

## **BOARD FOR CONTRACTORS BOARD MEETING**

### **MINUTES**

The Board for Contractors met on Tuesday, March 27, 2007 at the Department of Professional and Occupational Regulation (DPOR), 3600 West Broad Street, Richmond, Virginia. The members indicated below were present. Each of the other members present was qualified to vote, except where a specific reason for disqualification is stated. There are 13 members on this board, in which seven constitutes a quorum pursuant to §54.1-1102.

**Anthony Orange, Co Chair**  
**Troy Smith**  
**Robert M Kirby**  
**Mark Cronin**  
**Ann Rackas Pate**  
**Dorothy Wood**  
**Deborah Tomlin**  
**Michael Redifer**  
**Jeffrey Modisett**  
**Wyatt Walton**  
**Ken Hart**  
**Jack Miller**

**Board Member absent from the meeting was: Mark Kinser, and Jeffrey Modisett.**

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

**Jay W. DeBoer, Director**  
**David Ashe, Chief Deputy**  
**Eric L. Olson, Executive Director**  
**Karen O'Neal, Deputy Director, LRD**  
**Eric Gregory, Assistant Attorney General**  
**Steven Jack, Assistant Attorney General**  
**Kevin Hoeft, Regulatory Boards Administrator**  
**Karen Kenney, Administrative Assistant**  
**Sheila Watkins, Administrative Assistant**  
**Tamika Watson, Administrative Assistant**  
**Joe Haughwout, Legal Assistant**  
**Earlyne Perkins, Legal Analyst**  
**Victoria Traylor, Legal Analyst**  
**Nick Christner, Deputy Director, CID**  
**Bonnie Rhea Adams, Asst. Director, CAR**  
**Jennifer Kazzie, Asst. Director, Adjudication**

Co-Chairman Anthony Orange called the meeting to order at 9:08 a.m. and he determined a Quorum of board members was in attendance.

Call  
To Order

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

Approval of  
the Agenda

**Kinser and Modisett were absent.**

**Ms. Wood** moved to approve the following minutes as submitted from the:

Approval of  
Minutes

February 27, 2007, Board for Contractor Meeting  
February 1, 2007 Informal Fact Finding Conference  
February 15, 2007 Informal Fact Finding Conference  
February 22, 2007 Informal Fact Finding Conference  
February 22, 2007 Informal Fact Finding Conference  
February 27, 2007 Informal Fact Finding Conference  
February 27, 2007 Informal Fact Finding Conference

**Ms. Tomlin** seconded the motion and it was unanimously approved by members: Members voting "Yes" were: **Wood, Kirby, Cronin, Orange, Smith, Hart, Miller, Redifer, Walton, Tomlin and Rackas Pate.**

**Kinser and Modisett were absent.**

There were none.

Public  
Comment  
Period

**In the matter of deny License Application File Number 2007-02423, Richard Wilson** the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

File Number  
2007-02423  
Richard  
Wilson

**Applicant Richard Wilson** appeared at the IFF and the Board meeting. He addressed the Board. 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 motion was approved by unanimous vote. Members voting "Yes" were: **Wood, Kirby, Cronin, Orange, Smith, Hart, Miller Redifer, Walton,**

**Tomlin and Rackas Pate.**

**Kinser and Modisett were absent.**

**In the matter of License Application File Number 2007-02887, Robert Shepherd, Jr. t/a Shepherd's Mobile Home Service** the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number  
2007-02887  
Robert  
Shepherd,  
Jr. t/a  
Shepherd's  
Mobile  
Home  
Service**

**Applicant Robert Shepherd, Jr.** appeared at the IFF and the Board meeting. He addressed the Board. 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 accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and deny the license.

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

**Kinser and Modisett were absent.**

**In the matter of License Application File Number 2007-02888, Brian Romberger,** the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number  
2007-02888  
Brian  
Romberger**

**Applicant Brian Romberger** appeared at the IFF and the Board meeting. He addressed the Board. 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 **Mr. Rackas Hart** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and approve the license.

The motion was approved by majority vote of 7 "yes" and 4 "no". Members voting "Yes" were. **Cronin, Orange, Smith, Hart, Redifer, Miller, and Tomlin. Rackas Pate, Walton, Kirby and Wood** voted "No."

**Kinser and Modisett were absent.**

**In the matter of License Application File Number 2007-02889, Wesley Ventro** the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number  
2007-02889  
Wesley  
Ventro**

**Applicant Wesley Ventro** appeared at the IFF and the Board meeting. He addressed the Board. 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. Rackas Pate** and seconded by **Ms. Wood** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and approve the license.

The motion was approved by a majority vote with 10 voting "yes" and 1 voting "no". Members voting "Yes" were: **Wood, Cronin, Orange, Smith, Hart, Miller Redifer, Walton, Tomlin and Rackas Pate.** **Mr. Kirby** voted no.

**Kinser and Modisett were absent.**

**In the matter of License Application File Number 2007-02967, Michael Grady, Sr.** the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number**  
**2007-02967**  
**Michael**  
**Grady, Sr.**  
**t/a Premier**  
**Paving**

**Applicant Michael Grady, Sr.** appeared at the IFF and the Board meeting. He addressed the Board. 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 **Mr. Redifer** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and deny the license.

The motion failed with a vote of 6 "no" and 5 "yes". Members voting "Yes" were: **Wood, Kirby, Orange, Miller, Redifer.**

**Members voting "no" were: Cronin, Smith, Tomlin, Walton, Rackas Pate and Hart.**

**Kinser and Modisett were absent.**

After discussion a motion was made by **Mr. Walton** and seconded by **Ms. Rackas Pate** to amend the recommendation contained in the Summary of the Informal Fact-Finding Conference and issue a license due to the identify confusion of the applicant. The motion passed with a majority vote of 7 "yes" and 4 "no". Members voting "yes" were: **Cronin, Smith, Hart, Miller, Walton, Tomlin and Rackas Pate.**

**Members voting "no" were: Orange, Redifer, Kirby and Wood.**

**Kinser and Modisett were absent.**

**In the matter of License Application File Number 2007-03183, Cypress Heating & Cooling 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  
2007-03183  
Cypress  
Heating &  
Cooling  
LLC**

**Applicant Bruce Kevin Cypress, Sr.** appeared at the IFF and the Board meeting. He addressed the Board. 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. Walton** and seconded by **Mr. Hart** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and deny the license.

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

**Kinser and Modisett were absent.**

**In the matter of License Application File Number 2007-03184, Bruce Cypress t/a Cypress Heating & Cooling,** the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**2007-03184  
Bruce  
Cypress t/a  
Cypress  
Heating &  
Cooling**

**Applicant Bruce Cypress, t/a Cypress Heating & Cooling** participated at the IFF. He attended the Board meeting and addressed the Board. 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 table the matter due to Mr. Cypress' honesty and unintentional miscommunication of information and consider entering into a Consent Order.

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

**Kinser and Modisett were absent.**

**The Board took a short break from 10:30 to 10:38. Mr. Orange offered the motion and it was seconded by Mr. Kirby. The motion passed unanimously. Members voting "yes" were: Wood, Kirby, Cronin, Orange, Smith, Hart, Miller Redifer, Walton, Tomlin and Rackas Pate.**

**Break and  
reconvene**

**Kinser and Modisett were absent.**

**In the matter of Recovery Fund File Number 2007-03457- Prima Facie, Arnold & Gladys Perry (Claimant) vs. Michael Kirby t/a Kirby's**

**File Number  
2005-03457**

**Construction (Regulant);** the board reviewed the record, which consisted of the claim file, the summary and recommendation. **Michael Kirby t/a Kirby's Construction (Regulant)** did not appear at the board meeting. **Arnold & Gladys Perry (Claimants)** did not appear at the board meeting. After discussion, a motion was made by **Mr. Redifer** and seconded by **Ms. Wood** to adopt the claim review and approve the claim for payment in the amount of \$14,154.51. The motion was approved unanimously. Members voting "Yes" were: **Wood, Kirby, Cronin, Orange, Smith, Hart, Miller Redifer, Walton, Tomlin and Rackas Pate.**

**Arnold & Gladys Perry vs. Michael Kirby t/a Kirby's Construction**

**Kinser and Modisett were absent.**

**In the matter of Recovery Fund File Number 2006-01049 – Prima Facie, James Keck (Claimant) vs. Paul Neuss (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Paul Neuss (Regulant)** did not appear at the board meeting. **James Keck (Claimants)** appeared at the board meeting. He addressed the Board and shared his agreement. 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 approve the claim for payment in the amount of \$4,387.00. The motion passed by unanimous vote. Members voting "Yes" were: **Wood, Kirby, Cronin, Orange, Smith, Hart, Miller Redifer, Walton, Tomlin and Rackas Pate.**

**File Number 2006-01049 James Keck vs. Paul Neuss**

**Kinser and Modisett were absent.**

**In the matter of Recovery Fund File Number 2006-01815- Prima Facie, Robert & Mary Smith (Claimant) vs. National Restoration Specialists, Inc. (Regulant);** the board reviewed the record, which consisted of the claim file, the summary and recommendation. **National Restoration Specialists. (Regulant)** did not appear at the board meeting. **Robert & Mary Smith (Claimant)** did not appear at the board meeting.. After discussion, a motion was made by **Mr. Redifer** and seconded by **Ms. Wood** to adopt the claim review and approve the claim for payment in the amount of \$2,503.00. The motion was approved unanimously. Members voting "Yes" were: **Wood, Kirby, Cronin, Orange, Smith, Hart, Miller Redifer, Walton, Tomlin and Rackas Pate.**

**File Number 2006-01815 Robert & Mary Smith Vs National Restoration Specialists, Inc.**

**Kinser and Modisett were absent.**

**In the matter of Recovery Fund File Number 2006-01858, Stephen & Belinda Roberts (Claimant) vs. Millennium Quests, Inc. t/a American**

**File Number 2006-01858**

**Dream Consultants (Regulant)**; the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Millennium Quests, Inc. t/a American Dream Consultants (Regulant)** did not appear at the board meeting. **Stephen & Belinda Roberts Claimants** appeared at the board meeting and shared their agreement with the recommendation. **Mr. Hollar**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. Ms. Traylor shared with the Board that she received addition documentation from the Regulant on 3/26/07 but no phone number and no fax number was included for a response. She asked, "What is the Board's pleasure?" It was shared during discussion that the Regulant had received all information/correspondence sent by the Board concerning this matter. Return copy receipts have been filed. After discussion, a motion was made by **Ms. Rackas Pate** and seconded by **Mr. Redifer** to adopt the claim review and the hearing officer's recommendations and summary for violations and approve the claim for payment in the amount of \$20,000.00. The motion passed by unanimous vote. Members voting "Yes" were: **Wood, Kirby, Cronin, Orange, Smith, Hart, Miller Redifer, Walton, Tomlin and Rackas Pate.**

**Stephen &  
Belinda  
Roberts  
Vs  
Millennium  
Quests, Inc.  
t/a  
American  
Dream  
Consultants**

**Kinser and Modisett were absent.**

**In the matter of Recovery Fund File Number 2006-01865, Ruby Miller (Claimant) vs. Paul Evans. (Regulant)**; the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Paul Evans (Regulant)** did not appear at the board meeting. **Ruby Miller Claimants** did not appear at the board meeting. **Mr. Hollar**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Mr. Walton** and seconded by **Ms. Rackas Pate** to adopt the claim review and the hearing officer's recommendations and summary for violations and approved the claim for payment in the amount of \$5,457.75. The motion passed by unanimous vote. Members voting "Yes" were: **Wood, Kirby, Cronin, Orange, Smith, Hart, Miller Redifer, Walton, Tomlin and Rackas Pate.**

**File Number  
2006-01865  
Ruby Miller  
Vs  
Paul Evans**

**Kinser and Modisett were absent.**

**In the matter of Recovery Fund File Number 2006-01902- Prima Facie, Regina Alexander (Claimant) vs. Atlantic Concrete, Inc. (Regulant)**; the board reviewed the record, which consisted of the claim file, the summary and recommendation. **Atlantic Concrete, Inc. (Regulant)** did not appear at the board meeting. **Regina Alexander (Claimant)** did not appear at the board meeting. After discussion, a motion was made by **Mr. Redifer** and seconded

**2006-01902  
Regina  
Alexander  
Vs  
Atlantic  
Concrete,**

by Mr. Hart to adopt the claim review and approve the claim for payment in the amount of \$543.00. The motion was approved unanimously. Members voting "Yes" were: Wood, Kirby, Cronin, Orange, Smith, Hart, Miller Redifer, Walton, Tomlin and Rackas Pate.

Inc.

Kinser and Modisett were absent.

In the matter of Recovery Fund File Number 2006-01919, Duane & Cheryl Ellis (Claimant) vs. Ronald Ambrogi t/a Ambrogi Enterprises (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. Ronald Ambrogi t/a, Ambrogi Enterprises Inc. (Regulant) did not appear at the board meeting. Cheryl Ellis Claimants) appeared at the board meeting and shared her agreement with the recommendation. Mr. Hollar, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by Ms. Rackas Pate and seconded by Ms. Wood to adopt the claim review and the hearing officer's recommendations and summary for violations and approved the claim for payment in the amount of \$20,000.00. The motion passed by unanimous vote. Members voting "Yes" were: Wood, Kirby, Cronin, Orange, Smith, Hart, Miller Redifer, Walton, Tomlin and Rackas Pate.

File Number  
2006-01919  
Duane &  
Cheryl Ellis  
Vs  
Ronald  
Ambrogi t/a  
Ambrogi  
Enterprises

Kinser and Modisett were absent.

In the matter of Recovery Fund File Number 2006-01920, Lynn Meadows (Claimant) vs. David's Home Improvements, Inc. (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. David's Home Improvements, Inc. (Regulant) did not appear at the board meeting. Lynn Meadows Claimants) appeared at the board meeting and shared her agreement with the recommendation. Mr. Hollar, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. 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 approve the claim for payment in the amount of \$15,114.69. The motion passed by unanimous vote. Members voting "Yes" were: Wood, Kirby, Cronin, Orange, Smith, Hart, Miller Redifer, Walton, Tomlin and Rackas Pate.

File Number  
2006-01920  
Lynn  
Meadows  
Vs  
David's  
Home  
Improve-  
ments, Inc.

Kinser and Modisett were absent.

In the matter of Recovery Fund File Number 2006-01926, Donald Schmidt (Claimant) vs. EIFS, Inc. (Regulant); the board reviewed the

File Number  
2006-01926

record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **EIFS, Inc. (Regulant)** did not appear at the board meeting. **Donald Schmidt Claimants** did not appear at the board meeting. **Mr. Ward**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Mr. Walton** and seconded by **Mr. Hart** to adopt the claim review and the hearing officer's recommendations and summary for violations and approved the claim for payment in the amount of \$13,697.00. The motion passed by unanimous vote. Members voting "Yes" were: **Wood, Kirby, Cronin, Orange, Smith, Hart, Miller Redifer, Walton, Tomlin and Rackas Pate.**

**Donald  
Schmidt  
Vs  
EIFS, Inc.**

**Kinser and Modisett were absent.**

**In the matter of Recovery Fund File Number 2006-01969, Charlotte Mulryne (Claimant) vs. Theresa Hayes Thornton, t/a A-1 Concrete (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Theresa Hayes Thornton t/a A-1 Concrete (Regulant)** did not appear at the board meeting. **Charlotte Mulryne (Claimants)** did not appear at the board meeting. **Mr. Hollar**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Ms. Rackas Pate** and seconded by **Ms. Wood** to adopt the claim review and the hearing officer's recommendations and summary for violations and approved the claim for payment in the amount of \$1,063.00. The motion passed by unanimous vote. Members voting "Yes" were: **Wood, Kirby, Cronin, Orange, Smith, Hart, Miller Redifer, Walton, Tomlin and Rackas Pate.**

**File Number  
2006-01969  
Charlotte  
Mulryne vs.  
Theresa  
Hayes  
Thornton t/a  
A-1  
Concrete**

**Kinser and Modisett were absent.**

**In the matter of Recovery Fund File Number 2006-02862, Gregory Headen and Candice Massenburg (Claimant) vs. My Dads Fencing, Inc. (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **My Dads Fencing, Inc (Regulant)** did not appear at the board meeting. **Gregory Headen and Candice Massenburg (Claimants)** did not appear at the board meeting. **Mr. Ward**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Ms. Wood** and seconded by **Mr. Walton** to adopt the claim review and the hearing officer's recommendations and summary for violations and approve the claim for payment in the amount of \$6,704.00. The motion passed by unanimous vote. Members voting "Yes" were: **Wood, Kirby, Cronin, Orange, Smith, Hart, Miller Redifer, Walton, Tomlin and Rackas Pate.**

**File Number  
2006-02862  
Gregory  
Headen and  
Candice  
Massenburg  
Vs  
My Dads  
Fencing, Inc.**

**Kinser and Modisett were absent.**

**In the matter of Recovery Fund File Number 2006-03560, Fillmer & Celia Hevener (Claimant) vs. Dove's Homes, Inc. (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Dove's Homes, Inc. (Regulant)** did not appear at the board meeting. **Fillmer & Celia Hevener (Claimants)** appeared at the board meeting and shared their agreement with the recommendation. **Mr. Ward**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Mr. Orange** and seconded by **Mr. Smith** to adopt the claim review and the hearing officer's recommendations and summary for violations and approved the claim for payment in the amount of \$20,000.00. The motion passed by unanimous vote. Members voting "Yes" were: **Wood, Kirby, Cronin, Orange, Smith, Hart, Miller Redifer, Walton, Tomlin and Rackas Pate.**

**File Number**  
**2006-03560**  
**Fillmer &**  
**Celia**  
**Hevener**  
**Vs**  
**Dove's**  
**Homes, Inc.**

**Kinser and Modisett were absent.**

**In the matter of Recovery Fund File Number 2006-04090, Lorie Harrison (Claimant) vs. Thomas Powers t/a Powers Construction (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Thomas Powers t/a Powers Construction (Regulant)** did not appear at the board meeting. **Lorie Harrison Claimants)** appeared at the board meeting and shared her agreement with the recommendation. **Mr. Hollar**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. 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 approved the claim for payment in the amount of \$16,113.59. The motion passed by unanimous vote. Members voting "Yes" were: **Wood, Kirby, Cronin, Orange, Smith, Hart, Miller Redifer, Walton, Tomlin and Rackas Pate.**

**File Number**  
**2006-04090**  
**Lorie**  
**Harrison vs.**  
**Thomas**  
**Powers t/a**  
**Powers**  
**Construct-**  
**ion**

**Kinser and Modisett were absent.**

**In the matter of Recovery Fund File Number 2006-04092, Eric & Gary Bresnahan (Claimant) vs. Empire Builders LLC (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Empire Builders LLC (Regulant)** did not appear at the board meeting. **Scott Newman**, council for **Eric & Gary Bresnahan Claimants)** appeared at the board meeting and shared their agreement with the recommendation. **Mr. Ward**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Ms. Rackas**

**File Number**  
**2006-04092**  
**Eric & Gary**  
**Bresnahan**  
**Vs**  
**Empire**  
**Builders**  
**LLC**

**Pate** and seconded by **Mr. Walton** to adopt the claim review and the hearing officer's recommendations and summary for violations and approved the claim for payment in the amount of \$20,000.00. The motion passed by unanimous vote. Members voting "Yes" were: **Wood, Kirby, Cronin, Orange, Smith, Hart, Miller Redifer, Walton, Tomlin and Rackas Pate.**

**Kinser and Modisett were absent.**

**In the matter of Recovery Fund File Number 2006-04249, Eric & Gary Bresnahan (Claimant) vs. Empire Builders LLC (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Empire Builders LLC (Regulant)** did not appear at the board meeting. Scott Newman council for **Eric & Gary Bresnahan Claimants**) appeared at the board meeting and shared their disagreement with the recommendation. **Mr. Ward**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. During discussion the following questions were asked: How many contracts did they enter into? The Board reviewed them and stated they were both identical (the same Contract). How many judgments were awarded? The answer was one judgment was awarded. 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 disapprove the claim for payment. The motion passed by unanimous vote. Members voting "Yes" were: **Wood, Kirby, Cronin, Orange, Smith, Hart, Miller Redifer, Walton, Tomlin and Rackas Pate.**

File Number  
2006-04249  
**Eric & Gary  
Bresnahan  
Vs  
Empire  
Builders  
LLC**

**Kinser and Modisett were absent.**

**In the matter of Recovery Fund File Number 2006-04247- Prima Facie, Walter Jasinskas (Claimant) vs. David Llewellyn Sr t/a Accent Masonry (Regulant);** the board reviewed the record, which consisted of the claim file, the summary and recommendation. **David Llewellyn Sr t/a Accent Masonry (Regulant)** did not appear at the board meeting. **Walter Jasinskas (Claimant)** did not appear at the board meeting. After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Hart** to adopt the claim review and approve the claim for payment in the amount of \$668.00. The motion was approved unanimously. Members voting "Yes" were: **Wood, Kirby, Cronin, Orange, Smith, Hart, Miller Redifer, Walton, Tomlin and Rackas Pate.**

File Number  
2006-04247  
**Walter  
Jasinskas vs.  
David  
Llewellyn Sr  
t/a Accent  
Masonry**

**Kinser and Modisett were absent.**

**In the matter of Recovery Fund File Number 2006-04339, Christina & Edward Rogers (Claimant) vs. Stephen Mottern t/a First Place 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. **Stephen Mottern t/a First Place Home Improvements (Regulant)** did not appear at the board meeting. **Christina & Edward Rogers Claimants** appeared at the board meeting and shared their agreement with the recommendation. **Mr. Hollar**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. 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 approved the claim for payment in the amount of \$14,859.00. The motion passed by unanimous vote. Members voting "Yes" were: **Wood, Kirby, Cronin, Orange, Smith, Hart, Miller Redifer, Walton, Tomlin and Rackas Pate.**

**File Number**  
**2006-04339**  
**Christina & Edward Rogers vs. Stephen Mottern t/a First Place Home Improvements**

**Kinser and Modisett were absent.**

**In the matter of Recovery Fund File Number 2006-04483, Aron & Laurie Cudnohufsky (Claimant) vs. Phillip & John Jiannine t/a Sea Breeze Pools and Spas (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Phillip & John Jiannine t/a Sea Breeze Pools and Spas (Regulant)** did not appear at the board meeting. **David Michael King and Laurie Cudnohufsky (Claimants)** appeared at the board meeting and shared her agreement with the recommendation. **Mr. Hollar**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. 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 approved the claim for payment in the amount of \$10,913.20. The motion passed by unanimous vote. Members voting "Yes" were: **Wood, Kirby, Cronin, Orange, Smith, Hart, Miller Redifer, Walton, Tomlin and Rackas Pate.**

**File Number**  
**2006-04483**  
**Aaron & Laurie Cudnohufsky vs. Phillip & John Jiannine t/a Sea Breeze Pools and Spas**

**Kinser and Modisett were absent.**

**In the matter of Recovery Fund File Number 2006-04788- Prima Facie, Ruth Kidd (Claimant) vs. Roofscape Construction Corporation (Regulant);** the board reviewed the record, which consisted of the claim file, the summary and recommendation. **Roofscape Construction Corporation (Regulant)** did not appear at the board meeting. **Ruth Kidd (Claimant)** appeared at the board meeting She addressed the Board. She requested consideration of additional attorney's fees. After discussion, a motion was made by **Mr. Redifer** and seconded by **Ms. Rackas Pate** to remand back to staff for consideration. The motion was approved unanimously. Members

**File Number**  
**2006-04788**  
**Ruth Kidd vs. Roofscape Construction Corporation**

voting "Yes" were: **Wood, Kirby, Cronin, Orange, Smith, Hart, Miller Redifer, Walton, Tomlin and Rackas Pate.**

**Kinser and Modisett were absent.**

**In the matter of Recovery Fund File Number 2007-00374, Charles Smith (Claimant) vs. Jon Alexander t/a Jon Alexander Handyman (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Jon Alexander t/a Jon Alexander Handyman (Regulant)** appeared at the board meeting. He addressed the Board and shared his disagreement with the recommendation. Lee Taylor, council for **Charles Smith (Claimants)** appeared at the board meeting and shared his agreement with the recommendation. **Mr. Hollar**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Mr. Kirby** and seconded by **Ms. Wood** to adopt the claim review and the hearing officer's recommendations and summary for violations and approved the claim for payment in the amount of \$10,217.00. The motion passed by majority vote. Members voting "Yes" were: **Wood, Kirby, Orange, Smith, Hart, Miller Redifer, Walton, Tomlin and Rackas Pate.**

**File Number**  
**2007-00374**  
**Charles**  
**Smith vs.**  
**Jon**  
**Alexander**  
**t/a Jon**  
**Alexander**  
**Handyman**

**Cronin voted "no".**

**Kinser and Modisett were absent.**

**In the matter of Recovery Fund File Number 2007-02863- Prima Facie, Jerome Lewis (Claimant) vs. Fidelity Construction (Regulant);** the board reviewed the record, which consisted of the claim file, the summary and recommendation. **Fidelity Construction (Regulant)** did not appear at the board meeting. **Jerome Lewis (Claimant)** did not appear at the board meeting. After discussion, a motion was made by **Mr. Redifer** and seconded by **Ms. Rackas Pate** to adopt the claim review and approve the claim for payment in the amount of \$15,982.02. The motion was approved unanimously. Members voting "Yes" were: **Wood, Kirby, Cronin, Orange, Smith, Hart, Miller Redifer, Walton, Tomlin and Rackas Pate.**

**File Number**  
**2007-02863**  
**Jerome**  
**Lewis vs.**  
**Fidelity**  
**Construct-**  
**ion**

**Kinser and Modisett were absent.**

**Karen O'Neal, Deputy Director of LRD, shared with the Board that she was very pleased at the progress staff was making with the Recovery Fund Prima Facie cases. She also shared staff is commended for their hard work.**

**Karen**  
**O'Neal**

**Steve Arthur, Deputy Director of Finance gave a slide presentation to the**

**Agency**

**Board members sharing the Agency planned move for August 2007. He shared we'll be located in the Perimeter Center at 9960 Mayland Drive, Richmond, VA.**

**Move**

**In the matter of Disciplinary File Number 2006-01679, Stephen Mottern t/a First Place Home Improvements (Respondent); the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. Neither Stephen Mottern, t/a First Place Home Improvements (Respondent) nor anyone on his behalf appeared at the IFF or the board meeting.**

**File Number  
 2006-01679  
 Stephen  
 Mottern t/a  
 First Place  
 Home  
 Improve-  
 ments**

As the Board Representative, **Mr. Kinser** was not present 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 adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found **Stephen Michael Mottern** violated the following sections of its Regulations:

Count 1:	18 VAC 50-22-260.B.9	
Count 2:	18 VAC 50-22-260.B.27	
Count 3:	18 VAC 50-22-260.B.6	
Count 4:	18 VAC 50-22-260.B.14	
Count 5:	18 VAC 50-22-260.B.16	
Count 6:	18 VAC 50-22-260.B.13	

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

**Kinser and Modisett were absent.**

After discussion a motion was made by **Mr. Kirby** and seconded by **Mr. Redifer** to impose the following sanctions:

Count 1:	18 VAC 41-20-280.C.2	\$500.00
Count 2:	18 VAC 50-22-260.B.27	\$1,000.00
Count 3:	18 VAC 50-22-260.B.6	\$1,500.00
Count 4:	18 VAC 50-22-260.B.14	\$1,500.00
Count 5:	18 VAC 50-22-260.B.16	\$2,500.00
Count 6:	18 VAC 50-22-260.B.13	\$1,000.00
In addition Stephen Michael Mottern must complete a Board-approved remedial education class within 90 day of the order.		

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The Board imposes license revocation for violation of Count 3, 4, 5 and 6.	
	-----
<b>TOTAL:</b>	<b>\$8,000.00</b>

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

**Kinser and Modisett were absent.**

**In the matter of Disciplinary File Number 2006-02163, Stephen Mottern t/z First Place Home Improvements (Respondent);** the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither Stephen Mottern t/a First Place Home Improvements (Respondent) nor anyone on its behalf appeared at the IFF or the board meeting.**

**File Number**  
**2006-02163**  
**Stephen**  
**Mottern t/a**  
**First Place**  
**Home**  
**Improve-**  
**ments**

As the Board Representative, **Mr. Kinser** was not present 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 adopt the Summary of the Informal Fact-Finding Conference with Recommendations for a finding of no violation. The Board found **Stephen Mottern, t/a First Place Home Improvements, did not violate its Regulations.**

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

**Kinser and Modisett were absent.**

**David Sider** arrived to the meeting and asked if he might be able to make public since his attendance was strictly for that purpose. **The Board allowed him to speak. He shared his concerns about Licensed contractors subbing out work. He also discussed the competition of the big contractors and the road blocks he feels he's faced when filing a complaint. Wants to be able to be anonymous when making a complaint.**

**Public**  
**Comment**

**In the matter of Disciplinary File Number 2006-03775, Master Distributors Inc, t/a United Remodelers (Respondent);** the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits

**File Number**  
**2006-03775**  
**Master**

from the IFF, and the summary and recommendation. **Neither Master Distributors Inc, t/a United Remodelers (Respondent)** nor anyone on his behalf appeared at the IFF or the board meeting.

**Distributors  
Inc, t.a  
United  
Remodelers**

As the Board Representative, **Mr. Kinser** was not present 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 adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found **Master Distributors Inc, t/a United Remodelers**, violated the following sections of its Regulations:

Effective	September 1, 2001	
Count 1:	18 VAC 50-22-260.B.28	
Count 2:	18 VAC 50-22-260.B.13	

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

**Kinser and Modisett were absent.**

After discussion a motion was made by **Ms. Wood** and seconded by **Mr. Redifer** to impose the following sanctions:

Count 1:	18 VAC 50-22-260.B.28	\$1,500.00
Count 2:	18 VAC 50-22-260.B.13	\$1,000.00
Total		\$2,500.00
The Board imposed revocation of license 2710-025435 for the violation of Count 1 and Count 2.		

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

**Kinser and Modisett were absent.**

In the matter of Disciplinary File Number 2006-03929, **Asby Contracting LLC (Respondent)**; the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither Asby Contracting LLC. (Respondent)** nor anyone on its behalf appeared at the IFF or the Board meeting. David and

**File Number  
2006-03929  
Asby  
Contracting  
LLC**

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Alice Williams (Complainants) did not attend the IFF or the Board meeting.

As the Board Representative, Mr. Kinser was not present and did not vote. After discussion, a motion was made by Mr. Redifer and seconded by Mr. Hart to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found Asby Contracting LLC., violated the following sections of its Regulations:

Effective September 1, 2001		
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.31	
Count 4:	18 VAC 50-22-260.B.15	
Count 5:	18 VAC 50-22-260.B.28	

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

**Kinser and Modisett were absent.**

After discussion a motion was made by Mr. Redifer and seconded by Mr. Hart to impose the following sanctions:

Count 1:	18 VAC 50-22-260.B.9	\$600.00
Count 2:	18 VAC 50-22-260.B.27	\$500.00
Count 3:	18 VAC 50-22-260.B.31	\$1,000.00
Count 4:	18 VAC 50-22-260.B.15	\$500.00
Count 5:	18 VAC 50-22-260.B.28	\$1,500.00
Total		\$4,100.00

The Board imposed revocation of license 2705-095726 for the violation of Count 5 and Asby Contracting LLC must have a member of Responsible Management successfully complete a Board-approved remedial education class with in 90 days.

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

**Kinser and Modisett were absent.**

**In the matter of Disciplinary File Number 2006-05322, Master**

**File Number**

**Distributors Inc, t/a United Remodelers (Respondent);** the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither Master Distributors Inc (Respondent)** nor anyone on its behalf appeared at the IFF

**2006-05322  
 Master  
 Distributors  
 Inc t/a  
 United  
 Remodelers**

As the Board Representative, **Mr. Kinser** was not present 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 adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found **Master Distributors Inc.**, violated the following sections of its Regulations:

Effective September 1, 2001		
Count 1:	18 VAC 50-22-220.B.	
Count 2:	18 VAC 50-22-220.C	
Count 3:	18 VAC 50-22-260.B.13	

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

**Kinser and Modisett were absent.**

After discussion a motion was made by **Ms. Wood** and seconded by **Ms. Rackas Pate** to impose the following sanctions:

Count 1:	18 VAC 50-22-220.B	\$500.00
Count 2:	18 VAC 50-22-220.C	\$500.00
Count 3:	18 VAC 50-22-260.B.13	\$1,000.00
<b>Total</b>		<b>\$2,000.00</b>
<b>Revocation of license 2710-025435 for violation of Count 1, 2 and 3.</b>		

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

**Kinser and Modisett were absent.**

**In the matter of Disciplinary File Number 2006-01289, Robert P Ciariante & Robert C Pennypacker III, t/a Commonwealth Construction (Respondent);** the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither Robert P Ciariante & Robert C Pennypacker III, t/a Commonwealth Construction (Respondent)** nor anyone on its

**File Number  
 2006-01289  
 Robert P  
 Ciariante &  
 Robert C  
 Pennypack-**

behalf appeared at the IFF

**er III. t/a  
 Common-  
 wealth  
 Construct-  
 ion**

As the Board Representatives, **Mr. Kinser and Ms. Wall** were not present and did not vote. After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Walton** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found **Robert P Ciarlante & Robert C Pennypacker III.**, violated the following sections of its Regulations:

Effective January 1, 2003		
Count 1:	18 VAC 50-22-260.B.8	(two violations)
Count 2:	18 VAC 50-22-260.B.9	(two violations)
Count 3:	18 VAC 50-22-260.B.27	
Count 4:	18 VAC 50-22-260.B.14	
Count 5:	18 VAC 50-22-260.B.16	
Count 6:	Effective September 1, 2001	18 VAC 50-22-260.B.28

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

**Kinser and Modisett were absent.**

After discussion a motion was made by **Mr. Redifer** and seconded by **Ms. Walton** to impose the following sanctions:

Count 1:	(\$350.00 each) two counts	\$700.00
Count 2:	(\$800.00 each) two counts	\$1,600.00
Count 3:		\$360.00
Count 4:		\$1,900.00
Count 5:		\$2,000.00
Count 6:		\$2,000.00
Total		\$8,560.00
Revocation of license 2705-084903 for violation of Count 1 through 6.		

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

**Kinser and Modisett were absent.**

In the matter of Disciplinary File Number 2006-03113, **Dwayne E White, t/a Dwayne White Construction (Respondent)**; the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from

**File Number  
 2006-03113  
 Dwayne E**

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the IFF, and the summary and recommendation. **Neither Dwayne E White (Respondent) nor anyone on its behalf appeared at the IFF. Steven Spitz (Complainant) attended the Board meeting and he addressed the Board.**

**White, t/a  
Dwayne  
White  
Construct-  
ion**

As the Board Representative, **Mr. Kinser and Ms. Wall** were not present 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 adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found **Dwayne E White**, violated the following sections of its Regulations:

Effective September 1, 2001		
Count 1:	18 VAC 50-22-230.A.	
Count 2:	18 VAC 50-22-260.B.9	
Count 3:	18 VAC 50-22-260.B.15	
Count 4:	18 VAC 50-22-260.B.14	
Count 5:	18 VAC 50-22-260.B.16	
Count 6:	18 VAC 50-22-260.B.13	
Count 7:	18 VAC 50-22-260.B.28	

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

**Kinser and Modisett were absent.**

After discussion a motion was made by **Ms. Wood** and seconded by **Ms. Rackas Pate** to impose the following sanctions:

Count 1:		\$370.00
Count 2:		\$370.00
Count 3:		\$1,750.00
Count 4:		\$1,900.00
Count 5:		\$2,000.00
Count 6:		\$1,300.00
Count 7:		\$2,000.00
Total		\$9,690.00
Revocation of license 2705-083769 for violation of Count 3, 4 and 5. Also a member of Responsible Management must successfully complete a Board-approved remedial education class within 90 days.		

The motion was approved unanimously. Members voting "Yes" were: **Wood, Kirby, Cronin, Miller, Smith, Hart, Redifer, Orange, Walton,**

**Tomlin and Rackas Pate.**

**Kinser and Modisett were absent.**

**In the matter of Disciplinary File Number 2006-05156, Lee Contractors LLC, t/a Lee Contractors LLC (Respondent);** the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither Lee Contractors LLC (Respondent) nor anyone on its behalf appeared at the IFF or the Board meeting.**

**File Number  
2006-05156  
Lee  
Contractors  
LLC t/a Lee  
Contractors  
LLC**

As the Board Representative, **Mr. Kinser and Ms. Wall** were not present 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 adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found **Lee Contractors LLC**, violated the following sections of its Regulations:

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

The motion was approved majority vote. Members voting "Yes" were: **Wood, Kirby, Cronin, Miller, Smith, Hart, Redifer, Orange and Rackas Pate.** **Walton and Tomlin** voted "no".

**Kinser and Modisett were absent.**

After discussion a motion was made by **Ms. Wood** and seconded by **Ms. Rackas Pate** to impose the following sanctions:

Count 2:	18 VAC 50-22-260.B.23	\$100.00
Total		\$100.00
A member of Responsible Management must successfully complete a Board approved remedial education class with 90 days and for count 1, pursuant to §54.1-202 of the Code of Virginia, the Board voted to impose no monetary penalty for the violation.		

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

**Kinser and Modisett were absent.**

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**In the matter of Disciplinary File Number 2006-05421, Kenneth W Meyers, t/a Myers Masonry (Respondent);** the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither Kenneth W Myers (Respondent)** nor anyone on its behalf appeared at the IFF or the Board meeting. **Christopher McGinnis (Complainant)** attended the IFF but not the Board meeting.

**File Number**  
**2006-05421**  
**Kenneth W**  
**Myers, t/a**  
**Myers**  
**Masonry**

As the Board Representative, **Mr. Kinser and Ms. Wall** were not present 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 adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found **Kenneth W Myers**, violated the following sections of its Regulations:

Effective September 1, 2001		
Count 1:	18 VAC 50-22-260.B.8	
Count 2:	18 VAC 50-22-260.B.27	
Count 3:	18 VAC 50-22-260.B.6	

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

**Kinser and Modisett were absent.**

After discussion a motion was made by **Mr. Redifer** and seconded by **Ms. Wood** to impose the following sanctions:

Count 1:		\$300.00
Count 2:		\$400.00
Count 3:		\$800.00
Total		\$1,500.00

Revocation of license 2705-064803 for violation of Count 3. Also Kenneth W Myers must have a member of responsible management successfully complete a Board-approved remedial education class within 90 days.

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

**Kinser and Modisett were absent.**

**In the matter of Disciplinary File Number 2006-02052, William Schwerdtfeger, t/a Olympin Chimney Restoration (Respondent);** the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither William Schwerdtfeger (Respondent)** nor anyone on its behalf appeared at the IFF or the Board meeting. **James and Peggy Stone (Complainants)** did not attend the Board meeting or the IFF.

**File Number**  
**2006-02052**  
**William**  
**Schwerdt-**  
**feger t/a**  
**Olympin**  
**Chimney**  
**Restoration**

As the Board Representative, Mr. Miller was not present 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 adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found William Schwerdtfeger, violated the following sections of its Regulations:

Effective September 1, 2001		
Count 1:	18 VAC 50-22-260.B.8	
Count 2:	18 VAC 50-22-260.B.9	

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

**Kinser and Modisett were absent.**

After discussion a motion was made by Mr. Redifer and seconded by Mr. Kirby to impose the following sanctions:

Count 1:		\$300.00
Count 2:		\$300.00
Total		\$600.00

The Board closed Count 3: 18 VAC 50-22-260.B.28 with a finding of no violation. Also a member of Responsible Management must successfully complete a Board-approved remedial education class within 90 days.

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

**Kinser and Modisett were absent.**

**In the matter of Disciplinary File Number 2006-02707, Bruhn &**

**File Number**

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**Company LLC (Respondent);** the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither Bruhn & Company LLC (Respondent)** nor anyone on its behalf appeared at the IFF. **Ryan Parker (Complainant)** attended the IFF and Board meeting. He addressed the Board.

**2006-02707  
Bruhn &  
Company  
LLC**

As the Board Representative, **Mr. Miller** was not present 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 adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found **Bruhn & Company LLC**, violated the following sections of its Regulations:

Effective September 1, 2003	
Count 1:	18 VAC 50-22-260.B.2
Count 2:	18 VAC 50-22-260.B.15
Count 3:	18 VAC 50-22-260.B.16
Count 4:	18 VAC 50-22-260.B.28
Count 5:	18 VAC 50-22-260.B.28
Effective September 1, 2001	
Count 6:	18 VAC 50-22-260.B.28
Count 7:	18 VAC 50-22-260.B.28
Count 8:	18 VAC 50-22-230.B
Count 9:	18 VAC 50-22-260.B.28

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

**Kinser and Modisett were absent.**

After discussion a motion was made by **Mr. Kirby** and seconded by **Ms. Redifer** to impose the following sanctions:

Count 1:		\$1,000.00
Count 2:		\$1,700.00
Count 3:		\$2,000.00
Count 4:		\$2,000.00
Count 5:		\$2,000.00
Count 6:		\$2,000.00
Count 7:		\$2,000.00
Count 8:		\$1,000.00
Count 9:		\$2,000.00
Total		\$15,700.00

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Revocation of license 2705-090282 for violation of Counts 1 through 9.
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The motion was approved unanimously. Members voting "Yes" were: **Wood, Kirby, Cronin, Smith, Hart, Redifer, Orange, Walton, Tomlin and Rackas Pate.**

**Kinser and Modisett were absent.**

**In the matter of Disciplinary File Number 2006-04901, A & W Metal Works Inc. (Respondent);** the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither A & W Metal Works Inc. (Respondent) nor anyone on its behalf appeared at the IFF or the Board meeting.**

**File Number  
2006-04901  
A & W  
Metal  
Works Inc.**

As the Board Representative, **Mr. Miller** was not present 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 adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found **A & W Metal Works Inc.**, violated the following sections of its Regulations:

Effective September 1, 2001		
Count 1:	18 VAC 50-22-220.C.	
Count 2:	18 VAC 50-22-260.B.13	

The motion was approved unanimously. Members voting "Yes" were: **Wood, Kirby, Cronin, Hart, Redifer, Orange, Walton, Tomlin and Rackas Pate.** **Smith recused himself and did not vote in this matter.**

**Kinser and Modisett were absent.**

After discussion a motion was made by **Mr. Redifer** and seconded by **Ms. Rackas Pate** to impose the following sanctions:

Count 1:		\$400.00
Count 2:		\$1,400.00
Total		\$1,800.00
Revocation of license 2705-101693 for violation of Count 1 and 2. Also a member of Responsible Management must successfully complete a Board-approved remedial education class within 90 days.		

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

**Kinser and Modisett were absent.**

**In the matter of Disciplinary File Number 2007-00231, Christopher L Soden, t/a Unlimited Horizons (Respondent);** the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither Christopher Soden (Respondent) nor anyone on its behalf appeared at the IFF. Nikisha Lluvera-Holman (Complainant) did not attend the Board meeting.**

**File Number  
 2007-00231  
 Christopher  
 L Soden, t/a  
 Unlimited  
 Horizons**

As the Board Representative, **Mr. Miller** was not present and did not vote. After discussion, a motion was made by **Mr. Kirby** and seconded by **Mr. Hart** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found **Christopher L Soden**, violated the following sections of its Regulations:

Effective February 1, 2006		
Count 1:	18 VAC 50-22-260.B.9	
Effective September 1, 2001		
Count 2:	18 VAC 50-22-260.B.6	
Count 3:	18 VAC 50-22-260.B.5	
Count 4:	18 VAC 50-22-260.B.16	
Count 5:	18 VAC 50-22-260.B.	

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

**Kinser and Modisett were absent.**

After discussion a motion was made by **Mr. Kirby** and seconded by **Mr. Hart** to impose the following sanctions:

Count 1:		\$400.00
Count 2:		\$800.00
Count 3:		\$1,400.00
Count 4:		\$2,000.00
Count 5:		\$500.00
Total		\$5,100.00

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Revocation of license 2705-098551 for violation of Count 2,3, 4 and 5. Also a member of Responsible Management class must successfully complete a Board-approved remedial education class within 90 days.

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

**Kinser and Modisett were absent.**

**In the matter of Disciplinary File Number 2006-02508, Fredrick A Martin, t/a Martin Contracting Construction (Respondent);** the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither Fredrick A Martin (Respondent)** nor anyone on its behalf appeared at the IFF or the Board meeting. **Dave Csillag and Denise Csillag (Complainant)** attended the IFF. Dave Csillag attended the Board meeting and he addressed the Board.

**File Number  
2006-02508  
Fredrick A  
Martin, t/a  
Martin  
Contracting**

As the Board Representative, **Mr. Modisett** was not present and did not vote. After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Walton** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found **Fredrick A Martin**, 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.15	

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

**Kinser and Modisett were absent.**

After discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Walton** to impose the following sanctions:

Count 1:		\$400.00
Count 2:		\$750.00
Count 3:		\$500.00
Total		\$1,650.00

Also a member of Responsible Management must successfully complete a Board-approved remedial education class within 90 days. As to 18 VAC 50-22-260 B 16 Count 4 and 18 VAC 50-22-260 B 28 Count 5 the Board closes this aspect of the file with a finding of no violation.

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

**Kinser and Modisett were absent.**

**In the matter of Disciplinary File Number 2006-03184, Dwayne White, t/a Dwayne White Construction (Respondent);** the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither Dwayne White (Respondent)** nor anyone on its behalf appeared at the IFF or the Board meeting. **Kelly Gates (Complainant)** attended the IFF and the Board meeting. She addressed the Board.

**File Number  
2006-03184  
Dwayne E  
White, t/a  
Dwayne  
White  
Construct-  
ion**

As the Board Representative, **Ms. Wall** was not present and did not vote. After discussion, a motion was made by **Mr. Kirby** and seconded by **Mr. Hart** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found **Dwayne E White**, violated the following sections of its Regulations:

Effective September 1, 2001		
Count 1:	18 VAC 50-22-260.B.11	
Count 2:	18 VAC 50-22-260.B.18	
Count 3:	18 VAC 50-22-260.B.27	
Count 4:	18 VAC 50-22-260.B.6	

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

**Kinser and Modisett were absent.**

After discussion a motion was made by **Mr. Kirby** and seconded by **Mr. Hart** to impose the following sanctions:

Count 1:		\$400.00
Count 2:		\$700.00
Count 3:		\$350.00

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Count 4:		\$800.00
Total		\$2,250.00
Also a member of Responsible Management must successfully complete a Board-approved remedial education class within 90 days. Revocation of license 2705-083769 for the violation of Count 2, 3 and 4.		

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

**Kinser and Modisett were absent.**

**In the matter of Consent Order File Number 2007-03184, Board v. Bruce Cypress, t/a Cypress Heating & Cooling.,** the Board reviewed the Consent Order.

**File Number  
2006-013184  
Bruce  
Cypress, t/a  
Cypress  
Heating &  
Cooling**

**Bruce Cypress, 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.2	\$1,000.00
Total		\$1,000.00
The Board required a member of responsible management successfully complete a Board approved remedial education class within 90 days.		

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

**Modisett and Kinser were absent.**

**In the matter of Consent Order File Number 2006-02339, Board v. Page Enterprises Inc, t/a Page Enterprises Inc.,** the Board reviewed the Consent Order.

**File Number  
2006-02339  
Page  
Enterprises  
Inc, t/a Page  
Enterprises  
Inc**

**Page Enterprises, Inc., t/a Page Enterprises, 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	\$750.00
Count 2:	18 VAC 50-22-260.B.31	\$800.00
Count 3:	18 VAC 50-22-260.B.6	\$2,500.00

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Board Costs		\$150.00
Total		\$4,200.00
A member of responsible management must successfully complete a Board approved remedial education class.		

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

**Kinser and Modisett were absent.**

**In the matter of Consent Order File Number 2006-03662, Board v. Walter H Anderson, t/a Anderson Contracting, the Board reviewed the Consent Order.**

**File Number  
2006-03662  
Walter  
Anderson t/a  
Anderson  
Contracting**

**Walter H Anderson, t/a Anderson Contracting, 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	\$200.00
Count 2:	18 VAC 50-22-230.B	\$100.00
Count 3:	18 VAC 50-22-260.B.31	\$50.00
Count 4:	18 VAC 50-22-230.A	\$100.00
Count 5:	18 VAC 50-22-260.B.27	\$300.00
Count 6:	18 VAC 50-22-260.B.9	\$50.00
Board costs		\$150.00
Total		\$950.00
A member of responsible management must successfully complete a Board-approved remedial education class.		

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

**Kinser and Modisett were absent.**

**In the matter of Consent Order File Number 2006-04106, Board v. The Spa & Pool Center, the Board reviewed the Consent Order.**

**File Number  
2006-04106  
The Spa &  
Pool Center**

**The Spa & Pool Center, 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	\$000.00
Count 2:	18 VAC 50-22-260.B.5	\$1,000.00
Board costs		\$300.00
Total		\$1,300.00
A member of responsible management must successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Redifer** seconded by **Ms. Wood** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Tomlin, Kirby, Cronin, Miller, Smith, Hart, Redifer, Orange, Wood and Rackas Pate.** **Mr. Walton did not participate in the vote or the discussion.**

**Kinser and Modisett were absent.**

**In the matter of Consent Order File Number 2006-04321, Board v. George M Lipscomb, Jr. t/a Tye River Masonry, the Board reviewed the Consent Order.**

**File Number  
 2006-04321  
 George M  
 Lipscomb,  
 Jr. t/a Tye  
 River  
 Masonry**

**George M Lipscomb, Jr. t/a Tye River Masonry, 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	\$600.00
Count 2:	18 VAC 50-22-260.B.9	\$600.00
Count 3:	18 VAC 50-22-260.B.27	\$500.00
Count 4:	18 VAC 50-22-260.B.14	\$1,000.00
Count 5:	18 VAC 50-22-260.B.16	\$1,000.00
Count 6:	18 VAC 50-22-260.B.22	\$500.00
Count 7:	18 VAC 50-22-260.B.23	\$500.00
Count 8:	18 VAC 50-22-260.B.13	\$1,000.00
Board costs		\$150.00
Total		\$5,850.00
License 2705-067676 is revoked for violation of Counts 4 and 5.		

Upon a motion by **Mr. Redifer** seconded by **Ms. Wood** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Wood, Kirby, Cronin, Miller, Smith, Hart, Redifer, Orange, Walton, Tomlin and Rackas Pate.** **Mr. Kinser was not present and did not participate.**

**Kinser and Modisett were absent.**

**In the matter of Consent Order File Number 2006-04332, Board v. D & R Woodworking & Home Improvements, Inc., the Board reviewed the**

**File Number  
 2006-04332**

Consent Order.

**D & R Woodworking & Home Improvements, 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:

**D & R  
Woodwork-  
ing & Home  
Improve-  
ments Inc**

Count 1:	18 VAC 50-22-260.B.9	\$400.00
Count 2:	18 VAC 50-22-260.B.27	\$1,000.00
Count 3:	18 VAC 50-22-260.B.31	\$400.00
Board costs		\$150.00
Total		\$1,950.00
A member of responsible management must successfully complete a Board-approved remedial education class.		

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

**Kinser and Modisett were absent.**

**In the matter of Consent Order File Number 2006-04388, Board v. Page Enterprises Inc, t/a Page Enterprises Inc,** the Board reviewed the Consent Order.

**File Number  
2006-04388  
Page  
Enterprises  
Inc, t/a Page  
Enterprises  
Inc**

**Page Enterprises Inc, t/a Page Enterprises 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	\$800.00
Count 2:	18 VAC 50-22-260.B.27	\$600.00
Board costs		\$150.00
Total		\$1,550.00
A member of responsible management must successfully complete a Board-approved remedial education class. Page Enterprises Inc agrees to provide documentation, from the Fairfax County Office of building Code Services, that all inspections have been completed and that there are no outstanding building code violations, to the Board within ninety days of the Order.		

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

**Modisett and Tomlin were absent.**

**In the matter of Consent Order File Number 2006-05074, Board v. Ashley Reagan Walker, t/a A & R Tree & Handyman Service, the Board reviewed the Consent Order.**

**File Number  
2006-05074  
Ashley  
Ragan  
Walker t/a  
A & R Tree  
&  
Handyman  
Service**

**Ashley Reagan Walker t/a A & R Tree & Handyman Service acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:**

Count 1:	18 VAC 50-22-260.B.8	\$000.00
Count 2:	18 VAC 50-22-260.B.13	\$000.00
Board costs		\$150.00
Total		\$150.00
License number 2705-100085 is revoked.		

Upon a motion by **Mr. Redifer** seconded by **Mr. Orange** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Kirby, Cronin, Miller, Smith, Hart, Redifer, Orange, Walton, Tomlin and Rackas Pate. Wood did not vote in this matter.**

**Kinser and Modisett were absent.**

**In the matter of Consent Order File Number 2006-05113, Board v. Ashley Reagan Walker, t/a A & R Tree & Handyman Service, the Board reviewed the Consent Order.**

**File Number  
2006-05113  
Ashley  
Reagan  
Walker, t/a  
A & R Tree  
&  
Handyman  
Service**

**Ashley Reagan Walker, t/a A & R Tree & Handyman Service, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:**

Count 1:	18 VAC 50-22-260.B.8	\$00.00
Count 2:	18 VAC 50-22-260.B.17	\$00.00
Count 3:	18 VAC 50-22-260.B.15	\$50.00
Count 4:	18 VAC 50-22-260.B.13	\$00.00
Board costs		\$150.00
Total		\$150.00
Ashley Reagan Walker agrees to revocation of her license 2705-100085 for violation of counts 1, 2, 3 and 4.		

Upon a motion by **Mr. Redifer** seconded by **Ms. Rackas Pate** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Kirby, Cronin, Miller, Smith, Hart, Redifer, Orange, Walton, Tomlin and Rackas Pate. Wood did not vote in this matter.**

**Kinser and Modisett were absent.**

**In the matter of Consent Order File Number 2006-05153, Board v. Estate Construction LLC, the Board reviewed the Consent Order.**

**File Number  
2006-05153  
Estate  
Construct-  
ion LLC**

**Estate Construction 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.29	\$200.00
Board costs		\$150.00
Total		\$350.00
A member of responsible management must successfully complete a Board-approved remedial education class.		

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

**Kinser and Modisett were absent.**

**In the matter of Consent Order File Number 2006-05159, Board v. Blackwell Contracting Inc, the Board reviewed the Consent Order.**

**File Number  
2006-05159  
Blackwell  
Contracting  
Inc**

**Blackwell Contracting 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.8	\$300.00
Board costs		\$150.00
Total		\$450.00
A member of responsible management must successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Redifer** seconded by **Mr. Miller** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Wood, Cronin, Miller, Smith, Hart, Redifer, Orange, Walton, Tomlin and Rackas Pate. Mr. Kirby did not participate.**

**Kinser and Modisett were absent.**

**In the matter of Consent Order File Number 2006-05385, Board v. Lemar Enterprises Incorporated t/a Lemar Enterprises Incorporated, the Board reviewed the Consent Order.**

**File Number  
2006-05385  
Lemar  
Enterprises  
Incorporate**

**Lemar Enterprises Incorporated, t/a Lemar Enterprises Incorporated,**

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.19	\$450.00
Board costs		\$150.00
Total		\$950.00
A member of responsible management must successfully complete a Board-approved remedial education class.		

**d, t/a Lemar Enterprises Incorporated**

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

**Kinser and Modisett were absent.**

**In the matter of Consent Order File Number 2006-05498, Board v. British Remodeling LLC, the Board reviewed the Consent Order.**

**File Number 2006-05498 British Remodeling LLC**

**British 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.8	\$650.00
Count 2:	18 VAC 50-22-260.B.27	\$650.00
Count 3:	18 VAC 50-22-260.B.6	\$1,000.00
Count 4:	18 VAC 50-22-260 B.27	\$650.00
Count 5:	18 VAC 50-22-260.B.29	\$700.00
Board costs		\$150.00
Total		\$3,800.00
A member of responsible management must successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Redifer** seconded by **Mr. Miller** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Wood, Kirby, Cronin, Miller, Hart, Redifer, Orange, Walton, Tomlin and Rackas Pate. Smith did not vote in this matter.**

**Kinser and Modisett were absent.**

**In the matter of Consent Order File Number 2007-00019, Board v. Gingerich Michael Construction Co Inc, the Board reviewed the Consent Order.**

**File Number 2007-00019 Gingerich Michael Construc-**

**Gingerich Michael Construction Co 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:

ion Co Inc

Count 1:	18 VAC 50-22-230.A	\$350.00
Board costs		\$150.00
Total		\$500.00
A member of responsible management must successfully complete a Board-approved remedial education class.		

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

Kinser and Modisett were absent.

In the matter of Consent Order File Number 2007-00071, Board v. Everett Lee Cox, t/a Cox Home Improvement and Construction the Board reviewed the Consent Order.

File Number  
2007-00071  
Everett Lee  
Cox t/a Cox  
Home  
Improve-  
ment and  
Construct-  
ion

Everett Lee Cox, 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
Count 2:	18 VAC 50-22-260.B.31	\$300.00
Count 3:	18 VAC 50-22-260 B.15	\$300.00
Board costs		\$150.00
Total		\$1,250.00
A member of responsible management must successfully complete a Board-approved remedial education class.		

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

As the Board Representative, Mr. Kirby did not participate and did not vote.

Kinser and Modisett were absent.

In the matter of Consent Order File Number 2007-00108, Board v. David Weber, the Board reviewed the Consent Order.

File Number  
2007-00108

**David  
Weber**

**David Weber** 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	\$350.00
Count 2:	18 VAC 50-22-260.B.28	\$2,000.00
Board costs		\$150.00
Total		\$950.00

A member of responsible management must successfully complete a Board-approved remedial education class. The Board will waive imposition of the \$2,000.00 monetary penalty for Count 2 provided David Weber satisfies the judgment and provides the Board with proof of the satisfaction within 90 days of the order.

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

**Kinser and Tomlin were absent.**

**In the matter of Consent Order File Number 2007-00132, Board v. Timothy Joel Price.** the Board reviewed the Consent Order.

**File Number  
2007-00132  
Timothy  
Joel Price**

**Timothy Joel Price** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260.B.2	\$1,500.00
Board costs		\$150.00
Total		\$1,650.00

**Timothy Joel Price** must successfully complete a Board-approved remedial education class.

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

**As the Board Representative, Mr. Smith did not participate and did not vote.**

**Kinser and Modisett were not present.**

**In the matter of Consent Order File Number 2007-00387, Board v. Danny Jackson Gregory, t/a Trinity Home Improvements, the Board reviewed the Consent Order.**

**File Number  
2007-00387  
Danny  
Jackson  
Gregory, t/a  
Trinity  
Home  
Improve-  
ments**

**Danny Jackson Gregory, t/a Trinity Home Improvements, 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	\$350.00
Count 2:	18 VAC 50-22-260.B.27	\$350.00
Board costs		\$150.00
Total		\$850.00
A member of responsible management must successfully complete a Board-approved remedial education class.		

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

**As the Board Representative, Mr. Kinser did not participate and did not vote.**

**Kinser and Modisett were absent.**

**In the matter of Consent Order File Number 2007-00427, Board v. Michael R Lane, t/a Lanes Excavating, the Board reviewed the Consent Order.**

**File Number  
2007-00427  
Michael R  
Lane, t/a  
Lanes  
Excavating**

**Michael R Lane 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	\$350.00
Board costs		\$150.00
Total		\$500.00
Michael R Lane agrees to have a member of responsible management successfully complete a Board-approved remedial education class.		

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

**Tomlin, Kirby, Cronin, Miller, Hart, Redifer, Smith, Orange, Walton, Wood and Rackas Pate.**

**Kinser and Modisett were absent.**

**In the matter of Consent Order File Number 2007-00646, Board v. Deas Builder & Remodeler Inc, t/a Deas Builder & Remodeler Inc, the Board reviewed the Consent Order.**

**File Number  
2007-00646  
Deas Builder  
&  
Remodeler  
Inc, t/a Deas  
Builder &  
Remodeler  
Inc**

**Deas Builder & Remodeler 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	\$300.00
Count 2:	18 VAC 50-22-260.B.29	\$900.00 3 violations @ \$300.00 each
Board costs		\$150.00
Total		\$1,350.00
Deas Builder & Remodeler Inc agrees to have a member of responsible management successfully complete a Board-approved remedial education class.		

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

**As the Board representative Ms. Wood did not participate.**

**Kinser and Modisett were absent.**

**In the matter of Consent Order File Number 2007-00675, Board v. Atlantic Home Services Inc, the Board reviewed the Consent Order.**

**File Number  
2007-00675  
Atlantic  
Home  
Services Inc**

**Atlantic Home Services 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	\$300.00
Count 2:	18 VAC 50-22-260.B.15	\$1,200.00
Board costs		\$150.00
Total		\$500.00
Atlantic Home Services Inc agrees to have a member of responsible management successfully complete a Board-approved remedial		

education class.

Upon a motion by **Mr. Smith** seconded by **Mr. Miller** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Tomlin, Kirby, Cronin, Miller, Hart, Smith, Orange, Walton, Wood and Rackas Pate.** **Redifer** as the Board Representative did not participate.

**Kinser and Modisett were absent.**

**In the matter of Consent Order File Number 2007-00696, Board v. Rolando Veizaga, t/a Budget Decks,** the Board reviewed the Consent Order.

**File Number  
2007-00696  
Rolando  
Veizaga, t/a  
Budget  
Decks**

**Rolando Veizaga** 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.29	\$500.00
Board costs		\$150.00
Total		\$500.00
The Board shall waive the remedial education class as Rolando Veizaga has successfully completed a Board-approved remedial education class on December 2, 2006.		

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

**Kinser and Modisett were absent.**

**In the matter of Consent Order File Number 2007-00722, Board v. Brenda L Ingram, t/a Colors Custom General Contractor,** the Board reviewed the Consent Order.

**File Number  
2007-00722  
Brenda L  
Ingram, t/a  
Colors  
Custom  
General  
Contractor**

**Brenda L Ingram** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260.B.27	\$350.00
Count 2:	18 VAC 50-22-260.B.31	\$200.00
Board costs		\$150.00
Total		\$700.00
Brenda L Ingram agrees to have a member of responsible management successfully complete a Board-approved remedial education class.		

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

**Kinser and Modisett were absent.**

**In the matter of Consent Order File Number 2007-00761, Board v. Donald L Parsons, the Board reviewed the Consent Order.**

**File Number  
2007-00761  
Donald L  
Parsons**

**Donald L Parsons** 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	\$250.00
Board costs		\$150.00
Total		\$400.00
Donald L Parsons agrees to have a member of responsible management successfully complete a Board-approved remedial education class.		

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

**Kinser and Modisett were absent.**

**In the matter of Consent Order File Number 2007-00903, Board v. Brother's Construction Company Inc, the Board reviewed the Consent Order.**

**File Number  
2007-00903  
Brother's  
Construct-  
ion  
Company  
Inc**

**Brother's Construction Company 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.28	\$2,500.00
Board costs		\$150.00
Total		\$2,650.00
Brother's Construction Company Inc agrees to have a member of responsible management successfully complete a Board-approved remedial education class. They also agree to a suspension of license 2701-036282 until the judgment is satisfied and Brother's Construction Company provides the Board with proof of the		

satisfaction. In addition, the Board shall waive imposition of the \$2,500.00 monetary penalty provided Brother's Construction Company satisfies the judgment and provides the Board with proof of the satisfaction within ninety (90) days of the effective date of this order.

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

Kinser and Modisett were absent.

In the matter of Consent Order File Number 2007-01351, Board v. Virginia Remodeling Sunrooms Incorporated, t/a Virginia Remodeling Sunrooms Incorporated, the Board reviewed the Consent Order.

File Number  
2007-01351  
Virginia  
Remodeling  
Sunrooms  
Incorporated, t/a  
Virginia  
Remodeling  
Sunrooms  
Incorporated

Virginia Remodeling Sunrooms Incorporated acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	§54.1-1110	\$00.00
Board costs		\$150.00
Total		\$150.00
Virginia Remodeling Sunrooms Incorporated agrees to have its license 2705-087427 suspended.		

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

Kinser and Modisett were absent.

In the matter of Consent Order File Number 2007-01703, Board v. Delta Marine Construction LLC, the Board reviewed the Consent Order.

File Number  
2007-01703  
Delta  
Marine  
Construction LLC

Delta Marine Construction 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	\$350.00
Board costs		\$150.00
Total		\$500.00
Delta Marine Construction LLC agrees to have a member of		

responsible management successfully complete a Board-approved remedial education class.

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

Kinser and Modisett were absent.

In the matter of Consent Order File Number 2007-01740, Board v. Fran S Jackson, t/a Fran Jackson's Home Improvement, the Board reviewed the Consent Order.

File Number  
2007-01740  
Fran S  
Jackson, t/a  
Fran  
Jackson's  
Home  
Improve-  
ment

Fran S Jackson, t/a Fran Jackson's Home Improvement 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	\$350.00
Count 2:	18 VAC 50-22-260.B.27	\$350.00
Count 3:	18 VAC 50-22-260.B.17	\$800.00
Board costs		\$150.00
Total		\$1,650.00
Fran S Jackson agrees to have a member of responsible management successfully complete a Board-approved remedial education class.		

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

Kinser and Modisett were absent.

In the matter of Consent Order File Number 2007-01968, Board v. Jacqueline F Shaw, t/a P M Installers, the Board reviewed the Consent Order.

File Number  
2007-01968  
Jacqueline E  
Shaw, t/a P  
M Installers

Jacqueline F Shaw, t/a P M Installers 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	\$350.00
Count 2:	18 VAC 50-22-260.B.6	\$250.00
Count 3:	18 VAC 50-22-260.B.6	\$250.00
Board costs		\$150.00

Board for Contractors Meeting Minutes

March 27, 2007

Page 44 of 49

Total	\$1,000.00
Jacqueline E Shaw agrees to have a member of responsible management successfully complete a Board-approved remedial education class.	

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

**Kinser and Modisett were absent.**

**In the matter of Consent Order File Number 2007-02045, Board v. Ben Morris Construction Inc. t/a Ben Morris Construction Inc, the Board reviewed the Consent Order.**

**File Number  
2007-02045  
Ben Morris  
Construct-  
ion Inc. t/a  
Ben Morris  
Construct-  
ion Inc**

**Ben Morris Construction Inc. t/a Ben Morris 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.31	\$500.00
Board costs		\$150.00
Total		\$650.00
Ben Morris Construction agrees to have a member of responsible management successfully complete a Board-approved remedial education class.		

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

**Kinser and Modisett were absent.**

**In the matter of Consent Order File Number 2007-02081, Board v. Newmart Builders Inc, the Board reviewed the Consent Order.**

**File Number  
2007-02081  
Newmart  
Builders Inc**

**Newmart Builders 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.9	\$00.00
Board costs		\$150.00
Total		\$150.00

Newmart Builders Inc agrees to have a member of responsible management successfully complete a Board-approved remedial education class.

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

**Kinser and Modisett were absent.**

**In the matter of Consent Order File Number 2007-00513, Board v. Jamestown Cabinetry Inc,** the Board reviewed the Consent Order.

**File Number  
2007-00513  
Jamestown  
Cabinetry  
Inc**

**Jamestown Cabinetry 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.14	\$00.00
Count 2:	18 VAC 50-22-260.B.15	\$00.00
Count 3:	18 VAC 50-22-260.B.31	\$00.00
Count 4:	18 VAC 50-22-260.B.6	\$00.00
Count 5:	18 VAC 50-22-260.B.8	\$00.00
Count 6:	18 VAC 50-22-260.B.9	\$00.00
Total		\$00.00
Jamestown Cabinetry Inc agrees to revocation of its license 2705-88816 if no monetary penalties/costs will be assessed because Jamestown Cabinetry Inc is defunct and in bankruptcy..		

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

**Kinser and Modisett were absent.**

**Eric Gregory, Assistant Attorney General, introduced: Steven Jack to the Board members. Steven Jack will be the new Assistant Attorney General for the Board for Contractors.**

**Eric  
Gregory  
Start Here**

**The Board members recessed for lunch from 11:30 to 12 noon.**

**Lunch  
Break**

**Eric Olson discussed the new revised 2007 Board meeting and Committee**

**New**

meeting schedule. All Board members shared they are in agreement with the revised schedule and thanked the staff for making the revisions. The Committee will be meeting the day before the Board meeting starting June 4, 2007 at 4:00 pm with the Board meeting being June 5, 2007. The new schedule has been posted on the town hall site. The Board members also thanked the staff for adjusting the agenda time for hearing disciplinary and consent order cases from 11 AM to 10:30 AM.

Business

Bonnie Rhea Adams and Jennifer Kazzie discussed the compliance and investigations process. The Board thanked them for the presentation and asked several questions at the end of the slide show.

Board Meeting Training

After discussion of the National Code Seminars presentation to the Committee concerning approval of its eight-hour Contractor Prelicense Education course. Mr. Kirby offered a motion seconded by Mr. Redifer to accept the Committee's recommendation and approve National Code Seminar's eight-hour contractor prelicense education course. The motion passed unanimously. Members voting "yes" were: Wood, Hart, Cronin, Kirby, Orange, Rackas Pate, Tomlin, Miller, Redifer, Walton and Smith. Kinser and Modisett were absent.

Committee Report

After discussion of Millennium Institute of Construction (MIC) Mr. Kirby offered a motion seconded by Mr. Walton to accept the Committee's recommendation and approve Millennium Institute of Construction's eight-hour Pre license Education course as presented. The motion passed unanimously. Members voting "yes" were: Wood, Hart, Cronin, Kirby, Orange, Rackas Pate, Tomlin, Miller, Redifer, Walton and Smith. Kinser and Modisett were absent.

Millennium Institute of Construction

After discussion, and a motion by Mr. Walton, seconded by Mr. Kirby, the Board unanimously voted to accept the application as it was resubmitted and reviewed by Mr. Olson and Mr. Redifer. Members voting for approval were: Wood, Hart, Cronin, Kirby, Orange, Rackas Pate, Tomlin, Miller, Walton and Smith. Kinser and Modisett were absent. Redifer as the Board's reviewing officer did not participate and did not vote.

Camille C Toni Ewell

The Committee previously reviewed and recommended adoption of NEIEP as a Certified Elevator Mechanic examination-exempt program pursuant to 18 VAC 50-30-40.C.2 of the Board for Contractors Individual License and Certification Regulations, effective April 1, 2007. The NEIEP Elevator Mechanic training program consists of four years of practical experience, 576

National Elevator Industry Educational Program

hours of formal vocational training, and a comprehensive examination at the end of the program. After discussion a motion was made by Mr. Walton and seconded by Ms. Rackas Pate to approve the recommendation of the Committee and adopt the NEIEP Elevator Mechanic training program. Members voting "yes" were: Wood, Hart, Cronin, Kirby, Orange, Rackas Pate, Tomlin, Miller, Redifer, Walton and Smith. Kinser and Modisett were absent.

**Elevator  
Mechanic  
Examination  
Exempt  
Training  
Program**

The Committee unanimously recommended that the Board approve NEIEP's on-line continuing education program pursuant to 18 VAC 50-30-120.C and 18 VAC 50-30-220.A of the Board for Contractors Individual License and Certification Regulations, effective April 1, 2007. After discussion a motion was made by Mr. Kirby and seconded by Mr. Redifer to approve the recommendation of the Committee and approve NEIEP's on-line continuing education program pursuant to 18 VAC 50-3—120.C and 18 VAC 50-30-220.A of the board for Contractors Individual License and Certification Regulations, effective April 1, 2007. Motion was approved unanimously by: Wood, Hart, Cronin, Kirby, Orange, Rackas Pate, Tomlin, Miller, Redifer, Walton and Smith. Kinser and Modisett were absent.

**National  
Elevator  
Industry  
Educational  
Program –  
Elevator  
Mechanic  
Continuing  
Education**

After discussion a motion was made by Mr. Kirby and seconded by Mr. Orange to approve the recommendation of the Committee to amend the definition of "Highway/heavy contractors" in 18 VAC 50-22-20 of the Board for Contractors Regulations as follows: Water, gas and sewer connections to residential, commercial, and industrial sites, to any point outside the exterior walls of any building on the site, subject to local ordinances. The motion passed with a unanimous vote. Members voting "yes" were: Wood, Hart, Cronin, Kirby, Orange, Rackas Pate, Tomlin, Miller, Redifer, Walton and Smith. Kinser and Modisett were absent.

**Definition of  
Highway/  
Heavy  
Contractors**

After discussion Mr. Kirby offered a motion seconded by Mr. Redifer and the Board unanimously approved the Committee's recommendation to have Board staff review 18 VAC 50-22-210. Change of business entity requires a new license. Licenses are not transferable. Licenses are issued to firms as defined in this chapter and are not transferable. Whenever the legal business entity holding the license, changes, the license becomes void and shall be returned to the Board within 30 days of the change. Such changes include but are not limited to: 1. Death of a sole proprietor. 2. Death or withdrawal of a general partner in a general partnership or the managing partner in a limited partnership; and 3. Formation or dissolution of a corporation, a limited liability company, or an association or any other business entity recognized under the laws of the Commonwealth of Virginia. If a new firm was formed, the new firm shall apply for a new license, on a form provided by the board.

**Change of  
Business  
Entity  
Requires a  
New License**

The motion passed with Members voting "yes" as follows: Wood, Hart, Cronin, Kirby, Orange, Rackas Pate, Tomlin, Miller, Redifer, Walton and Smith. Kinser and Modisett were absent.

After discussion, and a motion by Ms. Wood, seconded by Mr. Walton, the Board unanimously voted to adopt the recommendation of the Committee to amend 18 VAC 50-22-260.B.7 of the Board for Contractors Regulations by adding the words, "or the board" to the end of this regulation. This is important because, although §54.1-1126 of the Code of Virginia requires the immediate license revocation of the Regulant who was the source of the Contractor Recovery Fund Claim payment, a Regulant who has its debts discharged by filing bankruptcy is exempt from having its license revoked because of a Contractor Recovery Fund Claim payment. However, if the Board revokes the license of the same Regulant through disciplinary action, there is no such exemption. Members voting "yes" were: Wood, Hart, Cronin, Kirby, Orange, Rackas Pate, Tomlin, Miller, Redifer, Walton and Smith. Kinser and Modisett were absent.

**Prohibited**  
**Act-18 VAC**  
**50-22-**  
**260.B.7**

After discussion, and a motion by Mr. Redifer, seconded by Mr. Kirby the Board adopted unanimously the Committee's recommendation that Board staff write a letter to Ms. Michelle Nicholson advising her that Board Counsel advised the Committee that the Board does not have the authority to include in its regulations, provisions dictating that licensed contractors and /or certificate holders include in their contracts, provisions for the awarding of attorneys fees or for finding arbitration. (Ms. Nicholson wanted the Board to amend 18 VAC 50-22-260.9 of the Board for Contractors Regulations to include: an attorney's fees provision clause, and a binding arbitration clause.) Members voting "yes" were: Wood, Hart, Cronin, Kirby, Orange, Rackas Pate, Tomlin, Miller, Redifer, Walton and Smith. Kinser and Modisett were absent.

**Prohibited**  
**Act-18 VAC**  
**50-22-**  
**260.B.9**

After discussion, and a motion by Mr. Miller, seconded by Mr. Walton the Board determined that the legal interpretation and practical application of owner-developer in §54.1-1100 and 54.1-1101.11 of the Code of Virginia are matters outside of the Board for Contractors authority. Members voting "yes" were: Wood, Hart, Cronin, Kirby, Orange, Rackas Pate, Tomlin, Miller, Redifer, Walton and Smith. Kinser and Modisett were absent.

**Owner**  
**Developer**  
**Exemption**

Kevin Hoeft updated the Board regarding possible reciprocal examination/licensing agreements concerning the Kentucky Journey and Master Tradesman Plumbing Licenses, the Washington state Journeyman

**Reciprocity**  
**Update**  
**Kevin Hoeft**

Electrical and Plumbing Licenses and the Oregon Journeyman Plumber and Journeyman and Supervisor (Master) Electrical Tradesman Licenses. He shared that Board staff sent information packets with the Board's entry requirements for the above-mentioned tradesman licenses so that these states can determine whether their entry requirements are substantially equivalent to Virginia's.

**Eric Olson shared with the Board that Individual License and Certification Regulations should be on Board April 1, 2007 and Elevator application have been coming in.**

**Regulatory  
Review**

Their being no further business to come before the board, the meeting was adjourned at 12:58 P.M. upon a motion by Ms. Wood and seconded by Mr. Orange. The vote was unanimous. Members voting yes were: Cronin, Hart, Wood, Kirby, Rackas-Pate, Redifer, Smith, Miller, Orange, Tomlin and Walton.

**Adjourn-  
ment**

**Kinser and Modisett were not present and did not vote.**

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

  
\_\_\_\_\_  
Jay W. DeBoer, Secretary

**Copy teste:**

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

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

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

\_\_\_\_\_

\_\_\_\_\_

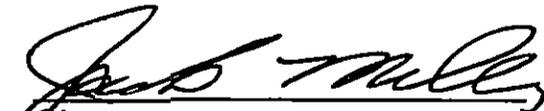
6. I declare that:

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

\_\_\_\_\_

\_\_\_\_\_

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

  
Signature

March 27, 2007  
Date

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

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

\_\_\_\_\_

\_\_\_\_\_

6. I declare that:

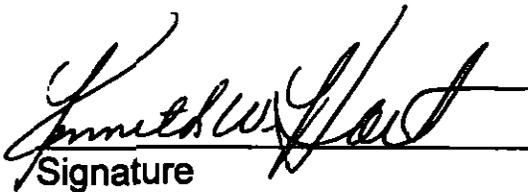
- (a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

\_\_\_\_\_

\_\_\_\_\_



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

  
Signature

March 27, 2007  
Date

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

1. Name: Deborah Lynn Tomlin
2. Title: Member – Board for Contractors
3. Agency: Department of Professional & Occupational Regulation
4. Transaction: **BOARD FOR CONTRACTORS MEETING**
5. Nature of Personal Interest Affected by Transaction:

None

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6. I declare that:

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

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

Deborah Lynn Tomlin  
Signature

March 27, 2007  
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: BOARD FOR CONTRACTORS MEETING
5. Nature of Personal Interest Affected by Transaction:

PRESIDENT - PERKINS, INC. Kirby & Kirby Assoc.

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6. I declare that:

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

AGC OF VA, BUSINESS & COMMERCIAL EXCHANGE,

PMP OF VA.

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

Robert Kirby  
Signature

March 27, 2007  
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: **BOARD FOR CONTRACTORS MEETING**

5. Nature of Personal Interest Affected by Transaction:

Work with CEO D & W Metal  
Works Inc Case # 2006-04901

6. I declare that:

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

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

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

  
Signature

March 27, 2007  
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: **BOARD FOR CONTRACTORS MEETING**
5. Nature of Personal Interest Affected by Transaction:

N/A

6. I declare that:

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

I.B.E.W L.U. 666

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

  
Signature

March 27, 2007  
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: **BOARD FOR CONTRACTORS MEETING**
5. Nature of Personal Interest Affected by Transaction:

\_\_\_\_\_

\_\_\_\_\_

6. I declare that:

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

\_\_\_\_\_

\_\_\_\_\_

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

  
\_\_\_\_\_  
Signature

March 27, 2007  
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: **BOARD FOR CONTRACTORS 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:

VBDA VBWA ICC IAET NFA

\_\_\_\_\_

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

  
\_\_\_\_\_  
Signature

March 27, 2007  
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: **BOARD FOR CONTRACTORS MEETING**
- 5. Nature of Personal Interest Affected by Transaction:

\_\_\_\_\_

\_\_\_\_\_

6. I declare that:

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

\_\_\_\_\_

\_\_\_\_\_

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

  
\_\_\_\_\_  
Signature

**March 27, 2007**  
Date

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

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

\_\_\_\_\_

\_\_\_\_\_

6. I declare that:

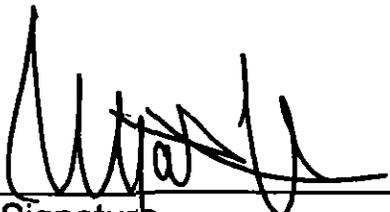
- (a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

\_\_\_\_\_

\_\_\_\_\_

6  
(b)

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

  
\_\_\_\_\_  
Signature

March 27, 2007  
Date

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

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

\_\_\_\_\_

\_\_\_\_\_

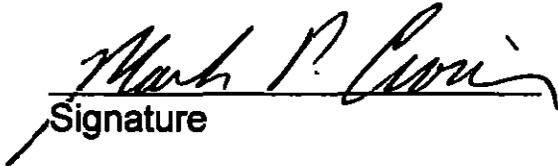
6. I declare that:

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

\_\_\_\_\_

\_\_\_\_\_

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

  
Signature

March 27, 2007  
Date