2006-04755, Olde School Construction, 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
2006-04755
Olde School
Construction
, LLC**

Kenneth Buckland for Olde School Construction, LLC appeared at the IFF and the Board meeting. He addressed the board and shared his agreement with the hearing officer's recommendation. The presiding Board representative **Ms. Chappell** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Redifer** and seconded by **Ms. Rackas Pate** to adopt 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: **Kinser, Modisett, Redifer, Tomlin, Rackas Pate and Orange. Hart and Walton were absent. Mr. Smith, Kirby and Ms. Wood voted "no".**

In the matter of License Application File Number 2006-04706, Charles Curry III t/a Pro 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
2006-04706
Charles
Curry III t/a
Pro
Contracting**

Applicant Charles Curry III t/a Pro Contracting appeared at the IFF but not the Board meeting. The presiding Board representative **Ms. Chappell** 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 reject the recommendation contained in the Summary of the Informal Fact-Finding Conference and deny the license. The Board has considered its Regulations: 18 VAC 50-22-50 and other applicable law: §54.1-11089 of the Code of Virginia. The Board denies the application based upon the record. The Board is of the opinion that based on his past financial difficulties to approve his application would expose clients to undue financial risk.

The motion was approved by unanimous vote. Members voting "Yes" were: **Kinser, Kirby, Modisett, Redifer, Tomlin, Orange, Rackas Pate, Smith and Wood. Hart and Walton were absent.**

In the matter of License Application File Number 2006-04705, Bernard Grasberger, Jr, t/a Extreme Home Remodeling, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2006-04705
Bernard
Grasberger,
Jr. t/a
Extreme
Home
Remodeling**

Applicant Bernard Grasberger, JR. t/a Extreme Home Remodeling appeared at the IFF and the Board meeting. The presiding Board representative **Ms. Chappell** 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 by a unanimous vote. Members voting "Yes" were: **Kinser, Kirby, Modisett, Redifer, Tomlin, Orange, Rackas Pate, Smith and Wood.** Hart and Walton were absent.

In the matter of License Application File Number 2006-04704, Steven Charles O'Brien, JR. t/a The Carpenters Company., the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2006-04704
Steven
Charles
O'Brien, Jr.,
T/A The
Carpenters
Company**

Applicant Steven O'Brien, Jr. t/a The Carpenters Company appeared at the IFF and the Board meeting along with his father, Steven O'Brien, Sr.. They addressed the Board and shared their disagreement with the summary and recommendation. The presiding Board representative **Ms. Chappell** 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 **Ms. Rackas Pate** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and deny the license. The Board has considered its Regulation: 18 VAC 50-22-40 E and other applicable law: §54.1-204 and 54.1-1108 2 of the Code of Virginia. The Board denies the application based upon the record, including the information obtained from the Central Criminal Records Exchange, and in consideration of the criteria outlined in §54.1-204.B. The Board is of the opinion that release from incarceration of one year is not sufficient time to demonstrate that he will refrain from engaging in criminal activity.

The motion was approved by a unanimous vote. Members voting "Yes" were: **Kinser, Kirby, Modisett, Redifer, Tomlin, Orange, Rackas Pate, Smith and Wood.** Hart and Walton were absent.

In the matter of License Application File Number 2006-04601, Sterling D Banks, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2006-04601
Sterling D
Banks**

Applicant, Sterling D Banks appeared at the IFF and he attended the Board meeting. He addressed the Board and shared their agreement with the summary and recommendation. The presiding Board representative **Ms. Chappell** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Ms. Wood** 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 unanimous vote. Members voting "Yes" were:

Kinser, Kirby, Modisett, Redifer, Tomlin, Orange, Rackas Pate, Smith and Wood. Hart and Walton were absent.

In the matter of License Application File Number 2006-04600, GNK Construction, Inc, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2006-04600
GNK
Construction
, Inc.**

GNK Construction, Inc appeared at the IFF but not the Board meeting. The presiding Board representative **Ms. Chappell** 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 approve the license.

The motion was approved by unanimous vote. Members voting "Yes" were: **Kinser, Kirby, Modisett, Redifer, Tomlin, Orange, Rackas Pate, Smith and Wood. Hart and Walton were absent.**

In the matter of License Application File Number 2006-04599, Del Rio, LTD., the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2006-04599
Del Rio,
LTD**

Del Rio LTD Inc appeared at the IFF but not the Board meeting. The presiding Board representative **Ms. Chappell** 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 **Ms. Rackas Pate** to reject the recommendation contained in the Summary of the Informal Fact-Finding Conference and deny the license. The Board considered its Regulations: 18 VAC 50-22-50 F and other applicable law: §54.1-1110 of the Code of Virginia. The Board denies the application based upon the record. After reviewing the facts, the Board is of the opinion that the work habits of the Fentress have not changed and due to Fentress' tenuous financial past that the license not be granted. The motion passed unanimously. Members voting "Yes" were: **Kinser, Kirby, Modisett, Redifer, Tomlin, Orange, Rackas Pate, Smith and Wood. Hart and Walton were absent.**

In the matter of License Application File Number 2006-04598, Bret Duane McCarter, t/a Bret's 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
2006-04598
Bret Duane
McCarter,
t/a Bret's
Home**

Bret McCarter t/a Bret's Home Improvement appeared at the IFF and the

Board meeting. He addressed the Board and shared his agreement with the summary and recommendation. The presiding Board representative **Ms. Chappell** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Mrs. Wood** and seconded by **Mr. Kirby** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant the license.

Improvement

The motion was approved majority vote. Members voting "Yes" were: **Kinser, Kirby, Modisett, Redifer, Tomlin, Orange, Smith and Wood. Hart and Walton were absent. Member voting "No" was: Rackas Pate.**

In the matter of License Application File Number 2006-04274, Swinson Enterprises 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
2006-04274
Swinson
Enterprises,
LLC**

Swinson Enterprises LLC appeared at the IFF but not the Board meeting. Neither counsel nor anyone on its behalf appeared. The presiding Board representative **Ms. Chappell** 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 deny the license. The Board considered its Regulations: 18 VAC 50-22-60 G and other applicable law §54.1-204 and 54.1-1106 of the Code of Virginia. The Board denied the application based upon the record, including the information obtained from the Central Criminal Records Exchange, and in consideration of the criteria outlined in §54.1-204.B. The Board is of the opinion that due to the nature and seriousness of the crime, the relationship of the crime and the purpose for requiring a license, and due to the recentness of the offenses, combined with the lack of rehabilitation that the license be denied.

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

In the matter of Recovery Fund File Number 2005-03393, Thomasema F Pannell (Claimant) vs. Albert Phoneix (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither Albert Phoneix (Regulant) nor anyone** on his behalf appeared at the IFF or the Board meeting. **Thomasema Pannell (Claimant)** appeared at the IFF and the Board meeting, She shared her agreement with the summary and recommendation. After

**File Number
2005-03393
Albert
Phoneix**

discussion, a motion was made by **Mr. Orange** and seconded by **Ms. Wood** to adopt the claim review and the hearing officer's recommendations and summary for violations and pay the claim for payment in the amount of **\$1,645.00**. The motion passed unanimously. Members voting "Yes" were: **Kinser, Kirby, Modisett, Redifer, Smith, Tomlin, Orange, Rackas Pate and Wood**. **Hart and Walton were absent**. As the Board Representative, **Mr. Hollar** was not present and did not vote.

In the matter of Recovery Fund File Number 2005-03389, Daniel J Bell (Claimants) vs. William Cole t/a USA Home Improvements (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither William Cole t/a USA Home Improvements (Regulant) nor anyone on its behalf appeared at the IFF or the Board meeting. Daniel Bell (Claimant) appeared at the IFF but did not attend the Board meeting.** After discussion, a motion was made by **Ms. Wood** and seconded by **Ms. Rackas Pate** to adopt the claim review and the hearing officer's recommendations and summary for violations and pay the claim for payment in the amount of **\$4,458.00**. The motion passed unanimously. Members voting "Yes" were: **Kinser, Kirby, Modisett, Redifer, Smith, Tomlin, Orange, Rackas Pate and Wood**. **Hart and Walton were absent**. As the Board Representative, **Mr. Hollar** was not present and did not vote.

File Number
2005-03389
William Cole
t/a USA
Home
Improve-
ments

In the matter of Recovery Fund File Number 2005-03346, Michael J Guston (Claimants) vs. Ronald Updegraffe t/a Graff Construction (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither Ronald Updegraffe t/a Graff Construction (Regulant) nor anyone on its behalf appeared at the IFF or the Board meeting. Michael Guston (Claimant) appeared at the IFF and he attended the Board meeting and shared his agreement with the summary and recommendation.** After discussion, a motion was made by **Ms. Wood** and seconded by **Mr. Kirby** to adopt the claim review and the hearing officer's recommendations and summary for violations and pay the claim for payment in the amount of **\$20,000.00**. The motion passed unanimously. Members voting "Yes" were: **Smith, Kinser, Kirby, Modisett, Redifer, Tomlin, Orange, Rackas Pate and Wood**. **Walton, Hart, Cronin and Smith were absent**. As the Board Representative, **Mr. Hollar** was not present and did not vote.

File Number
2005-03346
Ronald
Updegraffe
t/a Graff
Construction

In the matter of Recovery Fund File Number 2006-01863, Dumitru D Carstea (Claimants) vs. Colberts Construction Company, Inc (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Colberts**

File Number
2006-01863
Colberts
Construction

Construction Company, Inc. (Regulant) did not appear at the IFF or the Board meeting. Dumitru Carstea (Claimant) appeared at the IFF and did not attend the Board meeting. After discussion, a motion was made by Ms. Wood and seconded by Ms. Rackas Pate to adopt the claim review and the hearing officer's recommendations and summary for violations and pay the claim in the amount of \$1,150.00. The motion passed unanimously. Members voting "Yes" were: Kinser, Kirby, Modisett, Redifer, Smith, Tomlin, Orange, Rackas Pate and Wood. Hart and Walton were absent.

**Company,
Inc.**

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

In the matter of Recovery Fund File Number 2006-01862, Heth Owen, Jr. (Claimants) vs. Thomas Taylor t/a Thomas W Taylor (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. Thomas Taylor t/a Thomas W Taylor (Regulant) nor anyone on their behalf appeared at the IFF and the Board meeting. Heth Owen, Jr. (Claimant) attended the IFF and the Board meeting. After discussion, a motion was made by Mr. Redifer and seconded by Ms. Wood to adopt the claim review and the hearing officer's recommendations and summary for violations and pay the claim for payment in the amount of \$1,003.84. The motion passed unanimously. Members voting "Yes" were: Kinser, Kirby, Modisett, Redifer, Smith, Tomlin, Orange, Rackas Pate and Wood. Walton and Hart, were absent.

**File Number
2006-01862
Thomas
Taylor t/a
Thomas W
Taylor**

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

In the matter of Recovery Fund File Number 2006-01859, H Lynn Grayson and Robin Grayson (Claimants) vs. Peter A Murphy t/a Murph's Building (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. Peter A Murphy t/a Murph's Building (Regulant) "nor" anyone on its behalf appeared at the IFF or the Board meeting. H Lynn Grayson and Robin Grayson (Claimant) appeared at the IFF but did not attend the Board meeting. After discussion, a motion was made by Mr. Kirby to correct the amount to be paid in the recommendation and seconded by Ms. Rackas Pate to adopt the claim review and the hearing officer's recommendations and summary for violations and pay the claim in the amount of \$12,044.50. The motion passed unanimously. Members voting "Yes" were: Falwell, Kinser, Kirby, Modisett, Redifer, Walton, Hart, Tomlin, Orange, Rackas Pate and Wood. Smith was absent.

**File Number
2006-01859
Peter
Murphy t/a
Murph's
Building**

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

In the matter of Recovery Fund File Number 2006-00896, Linda Creef (Claimants) vs. Charles & Darrell Miller t/a Miller and Sons Contracting (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Charles & Darrell Miller t/a Miller and Sons Contracting (Regulant) "nor" anyone on their behalf appeared at the IFF or the Board meeting. Linda Creef (Claimant) appeared at the IFF but not the Board meeting. After discussion, a motion was made by Mr. Kirby and seconded by Mr. Orange to adopt the claim review and reject the hearing officer's recommendations and summary for violations and deny payment of the claim. The motion passed unanimously. Members voting "Yes" were: Smith, Kinser, Kirby, Modisett, Redifer, Tomlin, Orange, Rackas Pate and Wood. Hart and Walton were absent.**

**File Number
2006-00896
Charles &
Darrell
Miller t/a
Miller and
Sons
Contracting**

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

In the matter of Recovery Fund File Number 2006-00754, Yulanda Britton (Claimants) vs. Claude T Wood t/a Wood and Sons (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Claude T Wood t/a Wood and Sons (Regulant) nor anyone on its behalf appeared at the IFF or the Board meeting. Yulanda Britton (Claimants) appeared at the IFF and in person at the Board meeting and addressed the Board. After discussion, a motion was made by Ms. Wood and seconded by Mr. Modisett to adopt the claim review an accept the hearing officer's recommendations and summary for violations and pay the claim for payment in the amount of \$20,000.00. The motion passed unanimously. Members voting "Yes" were: Smith, Kinser, Kirby, Modisett, Redifer, Tomlin, Orange, Rackas Pate and Wood. Walton and Hart were absent.**

**File Number
2006-00754
Claude T
Wood t/a
Wood and
Sons**

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

In the matter of Recovery Fund File Number 2005-00696, Hugh & Deborah Ludlam (Claimants) vs. National Restoration Specialists, Inc. (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither National Restoration Specialists, Inc (Regulant) nor anyone on its behalf appeared at the IFF or the Board meeting. Hugh and Deobrah Ludlam (Claimants) appeared at the IFF and the Board meeting. They shared their agreement with the Board. After discussion, a motion was made by Mr. Kirby and seconded by Ms. Rackas Pate to adopt the claim review and the hearing officer's recommendations and summary for violations and pay the claim for payment in the amount of \$3,277.00. The motion passed**

**File Number
2005-00696
National
Restoration
Specialists,
Inc.**

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

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

In the matter of Recovery Fund File Number 2005-03410, John & Lori Ross (Claimants) vs. Thomas Maddox & Lawanda Barnes t/a I E Remodeling (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither Thomas Maddox t/a I E Remodeling (Regulant) nor anyone on their behalf appeared at the IFF or the Board meeting. John & Lori Ross (Claimants) appeared at the IFF but not the Board meeting. After discussion, a motion was made by Mr. Redifer and seconded by Mr. Modisett to adopt the claim review and the hearing officer's recommendations and summary for violations and pay the claim for payment in the amount of \$18,800.00. The motion passed unanimously. Members voting "Yes" were: Kinser, Kirby, Modisett, Redifer, Smith, Tomlin, Orange, Rackas Pate and Wood. Walton and Hart were absent.**

**File Number
2005-03410
Thomas
Maddox &
Lawanda
Barnes t/a I
E
Remodeling**

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

In the matter of Recovery Fund File Number 2005-03368, Verla Brantley (Claimants) vs. Agape Home Restoration (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither Agape Home Restoration (Regulant) nor anyone on its behalf appeared at the IFF or the Board meeting. Verla Brantley (Claimant) appeared at the IFF and attended the Board meeting and shared her agreement with the summary and recommendation. After discussion, a motion was made by Ms. Wood and seconded by Mr. Smith to adopt the claim review and the hearing officer's recommendations and summary for violations and pay the claim for payment in the amount of \$20,000.00. The motion passed unanimously. Members voting "Yes" were: Kinser, Kirby, Modisett, Redifer, Tomlin, Orange, Rackas Pate, Smith and Wood. Walton and Hart were absent.**

**File Number
2005-03368
Agape Home
Restoration**

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

In the matter of Recovery Fund File Number 2005-02908, Sean & Mary Ellen Stanley (Claimants) vs. Longo and Sons, Inc. (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither Longo And**

**File Number
2005-02908
Longo and
Sons, Inc**

Sons, Inc. (Regulant) nor anyone on its behalf appeared at the IFF or the Board meeting. Sean Stanley (Claimant) appeared at the IFF but not the Board meeting. After discussion, a motion was made by Ms. Wood and seconded by Mr. Orange to adopt the claim review and the hearing officer's recommendations and summary for violations and deny payment of the claim. The motion passed unanimously. Members voting "Yes" were: Kinser, Kirby, Modisett, Redifer, Smith, Tomlin, Orange, Rackas Pate and Wood. Walton and Hart were absent.

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

In the matter of Recovery Fund File Number 2006-02698, R Donald Hood (Claimants) vs. Daryl Sigmon t/a A Cut Above Building Remodeling (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. Neither Daryl Sigmon t/a A Cut Above Building & Remodeling (Regulant) nor anyone on their behalf appeared at the IFF or the Board meeting. R Donal Hood (Claimant) appeared at the IFF and attended the Board meeting and shared his agreement with the summary and recommendation. After discussion, a motion was made by Mr. Redifer and seconded by Ms. Rackas Pate to adopt the claim review and the hearing officer's recommendations and summary for violations and pay the claim for payment in the amount of \$6,037.00. The motion passed unanimously. Members voting "Yes" were: Kinser, Kirby, Modisett, Redifer, Smith, Tomlin, Orange, Rackas Pate and Wood. Walton and Hart were absent.

**File Number
2006-02698
Daryl
Sigmon t/a
A Cut Above
Building &
Remodeling**

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

In the matter of Recovery Fund File Number 2005-02379, Katherine Perdue (Claimants) vs. Deckorative Creations, LLC (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. Neither Deckorative Creations, LLC (Regulant) nor anyone on its behalf appeared at the IFF or the Board meeting. Katherine Perdue (Claimant) appeared at the IFF but not the Board meeting. After discussion, a motion was made by Mr. Kriby and seconded by Ms. Tomlin to adopt the claim review and the hearing officer's recommendations and summary for violations and pay the claim for payment in the amount of \$4,212.00. The motion passed unanimously. Members voting "Yes" were: Kinser, Kirby, Modisett, Redifer, Smith, Tomlin, Orange, Rackas Pate and Wood. Walton and Hart were absent.

**File Number
2005-02379
Deckorative
Creations,
LLC**

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

In the matter of Recovery Fund File Number 2005-01726, Robert and

File Number

Marion Maher (Claimants) vs. Theresa Moasser t/a Sunny Daze Construction (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither Theresa Moasser t/a Sunny Daze Construction (Regulant) nor anyone** on their behalf appeared at the IFF or the Board meeting. **Robert and Marion Maher (Claimants)** appeared at the IFF and attended the Board meeting and shared their agreement with the summary and recommendation. After discussion, a motion was made by **Mr. Redifer** and seconded by **Ms. Wood** to adopt the claim review and the hearing officer's recommendations and summary for violations and pay the claim for payment in the amount of **\$6,029.50**. The motion passed unanimously. Members voting "Yes" were: **Kinser, Kirby, Modisett, Redifer, Smith, Tomlin, Orange, Rackas Pate and Wood.** **Hart and Walton were absent.**

**2005-01726
Theresa
Moasser t/a
Sunny Daze
Construction**

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

In the matter of Recovery Fund File Number 2003-01635, Lloyd Harvey & Sandra Logan (Claimants) vs. John Morrison t/a John E Morrison Paving (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither John Morrison t/a John E Morrison Paving (Regulant) nor anyone** on its behalf appeared at the IFF or the Board meeting. **Lloyd Harvey (Claimant)** appeared at the IFF and attended the Board meeting and shared his agreement with the summary and recommendation. After discussion, a motion was made by **Mr. Kirby** to make sure the claim review reflects the correct amount and seconded by **Ms. Wood** to adopt the claim review and the hearing officer's recommendations and summary for violations and pay the claim for payment in the amount of **\$5,048.92**. The motion passed unanimously. Members voting "Yes" were: **Kinser, Kirby, Modisett, Redifer, Smith, Tomlin, Orange, Rackas Pate and Wood.** **Hart and Walton were absent.**

File Number
**2003-01635
John
Morrison t/a
John E
Morrison
Paving**

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

In the matter of Recovery Fund File Number 2006-00744, Atul Patel (Claimants) vs. Randall Scott Roofing, Inc (Respondent); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither Randall Scott Roofing, Inc. (Regulant) nor anyone** on its behalf appeared at the IFF or the Board meeting. **Atul Patel (Claimant)** appeared at the IFF and attended the Board meeting and shared her agreement with the summary and recommendation. After discussion, a motion was made by **Mr. Kirby** and seconded by **Mr. Redifer** to adopt the claim review and the hearing officer's recommendations making sure it reflects the correct amount and summary for violations and pay the claim for payment in the amount of **\$5,048.92**. The

File Number
**2006-00744
Randall
Scott
Roofing, Inc.**

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

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

In the matter of Recovery Fund File Number 2006-00732, Edmund J Averman, III (Claimants) vs. Elienberger & Carlston Construction Inc (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither Elienberger & Carlston Construction Inc (Regulant) nor anyone on their behalf appeared at the IFF or the Board meeting. Edmund J Averman, III (Claimant) appeared at the IFF and attended the Board meeting and shared her agreement with the summary and recommendation. After discussion, a motion was made by Ms. Wood and seconded by Mr. Redifer to adopt the claim review and the hearing officer's recommendations and summary for violations and pay the claim for payment in the amount of \$20,000.00. The motion passed unanimously. Members voting "Yes" were: Kinser, Kirby, Modisett, Redifer, Smith, Tomlin, Orange, Rackas Pate and Wood. Walton and Hart were absent.**

**File Number
2006-00732
Elienberger
& Carlston
Construction
Inc**

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

At 10:58 AM, Mr. Kirby stated: Mr. Chairman, I move that this meeting be recessed and that the Board immediately reconvene in closed meeting for the purpose of 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 Olson and Karen O'Neal. This motion is made with respect to the matters identified as agenda items File Numbers 2006-00010 and 2005-02584. Mr. Redifer seconded this motion. The motion passed with a unanimous vote. Members voting "yes" were: **Modisett, Smith, Kirby, Wood, Rackas Pate, Redifer, Kinser, Orange and Tomlin. Walton and Hart were absent.**

**CLOSED
SESSION**

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

**CERTIFICA
TION OF
CLOSED
SESSION**

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.

Roll Call Vote; Ayes – Mr. Modisett, Mr. Smith, Mr. Kirby, Ms. Wood, Ms. Rackas Pate, Mr. Redifer, Mr. Kinser, Mr. Orange and Ms. Tomlin. The vote was taken at: 11:08 AM.

Absent from Closed Session: Mr. Hollar

Absent from meeting: Mr. Walton AND Mr. Hart

In the matter of Disciplinary File Number 2005-04840, Robert Large t/a Sherwood Builders (Regulant); the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Robert Large t/a Sherwood Builders (Regulant)** appeared at the IFF. He and his attorney Kevin McNally attended the Board meeting. **Mr. McNally** addressed the Board on behalf of his client and requested a continuance until the Board's next meeting. After discussion, a motion was made by **Mr. Kirby** and seconded by **Ms. Tomlin** to grant the continuance to the August 22, 2006 Board meeting. The motion passed with a majority vote. Members voting "Yes" were: **Kirby, Modisett, Smith, Tomlin, Orange and Wood.** **Hart and Walton** were absent. **Redifer and Rackas Pate** voted no. **Mr. Orange** chaired this case. As the Board Representative, Mr. Kinser was not present and did not vote.

At 11:40 the Board took a 10 minute recess and reconvened at 11:50 am.

File Number
2005-04840
Robert
Large t/a
Sherwood
Builders

Recess and
Reconvene

In the matter of Disciplinary File Number 2005-04945 Aquilino A Agustín Jr. t/a A Agustín 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.

Neither Aquilino A Agustín, Jr. T/a A Agustín (Respondent) nor anyone on its behalf appeared at the IFF or the Board meeting. The presiding Board representative **Mr. Kirby** was not present, did not participate in the discussion and did not vote.

File Number
2005-04945
Aquilino A
Agustin Jr.
t/a A Agustín

After discussion, a motion was made by **Mr. Redifer** 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

Aquilino A Agustin Jr., violated the following sections of its Regulations:

(Effective January 1, 2003)

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

Count 2: 18 VAC 50-22-260 B 27

Count 3: 18 VAC 50-22-260.B 8

Count 4: 18 VAC 50-22-260.B.9

Count 5: 18 VAC 50-22-230 A

Count 7: 18 VAC 50-22-260 B 5

(Effective September 1, 2001)

Count 9: 18 VAC 50-22-260 B 22 (six violations)

Count 10: 18 VAC 50-22-260 B 23 (six violations)

The motion was approved by a unanimous vote. Members voting "Yes" were: **Smith, Redifer, Kinser, Modisett, Rackas Pate, Orange, Tomlin and Wood.** **Walton and Hart** were absent.

After discussion a motion was made by **Mr. Redifer** and seconded by **Ms. Wood** to impose the following monetary sanctions: \$500.00 penalty for violation of Count 1; \$750.00 penalty for violation of Count 2; \$250.00 penalty for violation of Count 3; \$300.00 penalty for violation of Count 4; \$400.00 penalty for violation of Count 5; \$600.00 penalty for violation of Count 10 @ \$100.00 for each of the six counts. Total monetary penalty if \$2,800.00. As to Counts 1, 2, 3, 4, 5, and 10 the Board further imposes that **Aquilino A Agustin Jr.** to successfully complete the Board's Basic Contracting Licensing Class (remedial education) within six months or its license will be suspended. The Board further imposes no monetary penalty for the violation of the regulation for counts 7 and 9. The Board closed Counts 6 and 8 with a finding of no violation.

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

In the matter of Disciplinary File Number 2006-03774 Kim's Home Improvements 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
2006-03774
Kim's Home
Improve-
ments Inc

Neither Kim's Home Improvements Inc (Respondent) nor anyone on its behalf appeared at the IFF or the Board meeting. The presiding Board representative **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 **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 **Kim's Home Improvements Inc.**, violated the following sections of its Regulations:

(Effective September 1, 2001)

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

The motion was approved by a unanimous vote. Members voting "Yes" were: **Smith, Redifer, Kinser, Modisett, Rackas Pate, Orange, Tomlin and Wood.** **Walton and Hart were absent.**

After discussion a motion was made by **Mr. Orange** and seconded by **Mr. Redifer** to impose the following monetary sanctions: \$2,500.00 penalty for violation of Count 1. Total monetary penalty if \$2,500.00. The Board further imposes revocation of license 2701-032584 for the violation of the regulation for count 1.

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

In the matter of Disciplinary File Number 2006-02968 Kim's Home Improvements 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
2006-02968
Kim's Home
Improvements
Inc

Neither Kim's Home Improvements Inc (Respondent) nor anyone on its behalf appeared at the IFF or the Board meeting. The presiding Board representative **Mr. Kirby** was not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Ms. Wood** 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 **Kim's Home Improvements Inc.**, violated the following sections of its Regulations:

(Effective January 1, 2003)

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

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

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

(Effective September 1, 2001)

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

Count 5: 18 VAC 50-22-230 B

The motion was approved by a unanimous vote. Members voting "Yes" were: **Smith, Redifer, Kinser, Modisett, Rackas Pate, Orange, Tomlin and Wood. Walton and Hart were absent.**

After discussion a motion was made by **Ms. Wood** and seconded by **Ms. Rackas Pate** to impose the following monetary sanctions: \$200.00 penalty for violation of Count 1; \$2,500.00 for violation of Count 2; \$2,500.00 for violation of Count 3; \$2,000.00 for violation of Count 4 and \$1,000.00 for violation of Count 5. Total monetary penalty if \$8,200.00. The Board further imposes revocation of license 2701-032584 for the violation of the regulation for count 2 and 3.

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

In the matter of Disciplinary File Number 2006-01460 Michael Moloney, t/a Capitol One 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
2006-01460
Michael
Moloney t/a
Capital One
Construction**

Neither Michael Moloney t/a Capital One Construction (Respondent) nor anyone on its behalf appeared at the IFF or the Board meeting. The presiding Board representative Mr. Kirby was not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Ms. Wood** and seconded by **Ms. Tomlin** 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 Moloney**, violated the following sections of its Regulations:

(Effective September 1, 2001)

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

Count 2: 18 VAC 50-22-230 B

The motion was approved by a unanimous vote. Members voting "Yes" were: **Smith, Redifer, Kinser, Modisett, Rackas Pate, Orange, Tomlin and Wood. Walton, Hart, Cronin and Miller were absent.**

After discussion a motion was made by **Ms. Wood** and seconded by **Ms. Tomlin** to impose the following monetary sanctions: \$500.00 penalty for violation of Count 1; \$500.00 for violation of Count 2. Total monetary penalty

if \$1,000.00. The Board requires **Michael Moloney** to successfully complete the Board's Basic Contracting Licensing Class for the violation of the regulation for count 1 and 2.

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

In the matter of Disciplinary File Number 2006-00535 Chesapeake Civil Constructors, 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
2006-00535
Chesapeake
Civil
Constructors
, Inc.**

Neither Chesapeake Civil Constructors Inc (Respondent) nor anyone on its behalf appeared at the IFF or the Board meeting. The presiding Board representative **Mr. Kirby** was not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Ms. Wood** 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 **Chesapeake Civil Constructors Inc.**, violated the following sections of its Regulations:

(Effective January 1, 2003)
Count 1: 18 VAC 50-22-260 B 17
Count 2: 18 VAC 50-22-260 B 5

The motion was approved by a unanimous vote. Members voting "Yes" were: **Smith, Redifer, Kinser, Modisett, Rackas Pate, Orange, Tomlin and Wood.** Walton and Hart were absent.

After discussion a motion was made by **Ms. Wood** and seconded by **Ms. Rackas Pate** to impose the following monetary sanctions: \$2,500.00 penalty for violation of Count 1: \$2,500.00 for violation of Count 2. Total monetary penalty if \$5,000.00. The Board further imposes revocation of license **2705-085195** for the violation of the regulation for count 1 and 2.

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

In the matter of Disciplinary File Number 2005-04172 Brothers Construction Of Fairfax Inc t/a Brothers Construction Of Fairfax the Board members reviewed the record, which consisted of the disciplinary file,

**File Number
2005-04172
Brothers**

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

William Cordova and Ray Cordova on behalf of Brothers Construction Of Fairfax Inc (Respondent) appeared at the IFF and the Board meeting. They addressed the Board. **Michael Webber (Complainant)** appeared at the Board meeting and addressed the Board. The presiding Board representative **Mr. Modisett** was not present, did not participate in the discussion and did not vote.

**Construction
Of Fairfax
Inc, t/a
Brothers
Construction
Of Fairfax**

After discussion, a motion was made by **Ms. Wood** and seconded by **Mr. Kirby** 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 **Brothers Construction Of Fairfax Inc.**, violated the following sections of its Regulations:

(Effective January 1, 2003)
Count 1: 18 VAC 50-22-260 B 31

The motion was approved by a unanimous vote. Members voting "Yes" were: **Smith, Redifer, Kinser, Modisett, Rackas Pate, Orange, Tomlin and Wood.** **Walton and Hart** were absent.

After discussion a motion was made by **Ms. Wood** and seconded by **Mr. Kirby** to impose the following monetary sanctions: \$500.00 penalty for violation of Count 1. Total monetary penalty if \$500.00. The Board further requires a member of Responsible Management of Brothers Construction Of Fairfax Inc to successfully complete the Board's Basic Contracting Licensing Class for the violation of the regulation for count 1. The Board further closes **Count 2: 18 VAC 50-22-260 B 15** and **Count 3: 18 VAC 50-22-260 B 16** with a finding of no violation.

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

In the matter of Disciplinary File Number 2006-01787 The Shutter Door Design & Build LLC, t/a The Shutter Door Design & Build LLC the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

**File Number
2006-01787
The Shutter
Door Design
& Build
LLC**

Pamela and Robert Collenberg for The Shutter Door Design & Build LLC (Respondent) appeared at the IFF. **Robert and Pamela Collenburg** appeared at the Board meeting. They addressed the Board. **Mr. Cootes**

(Complainant) represented by letter. A copy was given to the Respondents. The Board reviewed the letter. The presiding Board representative **Ms. Tomlin** was not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Kirby** and seconded by **Mr. Redifer** to adopt the 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 **The Shutter Door Design & Build LLC**. violated the following sections of its Regulations:

(Effective January 1, 2003)

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

The motion was approved by a unanimous vote. Members voting "Yes" were: **Smith, Redifer, Kinser, Modisett, Rackas Pate, Orange, Kirby and Wood**. **Walton and Hart** were absent. **Mrs. Perkins** shared with the Board a correction needed to be noted for **Count 2** of the summary. The summary currently reflects **Count 2** as a finding of no violation of **18 VAC 50-22-260.B.5** and it should correctly read a finding of no violation of **18 VAC 50-22-260 B 31**.

After discussion a motion was made by **Mr. Kirby** and seconded by **Mr. Redifer** to approve the correction to the summary and to impose the following monetary sanctions: **\$1,500.00** penalty for violation of **Count 1** which includes **\$500.00** for each of the three violations. Total monetary penalty if **\$1,500.00**. The Board further imposes successful completion of its **Basic Contracting Licensing Class**. As to **Count 2, 3 and 4** the Board closes this aspect of the file with a finding of no violation.

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

In the matter of Disciplinary File Number 2005-03591 Mirela Patricia Romero t/a Design And 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
2005-03591
Mirela
Patricia
Romero, t/a
Design And
Construction

Neither Mirela Patricia Romero t/a Design And Construction (Respondent) nor anyone on its behalf appeared at the IFF or the Board meeting. The presiding Board representative **Ms. Wall** was not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Ms. Wood** and seconded by **Mr.**

Kirby 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 **Mirela Patricia Romero t/a Design And Construction.**, violated the following sections of its Regulations:

(Effective January 1, 2003)

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 14

(Effective September 1, 2001)

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

The motion was approved by a unanimous vote. Members voting "Yes" were: **Smith, Redifer, Kinser, Kirby, Modisett, Rackas Pate, Orange, Tomlin and Wood.** **Walton and Hart were absent.**

After discussion a motion was made by **Mr. Orange** and seconded by **Mr. Kirby** to impose the following monetary sanctions: \$100.00 penalty for violation of Count 1; \$800.00 for violation of Count 2; \$1,900.00 for violation of Count 3; \$1,300.00 for violation of Count 4. Total monetary penalty if \$4,100.00. The Board further imposes revocation of license **2705-073745** for the violation of the regulation for count 2, 3 and 4. The Board requires **Mirela Patricia Romero** to successfully to complete the Board's Basic Contracting Licensing Class.

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

In the matter of Disciplinary File Number 2006-00435 Brian P Dailey, t/a Bpd 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.

Neither Brian P Dailey, t/a Bpd Construction (Respondent) nor anyone on its behalf appeared at the IFF or the Board meeting. The presiding Board representative **Ms. Wall** was not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Smith** 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 **Brian P Dailey**, violated the following sections of its Regulations:

File Number
2006-00435
Brian P
Dailey, t/a
Bpd
Construction

(Effective January 1, 2003)

- Count 1: 18 VAC 50-22-260 B 9**
- Count 2: 18 VAC 50-22-260 B 14**
- Count 3: 18 VAC 50-22-260 B 16**
- Count 4: 18 VAC 50-22-260 B 13**
- Count 5: 18 VAC 50-22-230 B**

The motion was approved by a unanimous vote. Members voting "Yes" were: **Smith, Redifer, Kinser, Modisett, Rackas Pate, Kirby, Orange, Tomlin and Wood.** **Walton and Hart were absent.**

After discussion a motion was made by **Mr. Redifer** and seconded by **Ms. Wood** to impose the following monetary sanctions: \$500.00 penalty for violation of Count 1; \$1,900.00 for violation of Count 2; \$2,000.00 for violation of Count 3; \$1,300.00 for violation of Count 4 and \$500.00 for violation of Count 5. Total monetary penalty if \$6,200.00. The Board further imposes revocation of license **2705-059096** for the violation of the regulation for count 2, 3 and 4. The Board requires **Brian P Dailey** to successfully complete the Board's Basic Contracting Licensing Class within six months of the order.

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

In the matter of Disciplinary File Number 2006-00064 James R McGhee, t/a Personalized Custom Building 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.

James R McGhee, t/a Personalized Custom Building (Respondent) appeared at the IFF with **Benny Blakely** and the Board meeting. Both **Mr. McGhee** and **Mr. Blakely** addressed the Board. **F. A. Dan Daniels** and **Florence Daniels** attended the IFF and the Board meeting. They both addressed the Board. The presiding Board representative **Ms. Wall** was not present, did not participate in the discussion and did not vote.

File Number
2006-00064
James R
McGhee, t/a
Personalized
Custom
Building

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 **James R McGhee**, violated the following sections of its Regulations:

(Effective September 1, 2001)

Count 1: 18 VAC 50-22-210 3 NO Violation

(Effective January 1, 2003)

Count 2: 18 VAC 50-22-260 B 8

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

Count 4: 18 VAC 50-22-260 B 31

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

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

The motion was approved by a unanimous vote. Members voting "Yes" were: **Smith, Redifer, Kinser, Modisett, Rackas Pate, Kirby, Orange, Tomlin and Wood.** **Walton and Hart were absent.**

After discussion a motion was made by **Mr. Kirby** to amend the recommendation to reflect: suspension of license 2701-035385 until such time that James R McGhee provides the Board with proof that the lien placed on the Daniels property by CR Butler has been removed, and seconded by **Ms. Wood** to impose the following monetary sanctions: \$300.00 penalty for violation of Count 2; \$200.00 for violation of Count 3; \$400.00 for violation of Count 4; \$2,000.00 for violation of Count 5 and \$1,700.00 for violation of Count 6. Total monetary penalty if \$4,600.00. The Board closed Count 1, 18 VAC 50-22-210 3 with a finding of no violation.

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

In the matter of Disciplinary File Number 2005-05125 Brian P Dailey, t/a Bpd 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
2005-05125
Brian P
Dailey, t/a
Bpd
Construction

Neither Brian P Dailey, t/a Bpd Construction (Respondent) nor anyone on its behalf appeared at the IFF or the Board meeting. The presiding Board representative **Mr. Kinser and Ms. Wall** were not present, did not participate in the discussion and did not vote. **Mr. Orange** chaired this case.

After discussion, a motion was made by **Ms. Wood** 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 **Brian P Dailey**, violated the following sections of its Regulations:

(Effective January 1, 2003)

Count 1: 18 VAC 50-22-260 B 9 two violations

Count 2: 18 VAC 50-22-260 B 14 two violations
Count 3: 18 VAC 50-22-260 B 16 two violations
Count 4: 18 VAC 50-22-260 B 28
(Effective September 1, 2001)
Count 5: 18 VAC 50-22-260 B 13

The motion was approved by a unanimous vote. Members voting "Yes" were: **Smith, Redifer, Modisett, Kinser, Rackas Pate, Orange, Tomlin and Wood.** **Walton and Hart were absent.**

After discussion a motion was made by **Ms. Wood** and seconded by **Ms. Rackas Pate** to impose the following monetary sanctions: \$1,000.00 penalty for violation of Count 1 with \$500.00 for each of the two violations; \$2,400.00 for violation of Count 2 with \$1,200 for each of the two violations; \$4,000.00 for violation of Count 3 with \$2,000.00 for each of the two violations; \$2,000.00 for violation of Count 4 and \$1,300.00 for violation of Count 5. Total monetary penalty if \$10,700.00. The Board further imposes revocation of license **2705-059096** for the violation of the regulation for count 2, 3, 4 and 5.

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

In the matter of Disciplinary File Number 2005-04365 Clinton Fitzgerald, t/a Home Works of Southwest Virginia 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
2005-04365
Clinton
Fitzgerald
t/a Home
Works of
Southwest
Virginia

Neither Clinton H Fitzgerald, Jr., t/a Home Works of Southwest Virginia (Respondent) nor anyone on its behalf appeared at the IFF; however, Fitzgerald provided a written response in lieu of his attendance. Clifton H Fitzgerald Jr. did not appear at the Board meeting. The presiding Board representative **Ms. Wall and Ms Wood** were not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Redifer** and seconded by **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 **Clifton H Fitzgerald, Jr.**, violated the following sections of its Regulations:

(Effective September 1, 2001)

- Count 1: 18 VAC 50-22-260 B 27**
- Count 2: 18 VAC 50-22-260 B 17**
- 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 13**

The motion was approved by a unanimous vote. Members voting "Yes" were: **Smith, Redifer, Kinser, Modisett, Rackas Pate, Orange, Tomlin and Kirby.** **Walton and Hart were absent.**

After discussion a motion was made by **Mr. Redifer** and seconded by **Ms. Rackas Pate** to impose the following monetary sanctions: \$700.00 penalty for violation of Count 1; \$1,700.00 for violation of Count 2; \$600.00 for violation of Count 3; \$2,000.00 for violation of Count 4 and \$1,300.00 for violation of Count 5. Total monetary penalty if \$6,300.00. The Board further imposes revocation of license **2705-075330** for the violation of the regulation for count 2, 3, 4 and 5. The Board also requires **Clifton H Fitzgerald Jr** to successfully complete the Board's Basic Contracting Licensing Class within six months of the order.

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

In the matter of Disciplinary File Number 2005-02959 John Crockett & Assoc, t/a John Crockett & Assoc, 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
2005-02959
John
Crockett &
Assoc, t/a
John
Crockett &
Assoc

John Crockett for John Crockett & Assoc t/a John Crockett & Assoc (Respondent) appeared at the IFF and the Board meeting. He addressed the Board. **Theresa Rhodes on behalf of Beverly Rhodes** appeared at the IFF and the Board meeting. **T. Rhodes** addressed the Board. The presiding Board representative **Mr. Redifer and Ms. Wall** were not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Redifer** and seconded by **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 and reject the Recommendations and have the two parties work out a consent order and come back before the Board later today.

The motion was approved by a unanimous vote. Members voting "Yes" were: **Kinser, Kirby, Modisett, Rackas Pate, Orange, Redifer, Tomlin and Smith.** **Walton and Hart were absent.**

In the matter of Disciplinary File Number 2006-00341 Christopher Lee Tingen, t/a C L Tingen Paint Contractor 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
2006-00341
Christopher
Lee Tingen,
t/a CL
Tingen Paint
Contractor**

Neither Christopher Lee Tingen, t/a C L Tingen Paint Contractor (Respondent) nor anyone on its behalf appeared at the IFF or the Board meeting. The presiding Board representative **Mr. Kinser and Ms. Wall** were not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Redifer** and seconded by **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 **Christopher Lee Tingen**, violated the following sections of its Regulations:

(Effective January 1, 2003)

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

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

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

The motion was approved by a unanimous vote. Members voting "Yes" were: **Smith, Redifer, Kirby, Modisett, Rackas Pate, Orange, Tomlin and Wood.** **Walton and Hart** were absent. **Mrs. Perkins** shared with the Board that **Count 3** of the summary should be corrected to read as follows **18 VAC 50-22-260 B 28** and not **18 VAC 50-22-260 B 16.**

After discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Kirby** to include the correction of **Count 3** and impose the following monetary sanctions: **\$600.00** penalty for violation of **Count 1**; **\$500.00** for violation of **Count 2**; **\$1,200.00** for violation of **Count 3.** Total monetary penalty if **\$2,300.00.** The Board further imposes revocation of license **2705-081511** for the violation of the regulation for count 2 and 3. The Board requires **Christopher Lee Tingen** to successfully complete the Board's Basic Contracting Licensing Class within six months of the final order.

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

In the matter of Disciplinary File Number 2006-03545 Minor Home Repair II Inc, t/a Minor Home Repair II Inc the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and

**File Number
2006-03545
Minor Home**

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

**Repair II
Inc, t/a
Minor Home
Repair II Inc**

Neither Minor Home Repair II Inc, t/a Minor Home Repair II Inc (Respondent) nor anyone on its behalf appeared at the IFF or the Board meeting. Lillie and William Brabble (Complainants) appeared at the IFF and the Board meeting. They addressed the Board. The presiding Board representative Mr. Walton was not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Redifer** and seconded by **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 **Minor Home Repair II Inc.**, violated the following sections of its Regulations:

(Effective January 1, 2003)

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 6

Count 4: 18 VAC 50-22-260 B 5

Count 5: 18 VAC 50-22-260 B 14

Count 6: 18 VAC 50-22-260 B 16

The motion was approved by a unanimous vote. Members voting "Yes" were: **Smith, Redifer, Kinser, Modisett, Rackas Pate, Orange, Kirby, Tomlin and Wood. Hart and Walton were absent.**

After discussion a motion was made by **Mr. Redifer** and seconded by **Ms. Wood** to impose the following monetary sanctions: \$500.00 penalty for violation of Count 1; \$750.00 for violation of Count 2; \$750.00 for violation of Count 3; \$1,000.00 for violation of Count 4; \$1,500.00 for violation of Count 5 and \$1,500.00 for the violation of Count 6. Total monetary penalty if \$6,000.00. The Board further imposes revocation of license **2705-089208** for the violation of count 4, 5 and 6. The Board also requires a member of Responsible Management of Minor Home Repair II Inc to successfully complete the Board's Basic Contracting Licensing Class within six months of the entry of the final order.

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

In the matter of Disciplinary File Number 2006-02535 John Y Wright Co. Inc, the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-

**File Number
2006-02535
John Y**

Finding Conference of the presiding Board member.

**Wright Co
Inc**

Joseph O'Brien, Jr. on behalf of John Y Wright Co Inc (Respondent) appeared at the IFF and the Board meeting. He addressed the Board. **Marilyn Suskind-Pearline and David Pearline** appeared at the IFF and the Board meeting. They addressed the Board. The presiding Board representative **Mr. Walton** was not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Redifer** and seconded by **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 amended Recommendations. The Board found the case against **John Y Wright Co. Inc.** be closed with a finding of no violations.

The motion was approved by a unanimous vote. Members voting "Yes" were: **Kinser, Smith, Modisett, Rackas Pate, Orange, Tomlin, Redifer and Wood.** **Hart and Walton** were absent. **Kirby** recused himself from this case.

In the matter of Disciplinary File Number 2005-02025 Preferred Homes Inc, t/a Preferred Homes 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
2005-02025
Preferred
Homes Inc,
t/a Preferred
Homes Inc**

Neither Preferred Homes Inc (Respondent) nor anyone on its behalf appeared at the IFF or the Board meeting. The presiding Board representative **Mr. Walton** was not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Smith** 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 **Preferred Homes Inc.,** violated the following sections of its Regulations:

(Effective January 1, 2003)
Count 1: 18 VAC 50-22-260 B 2
Count 2: 18 VAC 50-22-260 B 19
Count 3: 18 VAC 50-22-260 B 18

The motion was approved by a unanimous vote. Members voting "Yes" were: **Smith, Redifer, Kinser, Modisett, Rackas Pate, Orange, Kirby, Tomlin and Wood.** **Hart and Walton** were absent.

After discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Kirby** to impose the following monetary sanctions: \$500.00 penalty for violation of Count 1; \$1,000.00 for violation of Count 2; \$1,000.00 for violation of Count 3. Total monetary penalty if \$2,500.00. The Board further imposes revocation of license **2705-076758** for the violation of count 2 and 3. The Board required a member of Responsible Management of Preferred Homes Inc to successfully complete the Board's Basic Contracting Licensing Class within six months of the order.

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

In the matter of Disciplinary File Number 2006-00571 Rick Mullins, t/a Mullins 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
2006-00571
Rick
Mullins, ta/
Mullins
Contracting

Neither Rick Mullins, t/a Mullins Contracting (Respondent) nor anyone on its behalf appeared at the IFF or the Board meeting. The presiding Board representative **Mr. Walton** was not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Kirby** 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 **Rick Mullins**, violated the following sections of its Regulations:

(Effective January 1, 2003)

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

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 14

Count 5: 18 VAC 50-22-230 B 16

Count 6: 18 VAC 50-22-260 B 25

Count 7: 18 VAC 50-22-260 B 13

The motion was approved by a unanimous vote. Members voting "Yes" were: **Smith, Redifer, Kinser, Modisett, Rackas Pate, Orange, Kirby, Tomlin and Wood.** **Hart and Walton were absent.**

After discussion a motion was made by **Mr. Kirby** and seconded by **Mr. Redifer** to impose the following monetary sanctions: \$250.00 penalty for violation of Count 1; \$500.00 for violation of Count 2; \$500.00 for violation of Count 3; \$1,500.00 for violation of Count 4; \$2,500.00 for violation of

Count 5; \$1,000.00 for violation of Count 6 and \$1,500.00 for violation of Count 7. Total monetary penalty if \$7,750.00. The Board further imposes revocation of license **2705-071524** for the violation of count 4, 5, 6 and 7. The Board also required Rick Mullins to successfully complete the Board's Basic Contracting Licensing Class within six months of the entry of the final order.

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

In the matter of License Application File Number 2006-04832, Empire Masonry & Concrete, 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
2006-04832
Empire
Masonry &
Concrete,
LLC**

Jeff P Elliott for Empire Masonry & Concrete, LLC appeared at the IFF and the Board meeting. He addressed the Board and shared his disagreement. The presiding Board representative **Ms. Wood** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Kirby** and seconded by **Ms. Rackas Pate** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and deny the license. The Board considered its Regulations: 18 VAC 50-22-60 F and 18 VAC 50-22-60 G, other applicable law: § 54.1-204, 54.1-1110 and 54.1-1106 of the Code of Virginia. The Board denies the application based upon the record. After reviewing the facts, the Board is of the opinion that based on the nature of the felony convictions, their relationship to the purpose for requiring a license and Elliott's failure to provide evidence of rehabilitation and his lack of credibility that the license be denied. The motion passed unanimously. Members voting "Yes" were: **Kinser, Kirby, Modisett, Redifer, Tomlin, Orange, Rackas Pate and Smith.** Hart and Walton were absent.

In the matter of Disciplinary File Number 2006-04830 Jeff P Elliott, t/a Empire Masonry & Concrete the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board member.

**File Number
2006-04830
Jeff P Elliott,
t/a Empire
Masonry &
Concrete**

Jeff P Elliott, t/a Empire Masonry & Concrete (Respondent) appeared at the IFF and the Board meeting. He addressed the Board. The presiding Board representative **Ms. Wood** 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. 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 **Jeff P Elliott** violated the following sections of its Regulations:

(Effective January 1, 2003)

Count 1: 18 VAC 50-22-260 B 2

The motion was approved by a unanimous vote. Members voting "Yes" were: **Smith, Redifer, Kinser, Modisett, Rackas Pate, Orange, Tomlin and Kirby.** **Walton, Hart, Cronin and Miller** were absent.

After discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Modisett** to impose the following monetary sanctions: \$1,000.00 penalty for violation of Count 1. Total monetary penalty if \$1,000.00. The Board further imposes **Jeff P Elliott** successfully complete the Board Basic Contracting Licensing Class for the violation of count 1.

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

In the matter of Consent Order File Number 2005-02959 Board v. John Crockett & Assoc, t/a John Crockett & Assoc, the board reviewed the Consent Order. John Crockett & Assoc 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 50-22-200, no violation; Count 2: 18 VAC 50-22-230A \$500.00; Count 3: 18 VAC 50-22-260.B.9 \$300.00; and Count 4: 18 VAC 50-22-260 closed with no violation. A total monetary penalty of \$800.00 is hereby imposed. In addition, for the violation of Count 5, the Board finds John Crockett & Assoc in violation of the regulation and John Crockett & Assoc agrees to have Lowes replace two storm doors and one screen doors at Mrs. Rhodes' home. John Crockett & Assoc agrees to have a member of Responsible Management successfully complete its Basic Contracting Licensing Class within six months of the entry of the order.

**File Number
2005-02959
John
Crockett &
Assoc, t/a
John
Crockett &
Assoc
Reconvened**

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

In the matter of Consent Order File Number 2005-03760, Board v. Billy T Goodman Builder Inc, t/a Billy T Goodman Builder Inc, the Board reviewed the Consent Order.

**File Number
2005-03760
Billy T Good
man Builder**

Billy T Goodman Builder 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. A total monetary penalty of \$500.00 is hereby imposed. In addition, for the violation of Count 1, Billy T Goodman Builder Inc agrees to have a member of Responsible Management successfully complete its Basic Contracting Licensing Class within six months of the effective date of the order. Billy T Goodman Builder Inc also agrees to pay \$150.00 in Board costs.**

**Inc, t/a Billy
T Goodman
Builder Inc**

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

In the matter of Consent Order File Number 2006-00008, Board v. Webb F Henderson Jr., t/a Webb F Henderson Jr. the Board reviewed the Consent Order.

**File Number
2006-00008
Webb F
Henderson
Jr., t/a Webb
F Henderson
Jr.**

Webb F Henderson, 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 50-22-260.B 28 \$000.00. A total monetary penalty of \$000.00 is hereby imposed. In addition, for the violation of Count 1, Henderson agrees to voluntarily surrender his license within thirty days of the effective date of the order and agrees to never again apply for another Virginia Contractors license. Webb F Henderson Jr. also agrees to pay \$150.00 in Board costs.**

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

In the matter of In the matter of Consent Order File Number 2006-00350, Board v. James R McGhee, t/a Personalized Custom Building, the Board reviewed the Consent Order.

**File Number
2006-00350
James R
McGhee t/a
Personalized
Custom
Building**

James R McGhee was present at the Board meeting and he addressed the Board. **James R McGhee** 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 \$1,100.00; Count 2: 18 VAC 50-22-260.B.9 \$100.00 and Count 3: 18 VAC 50-22-260.B.31 \$100.00. A total monetary penalty of \$1,300.00 is hereby imposed. In addition, James R McGhee agrees to successfully complete the Board's Basic Contracting Licensing Class within six months of the effective date of the order. James R McGhee also agrees to**

pay \$150.00 in Board costs.

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

In the matter of In the matter of Consent Order File Number 2006-01304, Board v. American Irrigation Supply Inc, t/a American Irrigation Supply Inc, the Board reviewed the Consent Order.

File Number
2006-01304
American
Irrigation
Supply Inc

American Irrigation Supply 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 50-22-230.A \$100.00. A total monetary penalty of \$100.00 is hereby imposed. In addition, for the violation of Count 1, American Irrigation Supply Inc agrees to have a member of Responsible Management successfully complete its Basic Contracting Licensing Class within six months of the effective date of the order. American Irrigation Supply Inc also agrees to pay \$150.00 in Board costs.**

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

In the matter of Consent Order File Number 2006-02064, Board v. Larry Gayle Elliott, t/a Cross Timbers Concrete, the Board reviewed the Consent Order.

File Number
2006-02064
Larry Gayle
Elliott, t/a
Cross
Timbers
Concrete

Larry Gayle Elliott 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 \$300.00; Count 2: 18 VAC 50-22-260 B 13 \$500.00 and Count 3: 18 VAC 50-22-260 B 6 \$500.00. A total monetary penalty of \$1,300.00 is hereby imposed. In addition, Larry Gayle Elliott agrees to successfully complete its Basic Contracting Licensing Class within six months of the effective date of the order. Larry Gayle Elliott also agrees to pay \$150.00 in Board costs.**

Upon a motion by **Mr. Redifer** seconded by **Mr. Kirby** the board ratified the consent order with an unanimous vote: Members voting "Yes" were:

Kinser, Kirby, Modisett, Orange, Rackas Pate, Redifer, Tomlin, Smith and Wood. Mr. Walton and Hart were absent.

In the matter of Consent Order File Number 2006-02676, Board v. J Portillo Construction Inc, t/a J Portillo Construction Inc the Board reviewed the Consent Order.

**File Number
2006-02676
J Portillo
Construction
Inc, t/a J
Portillo
Construction
Inc**

J Portillo Construction Inc acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board: Count 1: 18 VAC 50-22-260.B 6 \$300.00; Count 2: 18 VAC 50-22-260 B 27 \$300.00 and Count 3: 18 VAC 50-22-260 B 31 \$300.00. A total monetary penalty of \$900.00 is hereby imposed. In addition, for the violation of Count 3, J Portillo Construction Inc agrees to have a member of Responsible Management successfully complete its Basic Contracting Licensing Class within six months of the effective date of the order. J. Portillo Construction Inc also agrees to pay \$150.00 in Board costs.

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

In the matter of Consent Order File Number 2006-02722, Board v. Todd Neal Thatcher, t/a Attn. 2 Detail, the Board reviewed the Consent Order.

**File Number
2006-02722
Todd Neal
Thatcher, t/a
Attn. 2
Detail**

Todd Neal Thatcher 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 \$000.00; Count 2: 18 VAC 50-22-210 \$000.00; Count 3: 18 VAC 50-22-210 \$000.00; Count 4: 18 VAC 50-22-260.B.6 \$000.00; Count 5: 18 VAC 50-22-260.B.14 \$000.00; Count 6: 18 VAC 50-22-260 B 16 \$000.00 and Count 7: 18 VAC 50-22-260 B 28 \$000.00. A total monetary penalty of \$000.00 is hereby imposed. In addition, for the violation of Count 1-7, Todd Neal Thatcher agrees to revocation of his license 2705-059483 the effective date of the order.

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

In the matter of Consent Order File Number 2006-02762, Board v.

File Number

Thurston Plumbing LLC, the Board reviewed the Consent Order.

**2006-02762
Thurston
Plumbing
LLC**

Thurston Plumbing 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 8 \$300.00 and Count 2: 18 VAC 50-22-260 B 6 \$400.00. A total monetary penalty of \$700.00 is hereby imposed. In addition, for the violation of Count 1 and 2, Thurston Plumbing LLC agrees to have a member of Responsible Management successfully complete its Basic Contracting Licensing Class within six months of the effective date of the order. Thurston Plumbing also agrees to pay \$150.00 in Board costs.

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

In the matter of Consent Order File Number 2006-02818, Board v. Professional Flooring Installations Inc, t/a Professional Flooring Installations, the Board reviewed the Consent Order.

**File Number
2006-02818
Professional
Flooring
Installations
Inc, t/a
Professional
Flooring
Installations**

Professional Flooring Installations 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 27 \$250.00. A total monetary penalty of \$250.00 is hereby imposed. In addition, Professional Flooring Installations agrees to have a member of Responsible Management successfully complete its Basic Contracting Licensing Class within six months of the effective date of the order. Professional Flooring Installations Inc also agrees to pay \$150.00 in Board costs.

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

In the matter of Consent Order File Number 2006-02919, Board v. Gino R Guridy, t/a L & G Construction, the Board reviewed the Consent Order.

**File Number
2006-02919
Gino R
Guridy, t/a L
& G
Construction**

Gino R Guridy 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 \$550.00; Count 2: 18 VAC 50-22-260 B 27 \$750.00; Count 3: 18 VAC 50-22-260 B 27 \$750.00 and Count 4: 18 VAC 50-22-260 B 31 \$400.00. A total

monetary penalty of \$2,450.00 is hereby imposed. In addition, for the violation of Count 1-4, Gino R Guridy agrees to successfully complete its Basic Contracting Licensing Class within six months of the effective date of the order. Gino R Guridy also agrees to pay \$150.00 in Board costs.

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

In the matter of Consent Order File Number 2006-02933, Board v. Robert M Furrow, t/a Matthew's Masonry, the Board reviewed the Consent Order.

**File Number
2006-02933
Robert M
Furrow, t/a
Matthew's
Masonry**

Robert M Furrow 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 \$200.00. A total monetary penalty of \$200.00 is hereby imposed. In addition, for the violation of Count 1, Robert M Furrow agrees to have a member of Responsible Management successfully complete its Basic Contracting Licensing Class within six months of the effective date of the order. Robert M Furrow also agrees to pay \$150.00 in Board costs.

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

In the matter of Consent Order File Number 2006-02960, Board v. Calvin Daye, t/a CDC, the Board reviewed the Consent Order.

**File Number
2006-02960
Calvin Daye,
t/a CDC**

Calvin Daye, t/a CDC 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 \$700.00. A total monetary penalty of \$700.00 is hereby imposed. In addition, for the violation of Count 1, Calvin Daye agrees to successfully complete the Board's Basic Contracting Licensing Class within six months of the effective date of the order. Calvin Daye also agrees to pay \$150.00 in Board costs.

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

In the matter of Consent Order File Number 2006-03026, Board v. Stone Image LLC t/a Stone Image LLC, the Board reviewed the Consent Order.

**File Number
2006-03026
Stone Image
LLC, t/a
Stone Image
LLC**

Stone Image 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 17 \$850.00; Count 2: 18 VAC 50-22-260 B 17 \$850.00; Count 3: 18 VAC 50-22-260 B 9 \$150.00; Count 4: 18 VAC 50-22-260 B 9 \$150.00; Count 5: 18 VAC 50-22-260 B 27 \$350.00; Count 6: 18 VAC 50-22-260 B 27 \$350.00; Count 7: 18 VAC 50-22-260 B 27 \$350.00 and Count 8: 18 VAC 50-22-260 B 27 \$350.00. A total monetary penalty of \$3,400.00 is hereby imposed. In addition, for the violation of Count 1-8, Stone Image LLC agrees to have a member of Responsible Management successfully complete its Basic Contracting Licensing Class within six months of the effective date of the order. Stone Image LLC also agrees to pay \$150.00 in Board costs.

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

In the matter of Consent Order File Number 2006-03065, Board v. Ross Cirrincione t/a Advanced Energy Solution, the Board reviewed the Consent Order.

**File Number
2006-03065
Ross
Cirrincione,
t/a Advanced
Energy
Solutions**

Ross Cirrincione 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 \$350.00. A total monetary penalty of \$350.00 is hereby imposed. In addition, for the violation of Count 1, Ross Cirrincione agrees to successfully complete its Basic Contracting Licensing Class within six months of the effective date of the order. Ross Cirrincione also agrees to pay \$150.00 in Board costs.

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

In the matter of Consent Order File Number 2006-03117, Board v. Right

File Number

Time Remodeling LLC, t/a Right Time Remodeling LLC, the Board reviewed the Consent Order.

**2006-03117
Right Time
Remodeling
LLC, t/a
Right Time
Remodeling
LLC**

Right Time Remodeling 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 6 \$0.00; Count 2: 18 VAC 50-22-260. B 14 \$0.00; Count 3: 18 VAC 50-22-260 B 15 \$00.00; Count 4: 18 VAC 50-22-260 B 16 \$00.00; Count 5: 18 VAC 50-22-260 B 28 \$00.00; Count 6: 18 VAC 50-22-260 B 27 \$00.00 and Count 7 18 VAC 50-22-260 B 27 \$00.00. A total monetary penalty of \$00.00 is hereby imposed. In addition, for the violation of Count 1-7, Right Time Remodeling LLC agrees to revocation of it's license 2705-099507 the effective date of the order.

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

In the matter of Consent Order File Number 2006-03908, Board v. Brown Building & Remodeling Inc, t/a Brown Building & Remodeling Inc, the Board reviewed the Consent Order.

**File Number
2006-03908
Brown
Building &
Remodeling
Inc, t/a
Brown
Building &
Remodeling
Inc**

Brown Building & Remodeling 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 31 \$1,000.00. A total monetary penalty of \$1,000.00 is hereby imposed. In addition, for the violation of Count 1, Brown Building & Remodeling Inc agrees to have a member of Responsible Management successfully complete its Basic Contracting Licensing Class within six months of the effective date of the order. Brown Building & Remodeling Inc also agrees to pay \$150.00 in Board costs.

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

Mr. Olson shared with the Board that he and Mary Broze would be attending a two day United Auto Worker's Conference at the Ford plant in Norfolk, VA to assist /share information with worker's concerning the requirements of becoming a licensed tradesman/contractor in the state of VA. The Ford plant is holding this conference to try and prepare their staff for an anticipated plant closing.

**Other Board
Business**

Regulations Update

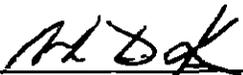
The regulations are in the governor's office.

Board Meeting Schedule

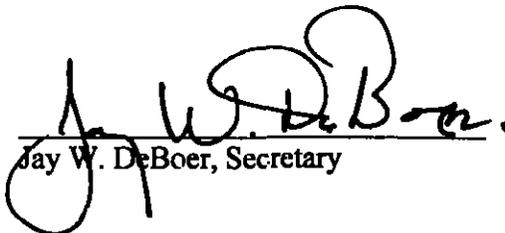
In November or December of 2006 we will review meeting stats with the Board and determine the continued feasibility of meeting every six weeks vs. every four weeks.

Their being no further business to come before the board, the meeting was adjourned at 1:50 P.M. upon a motion by Ms. Wood and seconded by Mr. Smith. The vote was unanimous. Members voting yes were: **Kinser, Kirby, Orange, Tomlin, Smith, Redifer, Rackas Pate, Wood and Modisett.** Mr. **Walton and Hart were absent.**

Adjourn-
ment



Mark D. Kinser, Chairman



Jay W. DeBoer, Secretary

Copy teste:

Custodian of the Record

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

1. Name: **Mark 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

July 25, 2006
Date

STATE AND LOCAL GOVERNMENT

CONFLICT OF INTEREST ACT

1. Name: **Robert 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- DE 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:

ALIC OF VA, BUILDERS & CONTRACTORS EXCH.

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

Robert Kirby
Signature

July 25, 2006
Date

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

1. Name: Jeffrey 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:

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:

Conquest, Monare & Duna, Inc

Associated General Contractors of Va.

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

Jeff Modisett
Signature

July 25, 2006
Date

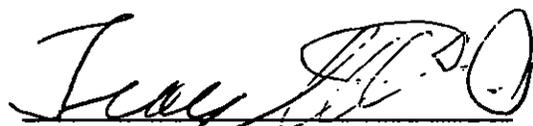
**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTEREST ACT**

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

July 25, 2006
Date

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

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

6. I declare that:

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

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



Signature

July 25, 2006
Date

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

1. Name: **Anthony 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:

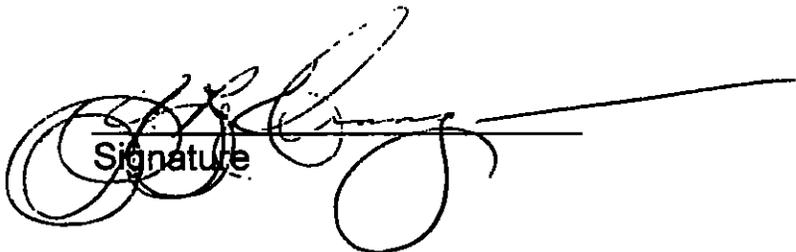
N/A

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:

T.B.E.W L.L.C. 6666

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


Signature

July 25, 2006
Date

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

1. Name: **Michael 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 UPMA IAEI ICC NFPA

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



Signature

July 25, 2006
Date

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

1. Name: Deborah 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:

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:

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

Deborah Tomlin
Signature

July 25, 2006
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

July 25, 2006
Date