

## **BOARD FOR CONTRACTORS BOARD MEETING**

### **MINUTES**

The Board for Contractors met on Tuesday, November 1st, 2011 at the Department of Professional and Occupational Regulation (DPOR), 9960 Mayland Drive, 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 15 members on this board, in which seven constitutes a quorum pursuant to §54.1-1102.

Troy Smith, Chairman  
H. Bailey Dowdy  
Herbert "Jack" Dyer, Jr.  
Michael Gelardi  
David Giesen  
E G Rudy Middleton, III  
Doug Murrow  
James Oliver  
E.C. "Chick" Pace, III  
Homer Pete Sumpter  
Deborah Tomlin  
Dwight Todd Vander Pol  
Chancey Walker  
Walton H. Walton, III  
A. Bruce Williams

All Board members were present at the meeting.

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

Eric L. Olson, Executive Director  
Gordon Dixon, Director  
Sheila Watkins, Administrative Assistant  
Karen Bullock, Administrative Assistant  
Earlyne Perkins, Legal Analyst  
Victoria Traylor, Legal Analyst  
Kristen (Becker) Clay, Legal Analyst  
Chris Kunkel, Licensing Education Specialist  
Adrienne Mayo, Regulatory Boards Administrator  
Steven Jack, Assistant Attorney General

Chairman Troy Smith called the meeting to order at 9:08 a.m. and declared a quorum of board members was in attendance.

Call  
To Order

A motion was made by **Mr. Pace** and seconded by **Mr. Gelardi** to approve the agenda. The motion passed unanimously. Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Giesen, Middleton, Murrow, Oliver, Walton, Vander Pol, Sumpter, Smith, Tomlin, Walton, Williams and Walker.**

Approval of the Agenda

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

Approval of Minutes

July 26<sup>th</sup>, 2011 Board for Contractors Meeting  
July 12<sup>th</sup>, 2011 Informal Fact Finding Conference  
July 29<sup>th</sup>, 2011 Informal Fact Finding Conference  
July 25<sup>th</sup>, 2011 Informal Fact Finding Conference  
July 19<sup>th</sup>, 2011 Informal Fact Finding Conference  
August 09<sup>th</sup>, 2011 Informal Fact Finding Conference  
August 11<sup>th</sup>, 2011 Informal Fact Finding Conference  
August 16<sup>th</sup>, 2011 Informal Fact Finding Conference  
August 04<sup>th</sup>, 2011 Informal Fact Finding Conference  
August 23<sup>rd</sup>, 2011 Informal Fact Finding Conference  
August 24<sup>th</sup>, 2011 Informal Fact Finding Conference  
August 25<sup>th</sup>, 2011 Informal Fact Finding Conference  
September 06<sup>th</sup>, 2011 Informal Fact Finding Conference  
September 08<sup>th</sup>, 2011 Informal Fact Finding Conference  
September 27<sup>th</sup>, 2011 Informal Fact Finding Conference  
September 28<sup>th</sup>, 2011 Informal Fact Finding Conference

**Mr. Gelardi** seconded the motion and it was unanimously approved by members: Members voting “Yes” were: The motion passed unanimously. Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Giesen, Middleton, Murrow, Oliver, Walton, Vander Pol, Sumpter, Smith, Tomlin, Walton, Williams and Walker.**

**There was no public comment.**

Public Comment Period

**In the matter of Recovery Fund File Number 2011-03819, Richard and Mary Ann Jones (Claimants) vs. Energy Saving Exteriors, Inc t/a national Remodeling Company (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Energy Saving Exteriors, Inc. t/a National Remodeling Company (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Richard M Jones (Claimant) did not** attend the Board meeting.

File Number  
**2011-03819**  
**Richard and Mary Ann Jones (Claimant) vs. Energy Saving Exteriors, Inc t/a National Remodeling Company (Regulant) Prima Facie**

**This is a Prima Facie case.**

After discussion, a motion was made by **Mr. Pace** and seconded by **Mr. Gelardi** to adopt the claim review and the hearing officer's recommendations and summary and pay the claim in the amount of **\$6,806.00**. The Claim Review and Summary are incorporated as a part of this Order. Upon payment of this claim, the license of **National Remodeling Company** will be revoked pursuant to Title 54.1, Chapter 11, Article 2, of the Code of Virginia. The motion passed by unanimous vote. Members voting "Yes" were: **Dyer, Dowdy, Gelardi, Giesen, Middleton, Murrow, Oliver, Walton, Vander Pol, Sumpter, Smith, Tomlin, Walton, Williams and Walker.**

**In the matter of Recovery Fund File Number 2011-04226, Rodney and Nancy Cooper (Claimant) vs. Precision landscaping Co, Inc (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Precision Landscaping Co., Inc. (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Crain and Nancy Rader (Claimant) did not** attend the Board meeting.

**File Number**  
**2011-04226**  
**Craig and Nancy Rader**  
**(Claimant) vs.**  
**Precision Landscaping**  
**Co., Inc.**  
**(Regulant) Prima Facie**

**This is a Prima Facie case.**

After discussion, a motion was made by **Mr. Gelardi** and seconded by **Mr. Pace** to adopt the claim review and the hearing officer's recommendations and summary and pay the claim in the amount of **\$20,000.00**. The Claim Review and Summary are incorporated as a part of this Order. Upon payment of this claim, the license of **Precision Landscaping Co. Inc.** will be revoked pursuant to Title 54.1, Chapter 11, Article 2, of the Code of Virginia. The motion passed by unanimous vote. Members voting "Yes" were: **Dyer, Dowdy, Gelardi, Giesen, Middleton, Murrow, Oliver, Walton, Vander Pol, Sumpter, Smith, Tomlin, Walton, Williams and Walker.**

**In the matter of Recovery Fund File Number 2011-04998, Ray Carter (Claimants) vs. David Byers, Jr., t/a Quality Paving and Seal Coating (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **David Byers, Jr. (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **David Byers, Jr. (Claimants) did not** attend the Board meeting.

**File Number**  
**2011-04998**  
**Ray Carter**  
**(Claimant) vs. David**  
**Byers, Jr. , t/a Quality**  
**Paving and Seal Coating**  
**(Regulant) Prima Facie**

**This is a Prima Facie case.**

After discussion, a motion was made by **Mr. Williams** and seconded by **Mr. Gelardi** to adopt the claim review and the hearing officer's recommendations and summary and pay the claim in the amount of **\$5,244.00**. The Claim Review and Summary are

incorporated as a part of this Order. Upon payment of this claim, the license of **Precision Landscaping Co. Inc.** will be revoked pursuant to Title 54.1, Chapter 11, Article 2, of the Code of Virginia. The motion passed by unanimous vote. Members voting "Yes" were: **Dyer, Dowdy, Gelardi, Giesen, Middleton, Murrow, Oliver, Walton, Vander Pol, Sumpter, Smith, Tomlin, Walton, Williams and Walker.**

**In the matter of Recovery Fund File Number 2009-03474, Virginia Hill (Claimants) vs. Two Cheeks, LLC (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Two Cheeks LLC (Regulant)** did not appear at the board meeting. **Neither Hill nor Cox appeared at** the Board meeting. They addressed the Board.

**File Number**  
**2009-03474**  
**Virginia Hill**  
**(Claimant) vs.**  
**Two Cheeks LLC**  
**(Regulant)**

**Mr. Redifer**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote.

**Mrs. Clay shared with the Board that counsel for Two Cheeks is requesting another extension.**

**After discussion, a motion was made by Mr. Gelardi and seconded by Mr. Williams** to adopt the claim review and the hearing officer's recommendations and summary and deny payment of the claim. The motion passed by unanimous vote. Members voting "Yes" were: **Dyer, Dowdy, Gelardi, Giesen, Middleton, Murrow, Oliver, Walton, Vander Pol, Sumpter, Smith, Tomlin, Walton, Williams and Walker.**

**In the matter of Recovery Fund File Number 2010-00273, Todd and Renee Eichman (Claimants) vs. Rescom Inc., t/a Rescom Inc. (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Rescom Inc. (Regulant)** did not appear at the board meeting. **Rescom, Inc. (Claimant) did not** attend the Board meeting in person or by counsel or by any other qualified representative.

**File Number**  
**2010-00273**  
**Todd and Renee Eichman**  
**(Claimants)**  
**vs.**  
**Rescom, Inc.**  
**(Regulant)**

**Mrs Redifer** 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. Williams** and seconded by **Mr. Gelardi** to adopt the claim review and the hearing officer's recommendations and summary and deny payment of the claim. The motion passed by unanimous vote. Members voting "Yes" were: **Dyer, Dowdy, Gelardi, Giesen, Middleton, Murrow, Oliver, Walton, Vander Pol, Sumpter, Smith, Tomlin, Walton, Williams and Walker.**

**In the matter of Recovery Fund File Number 2011-01767, Ruffin O Bell (Claimants) vs. Yodvel Robles Carzorlas, t/a Miracle Painting & Repair (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Miracle Painting and Repair (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Ruffin Bell (Claimant)** did attend the Board meeting with his counsel, Brian Wesley and addressed the Board. They shared their disagreement with being recommended for denial of payment because they chose not to spend more than it is worth to try and seize \$1.97 from an account.

**File Number**  
**2011-01767**  
**Ruffin O Bell**  
**(Claimant) vs. Yodvel Robles**  
**Carzorlas, t/a Miracle**  
**Painting & Repair (Regulant)**

**Mr. Redifer**, the Board's Hearing Representatives was not present and did not participate during the discussion or the vote.

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Gelardi** to adopt the claim review and approve the denial of payment in the amount of **\$2,340.10**. The Claim Review and Summary are incorporated as a part of this Order. The motion passed by majority vote. Members voting "Yes" were: **Dyer, Dowdy, Gelardi, Giesen, Middleton, Murrow, Oliver, Walton, Vander Pol, Sumpter, Smith, Tomlin, Walton, Williams and Walker.**

**In the matter of Recovery Fund File Number 2011-01832, William M Sanders (Claimant) vs. Kevin M Bowman, t/a K & H Home Repair (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **K & H Home Repair (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **William Saunders; (Claimant)** did not attend the Board meeting.

**File Number**  
**2011-01832**  
**William M Sanders (Claimant)**  
**Kevin M Bowman, t/a**  
**K & H Home Repair**  
**(Regulant)**

**Mr. Redifer**, the Board's Hearing Representatives were not present and did not participate during the discussion or the vote.

After discussion, a motion was made by **Mr. Pace** and seconded by **Mr. Gelardi** to adopt the claim review and approve the recommendation and approve denial of the recovery fund claim in the amount of \$12,799.07. The Claim Review and Summary are incorporated as a part of this Order. The motion passed by unanimous vote. The motion passed by majority vote. Members voting "Yes" were: **Dyer, Dowdy, Gelardi, Giesen, Middleton, Murrow, Oliver, Walton, Vander Pol, Sumpter, Smith, Tomlin, Walton, Williams and Walker.**

**In the matter of Recovery Fund File Number 2011-02642, Patrick McCarty (Claimant) vs. Cavalier Builders Inc. (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Cavalier Builders inc. (Regulant)** did not appear at

**File Number**  
**2011-02642**  
**Patrick McCarty (Claimant)**  
**Cavalier Builders Inc.**

the board meeting. **McCarty (Claimants)** did not attend the Board meeting.

**(Regulant)**

**Mr. Redifer**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote.

After further discussion, a motion was made by **Mr. Gelardi** and seconded by **Mr. Pace** to adopt the claim review and the hearing officer's recommendations and summary and pay the claim in the amount of **\$7,024.00**. The Claim Review and Summary are incorporated as a part of this Order. The motion passed by unanimous vote. Members voting "Yes" were: **Dyer, Dowdy, Gelardi, Giesen, Middleton, Murrow, Oliver, Walton, Vander Pol, Sumpter, Smith, Tomlin, Walton, Williams and Walker.**

**In the matter of Recovery Fund File Number 2011-02743, Paul M Blythe (Claimant) vs. Norris Home Builders Inc. (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Norris Home Builders Inc. (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Paul Blythe (Claimant)** did attend the Board meeting. He addressed the Board.

**File Number**  
**2011-02743**  
**Paul M Blythe**  
**(Claimant)**  
**Norris Home Builders Inc**  
**(Regulant)**

**Mr. Redifer**, 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. Dyer** to adopt the claim review and the hearing officer's recommendations and summary and deny payment of the claim in the amount of **\$14,549.79**. The Claim Review and Summary are incorporated as a part of this Order. Mr. Gelardi had some question about the warrant in debt. The motion passed by unanimous vote. Members voting "Yes" were: **Dyer, Dowdy, Gelardi, Giesen, Middleton, Murrow, Oliver, Walton, Vander Pol, Sumpter, Smith, Tomlin, Walton, Williams and Walker.**

**In the matter of Recovery Fund File Number 2011-03432, Dana Beales (Claimants) vs. Patriot Custom 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. **Patriot Custom Builders LLC (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Dana Beales (Claimants)** did attend the Board meeting. She addressed the Board.

**File Number**  
**2011-03432**  
**Dana Beales**  
**(Claimants) and**  
**Patriot Custom Builders LLC**  
**(Regulant)**

**Mrs Redifer**, 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. Gelardi** and seconded by **Mr. Oliver** to adopt the claim review and the hearing officer's recommendations and summary and pay the claim in the amount of **\$20,000.00**. The Claim Review and Summary are incorporated as a part of this Order.

The motion passed by unanimous vote. Members voting "Yes" were: **Dyer, Dowdy, Gelardi, Giesen, Middleton, Murrow, Oliver, Walton, Vander Pol, Sumpter, Smith, Tomlin, Walton, Williams and Walker.**

**In the matter of Recovery Fund File Number 2011-00930, Eleanor B Bigger (Claimant) vs. Scott Bradon, t/a J & B Construction. (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **J & B Construction (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Bigger (Claimant)** did not attend the meeting.

**File Number**  
**2010-04130**  
**Eleanor B Bigger**  
**(Claimant)**  
**Scott Bradon, t/a J & B**  
**Construction**  
**(Regulant)**

**Ms. Tomlin**, 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. Gelardi** and seconded by **Mr. Sumpter** adopt the claim review and the hearings officer's recommendations and summary and to pay the claim in the amount of **\$4,918.00**. The motion passed by unanimous vote. Members voting "Yes" were: **Dyer, Dowdy, Gelardi, Giesen, Middleton, Murrow, Oliver, Walton, Vander Pol, Sumpter, Smith, Walton, Williams and Walker.**

**In the matter of Recovery Fund File Number 2010-04402, Mark Sherman (Claimant) vs. Edward F Herring, III, t/a EFH Contracting (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Edward F Herring III, t/a EFH Contracting (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Mark Sherman (Claimants)** did not attend the Board meeting.

**File Number**  
**2010-04402**  
**Mark Sherman**  
**(Claimant)**  
**Edward F Herring III, t/a**  
**EFH Contracting (Regulant)**

**Mrs. Tomlin**, 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. Oliver** and seconded by **Mr. Pace** to adopt the claim review and the hearing officer's recommendations and summary and pay the claim in the amount of **\$20,000.00**. The Claim Review and Summary are incorporated as a part of this Order. The motion passed by unanimous vote.

Members voting "Yes" were: **Dyer, Dowdy, Gelardi, Giesen, Middleton, Murrow, Oliver, Walton, Vander Pol, Sumpter, Smith, Walton, Williams and Walker.**

**In the matter of Recovery Fund File Number 2011-02035, Sara Ruth Ablard (Claimant) vs. CAP Custom Carpentry (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **CAP Custom Carpentry (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Sara Ablard (Claimants) did** attend the Board meeting. She addressed the Board.

**File Number**  
**2011-02035**  
**Sara Ruth Ablard**  
**(Claimant)**  
**CAP Custom Carpentry**  
**(Regulant)**

**Mrs. Tomlin**, 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. Williams** and seconded by **Mr. Gelardi** to adopt the claim review and the hearing officer's recommendations and summary and pay the claim in the amount of **\$12, 871.49**. The Claim Review and Summary are incorporated as a part of this Order. The motion passed by majority vote.

Members voting "Yes" were: **Dyer, Dowdy, Gelardi, Giesen, Middleton, Murrow, Oliver, Walton, Vander Pol, Sumpter, Smith, Walton, Williams and Walker.**

**In the matter of Recovery Fund File Number 2011-02359, Ross Locklear (Claimant) vs. John Henry Fillmann, Jr., t/a Fillmann's. (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Melody Lee Hemby, t/a Danco Builders (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Locklear (Claimants) did not** attend the Board meeting.

**File Number**  
**2011-02359**  
**Ross and Estelle Locklear**  
**(Claimant)**  
**Melody Lee Hemby, t/a**  
**Danco Builders**  
**(Regulant)**

**Mrs. Tomlin**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote.

After further discussion, a motion was made by **Mr. Sumpter** and seconded by **Mr. Middleton** to adopt the claim review and the hearing officer's recommendations and summary and pay the claim in the amount of **\$15,073.00**. The Claim Review and Summary are incorporated as a part of this Order. Mr. Dyer expressed concerns about the payment amount. After discussion:

**Mr. Dyer** offered a substitute motion seconded by **Mr. Oliver** to pay the amount **\$13,140.44**. that was approved by the court.

The motion passed by unanimous vote.

Members voting "Yes" were: **Dyer, Dowdy, Gelardi, Giesen, Middleton, Murrow, Oliver, Walton, Vander Pol, Sumpter, Smith, Walton, Williams and Walker.**

**In the matter of Recovery Fund File Number 2011-02147, Christopher Stoeckel (Claimant) vs. Shoreline Holding, Inc. (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Shoreline Holding, Inc. (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Christopher Stoeckel (Claimants) did** attend the Board meeting. She addressed the Board.

**File Number**  
**2011-02147**  
**Christopher Stoeckel**  
**(Claimant)**  
**Shoreline Holding, Inc.**  
**(Regulant)**

**Mrs. Tomlin**, 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. Gelardi** and seconded by **Mr. Williams** to adopt the claim review and the hearing officer's recommendations and summary and pay the claim in the amount of **\$18,269.98**. The Claim Review and Summary are incorporated as a part of this Order. Mr. Dyer expressed concerns about the payment amount. After discussion:

**Mr. Dyer** offered a substitute motion seconded by **Mr. Walton** to pay the amount **\$5,056.44**.

The motion was withdrawn prior to a vote.

After further discussion, a motion was made by **Mr. Middleton** and seconded by **Mr. Sumpter** to adopt the claim review and the hearing officer's recommendations and summary and pay the claim in the amount of **\$18,269.98**. The Claim Review and Summary are incorporated as a part of this Order.

Members voting "Yes" were: **Dyer, Dowdy, Gelardi, Giesen, Middleton, Murrow, Oliver, Walton, Vander Pol, Sumpter, Smith, Walton, Williams and Walker.**

**In the matter of Recovery Fund File Number 2011-02496, James Hester (Claimant) vs. G.R.A.C.E., Inc. (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **G.R.A.C.E., Inc. (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **James Hester (Claimants) did not** attend the Board meeting.

**File Number**  
**2011-02496**  
**James Hester**  
**(Claimant)**  
**G.R.A.C.E., Inc.**  
**(Regulant)**

**Mrs. Tomlin**, 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. Pace** and seconded by **Mr. Walton** to adopt the claim review and the hearing officer's recommendations and summary and deny payment of the claim in the amount of **\$20,000.00**. The Claim Review and

Summary are incorporated as a part of this Order. The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Giesen, Middleton, Murrow, Oliver, Walton, Vander Pol, Sumpter, Smith, Walton, Williams and Walker.**

**In the matter of Recovery Fund File Number 2011-02527, Songnian Qian (Claimant) vs. James Michael Di Costanzo, t/a Insignia Design Contractors (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **James Michael Di Costanzo (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Songnian Qian (Claimants) did not** attend the Board meeting.

**File Number**  
**2011-02527**  
**Songnian Qian**  
**(Claimant)**  
**James Michael Di Costanzo,**  
**t/a Insignia Design**  
**Contractors (Regulant)**

**Mrs. Tomlin**, 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. Williams** and seconded by **Mr. Gelardi** adopt the claim review and the hearing officer’s recommendations and summary and pay the claim in the amount of **\$16,409.00**. The Claim Review and Summary are incorporated as a part of this Order. The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Giesen, Middleton, Murrow, Oliver, Walton, Vander Pol, Sumpter, Smith, Walton, Williams and Walker.**

**In the matter of Recovery Fund File Number 2011-02578, Thomas Aubin (Claimant) vs. Roxanne Rogers t/a Landscapes of Lake Anna (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Landscapes of lake Anna (Regulant)** did appear at the board meeting in person or by counsel or by any other qualified representative. **Thomas Aubin (Claimants) did** attend the Board meeting. He addressed the Board and shared his agreement.

**File Number**  
**2011-02578**  
**Thomas Aubin**  
**(Claimant)**  
**Roxanne M Rogers, t/a**  
**Landscapes of Lake Anna**  
**(Regulant)**

**Mrs. Tomlin**, 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. Pace** and seconded by **Mr. Gelardi** to adopt the claim review and the hearing officer’s recommendations and summary and pay the claim in the amount of **\$20,000.00**. The Claim Review and Summary are incorporated as a part of this Order. The motion passed by unanimous vote.

Members voting "Yes" were: **Dyer, Dowdy, Gelardi, Giesen, Middleton, Murrow, Oliver, Walton, Vander Pol, Sumpter, Smith, Walton, Williams and Walker.**

**In the matter of Recovery Fund File Number 2011-02609, Michael Stamey (Claimant) vs. Islander Pools, Inc. (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Islander Pools, Inc., (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Michael and Sharon Stamey (Claimants) did** attend the Board meeting. They addressed the Board.

**File Number**  
**2011-02609**  
**Michael Stamey**  
**(Claimant)**  
**Islander Pools, Inc.**  
**(Regulant)**

**Mrs. Tomlin**, 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. Pace** and seconded by **Mr. Gelardi** to adopt the claim review and the hearing officer's recommendations and summary and deny payment of the claim in the amount of **\$11,500.00**. The Claim Review and Summary are incorporated as a part of this Order. The motion passed by unanimous vote.

Members voting "Yes" were: **Dyer, Dowdy, Gelardi, Giesen, Middleton, Murrow, Oliver, Walton, Vander Pol, Sumpter, Smith, Walton, Williams and Walker.**

**In the matter of Recovery Fund File Number 2011-02618, James Maddox, Jr. (Claimant) vs. Benjamin Turner and Angela Turner, t/a B & A Construction and Roofing (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **B and A Construction and Roofing (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Maddox (Claimants) did not** attend the Board meeting.

**File Number**  
**2011-02618**  
**James Maddox, Jr.**  
**(Claimant)**  
**Benjamin Turner and Angela**  
**Turner, t/a B & A**  
**Construction and Roofing**  
**(Regulant)**

**Mrs. Tomlin**, 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. Walker** and seconded by **Mr. Dowdy** to adopt the claim review and the hearing officer's recommendations and summary and pay the claim in the amount of **\$9,903.00**. The Claim Review and Summary are incorporated as a part of this Order. The motion passed by unanimous vote.

Members voting "Yes" were: **Dyer, Dowdy, Gelardi, Giesen, Middleton, Murrow, Oliver, Walton, Vander Pol, Sumpter, Smith, Walton, Williams and Walker.**

**In the matter of Recovery Fund File Number 2011-02815, Donald Sharpes (Claimant) vs. David Wayne Byers Jr., t/a Quality Paving and Seal Coating (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation.

**Quality Paving and Seal Coating (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Jordon Sharpes, counsel for the claimants, (Claimants) did** attend the Board meeting. He addressed the Board on behalf of his clients.

**Mrs. Tomlin**, 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. Williams** and seconded by **Mr. Gelardi** to adopt the claim review and adopt the hearing officer's recommendations and summary and pay the claim in the amount of **\$3,225.33**. The Claim Review and Summary are incorporated as a part of this Order. The motion passed with a majority vote.

Members voting "Yes" were: **Dyer, Dowdy, Gelardi, Giesen, Middleton, Murrow, Oliver, Walton, Vander Pol, Sumpter, Smith, Walton, Williams and Walker.**

**Board member, Dyer voted "no".**

**In the matter of Recovery Fund File Number 2010-02954, Karena Swisher Falbe (Claimant) vs. Maracrete, LLC (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Maracrete, LLC (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Karena Swisher Falbe, (Claimants) did** attend the Board meeting. She addressed the Board and shared her disagreement.

**Mrs. Tomlin**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote.

After further discussion, a motion was made by **Mr. Gelardi** and seconded by **Mr. Pace** to adopt the claim review and amend the hearing officer's recommendations and summary and pay the claim in the amount of **\$20,000.00**. The Claim Review and Summary are incorporated as a part of this Order. The Board finds there is language in the order that supports the conclusion that the court found that the conduct of the regulant involved improper or dishonest conduct. **Mr. Vander Pol** shared that he had some concerns. Attorney Jack responded to his concerns. The motion passed by unanimous vote.

Members voting "Yes" were: **Dyer, Dowdy, Gelardi, Giesen, Middleton, Murrow,**

**File Number**  
**2011-02815**

**Donald & Bonnie Sharpes (Claimant)**  
**David Wayne Byers Jr., t/a Quality Paving and Seal Coating (Regulant)**

**File Number**  
**2010-02954**

**Karena Swisher Falbe (Claimant)**  
**Maracrete, LLC (Regulant)**

**Oliver, Walton, Vander Pol, Sumpter, Smith, Walton, Williams and Walker.**

**In the matter of Recovery Fund File Number 2011-03003, David Clark (Claimant) vs. Sang Man Yi, t/a Complete Home Service (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Sang Man Yi, t/a Complete Home Service (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **David Clark (Claimants)** did not attend the Board meeting in person or by counsel or by any other qualified representative. **Mrs. Tomlin**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote.

**File Number**  
**2011-03003**  
**David Clark (Claimant)**  
**Sang Man Yi, t/a**  
**Complete**  
**Home Service (Regulant)**

After further discussion, a motion was made by **Mr. Sumpter** and seconded by **Mr. Gelardi** to adopt the claim review and the hearing officer's recommendations and summary and pay the claim in the amount of **\$12,068.00**. The Claim Review and Summary are incorporated as a part of this Order. The Board finds there is language in the order that supports the conclusion that the court found that the conduct of the Regulant involved improper or dishonest conduct. **Mr. Vander Pol** shared that he had some concerns. Attorney Jack responded to his concerns. The motion passed by unanimous vote.

Members voting "Yes" were: **Dyer, Dowdy, Gelardi, Giesen, Middleton, Murrow, Oliver, Walton, Vander Pol, Sumpter, Smith, Walton, Williams and Walker.**

**In the matter of Recovery Fund File Number 2011-03250, Malcolm R Luebker, Jr., (Claimant) vs. Rappatomac Contracting Co., Inc., t/a Rappatomac Millwork Company (Regulant),** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Rappatomac Contracting Co., Inc., t/a Rappatomac Millwork Company (Regulant)** was represented by Anthony Mangano at the board meeting. He addressed the Board. **Malcolm and Susan Luebker, (Claimants)** did attend the Board meeting. They addressed the Board and shared their disagreement.

**File Number**  
**2011-03250**  
**Malcolm R Luebker, Jr.,**  
**(Claimant)**  
**Rappatomac Contracting**  
**Co., Inc., t/a Rappatomac**  
**Millwork Company**  
**(Regulant)**

**Mrs. Tomlin**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote.

After further discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Gelardi** to adopt the claim review and the hearing officer's recommendations and summary and deny payment of the claim in the amount of **\$13,590.24**. The Claim Review and Summary are incorporated as a part of this Order. After additional discussion the Board unanimously voted to deny payment of the claim. The motion passed by unanimous vote.

Members voting "Yes" were: **Dyer, Dowdy, Gelardi, Giesen, Middleton, Murrow, Oliver, Walton, Vander Pol, Sumpter, Smith, Walton, Williams and Walker.**

**In the matter of Recovery Fund File Number 2011-03433, Tracy Hayden (Claimant) vs. Pure-Water Well Drilling, LLC (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Pure-Water Well Drilling, LLC (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Tracy Hayden, (Claimants) did** attend the Board meeting. She addressed the Board.

**File Number**  
**2011-03433**  
**Tracy Hayden**  
**(Claimant)**  
**Pure-Water Well**  
**Drilling, LLC**  
**(Regulant)**

**Mrs. Tomlin**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote.

After further discussion, a motion was made by **Mr. Oliver** and seconded by **Mr. Gelardi** to adopt the claim review and amend the hearing officer's recommendations and summary and deny payment of the claim in the amount of **\$8,849.00**. The Claim Review and Summary are incorporated as a part of this Order. The Board denies payment as the claim failed to meet the requirement of §54.1-1120(A) (4) Code of Virginia; the contract was with a corporation and not an individual. The motion passed by majority vote.

Members voting "Yes" were: **Dyer, Dowdy, Middleton, Vander Pol, Sumpter, and Smith.**

Members voting "no" were: **Williams, Pace, Gelardi, Murrow, Giesen, Walton, Walker, and Oliver.**

**In the matter of License Application File Number 2011-04821, Scott Michael Mattox**, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number**  
**2011-04821**  
**Scott Michael Mattox**

**Applicant Scott Michael Mattox** appeared at the IFF. He did not attend the Board meeting.

The presiding Board representative **Mrs. Clay** was not present, did not participate in the discussion and did not vote.

After discussion **Mr. Middleton** offered a motion that was seconded by **Mr. Sumpter** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and issue a license. The motion passed by unanimous vote.

Members voting "no" were: **Dyer, Dowdy, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Vander Pol, Sumpter, Smith, Tomlin, Walton, Williams and Walker.**

**In the matter of License Application File Number 2011-04822, Ricky Allen McCauley** the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number**  
**2011-04822**  
**Ricky Allen McCauley**

**Applicant Ricky Allen McCauley** did appear at the IFF and he did attend the Board meeting. He addressed the Board and shared his agreement with the recommendation.

The presiding Board representative **Mrs. Clay** was not present, did not participate in the discussion and did not vote.

After discussion **Mr. Dyer** offered a motion that was seconded by **Mr. Gelardi** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and approve the license. The motion passed by unanimous vote. Members voting "Yes" were: **Dyer, Dowdy, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Vander Pol, Sumpter, Smith, Tomlin, Walton, Williams and Walker.**

**In the matter of License Application File Number 2011-04842, Lloyd Raley, t/a Pro-Craft,** the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number**  
**2011-04842**  
**Lloyd Raley t/a Pro-Craft**

**Applicant Lloyd Raley t/a Pro-Craft** appeared at the IFF. He did attend the Board meeting.

The presiding Board representative **Mrs. Clay** was not present, did not participate in the discussion and did not vote.

After discussion **Mr. Middleton** offered a motion that was seconded by **Mr. Gelardi** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and grants a license. The motion passed by unanimous vote.

**Members voting "Yes" were: Dyer, Dowdy, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Vander Pol, Sumpter, Smith, Tomlin, Walton, Williams and Walker.**

**In the matter of License Application File Number 2011-05033 Stacey Miller,** the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number**  
**2011-05033**  
**Stacey Miller**

**Applicant Stacey Miller** appeared at the IFF. He did not attend the Board meeting.

The presiding Board representative **Mrs. Clay** was not present, did not participate in the discussion and did not vote.

**Mr. Olson** shared that perhaps the Board would consider the language for non compliance when rendering its decision. **Mr. Middleton** asked if staff follows up on the conditions placed upon Regulators? **Mr. Olson** shared “yes”, we have compliance follow up in place and staff follows up on the conditions imposed by the Board.

After further discussion **Mr. Williams** offered a motion that was seconded by **Mr. Gelardi** to amend the recommendation contained in the Summary of the Informal Fact-Finding Conference and approves issuance of a conditional license and to add the statement that if the conditions are not met, then the license will be suspended.

The motion passed by majority vote.

Members voting “Yes” were: **Dowdy, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Vander Pol, Sumpter, Smith, Tomlin, Walton, Williams and Walker.**

**Dyer** voted “No”.

**In the matter of License Application File Number 2011-05035 Gerald Smith**, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number**  
**2011-05035**  
**Gerald Smith**

**Applicant Gerald Smith** appeared at the IFF. He did not attend the Board meeting.

The presiding Board representative **Mrs. Clay** was not present, did not participate in the discussion.

After discussion **Mr. Sumpter** offered a motion that was seconded by **Mr. Middleton** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and grants a conditional license. The motion passed by majority vote.

Members voting “Yes” were: **Dowdy, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Vander Pol, Sumpter, Smith, Tomlin, Williams and Walker.**

Board members voting “No” were:

**Walton and Dyer.**

**In the matter of License Application File Number 2011-05038 Kenneth Fletcher,** the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number  
2011-05038  
Kenneth Fletcher**

**Applicant Kenneth Fletcher** appeared at the IFF. He and **Judith Daniel** attended the Board meeting. He addressed the Board.

The presiding Board representative **Mrs. Clay** was not present, did not participate in the discussion.

After discussion **Mr. Williams** offered a motion that was seconded by **Mr. Gelardi** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant a license. The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Vander Pol, Sumpter, Smith, Tomlin, Walton, Williams and Walker.**

**In the matter of License Application File Number 2012-00334 Dailan Services, LLC t/a Your Man Friday,** the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number  
2012-00334  
Dailan Services, LLC t/a  
Your Man Friday**

**Applicant for Dailan Service, LLC and their Attorney, Ann Rackas-Pate** appeared at the IFF. They also appeared at the Board meeting. Attorney Rackas-Pate addressed the Board on behalf of her client.

The presiding Board representative **Mrs. Clay** was not present, did not participate in the discussion. Mr. Olson asked the Board to review the suspension language when rendering its decision.

After discussion **Mr. Williams** offered a motion that was seconded by **Mr. Gelardi** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and approves issuance of a conditional license and to add the statement that if the conditions are not met, then the license will be suspended. The motion passed by majority vote.

Members voting “Yes” were: **Dowdy, Gelardi, Giesen, Murrow, Oliver, Vander Pol, Sumpter, Smith, Tomlin, Pace, Williams and Walker.**

**Board members, Dyer, Walton, and Middleton voted “No”.**

**In the matter of License Application File Number 2012-00771 Eric Shelton**, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number**  
**2012-00771**  
**Eric Shelton**

**Applicant Eric Shelton** appeared at the IFF. He did not attend the Board meeting but sent an email to Eric Olson. Mr. Olson read the email to the Board members for consideration. Mr. Olson also asked the Board to consider the language in the order prior to making their decision.

The presiding Board representative **Mrs. Clay** was not present, did not participate in the discussion and did not vote.

After discussion **Mr. Middleton** offered a motion that was seconded by **Mr. Sumpter** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and issue a conditional license. **Mr. Williams** offered a substitute motion seconded by **Mr. Oliver** to approve issuance of a conditional license and to add the statement that if the conditions are not met, then the license will be suspended. The motion passed by unanimous vote.

Members voting "Yes" were: **Dyer, Dowdy, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Vander Pol, Sumpter, Smith, Tomlin, Walton, Williams and Walker.**

**In the matter of License Application File Number 2011-04239 Paul Martin**, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number**  
**2011-04239**  
**Paul Martin**

**Applicant Paul Martin** appeared at the IFF. He did not attend the Board meeting.

The presiding Board representative **Ms. Becker** was not present, did not participate in the discussion and did not vote. Mr. Olson asked the Board to consider the language in the order prior to rendering its decision. The Board was given a handout from Mr. Martin for consideration.

After discussion **Mr. Dowdy** offered a motion that was seconded by **Mrs. Tomlin** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant a conditional license. **Mr. Middleton** offered a substitute motion seconded by **Mr. Dyer** to approve issuance of a conditional license and to add the statement that if the conditions are not met, then the license will be suspended. The motion passed by unanimous vote.

Members voting "Yes" were: **Dyer, Dowdy, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Vander Pol, Sumpter, Smith, Tomlin, Walton, Williams and Walker.**

**In the matter of License Application File Number 2011-04244 Darrin King**, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number**  
**2011-04244**  
**Darrin King**

**Applicant Darrin King** appeared at the IFF. He did attend the Board meeting. Mr. King addressed the Board and shared his agreement with the recommendation.

The presiding Board representative **Ms. Brigil** was not present, did not participate in the discussion and did not vote.

After discussion **Mr. Sumpter** offered a motion that was seconded by **Mr. Middleton** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and grants a license. The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Vander Pol, Sumpter, Smith, Tomlin, Walton, Williams and Walker.**

**In the matter of License Application File Number 2011-04525 David Beasley**, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number**  
**2011-04525**  
**David Beasley**

**Applicant David Beasley** appeared at the IFF. He did not attend the Board meeting.

The presiding Board representative **Ms. Brigil** was not present, did not participate in the discussion and did not vote.

After discussion **Mr. Sumpter** offered a motion that was seconded by **Mr. Middleton** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant a license. The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Vander Pol, Sumpter, Smith, Tomlin, Walton, Williams and Walker.**

**In the matter of License Application File Number 2011-04526 Larry Woolfolk**, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number**  
**2011-04526**  
**Larry Woolfolk**

**Applicant Larry Woolfolk** attended the IFF and appeared at the Board meeting. He addressed the Board.

The presiding Board representative **Ms. Brigil**, did not participate in the discussion

and did not vote.

After discussion **Mr. Sumpter** offered a motion that was seconded by **Mr. Gelardi** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and grants a license. The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Vander Pol, Sumpter, Smith, Tomlin, Walton, Williams and Walker.**

**In the matter of License Application File Number 2011-04527 Brad Billingsley,** the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number  
2011-04527  
Brad Billingsley**

**Applicant Brad Billingsley** appeared at the IFF and the Board meeting. He addressed the Board and shared his agreement with the recommendation.

The presiding Board representative **Mrs. Brigil**, did not participate in the discussion and did not vote. **Mrs. Perkins** shared with the Board that a correction needed to be made to reflect that the name throughout should be reflected as Billingsley and not Beasley.

After discussion **Mr. Middleton** offered a motion that was seconded by **Mr. Sumpter** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant a license including the correction as noted by Mrs. Perkins. The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Vander Pol, Sumpter, Smith, Tomlin, Walton, Williams and Walker.**

**In the matter of License Application File Number 2011-04528, Christopher Hott (Respondent);** the board reviewed the record, which consisted of the application file, transcript, and exhibits from the Summary of the Informal fact-finding conference.

**File Number  
2011-04528  
Christopher Hott**

**Christopher Hott (Respondent)** appeared at the IFF. He did not attend the Board.

The presiding Board representatives **Ms. Becker** did not participate in the discussion and did not vote. **Mrs. Perkins** shared with the Board that a correction needed to be made to reflect in the summary that in paragraph 3 it should indicate Hott appeared by telephone and on page 2 it should indicate the license on March 23, 2011 and not October 8, 2010 and also on page 2 the 8<sup>th</sup> conviction should be noted; February 4, 2009 and not 2004.

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Williams** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference with the corrections as noted by **Mrs. Perkins** and the Board has considered its Regulations: 18 VAC 50-30-30 10 and other applicable law: §54.1-204 of the Code of Virginia. The Board denies the application based upon the record, including the information obtained from the Central criminal Records Exchange, and in consideration of the criteria outlined in §54.1-204.B. After reviewing the facts and the nature of the crimes in consideration of §54.1-204.B. 1, the extent of the crimes in consideration of §54.1-204.B. 3, and Hott's rehabilitation in consideration of §54.1-204.B. 9, the Board noted that Hott was gainfully employed at the time of the offenses and recognizes Hott did not commit any crimes against his employer. However, the Board acknowledged that by Hott's own testimony, the crimes were driven by drugs and that the majority of his sobriety has occurred while incarcerated.

The motion passed by unanimous vote.

Members voting "yes" were: **Dyer, Dowdy, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Vander Pol, Sumpter, Smith, Tomlin, Walton, Williams and Walker.**

**In the matter of License Application File Number 2011-04529 David Treacy t/a C.H.R. Complete Home Repairs**, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number**

**2011-04529**

**David Treacy t/a C.H.R.  
Complete Home Repairs**

**Applicant David Treacy** appeared at the IFF. He also attended the Board meeting. He addressed the Board and shared his agreement.

The presiding Board representative **Mrs. Brigil**, did not participate in the discussion and did not vote. **Mrs. Perkins** shared with the Board that a correction needed to be made to reflect the Treacy is the Qualified Individual and Responsible Manager and not the Designated Employee and also on page 2 to add the 3<sup>rd</sup> – June 9, 1983 conviction.

After discussion **Mr. Williams** offered a motion that was seconded by **Mr. Gelardi** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and grants a license including the corrections as noted by **Mrs. Perkins**. The motion passed by unanimous vote.

Members voting "Yes" were: **Dyer, Dowdy, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Vander Pol, Sumpter, Smith, Tomlin, Walton, Williams and Walker.**

**In the matter of License File Number 2011-04531, Christopher Michael Quesenberry (Respondent);** the board reviewed the record, which consisted of the application file, transcript, exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference (IFF).

**File Number  
2011-04531  
Christopher Michael  
Quesenberry**

**Applicant Christopher Michael Quesenberry (Respondent)** appeared at the IFF. Mr. Quesenberry did appear at the Board meeting. He addressed the Board.

The presiding Board representative **Mrs. Brigil**, did not participate in the discussion and did not vote.

After discussion, **Mr. Sumpter** offered a motion that was seconded by **Mr. Gelardi** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant a license. The motion passed by majority vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Giesen, Middleton, Murrow, Pace, Vander Pol, Sumpter, Smith, Tomlin, Walton, Williams and Walker.**

**Oliver abstained from voting.**

**In the matter of License Application File Number 2011-04586 R&B Masonry, Inc.,** the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number  
2011-04586  
R&B Masonry, Inc.**

**Applicant R&B Masonry, Inc.** appeared at the IFF. He did not attend the Board meeting.

The presiding Board representative **Mrs. Brigil**, did not participate in the discussion and did not vote.

After discussion **Mr. Sumpter** offered a motion that was seconded by **Mr. Dyer** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and grants a license. The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace Vander Pol, Sumpter, Smith, Tomlin, Walton, Williams and Walker.**

**In the matter of License Application File Number 2011-04587 Bobby Lee Mays,** the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference (IFF).

**File Number  
2011-04587  
Bobby Lee Mays**

**Bobby Lee Mays** appeared at the IFF. He did not appear at the Board meeting.

The presiding Board representative **Mrs. Brigil**, did not participate in the discussion and did not vote. A handout was given to the Board for consideration.

After discussion **Mr. Williams** offered a motion that was seconded by **Mr. Oliver** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and grants a license. The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Vander Pol, Sumpter, Smith, Tomlin, Walton, Williams and Walker.**

**In the matter of License Application File 2011-04844, Robert Thomas t/a PMI Enterprises**, the board members reviewed record, which consisted of: the application file, transcript, exhibits and the Summary of the Informal Fact Finding Conference (IFF).

**File Number**  
**2011-04844**  
**Robert Thomas t/a PMI**  
**Enterprises**

**Applicant Robert Thomas t/a PMI Enterprises** at the IFF and the Board meeting. He shared his agreement with the recommendation.

The presiding Board representative **Mrs. Brigil**, did not participate in the discussion and did not vote.

After discussion **Mr. Gelardi** offered a motion that was seconded by **Mr. Giesen** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and grants a license.

The motion passed by majority vote.

Members voting “Yes” were: **Dowdy, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Vander Pol, Sumpter, Smith, Tomlin, Walton, Williams and Walker.**

**Member voting “No” was: Dyer.**

**In the matter of License Application File 2011-05042, Antori Brown** the board members reviewed record, which consisted of: the application file, transcript, exhibits and the Summary of the Informal Fact Finding Conference (IFF).

**File Number**  
**2011-05042**  
**Antori Brown**

**Applicant Antori Brown attended** the IFF. He did attend the Board meeting. Mr. Brown addressed the Board.

The presiding Board representative **Mrs. Brigil**, was not present, did not participate in

the discussion and did not vote.

After discussion **Mr. Dyer** offered a motion that was seconded by **Mr. Williams** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and grants a license.

The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Vander Pol, Sumpter, Smith, Tomlin, Walton, Williams and Walker.**

**In the matter of License File number 2011-05075, Majid Setayeshpour t/a Tara Home Improvement** the board members reviewed record, which consisted of: the application file, transcript, exhibits and the Summary of the Informal Fact Finding Conference (IFF).

**File Number**  
**2011-05075**

**Majid Setayeshpour t/a Tara Home Improvement**

**Applicant Majid Setayeshpour t/a Tara Home Improvement** attended the IFF. He did attend the Board meeting. **Mr. Setayeshpour** addressed the Board and shared his disagreement.

The presiding Board representative **Mrs. Brigil**, was not present, did not participate in the discussion and did not vote. A handout from Attorney Silverstein with redacted text was handed out to the Board members for consideration prior to voting.

After discussion **Mr. Dyer** offered a motion that was seconded by **Mr. Dowdy** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference. The Informal Fact-Finding conference Referral Memorandum and Summary are incorporated as a part of the Order. The Board denies granting a license based upon the record. After reviewing the facts, the Board thoroughly considered the record, the Summary of the IFF and the Recommendation, and after a review of the record, and after hearing from **Majid Reza Setayeshpour** at the Board meeting, the Board is of the opinion that due to the recent nature of the bankruptcy, and **Majid Reza Setayeshpour’s** attempt to deceive the Board by submitting, and attempting to use, financial information from a company that he states does not exist in order to provide a net worth statement, that it could not protect the safety and welfare of the public. The Board determined that **Majid Reza Setayeshpour** does not satisfy the requirements for licensure and voted to deny the license at this time.

The motion passed by unanimous vote.

Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Vander Pol, Sumpter, Smith, Tomlin, Walton, Williams and Walker.**

**In the matter of License File Number 2012-00088, Thomas Commercial Interiors** the board members reviewed record, which consisted of: the application file, transcript, exhibits and the Summary of the Informal Fact Finding Conference (IFF).

**File Number**  
**2012-00088**

**Thomas Commercial Interiors**

**Applicant Thomas Commercial Interiors attended** the IFF. He did attend the Board meeting. **Mr. Thomas** addressed the Board.

The presiding Board representative **Mrs. Brigil**, was not present, did not participate in the discussion and did not vote. **Mrs. Perkins** shared with the Board that a correction needed to be made to reflect on page two of the record to indicate 18 VAC 50-22-260 E and 18 VAC 50-22-60 F.

After discussion **Mr. Williams** offered a motion that was seconded by **Mr. Gelardi** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and to make the correction as noted by **Mrs. Perkins** and grants a license.

**Mr. Pace** offered a substitute motion that due to pass performance and a revocation in 2010 not to grant the license. **Mr. Pace** withdrew his motion.

The original motion passed by unanimous vote.

Members voting "Yes" were: **Dyer, Dowdy, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Vander Pol, Sumpter, Smith, Tomlin, Walton, Williams and Walker.**

**In the matter of the Licensing File Number 2012-00090, Paul Himmelright**, the board members reviewed record, which consisted of: the application file, transcript, exhibits and the Summary of the Informal Fact Finding Conference (IFF).

**File Number**  
**2012-00090**

**Paul Himmelright**

**Applicant Paul Himmelright attended** the IFF. He did attend the Board meeting. **Mr. Himmelright** addressed the Board.

The presiding Board representative **Mrs. Brigil**, was not present, did not participate in the discussion and did not vote.

After discussion **Mr. Sumpter** offered a motion that was seconded by **Mr. Middleton** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and grants a license.

The motion passed by unanimous vote.

Members voting "Yes" were: **Dyer, Dowdy, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Vander Pol, Sumpter, Smith, Tomlin, Walton, Williams and Walker.**

**The Board took a five minute recess.**

**Break**

**In the matter of Disciplinary File Number 2011-03938, Service Masters Inc. (Respondent);** the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

**File Number  
2011-03938  
Service Masters Inc.**

**Service Masters Inc (Respondent)** did not appear at the IFF. **Service Masters Inc.** did not appear at the Board meeting in person or by counsel or by any other qualified representative.

The presiding Board representative **Mr. Dowdy** was not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Gelardi** and seconded by **Mr. Williams** 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 that **Service Masters Inc** violated the following sections of its Regulations and/or Statues:

**Count 1: §54.1-1110. Of the Code of Virginia.**

The motion was passed by unanimous vote.

Members voting yes were: **Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Vander Pol, Sumpter, Smith, Tomlin, Walton, Williams and Walker.**

After discussion, a motion was made by **Mr. Williams** and seconded by **Mr. Gelardi** to impose the following: The Board voted to impose the following penalty for the violation of the regulation.

Sanctions		
Count 1:	License revocation	
Total		\$0.00

The motion passed by unanimous vote. Members voting "Yes" were: **Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Vander Pol, Sumpter, Smith, Tomlin, Walton, Williams and Walker.**

**In the matter of Disciplinary File Number 2011-04955, John Newman Jr, t/a Northern Electric Solutions (Respondent);** the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding

**File Number  
2011-04955  
John Newman Jr, t/a**

Conference (IFF), and the Summary and recommendation.

**Northern Electric Solutions**

**John Newman Jr, t/a Northern Electric Solutions (Respondent)** did not appear at the IFF. **John Newman Jr, t/a Northern Electric Solutions** did not appear at the Board meeting in person or by counsel or by any other qualified representative.

The presiding Board representative **Mr. Dowdy** was not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Williams** and seconded by **Mr. Walker** 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 that **John Newman Jr**, did violate the following sections of its Regulations:

Effective February 1, 2006		
Count 1:	18 VAC 50-22-260 B 13	

The motion passed by unanimous vote. Members voting “yes” were: **Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Vander Pol, Sumpter, Smith, Tomlin, Walton, Williams and Walker.**

After discussion, a motion was made by **Mr. Williams** and seconded by **Mr. Vander Pol** to impose the following: The Board voted to impose the following penalty for the violation of the regulation.

Sanctions		
Count 1:	\$1,250.00	Revocation
Total		\$1,200.00

In addition, for violation of Count 1, the Board voted to **revoke the license** for the violation.

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Vander Pol, Sumpter, Smith, Tomlin, Walton, Williams and Walker.**

**In the matter of Disciplinary File Number 2011-04964, Maracrete LLC (Respondent);** the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

**File Number**  
**2011-04964**  
**Maracrete LLC**

**Neither Maracrete LLC (Respondent)** nor anyone on its behalf appeared at the IFF

or at the Board meeting.

The presiding Board representative **Mr. Dowdy** was not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Williams** and seconded by **Mr. Walker** to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and adopts the Summary. The Report of Findings and Summary are incorporated as part of this Order.

**The Board finds substantial evidence that Maracrete LLC violated the following sections of its Regulation:**

Violations	February, 1, 2006	
Count 1:	18 VAC 50-22-260 B 13	

The motion passed by unanimous vote. Members voting “yes” were: **Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Vander Pol, Sumpter, Smith, Tomlin, Walton, Williams and Walker.**

After discussion, a motion was made by **Mr. Sumpter** and seconded by **Mr. Gelardi** to impose the following sanctions:

Sanctions		
Count 1:	\$1,250.00	
Total		\$1,250.00

**In addition, for violation of Count 1** the Board voted to impose revocation of license.

The motion passed by unanimous vote. Members voting yes were: **Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Vander Pol, Sumpter, Smith, Tomlin, Walton, Williams and Walker.**

**In the matter of Disciplinary File Number 2011-03368, Congkhanh Nguyen, t/a Luc Construction (Respondent);** the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference (IFF), and the Summary and recommendation.

**File Number  
2011-03368  
Congkhanh Nguyen, t/a Luc  
Construction**

**Cogkhanh Nguyen (Respondent)** did not appear at the IFF. **Neither Nguyen, t/a**

**Luc Construction**, in person, by counsel, nor anyone on its behalf appeared at the Board meeting.

The presiding Board representatives **Mr. Smith and Mr. Dowdy** were not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Sumpter** and seconded by **Mr. Williams** to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and adopts the Summary. The Report of Findings and Summary are incorporated as part of the order. The Board finds substantial evidence that **Congkhanh Nguyen** violated the following sections of its Regulations:

Violations	February, 1, 2006	
Count 1:	18 VAC 50-22-260 B 8	
Count 2:	18 VAC 50-22-260 B 6	
Count 3:	18 VAC 50-22-260 B 27	
Count 4:	18 VAC 50-22-260 B 5	
Count 5:	18 VAC 50-22-260 B 2	

The motion passed by unanimous vote. Members voting “yes” were: **Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Vander Pol, Sumpter, Tomlin, Walton, Williams and Walker.**

After discussion, **Mr. Williams** offered a motion seconded by **Mr. Sumpter** to impose the following sanctions:

Sanctions	February, 1, 2006	
Count 1:	\$350.00	
Count 2:	\$750.00	
Count 3:	\$650.00	
Count 4:	\$1,300.00	
Count 5:	\$1,000.00	
Total		\$4,050.00

In addition, for violation of Count 1, 2 and 3 the Board voted to require **Congkhanh Nguyen** have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order. The Board also imposes the revocation of license for the violation of counts 4 and 5.

The motion passed by unanimous vote.

**Members voting yes were: Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Vander Pol, Sumpter, Tomlin, Walton, Williams and Walker.**

**Mr. Middleton** chaired this case.

**In the matter of Disciplinary Case File Number 2011-03221 Virgil L Henry, t/a Henry's Paving & Seal Coating**, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number**  
**2011-03221**  
**Virgil L Henry, t/a Henry's Paving & Seal Coating**

**Virgil L Henry, t/a Henry's Paving & Seal Coating** did not attend the IFF or the Board meeting in person or by counsel or by any other qualified representative.

The presiding Board representative **Mr. Gelardi** was not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Middleton** and seconded by **Mr. Sumpter** 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 that **Virgil L Henry** violated the following sections of its Regulations:

Effective February 1, 2006	
Count 1:	18 VAC 50-22-260 B 9
Count 2:	18 VAC 50-22-260 B 10

The motion passed by unanimous vote. Members voting "Yes" were: **Dyer, Dowdy, Giesen, Middleton, Murrow, Oliver, Pace, Vander Pol, Sumpter, Smith, Tomlin, Walton, Williams and Walker.**

After discussion a motion was offered by **Mr. Sumpter** and seconded by **Mr. Murrow** to impose the following monetary sanctions:

Count 1:	\$400.00
Count 2:	\$1,000.00
Total	\$1,400.00

In addition, for violation of Count 1 and 2, the Board recommends to require **Virgil L Henry** have a member of Responsible Management successfully complete a board-approved remedial education class within 90 days of the order.

The motion passed by unanimous vote. Members voting "yes" were: **Dyer, Dowdy,**

**Giesen, Middleton, Murrow, Oliver, Walton, Vander Pol, Sumpter, Smith, Tomlin, Walton, Williams and Walker.**

**In the matter of Disciplinary File Number 2011-05031, Joseph J Morgan, t/a Morgan Paving (Respondent);** the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference, and the Summary and recommendation.

**File Number  
2011-05031  
Joseph J Morgan, t/a Morgan Paving**

**Neither Joseph J Morgan, t/a Morgan Paving (Respondent),** nor anyone on his behalf appeared at the IFF or the Board meeting.

The presiding Board representative **Mr. Gelardi** was not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Sumpter** and seconded by **Mr. Middleton** 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 that **Joseph J Morgan** violated the following sections of its Regulations:

Effective February 1, 2006	
Count 1:	18 VAC 50-22-260 B 13

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Dowdy, Giesen, Middleton, Murrow, Oliver, Pace, Vander Pol, Sumpter, Smith, Tomlin, Walton, Williams and Walker.**

After discussion a motion was offered by **Mr. Sumpter** and seconded by **Mr. Middleton** to impose the following monetary sanctions:

Count 1	\$1,350.00
Total	\$7,050.00

In addition, for violation of Count 1, the Board recommends revocation of license 2705-076767.

The motion passed by unanimous vote. Members voting “yes” were: **Dyer, Dowdy, Giesen, Middleton, Murrow, Oliver, Pace, Vander Pol, Sumpter, Smith, Tomlin, Walton, Williams and Walker.**

**In the matter of Disciplinary Case File Number 2011-05044 Wamat Inc, t/a Wetgrass Lawn Sprinkler Company**, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number  
2010-05044  
Wamat Inc, t/a Wetgrass  
Lawn Sprinkler Company**

**Wamat Inc, t/a Wetgrass Lawn Sprinkler Company** did not attend the IFF or the Board meeting in person or by counsel or by any other qualified representative.

The presiding Board representative **Mr. Gelardi** was not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Sumpter** and seconded by **Mr. Middleton** 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 that **Wamat Inc, t/a Wetgrass Lawn Sprinkler Company** violated the following sections of its Regulations:

Effective February 1, 2006	
Count 1:	18 VAC 50-22-260 B 13

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Dowdy, Giesen, Middleton, Murrow, Oliver, Pace, Vander Pol, Sumpter, Smith, Tomlin, Walton, Williams and Walker.**

After discussion a motion was offered by **Mr. Sumpter** and seconded by **Mr. Middleton** to impose the following monetary sanctions:

Count 1:	\$1,350.00
Total	\$1,850.00

In addition, for violation of Count 1, the Board recommends revocation of license 2705-109476.

The motion passed by unanimous vote. Members voting “yes” were: **Dyer, Dowdy, Giesen, Middleton, Murrow, Oliver, Pace, Vander Pol, Sumpter, Smith, Tomlin, Walton, Williams and Walker.**

**In the matter of Disciplinary File Number 2011-02435 Will Robert Harris, t/a Liberty Paving Co (Respondent)**; the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference (IFF) and the recommendation.

**File Number  
2010-02435  
Will Robert Harris, t/a  
Liberty Paving Co**

**Will Robert Harris (Respondent)** did not appear at the IFF. **Stephen Dalton**, Esquire, counsel for **Will Robert Harris**, did appear on his behalf at the Board meeting. He addressed the Board on his client's behalf and shared their disagreement.

**Jody Green** (Complainant) attended the Informal Fact Finding Conference and the Board meeting. He addressed the Board.

The presiding Board representative **Mr. Giesen** was not present, did not participate in the discussion and did not vote.

After discussion, a motion was offered by **Mr. Dyer** to offer a consent order to the Regulant imposing remedial education and a fine of \$350. No second was offered and **Mr. Dyer** withdrew the motion.

After further discussion, a motion was made by **Mr. Sumpter** and seconded by **Mr. Gelardi** 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 that **Will Robert Harris** violated the following sections of its Regulations:.

Effective February 1, 2006		
Count 1:	18 VAC 50-30-260 B 9	
Count 2:	18 VAC 50-22-260 B 30	

The motion passed by unanimous vote. Members voting "Yes" were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Vander Pol, Sumpter, Smith, Tomlin, Walton, Williams and Walker.**

After discussion a motion was offered by **Mr. Sumpter** and seconded by **Mr. Gelardi** to impose the following sanctions:

Count 1:		\$350.00
Count 2		\$1,200.00
Total		\$1,500.00

After further discussion an alternative motion was offered by Mr. Dyer and seconded by Mr. Oliver to impose the following sanctions:

Count 1:		\$350.00
Count 2		\$2,500.00

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Total		\$2,850.00
In addition, for violation of Count 1 and Count 2, the Board voted to require <b>Will Robert Harris</b> have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the effective date of the order.		

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Vander Pol, Sumpter, Smith, Tomlin, Walton, Williams and Walker.**

**In the matter of Disciplinary File Number 2011-01871, Novacon Inc (Respondent);** the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference (IFF) and the recommendation.

**File Number  
2011-01871  
Novacon Inc**

**Gloria Dill for Novacon Inc, (Respondent)** did appear at the IFF. **Novacon Inc** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **William and Linda Ackerman (Complainants)** appeared at the **Informal Fact-Finding** meeting.

The presiding Board representatives **Mr. Giesen and Mr. Smith** were not present, did not participate in the discussion and did not vote. **Mrs. Perkins** shared with the Board that **Count 3** of the Summary should indicate **18 VAC 50-22-60 B 13** and close **Count 3** with a finding of no violations.

After discussion, a motion was made by **Mr. Sumpter** and seconded by **Mr. Gelardi** 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 and Recommendations and to include the correction as noted by staff. The Board found that **Novacon Inc** violated the following sections of its Regulations:

Effective February 1, 2006		
Count 1:	18 VAC 50-30-260 B 28	
Count 2:	18 VAC 50-22-260 B 24	

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Vander Pol, Sumpter, Tomlin, Walton, Williams and Walker.**

After discussion a motion was offered by **Mr. Sumpter** and seconded by **Mr. Gelardi**. The Board voted for imposition of the monetary penalties for the violation of its regulations.

The Board voted to impose suspension of license until such time as <b>Novacon Inc</b> provides proof acceptable to the Board that it has satisfied the judgment. As to Count 3, the Board closes this aspect of the file with a finding of no violation.
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The motion passed by majority vote. Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Vander Pol, Sumpter, Tomlin, Walton, Williams and Walker.**

**In the matter of Disciplinary File Number 2011-03222, Bradley Martin (Respondent);** the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference (IFF) and the recommendation.

**File Number**  
**2011-03222**  
**Bradley Martin**

**Bradley Martin (Respondent)** did not appear at the IFF. He did not attend the Board meeting in person or by counsel or by any other qualified representative.

The presiding Board representatives **Mrs. Wood and Mr. Giesen** were not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Sumpter** and seconded by **Mr. Middleton** 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 (IFF) with Recommendations. The Board found that **Bradley Martin** violated the following sections of its Regulations:

Effective February 1, 2006		
Count 1:	18 VAC 50-22-260 B 2	
Count 2:	18 VAC 50-22-230.B	

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Pace, Vander Pol, Sumpter, Smith, Tomlin, Walton, Williams and Walker.**

After discussion a motion was made by **Mr. Sumpter** and seconded by **Mr. Dyer** to impose the following monetary **sanctions**:

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Count 1		\$2,500.00
Count 2		\$600.00
Total		\$3,100.00
<p>In addition, for violation of Count 1, the Board imposes revocation of license 2705-137225.</p>		

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Middleton, Murrow, Oliver, Vander Pol, Sumpter, Smith, Tomlin, Walton, Williams and Walker.**

**In the matter of Disciplinary File Number 2011-03084, Create An Image Corporation (Respondent);** the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference (IFF) and the recommendation.

**File Number  
2011-03084  
Create An Image  
Corporation**

**Create An Image Corporation (Respondent)** did not appear at the IFF in person or by counsel or by any other qualified representative. **William Roberts** on behalf of Create An Image Corporation attended the Board meeting. **Mrs. Perkins** shared with the Board that a correction needed to be made to reflect that in the Summary count 3 should indicate 18 VAC 50-22-260 B 9.

The presiding Board representative **Mr. Pace** was not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Gelardi** 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 and include the correction as identified by Mrs. Perkins. The Board found that **Create An Image Corporation** violated the following of its Regulations.

Effective September 1, 2001		
Count 1:	18 VAC 50-22-230 A	
Count 2:	18 VAC 50-22-260 B 8	Eff: February 1, 2006
Count 3:	18 VAC 50-22-260 B 9	

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Giesen, Middleton, Murrow, Oliver, Vander Pol, Sumpter, Smith, Tomlin, Walton, Williams and Walker.**

After further discussion, a motion was made by **Mr. Gelardi** and seconded by **Mr. Giesen** to impose the following sanctions for the violation of the regulations.

Count 1:		\$350.00
Count 2:		\$350.00
Count 3:		\$400.00
Total		\$1,100.00

In addition, for violation of counts 1, 2 and 3, the board requires **Create An Image Corporation** have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Giesen, Middleton, Murrow, Oliver, Vander Pol, Sumpter, Smith, Tomlin, Walton, Williams and Walker.**

**In the matter of Disciplinary File Number 2011-03458, Create An Image Corporation (Respondent);** the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference (IFF) and the recommendation.

**File Number  
2011-03458  
Create An Image Corporation**

**Create An Image Corporation (Respondent)** did not appear at the IFF in person or by counsel or by any other qualified representative. **William Roberts** on behalf of **Create An Image Corporation** attended the Board meeting.

The presiding Board representative **Mr. Pace** was not present, did not participate in the discussion and did not vote.

After discussion and agreement from the respondent and complainant, a motion was made by **Mr. Dyer** and seconded by **Mr. Gelardi** 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 that **Create An Image Corporation** violated the following of its Regulations.

Effective February 1, 2006		
Count 1:	18 VAC 50-22-260 B28	
Count 2:	18 VAC 50-22-260 B 13	

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Giesen, Middleton, Murrow, Oliver, Vander Pol, Sumpter, Smith, Tomlin, Walton, Williams and Walker.**

After further discussion, a motion was made by **Mr. Gelardi** and seconded by **Mr. Giesen** to impose the following sanctions for the violation of the regulations.

Count 1:		\$1,000.00
Count 2:		\$2,500.00
Total		\$3,500.00
In addition, for violation of counts 1, and 2, the board imposes revocation of license 2705-133670.		

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Giesen, Middleton, Murrow, Oliver, Vander Pol, Sumpter, Smith, Tomlin, Walton, Williams and Walker.**

**In the matter of Disciplinary File Number 2011-03660 David Parks (Respondent);** the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference (IFF) and the recommendation.

**File Number  
2011-03660  
David Parks**

**David Parks (Respondent)** did not appear at the IFF meeting in person or by counsel or by any other qualified representative. **Parks** did attend the Board meeting. He addressed the Board.

The presiding Board representative **Mr. Pace** was not present and did not vote.

After discussion, a motion was made by **Mr. Sumpter** and seconded by **Mr. Gelardi** 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 that **David Parks**, violated the following sections of its Regulations:

Effective January 9, 1999		
Count 1:	18 VAC 50-30-190	Two violations

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Giesen, Middleton, Murrow, Oliver, Vander Pol, Sumpter, Smith, Tomlin, Walton, Williams and Walker.**

After discussion a motion was made by **Mr. Sumpter** and seconded by **Mr. Gelardi** to impose the following sanctions.

Count 1		\$1,000.00
Total		\$1,000.00

In addition, for violation of Count 1, the Board voted to require **Parks** have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the effective date of the order.

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Giesen, Middleton, Murrow, Oliver, Vander Pol, Sumpter, Smith, Tomlin, Walton, Williams and Walker.**

**In the matter of Disciplinary File Number 2011-02723 Areopagus Construction LLC (Respondent);** the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference (IFF) and the recommendation.

**File Number**  
**2011-02723**  
**Areopagus Construction LLC**

**John Muse and Attorney George Dygert for Areopagus Construction LLC (Respondent);** did appear at the IFF. **They** did attend the Board meeting in person. **Attorney Dygert** addressed the board and shared his client’s disagreement. He also requested that the Board will hold off determining its order until the court of appeals rules. Attorney Dygert also noted that Board counsel is aware of the appeal case and is involved with it. Attorney Dygert and his client also shared that they willingly waive their 90 day right.

The presiding Board representatives **Mr. Pace and Mrs. Wood** were not present and did not vote.

After discussion, a motion was made by **Mr. Walton** and seconded by **Mr. Williams** to hold off making a decision until the appeal case is completed and the Board has received the ruling of the court.

**The motion passed by majority vote.**

Members voting “No” were: **Walker, Vander Pol, Murrow, Sumpter, and Dyer.**

Members voting “Yes” were: **Dowdy, Gelardi, Giesen, Middleton, Smith, Tomlin, Walton, Oliver and Williams.**

**In the matter of Disciplinary File Number 2011-03301 Leroy Vaughan Jr, t/a**

**File Number**

**Corner Stone Builders (Respondent);** the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference (IFF) and the recommendation.

**2011-03301  
Leroy Vaughan Jr, t/a  
Corner Stone Builders**

**Leroy Vaughan Jr. (Respondent);** did appear at the IFF. **Leroy Vaughan , Jr.** did attend the Board. He addressed the Board. He shared his disagreement with the recommendations. **Allen Gordon Attorney and Barbara Price (Complainant)** attended the IFF and the Board meeting. **Attorney Gordon** addressed the Board on behalf of his client.

The presiding Board representatives **Mr. Smith and Mr. Gelardi** were not present and did not vote. **Mr. Middleton chaired this case.**

After discussion, a motion was made by **Mr. Sumpter** and seconded by **Mr. Dyer** 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 that **Leroy Vaughan Jr. ,** violated the following sections of its Regulations:

Effective September 1, 2001		
Count 1:	18 VAC 50-22-260 B 18	
Count 2:	18 VAC 50-22-260 B 6	
Count 3:	18 VAC 50-22-260 B 31	
Count 4:	18 VAC 50-22-260 B 14	

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Dowdy, Giesen, Middleton, Murrow, Oliver, Vander Pol, Sumpter, Pace, Tomlin, Walton, Williams and Walker.**

After discussion a motion was made by **Mr. Sumpter** and seconded by **Mr. Dyer** to impose the following sanctions.

Count 1		\$800.00
Count 2		\$800.00
Count 3		\$400.00
Count 4		\$1,800.00
Total		\$3,800.00

In addition, for violation of Counts 1 and 2 and 3, the Board voted to require **Leroy Vaughan, Jr,** have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the effective date of the order. The Board imposes revocation of license due to the violation of Count 4.

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Dowdy,**

**Giesen, Middleton, Murrow, Oliver, Vander Pol, Sumpter, Pace, Tomlin, Walton, Williams and Walker.**

**In the matter of Disciplinary File Number 2010-06031 Julius Burchette, t/a Busy Bee Construction (Respondent);** the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference (IFF) and the recommendation.

**File Number  
2010-06031  
Julius Burchette, t/a Busy Bee  
Construction**

**Julius Burchette, t/a Busy Bee Construction (Respondent);** did not appear at the IFF in person or by counsel or by any other qualified representative. **Julius Burchette** did not attend the Board meeting in person or by counsel or by any other qualified representative.

The presiding Board representatives **Mr. Sumpter and Mr. Pace** were not present and did not vote.

After discussion, a motion was made by **Mr. Williams** and seconded by **Mr. Gelardi** 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 that **Julius Burchette** violated the following sections of its Regulations:

	February 1, 2006	
Count 1:	18 VAC 50-22-260 B 9	
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 16	

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Giesen, Middleton, Murrow, Oliver, Vander Pol, Pace, Smith, Tomlin, Walton, Williams and Walker.**

After discussion a motion was made by **Mr. Williams** and seconded by **Mr. Gelardi** to adopt the recommendation and impose the following sanctions.

Count 1		\$500.00
Count 2:		\$1,000.00
Count 3:		\$2,000.00
Count 4		\$2,500.00
Total		\$6,000.00

In addition, for violation of Counts 1, 2, and 3, the Board voted to require **Julius Burchette** have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of effective date of this Order. The Board also voted to revoke license 2705-069333.

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Giesen, Middleton, Murrow, Oliver, Vander Pol, Pace, Smith, Tomlin, Walton, Williams and Walker.**

**In the matter of Disciplinary File Number 2011-02391 Larry Gardner t/a L D Gardner Home Improvement (Respondent);** the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference (IFF) and the recommendation.

**File Number**  
**2011-02391**

**Larry Gardner t/a L D  
Gardner Home Improvement**

**Larry Gardner t/a L D Gardner Home Improvement (Respondent);** did appear at the IFF. **Gardner** did attend the Board meeting. He addressed the Board and shared his disagreement with the recommendation.

The presiding Board representative **Mr. Sumpter** was not present and did not vote.

After discussion, a motion was made by **Mr. Middleton** and seconded by **Mr. Dyer** 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 and amend the Recommendations to close the case with a finding of no violations.

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Dowdy, Gelardi, Giesen, Middleton, Murrow, Oliver, Vander Pol, Pace, Smith, Tomlin, Walton, Williams and Walker.**

**In the matter of Disciplinary File Number 2011-02450 Southern Landscaping and Construction Inc (Respondent);** the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference (IFF) and the recommendation.

**File Number**  
**2011-02450**

**Southern Landscaping and  
Construction, Inc.**

**Walter Bloxom, for Southern Landscaping and Construction, Inc. (Respondent);** did not appear at the IFF. **Walter Bloxom** did attend the Board meeting. He addressed the Board and requested another Informal Fact-Finding meeting as he has additional information to present that will directly affect the Board’s decision.

The presiding Board representative **Mr. Sumpter** was not present and did not vote.

After discussion, a motion was made by **Mr. Williams** and seconded by **Mr. Walton** to remand the case back to an Informal Fact-finding in order that the Respondent may present new evidence for consideration.

The motion passed by majority vote. Members voting “Yes” were: **Dowdy, Pace, Walker, Giesen, Gelardi, Oliver, Smith, Middleton, Murrow, Tomlin, and Williams.**

Members voting “No” were: **Dyer, Vander Pol, and Walton.**

**In the matter of Disciplinary File Number 2011-03263 Southern Landscaping and Construction Inc (Respondent);** the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference (IFF) and the recommendation.

**File Number  
2011-03263  
Southern Landscaping and  
Construction, Inc.**

**Walter Bloxom, for Southern Landscaping and Construction, Inc. (Respondent);** did not appear at the IFF. **Walter Bloxom** did attend the Board meeting. He addressed the Board and requested another Informal Fact-Finding meeting as he has additional information to present that will directly affect the Board’s decision.

The presiding Board representative **Mr. Sumpter** was not present and did not vote.

After discussion, a motion was made by **Mr. Williams** and seconded by **Mr. Walton** to remand the case back to an Informal Fact-finding in order that the Respondent may present new evidence for consideration.

The motion passed by majority vote. Members voting “Yes” were: **Dowdy, Pace, Walker, Giesen, Gelardi, Oliver, Smith, Middleton, Murrow, Tomlin, and Williams.**

**In the matter of Disciplinary File Number 2011-00276 Mario A Ramirez, t/a M & M Painting And Renovations Co (Respondent);** the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference (IFF) and the recommendation.

**File Number  
2011-00276  
Mario A Ramirez, t/a M & M  
Painting And Renovations Co**

**Mario A Ramirez, t/a M & M Painting And Renovations Co (Respondent);** did not appear at the IFF. **Mario A Ramirez** did not attend the Board meeting in person or by counsel or by any other qualified representative.

The presiding Board representatives **Mrs. Tomlin and Mrs. Wood** were not present and did not vote.

After discussion, a motion was made by **Mr. Gelardi** and seconded by **Mr. Dyer** 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 an amended Recommendation. The Board found that **Mario a**

**Ramirez** violated the following sections of its Regulations:

Effective February 1, 2006		
Count 1:	18 VAC 50-22-260 B 16	

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Dowdy, Pace, Walker, Vander Pol, Murrow, Sumpter, Giesen, Gelardi, Smith, Walton, Middleton, Oliver and Williams.**

After discussion a motion was made by **Mr. Sumpter** and seconded by **Mr. Williams** to impose the following sanctions.

Count 1		\$1,000.00
Total		\$1,000.00

The Board also imposes the following sanctions: Stay of the imposition of license revocation a placing Mario A Ramirez’s license on Probation for a period of one year subject to the following conditions: A member of Responsible Management must successfully complete a Board-approved remedial education class by April 30, 2012; and Ramirez shall provide evidence acceptable to the Board on or before April 30, 2012 that he has repaid Sabapathy in full as outlined in the payment agreement.

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Dowdy, Pace, Walker, Vander Pol, Murrow, Sumpter, Giesen, Gelardi, Smith, Walton, Middleton, Oliver and Williams.**

**In the matter of Disciplinary File Number 2011-01507 Lecas Services LLC (Respondent);** the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference (IFF) and the recommendation.

**File Number**  
**2011-01507**  
**Lecas Services LLC**

**Lecas Services LLC (Respondent);** did not attend the Informal Fact-finding meeting or the Board meeting in person by counsel or by any other qualified representative.

The presiding Board representative **Mr. Walton** was not present and did not vote.

After discussion, a motion was made by **Mr. Middleton** and seconded by **Mr. Gelardi** to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and adopts the Summary, in part. The Report of Findings and Summary are incorporated as part of the file.

Effective February 1, 2006		
Count 1:	18 VAC 50-22-260 B 9	

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Count 2:	18 VAC 50-22-260 B 31	
Count 3	18 VAC 50-22-260 B 13	
Count 4	18 VAC 50-22-230 B	

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Dowdy, Pace, Walker, Vander Pol, Murrow, Sumpter, Giesen, Gelardi, Smith, Tomlin, Middleton, Oliver and Williams.**

After further discussion **Mr. Middleton** offered a motion seconded by **Mr. Gelardi** to impose the following sanctions,

Count 1	\$500.00	
Count 2	\$100.00	
Count 3	\$2,000.00	
Count 4	\$500.00	
Total		\$3,100.00

In addition, for violation of count 1, 2 and 4, the Board voted to require **Lecas Services LLC** have a member of Responsible Management, successfully complete a Board-approved remedial education class with 90 days of the order. The Board also voted to suspend the license for six months.

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Dowdy, Pace, Walker, Vander Pol, Murrow, Sumpter, Giesen, Gelardi, Smith, Tomlin, Middleton, Oliver and Williams.**

**In the matter of Disciplinary File Number 2011-02487, Darryl & David Blankenship, t/a Blankenship Concrete Finishers,** the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference (IFF) and the recommendation.

**File Number**  
**2011-02487**

**Darryl & David Blankenship,**  
**t/a Blankenship Concrete**  
**Finishers**

**Darryl & David Blankenship (Respondents)** did not appear at the Informal Fact Finding Meeting or the Board in person or by counsel or by any other qualified representative.

The presiding Board representative **Mr. Walton** was not present and did not vote.

After discussion, a motion was made by **Mr. Sumpter** and seconded by **Mr. Williams** to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and adopts the Summary, in part. The Report of Findings and Summary are incorporated as part of the file.

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Effective February 1, 2006		
Count 1:	18 VAC 50-22-260 B 9	
Count 2:	18 VAC 50-22-260 B 13	

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Dowdy, Pace, Walker, Vander Pol, Murrow, Gelardi, Giesen, Sumpter, Smith, Tomlin, Middleton and Williams.**

**Board member Oliver recused himself.**

After further discussion **Mr. Gelardi** offered a motion seconded by **Mr. Sumpter** to impose the following sanctions:

Count 1	\$500.00	
Count 2	\$1,500.00	
Total		\$2,000.00

In addition, for violation of count 1, the Board voted to require **Darryl and David Blankenship** have a member of Responsible Management, successfully complete a Board-approved remedial education class with 90 days of the order. The Board also voted to revoke the license 2705-05991.

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Dowdy, Pace, Walker, Vander Pol, Murrow, Sumpter, Gelardi, Giesen, Middleton, Tomlin, Smith and Williams.**

**Board member Oliver recused himself.**

**In the matter of Disciplinary File Number 2011-01851, JMB Contracting LLC;** the Board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference (IFF) and the recommendation.

**File Number**  
**2011-01851**  
**JMB Contracting LLC**

**Jorge Baez on behalf of JMB Contracting LLC (Respondent);** did attend the IFF. **Baez** also attended the Board meeting. He addressed the Board and shared his disagreement with the recommendation.

The presiding Board representatives **Mr. Walton and Mr. Murrow** were not present and did not vote.

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Sumpter** to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and adopts the Summary, in part. The Report of

Findings and Summary are incorporated as part of the file.

Effective February 1, 2006		
Count 1:	18 VAC 50-22-260 B 15	
Count 2:	18 VAC 50-22-260 B 28	

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Dowdy, Pace, Walker, Vander Pol, Giesen, Middleton, Tomlin, Smith, Gelardi, Sumpter, Oliver and Williams.**

After further discussion **Mr. Dyer** offered a motion seconded by **Mr. Sumpter** to impose the following sanctions, **Mr. Williams** offered a counter motion to include a six month suspension on the license. This motion failed due to lack of a second.

Count 1	\$2,000.00	
Count 2	\$1,000.00	
Total		\$3,000.00

In addition, for violation of count 1 and 2, the Board voted to revoke the license 2705-126901.

The motion passed by unanimous vote. Members voting “Yes” were: **Dyer, Dowdy, Pace, Walker, Vander Pol, Giesen, Middleton, Tomlin, Smith, Gelardi, Sumpter, Oliver and Williams.**

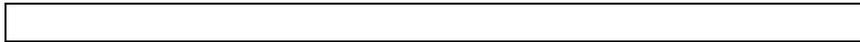
**In the matter of Consent Order File Number 2011-02322 Board v. Floyd McNeelly Gibbs, III**; the Board reviewed the Consent Order. Incorporated in the Consent Order is the **2011-02322** findings, which contain facts regarding the regulatory and/or statutory issues in this matter.

**Floyd McNeelly Gibbs, III**  
**Floyd McNeelly Gibbs, III, t/a**  
**Floyd McNeelly Gibbs, III**

Mr. Floyd McNeelly Gibbs, III attended the Board meeting and addressed the Board.

**Floyd McNeelly Gibbs, III**, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board 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 50-22-260 B 27	\$200.00
Count 3:	18VAC 50-22-260. B 6	\$200.00
Board Costs		\$150.00
Total		\$750.00
Further for violation of Count 1, 2 and 3, <b>Floyd McNeelly Gibbs, III</b> agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		



Upon a motion by **Mr. Dyer** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with an unanimous vote: Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Smith, Sumpter, Tom Vander Pol, Walker, Walton and Williams.**

**In the matter of Consent Order File Number 2011-02009 Board v. Sears Home Improvement Products, Inc.;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, **2011-02009** contains the facts regarding regulatory and/or statutory issues in this matter.

**Sears Home Improvement Products, Inc.**

Mr. Mark Henrikson attended the Board meeting and addressed the Board.

**Sears Home Improvement Products, 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 29 (2 violations at \$600.00 each)	\$1,200.00
Count 2:	18 VAC 50-22-260.B.6 (2 violations at \$800.00 each)	\$1,600.00
Board Costs		\$150.00
Total		\$2,950.00
Further, <b>Sears Home Improvement Products, Inc.</b> agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Dyer** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with an unanimous vote: Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Smith, Sumpter, Tom Vander Pol, Walker, Walton and Williams.**

**In the matter of Consent Order File Number 2011-03664 Board v. The Log Doctor, Inc.;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the **2011-03664** regarding the regulatory and statutory issues in this matter.

**The Log Doctor, Inc.**

Mr. Michael Snow attended the Board meeting and addressed the Board.

**The Log Doctor, 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	\$350.00
Count 2:	18 VAC 50-22-260. B 6	\$750.00
Board Costs		\$150.00
Total		\$1,125.00
In addition, for violation of Counts 1 and 2, <b>The Log Doctor, Inc.</b>		

agrees to have a member of Responsible Management successfully complete remedial education within ninety days of the effective of this order.

Upon a motion by **Mr. Middleton** seconded by **Mr. Dowdy**, the Board ratified the Consent Order with an unanimous vote. Members voting "Yes" were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Smith, Sumpter, Tom Vander Pol, Walker, Walton and Williams.**

**In the matter of Consent Order File Number 2011-04179 Board v. Blackwood Construction Group, Inc.;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings 2011-04179. **Blackwood Construction Group, Inc.** maintains the facts regarding regulatory and/or statutory issues in this matter.

**Blackwood Construction Group, 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	\$650.00
Count 2:	18 VAC 50-22-260 B 17	\$1,750.00
Count 3:	18 VAC 50-22-260 B 6 (3 violations at \$750.00 each)	\$2,250.00
Count 4:	18 VAC 50-22-260 B 5	\$1,300.00
Board Costs		\$ 150.00
Total		\$6,100.00

In addition, for the violation of Count 3, **Blackwood Construction Group** agrees to a two (2) years probation of its license as of the effective date of this order. During this two (2) years probation, Blackwood Construction Group agrees to not be in violation of any rules and regulations of the Board for Contractors for transactions occurring after the effective date of this order.

If Blackwood Construction Group violates any terms of this probation, its license shall be automatically revoked. Blackwood Construction Group understands the right to have this revocation considered in an informal fact finding conference and/or formal hearing under Sections 2.2-4019, 2.2-4020, and 2.2-4021 of the Code of Virginia, and knowingly and voluntarily waives any rights to these proceedings.

Further, for violation of Count 1, Blackwood Construction Group Inc. agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

Upon a motion by **Mr. Williams** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with an unanimous vote. Members voting "Yes" were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Smith, Sumpter, Tom Vander Pol, Walker, Walton and Williams.**

**In the matter of Consent Order File Number 2011-03698 Board v. W m Jordan Company, Inc.;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number  
 2011-03698  
 W M Jordan Company, Inc.**

Mr. James Burnette and Mr. Scot Sutton attended the Board meeting and addressed the Board.

Upon a motion by **Mr. Middleton** seconded by **Mr. Williams**, the Board, by unanimous vote, tabled this case in order for staff to obtain additional information. Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Smith, Sumpter, Tomlin, Vander Pol, Walker, Walton and Williams.**

After further discussion and upon a motion by **Mr. Oliver** seconded by **Mr. Williams**, the Board voted to remand this case to an Informal Fact Finding Conference (IFF). The motion passed with an unanimous vote: **Members voting “Yes” were: Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Smith, Sumpter, Tomlin, Vander Pol, Walker, Walton and Williams.**

**In the matter of Consent Order File Number 2011-03591 Board v. John M Skelly**; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding regulatory and/or statutory issues in this matter.

**File Number  
 2011-03591  
 John M Skelly, t/a Skelly  
 Construction**

Mr. John M Skelly attended the Board meeting and addressed the Board.

**John M Skelly, t/a Skelly Construction.**, acknowledges an understanding of the charges and hereby admits to the violation 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 26	\$650.00
Count 3:	18 VAC 50-22-260 B 5	\$2,000.00
Board Costs		\$150.00
Total		\$3,150.00

Further, for violation of Counts 1 and 2, **John M Skelly** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

In addition, for violation of Count 3, John M Skelly agrees to an eighteen (18) months probation of his license as of the effective date of this order. During this eighteen (18) months probation, John M Skelly agrees to not be in violation of any rules and regulations of the Board for Contractors for transactions occurring after the effective date of this order.

If John M Skelly violates any terms of this probation, his license shall be automatically revoked. John M Skelly understands the right to have this revocation considered in an informal fact-finding conference and/or formal hearing under Sections 2.2-4019, 2.2-4020 and 2.2-4021 of the Code of Virginia, and knowingly and voluntarily waives any rights to these proceedings.

Upon a motion by **Mr. Gelardi** seconded by **Mr. Vander Pol**, the Board ratified the Consent Order with an unanimous vote. Members voting "Yes" were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Smith, Sumpter, Tom Vander Pol, Walker, Walton and Williams.**

**In the matter of Consent Order File Number 2010-05669 Board v. American Timberland Company;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding regulatory and/or statutory issues in this matter.

**American Timberland Company**

**American Timberland Company**, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 9	\$350.00
Count 2:	18 VAC 50-22-260 B 31	\$300.00
Count 3:	18 VAC 50-22-260 B 13	\$600.00
Board Costs		\$150.00
Total		\$1,400.00

Further, for violation of Counts 1 through 3, **American Timberland Company** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.

Upon a motion by **Mr. Williams** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with an unanimous vote. Members voting "Yes" were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Smith, Sumpter, Tom Vander Pol, Walker, Walton and Williams.**

**In the matter of Consent Order File Number 2011-01220 Board v. Castle Rock Homes, Inc.;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number  
2011-01220  
Castle Rock Homes Inc.**

**Castle Rock Homes, Inc.**, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 31	\$400.00
Board Costs		\$150.00
Total		\$550.00
Further, for violation of Count 1, <b>Castle Rock Homes, Inc.</b> agrees		

to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this order.

Upon a motion by **Mr. Williams** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with an unanimous vote: Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Smith, Sumpter, Tomlin, Vander Pol, Walker, Walton and Williams.**

**In the matter of Consent Order File Number 2011-01250 Board v. Ronald Thomas Lee, t/a Home Design & Remodeling;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**Ronald Thomas Lee, t/a  
Home Design & Remodeling**

**Ronald Thomas Lee t/a Home Design & Remodeling**, acknowledges an understanding of the charges and hereby admits 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	\$100.00
Board Costs		\$150.00
Total		\$250.00

Further, **Ronald Thomas Lee** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety (90) days of the effective date of this order.

Upon a motion by **Mr. Williams** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with an unanimous vote: Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Smith, Sumpter, Tomlin, Vander Pol, Walker, Walton and Williams.**

**In the matter of Consent Order File Number 2011-02659 Board v. Pulte Home Corporation;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**Pulte Home Corporation**

**Pulte Home Corporation**, 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	\$600.00
Board Costs		\$150.00
Total		\$2,450.00

Further, for violation of Count 1, **Pulte Home Corporation** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.

Upon a motion by **Mr. Williams** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with an unanimous vote: Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Smith, Sumpter, Tom Vander Pol, Walker, Walton and Williams.**

**In the matter of Consent Order File Number 2011-02716 Alan C. Buchanan, t/a A & G Developers**, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, ~~2011-02716~~ contains the facts regarding the regulatory and/or statutory issues in this matter.

**Alan C. Buchanan, t/a  
 A & G Developers**

**Alan G. Buchanan, t/a A & G Developers**, acknowledges an understanding of the charges and hereby admits to violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-230	\$150.00
Count 2:	18 VAC 50-22-260 B 9	\$300.00
Count 3:	18 VAC 50-22-260 B 29	\$600.00
Count 4:	18 VAC 50-22-260 B 31	\$ 400.00
Board Costs		\$150.00
Total		\$1,600.00
Further, <b>Alan C Buchanan</b> agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Williams** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with an unanimous vote: Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Smith, Sumpter, Tom Vander Pol, Walker, Walton and Williams.**

**In the matter of Consent Order File Number 2011-02930 Board v. Ottie Young, t/a Young’s Enterprises**, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, ~~2011-02930~~ contains the facts regarding the regulatory and/or statutory issues in this matter.

**Ottie Young, t/a Young’s  
 Enterprises**

**Ottie Young, t/a Young’s Enterprises** 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
Board Costs		\$150.00
Total		\$450.00
Further, for violation of Count 1, <b>Ottie Young</b> agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.		

Upon a motion by **Mr. Williams** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with an unanimous vote: Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Smith, Sumpter, Tom Vander Pol, Walker, Walton and Williams.**

**In the matter of Consent Order File Number 2011-03059 Board v. Angie's Remodeling, Inc.**, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the Board's findings regarding the regulatory and/or statutory issues in this matter. **Angie's Remodeling, Inc.**

**Angie's Remodeling, Inc.**, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 26	\$500.00
Count 2:	18 VAC 50-22-260 B 6	\$500.00
Count 3:	18 VAC 50-22-260 B 15 (two violations at \$1,250.00 each)	\$2,500.00
Board Costs		\$150.00
Total		\$3,650.00

In addition, for violation of Count 3, **Angie's Remodeling, Inc.** agrees to revocation of its license.

The Board shall waive imposition of the \$2,500.00 monetary penalty and license revocation for Count 3 provided Angie's Remodeling, Inc. completes the work outlined in the Agreement dated May 13, 2011, and provides the Board with proof of completion within ninety (90) days of the effective date of this Order. If Angie's Remodeling, Inc. fails to comply with these conditions, then the full monetary penalty and license revocation will be automatically imposed.

Further, Angie's Remodeling, Inc. agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

Upon a motion by **Mr. Williams** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with an unanimous vote: Members voting "Yes" were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Smith, Sumpter, Tom Vander Pol, Walker, Walton and Williams.**

**In the matter of Consent Order File Number 2011-03077 Board v. Village Concrete, Inc.**, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the Board's findings regarding the regulatory and/or statutory issues in this matter. **Village Concrete, Inc.**

**Village Concrete, Inc.**, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 8	\$350.00
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Count 2:	18 VAC 50-22-260 B 9	\$350.00
Count 3:	18 VAC 50-22-260 B 31	\$400.00
Board Costs		\$150.00
Total		\$1,250.00
In addition, for violation of Counts 1 - 3, <b>Village Concrete, Inc.</b> agrees to have a member of Responsible Management successfully complete remedial education within ninety days of the effective date of this order.		

Upon a motion by **Mr. Williams** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with an unanimous vote: Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Smith, Sumpter, Tom Vander Pol, Walker, Walton and Williams.**

**In the matter of Consent Order File Number 2011-03119 Board v. L & S Builders, Inc.** The Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and statutory issues in this matter.

**L & S Builders, Inc.**

**L & S Builders, Inc.** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 8 (2 violations: 1 violation at \$350.00 and 1 violation at \$150.00)	\$500.00
Count 2:	18 VAC 50-22-260 B 11	\$300.00
Count 3:	18 VAC 50-22-260 B 6	\$500.00
Board Costs		\$150.00
Total		\$1,450.00
Further, L & S Builders, Inc. agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Williams** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with an unanimous vote: Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Smith, Sumpter, Tom Vander Pol, Walker, Walton and Williams.**

**In the matter of Consent Order File Number 2011-03166 Board v. Beitzell Fence Co.,** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number  
2011-03166  
Beitzell Fence Co.**

**Beitzell Fence Co.,** 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:

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Count 1:	18 VAC 50-22-260 B 9	\$350.00
Count 2:	18 VAC 50-22-260 B 6	\$750.00
Board Costs		\$150.00
Total		\$1,250.00
Further, for violation of Counts 1 and 2, <b>Beitzell Construction, Inc.</b> agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.		

Upon a motion by **Mr. Williams** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with an unanimous vote: Members voting "Yes" were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Smith, Sumpter, Tomlin, Vander Pol, Walker, Walton and Williams.**

**In the matter of Consent Order File Number 2011-03259 Board v. EJM General Contractor LLC**, and the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number**  
**2011-03259**  
**EJM General Contractor**  
**LLC**

**EJM General Contractor 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 22	\$0.00
Count 2:	18 VAC 50-22-260 B 23	\$450.00
Board Costs		\$150.00
Total		\$600.00
Further, <b>EJM General Contractor LLC</b> , agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Williams** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with an unanimous vote: Members voting "Yes" were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Smith, Sumpter, Tomlin, Vander Pol, Walker, Walton and Williams.**

**In the matter of Consent Order File Number 2011-03265 Board v. Gary Knighting, Inc.**, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number**  
**2011-03265**  
**Gary Knighting, Inc.**

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**Gary knighting, 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 (two violations at \$650.00 each)	\$1,300.00
Count 2:	18 VAC 50-22-260 B 22	\$ 0.00
Count 3:	18 VAC 50-22-260 B 23 (two violations)	\$700.00
Board Costs		\$150.00
Total		\$2,150.00
Further, <b>Gary Knighting, Inc.</b> agrees to have a member of responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Williams** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with an unanimous vote: Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Smith, Sumpter, Tomlin, Vander Pol, Walker, Walton and Williams.**

**In the matter of Consent Order File Number 2011-03429 Board v. New Vision Pool Construction LLC**, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number  
2011-03429  
New Vision Pool  
Construction LLC**

**New vision Pool 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 50-22-220 B 2	\$1,500.00
Board Costs		\$150.00
Total		\$1,650.00
In addition, for violation of Count 1, New Vision Pool Construction LLC agrees to three (3) years probation of its license as of the effective date of this order. During this three (3) years probation, New Vision Pool Construction LLC agrees to: Not be in violation of any rules and regulations of the Board for Contractors for transactions occurring after the effective date of this order.		
If New Vision Pool Construction LLC violates any terms of this probation, its license shall be automatically revoked. New Vision		

Pool Construction LLC understands the right to have this revocation considered in an informal fact-finding conference and/or formal hearing under Sections 2.2-4019, 2.2-4020, and 2.2-4021 of the Code of Virginia, and knowingly and voluntarily waives any rights to these proceedings.

Upon a motion by **Mr. Williams** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with an unanimous vote: Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Smith, Sumpter, Tomlin, Vander Pol, Walker, Walton and Williams.**

**In the matter of Consent Order File Number 2011-03475 Board v. Richmond Housing Opportunities, Inc.**, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number  
2011-03475  
Richmond Housing  
Opportunities, Inc.**

**Richmond Housing Opportunities, 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 29	\$1,000.00
Count 2:	18 VAC 50-22-260 B 6	\$1,250.00
Count 3:	18 VAC 50-22-260 B 31	\$800.00
Count 4:	18 VAC 50-22-260 B 6	\$1,250.00
Board Costs		\$150.00
Total		\$4,450.00

In addition, for violation of Count 4, **Richmond Housing Opportunities, Inc.** agrees to six (6) months probation of its license as of the effective date of this order. During this six (6) months probation, Richmond Housing Opportunities, Inc. agrees to:

1. Not be in violation of any rules and regulations of the Board for Contractors for transactions occurring after the effective date of this order;
2. Not be involved in any lawsuits that arise from conduct related to its licensure with the Board/Department; and
3. Not be in violation of any local, state or federal laws or regulations.

If Richmond Housing Opportunities, Inc. violates any terms of this probation, its license shall be automatically suspended until such time as there is complete satisfactory compliance. Richmond Housing Opportunities, Inc. understands the right to have this

suspension considered in an informal fact-finding conference and/or formal hearing under Sections 2.2-4019, 2.2-4020 and 2.2-4021 of the Code of Virginia, and knowingly and voluntarily waives any rights to these proceedings.

Further, Richmond Housing Opportunities, Inc. agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

Upon a motion by **Mr. Williams** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with an unanimous vote: Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Smith, Sumpter, Tomlin, Vander Pol, Walker, Walton and Williams.**

**In the matter of Consent Order File Number 2011-03511 Board v. Granitech, Inc.**, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number**  
**2011-03511**  
**Granitech, Inc.**

**Granitech, 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	\$50.00
Count 2:	18 VAC 50-22-260 B 6	\$750.00
Count 3:	18 VAC 50-22-260 B 27	\$650.00
Count 4:	18 VAC 50-22-260 B 31	\$400.00
Board Costs		\$150.00
Total		\$2,000.00

In addition, for violation of Counts 2 and 3, **Granitech, Inc.** agrees to a one (1) year probation of its license as of the effective date of this order. During this one (1) year probation, Granitech, Inc. agrees to not be in violation of any rules and regulations of the Board for Contractors for transactions occurring after the effective date of this order.

If Granitech, Inc. violates any terms of this probation, its license shall be automatically revoked. Granitech, Inc. understands the right to have this revocation considered in an informal fact-finding conference and/or formal hearing under Sections 2.2-4019, 2.2-4020 and 2.2-4021 of the Code of Virginia, and knowingly and voluntarily waives any rights to these proceedings.

Further, for violation of Counts 1 – 4, Granitech, Inc. agrees to

have a member of Responsible Management successfully complete remedial education within ninety (90) days of the effective date of this order.

Upon a motion by **Mr. Williams** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with an unanimous vote: Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Smith, Sumpter, Tomlin, Vander Pol, Walker, Walton and Williams.**

**In the matter of Consent Order File Number 2011-03515 Board v. Christopher Michael Dunn, t/a Mike’s Construction**, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number  
2011-03515  
Christopher Michael Dunn,  
t/a Mike’s Construction**

**Christopher Michael Dunn**, 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

In addition, for violation of Count 1, **Christopher Michael Dunn** agrees to have a member of Responsible Management successfully complete remedial education with ninety days of the effective date of the order.

Upon a motion by **Mr. Williams** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with an unanimous vote: Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Smith, Sumpter, Tomlin, Vander Pol, Walker, Walton and Williams.**

**In the matter of Consent Order File Number 2011-03522 Board v. Steven W Setliff, t/a Steve’s Construction**, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number  
2011-03522  
Steven W Setliff, t/a  
Steve’s Construction**

**Steven W Setliff**, 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	\$650.00
Count 3:	18 VAC 50-22-260 B 27	\$650.00

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Board Costs		\$150.00
Total		\$1,800.00
In addition, for violation of Counts 1 and 3, <b>Steven W Setliff</b> agrees to have a member of Responsible Management successfully complete remedial education with ninety days of the effective date of the order.		

Upon a motion by **Mr. Williams** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with an unanimous vote: Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Smith, Sumpter, Tomlin, Vander Pol, Walker, Walton and Williams.**

**In the matter of Consent Order File Number 2011-03526 Board v. Dixon/Lee Development Group LLC**, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number  
2011-03526  
Dixon/Lee Development  
Group LLC**

**Dixon/Lee Development Group LLC**, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	§ 54.1-1110 of the Code of Virginia	\$0.00
Board Costs		\$500.00
Total		\$500.00
In addition, <b>Dixon/Lee Development Group LLC</b> agrees to have a member of Responsible Management successfully complete remedial education with ninety days of the effective date of the order.		

Upon a motion by **Mr. Williams** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with an unanimous vote: Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Smith, Sumpter, Tomlin, Vander Pol, Walker, Walton and Williams.**

**In the matter of Consent Order File Number 2011-03543 Board v. Victor E. Simms, t/a Simms Remodeling**, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number  
2011-03543  
Victor E. Simms, t/a Simms  
Remodeling**

**Victor E. Simms** 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:

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Count 1:	18 VAC 50-22-260 B 8	\$350.00
Count 2:	18 VAC 50-22-260 B 27	\$650.00
Count 3:	18 VAC 50-22-260 B 11	\$450.00
Board Costs		\$150.00
Total		\$1,600.00
In addition, <b>Victor E. Simms</b> agrees to have a member of Responsible Management successfully complete remedial education with ninety days of the effective date of the order.		

Upon a motion by **Mr. Williams** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with an unanimous vote: Members voting "Yes" were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Smith, Sumpter, Tomlin, Vander Pol, Walker, Walton and Williams.**

**In the matter of Consent Order File Number 2011-03551 Board v. Butler Technology Inc.**, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number**  
**2011-03551**  
**Butler Technology Inc.**

**Butler Technology 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	\$150.00
Count 2:	18 VAC 50-22-260 B 31	\$200.00
Board Costs		\$150.00
Total		\$500.00
In addition, for violation of Counts 1- 4, <b>Butler Technology Inc.</b> agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Williams** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with an unanimous vote: Members voting "Yes" were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Smith, Sumpter, Tomlin, Vander Pol, Walker, Walton and Williams.**

**In the matter of Consent Order File Number 2011-03575 Board v. Custom Renovations & Signs LLC**, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number**  
**2011-03575**  
**Custom Renovations & Signs LLC**

**Custom Renovations & Signs LLC**, acknowledges an understanding of the charges

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and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 9	\$ 100.00
Count 2:	18 VAC 50-22-260 B 6	\$1,000.00
Count 3:	18 VAC 50-22-260 B 17	\$1,000.00
Count 4:	18 VAC 50-22-260 B 27	\$1,500.00
Count 5:	18 VAC 50-22-260 B 27	\$1,500.00
Count 6:	18 VAC 50-22-260 B 6	\$1,000.00
Count 7:	18 VAC 50-22-260 B 28	\$ 500.00
Board Costs		\$ 150.00
Total		\$6,750.00

In addition, for violation of Counts 1 through 7, **Custom Renovations & Signs LLC** agrees to revocation of its license. (2705-131040)

Further, the Board shall waive imposition of the \$6,600.00 total monetary penalty and shall waive the imposition of the \$150.00 Board costs.

Also, Custom Renovations & Signs LLC agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

Upon a motion by **Mr. Williams** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with an unanimous vote: Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Smith, Sumpter, Tomlin, Vander Pol, Walker, Walton and Williams.**

**In the matter of Consent Order File Number 2011-03579 Board v. C L Sons Construction, Inc.**, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number**  
**2011-03579**  
**C L Sons Construction, Inc.**

**C L Sons 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 8	\$700.00
Count 2:	18 VAC 50-22-260 B 6	\$750.00
Count 3:	18 VAC 50-22-260 B 29	\$500.00
Count 4:	18 VAC 50-22-230 B	\$600.00
Board Costs		\$150.00
Total		\$2,700.00
In addition, for violation of Counts 1 – 4 C L Sons Constructions,		

Inc. agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

Upon a motion by **Mr. Williams** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with an unanimous vote: Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Smith, Sumpter, Tomlin, Vander Pol, Walker, Walton and Williams.**

**In the matter of Consent Order File Number 2011-03647 Board v. Charles M. Baird Construction, Inc.**, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number**  
**2011-03642**  
**Charles M. Baird**  
**Construction, Inc.**

**Charles M. Baird 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 8	\$350.00
Board Costs		\$150.00
Total		\$500.00
In addition, Charles M. Baird Construction, Inc. agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Williams** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with an unanimous vote: Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Smith, Sumpter, Tomlin, Vander Pol, Walker, Walton and Williams.**

**In the matter of Consent Order File Number 2011-03653 Board v. Jose Oliveria Carneiro, t/a Garcia & Son’s Concrete**, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number**  
**2011-03653**  
**Jose Oliveria Carneiro, t/a**  
**Garcia & Son’s Concrete**

**Jose Oliveria Carneiro**, 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	\$ 350.00
Count 2:	18 VAC 50-22-260 B 31	\$ 400.00
Count 3:	18 VAC 50-22-260 B 13	\$1,250.00
Board Costs		\$ 150.00
Total		\$2,150.00
In addition, for violation of Counts 1 – 2, <b>Jose Oliveria Carneiro</b>		

agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

Further, for violation of Count 3, Jose Oliveria Carneiro agrees to revocation of his license (2705-132657)

Upon a motion by **Mr. Williams** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with an unanimous vote: Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Smith, Sumpter, Tomlin, Vander Pol, Walker, Walton and Williams.**

**In the matter of Consent Order File Number 2011-03656 Board v. MGR Development Corporation, t/a European Homes of Albemarle**, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number**  
**2010-03656**  
**MGR Development Corporation, t/a European Homes of Albemarle**

**MGR Development Corporation**, 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 15	\$200.00
Board Costs		\$150.00
Total		\$650.00

In addition, for violation of Counts 1 – 2, **MGR Development Corporation** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

Upon a motion by **Mr. Williams** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with an unanimous vote: Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Smith, Sumpter, Tomlin, Vander Pol, Walker, Walton and Williams.**

**In the matter of Consent Order File Number 2011-03657 Board v. Amburco, Inc.** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number**  
**2011-03657**  
**Amburco, Inc.**

**Amburco, 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:

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Count 1:	18 VAC 50-22-230 A	\$250.00
Count 2:	18 VAC 50-22-260 B 9	\$350.00
Count 3:	18 VAC 50-22-260 B 10	\$300.00
Count 4:	18 VAC 50-22-260 B 6	\$250.00
Board Costs		\$150.00
Total		\$1,300.00

In addition, the Board shall waive imposition of the \$350.00 monetary penalty for Count 2 provided **Amburco, Inc.** provides a copy of its current contract within ninety (90) days of the effective date of this order. The contract must be in compliance with Board Regulation 18 VAC 50-22-260 B 9. If Amburco fails to comply with this condition, then the full monetary penalty will be automatically imposed.

Further, Amburco, Inc. agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

Upon a motion by **Mr. Williams** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with an unanimous vote: Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Smith, Sumpter, Tomlin, Vander Pol, Walker, Walton and Williams.**

**In the matter of Consent Order File Number 2011-03659 Board v. H F Bulifant & Sons, Inc.**, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number  
2011-03659  
H F Bulifant & Sons, Inc.**

**H F Bulifant & Sons, 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	\$ 100.00
Count 2:	18 VAC 50-22-260 B 31	\$1, 200.00
Board Costs		\$ 150.00
Total		\$1,450.00

In addition, **H F Bulifant & Sons, Inc.** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

Upon a motion by **Mr. Williams** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with an unanimous vote: Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Smith, Sumpter,**

**Tomlin, Vander Pol, Walker, Walton and Williams.**

**In the matter of Consent Order File Number 2011-03675 Board v. J & J Custom Builders, LLC**, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number**  
**2011-03675**  
**J & J Custom Builders, LLC**

**J & J Custom Builders, LLC**, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 9	\$350.00
Count 2:	18 VAC 50-22-260 B 14	\$2,000.00
Count 3:	18 VAC 50-22-260 B 6	\$2,000.00
Board Costs		\$150.00
Total		\$4,500.00
In addition, for violation of Counts 2 and 3, <b>J &amp; J Custom Builders, LLC</b> agrees to revocation of its license (2705-115702)		

Upon a motion by **Mr. Williams** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with an unanimous vote: Members voting "Yes" were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Smith, Sumpter, Tomlin, Vander Pol, Walker, Walton and Williams.**

**In the matter of Consent Order File Number 2011-03697 Board v. Gate Precast Company**, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number**  
**2011-03697**  
**Gate Precast Company**

**Gate Precast Company**, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 29	\$600.00
Board Costs		\$150.00
Total		\$750.00
In addition, for violation of Count 1, <b>Gate Precast Company</b> agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Williams** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with an unanimous vote: Members voting "Yes" were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Smith, Sumpter,**

**Tomlin, Vander Pol, Walker, Walton and Williams.**

**In the matter of Consent Order File Number 2011-03707 Board v. ARC Metal Fabricators, Inc.**, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number**  
**2011-03707**  
**ARC Metal Fabricators, Inc.**

**ARC Metal Fabricators, 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 13	\$1,250.00
Board Costs		\$150.00
Total		\$1,400.00
In addition, for violation of Counts 1, <b>ARC Metal Fabricators, Inc.</b> agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Williams** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with an unanimous vote: Members voting "Yes" were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Smith, Sumpter, Tomlin, Vander Pol, Walker, Walton and Williams.**

**In the matter of Consent Order File Number 2011-03710 Board v. Eastern Marine Construction, Inc.**, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number**  
**2011-03710**  
**Eastern Marine Construction, Inc.**

**Eastern Marine 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 8	\$150.00
Board Costs		\$150.00
Total		\$350.00

Upon a motion by **Mr. Williams** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with an unanimous vote: Members voting "Yes" were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Smith, Sumpter, Tomlin, Vander Pol, Walker, Walton and Williams.**

**In the matter of Consent Order File Number 2011-03714 Board v. Veliz Constructors, Inc.**, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the

**File Number**  
**2011-03714**  
**Veliz Constructors, Inc.**

regulatory and/or statutory issues in this matter.

**Veliz Contractors, 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	\$400.00
Board Costs		\$150.00
Total		\$550.00
<p>In addition, for violation of Count 1, <b>Veliz Contractors, Inc.</b> agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.</p>		

Upon a motion by **Mr. Williams** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with an unanimous vote: Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Smith, Sumpter, Tomlin, Vander Pol, Walker, Walton and Williams.**

**In the matter of Consent Order File Number 2011-03747 Board v. Charles Webb, t/a C R Webb Contractor**, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number  
 2011-03747  
 Charles Webb, t/a C R Webb  
 Contractor**

**Charles Webb**, 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	\$ 350.00
Count 2:	18 VAC 50-22-260 B 31	\$ 400.00
Count 3:	18 VAC 50-22-260 B 7	\$1,350.00
Count 4:	18 VAC 50-22-260 B 28	\$1,850.00
Board Costs		\$150.00
Total		\$4,100.00
<p>In addition, for violation of Counts 1 – 4, <b>Charles Webb</b> agrees to revocation of its license (2705-080363).</p> <p>Further, the Board shall waive imposition of the \$350.00, \$400.00, \$1,350.00 and \$1,850.00 monetary penalties for Counts 1, 2, 3, and 4 respectively.</p>		

Upon a motion by **Mr. Williams** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with an unanimous vote: Members voting “Yes” were: **Dowdy,**

**Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Smith, Sumpter, Tomlin, Vander Pol, Walker, Walton and Williams.**

**In the matter of Consent Order File Number 2011-03752 Board v. Stingray Construction, LLC**, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number**  
**2011-03752**  
**Stingray Construction, LLC**

**Stingray 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 9	\$0.00
Count 2:	18 VAC 50-22-260 B 6	\$0.00
Count 3:	18 VAC 50-22-260 B 27	\$0.00
Board Costs		\$0.00
Total		\$0.00

In addition, for violation of Counts 1 – 3, **Stingray Construction, LLC** agrees to revocation of its license (2705-114469).

Upon a motion by **Mr. Williams** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with an unanimous vote: Members voting "Yes" were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Smith, Sumpter, Tomlin, Vander Pol, Walker, Walton and Williams.**

**In the matter of Consent Order File Number 2011-03879 Board v. Macks Unlimited, Inc.**, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number**  
**2011-03879**  
**Macks Unlimited, Inc.**

**Macks Unlimited, 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	\$200.00
Count 2:	18 VAC 50-22-260 B 29	\$300.00
Board Costs		\$150.00
Total		\$650.00

Further, **Macks Unlimited, Inc.** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

Upon a motion by **Mr. Williams** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with an unanimous vote: Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Smith, Sumpter, Tomlin, Vander Pol, Walker, Walton and Williams.**

**In the matter of Consent Order File Number 2011-03898 Board v. Safe Zone Shelters, Inc.** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number  
 2011-03898  
 Safe Zone Shelters, Inc.**

**Safe Zone Shelters, 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 29	\$500.00
Board Costs		\$150.00
Total		\$1,400.00

Further, **Safe Zone Shelters, Inc.** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

Upon a motion by **Mr. Williams** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with an unanimous vote: Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Smith, Sumpter, Tomlin, Vander Pol, Walker, Walton and Williams.**

**In the matter of Consent Order File Number 2011-03937 Board v. Unlimited Renovations** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number  
 2011-03937  
 Unlimited Renovations**

**Unlimited Renovations**, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	§ 54.1-1110 of Code of Virginia	\$0.00
Board Costs		\$0.00
Total		\$0.00

In addition, for violation of Count 1, **Unlimited Renovations**

agrees to revocation of its license (2705-122476).

Upon a motion by **Mr. Williams** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with an unanimous vote: Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Smith, Sumpter, Tomlin, Vander Pol, Walker, Walton and Williams.**

**In the matter of Consent Order File Number 2011-03944 Board v. Corrie Glenn Thacker, t/a CGT Improvements** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number  
2011-03944  
Corrie Glenn Thacker, t/a  
CGR Improvements**

**Corrie Glenn Thacker**, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 18	\$800.00
Count 2:	18 VAC 50-22-260 B 8	\$350.00
Board Costs		\$150.00
Total		\$1,300.00

In addition, for violation of Counts 1 and 2, **Corrie Glenn Thacker, t/a CGT Improvements** agrees to have a member of Responsible Management successfully complete remedial education within ninety (90) days of the effective date of this order.

Upon a motion by **Mr. Williams** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with an unanimous vote: Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Smith, Sumpter, Tomlin, Vander Pol, Walker, Walton and Williams.**

**In the matter of Consent Order File Number 2011-04006 Board v. Moore Construction Group LLC**, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number  
2011-04006  
Moore Construction Group,  
LLC**

**Moore Construction Group 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:

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Count 1:	18 VAC 50-22-260 B 27 (2 violations at \$650.00 each)	\$1,300.00
Count 2:	18 VAC 50-22-260 B 6 (2 violations at \$750.00 each)	\$1,500.00
Board Costs		\$150.00
Total		\$2,950.00
Further, for violation of Counts 1 and 2, <b>Moore Construction Group LLC</b> agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Williams** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with an unanimous vote: Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Smith, Sumpter, Tomlin, Vander Pol, Walker, Walton and Williams.**

**In the matter of Consent Order File Number 2011-04027 Board v. John Mitchell, t/a Mitchell’s Home Improvement**, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number  
2011-04027  
John Mitchell, t/a  
Mitchell’s Home  
Improvement**

**John Mitchell**, 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 6	\$750.00
Board Costs		\$150.00
Total		\$1,200.00
It is noted that <b>John Mitchell</b> successfully completed the pre-license education course on February 24, 2011, to obtain his Class B license (No. 2705-138390).		

Upon a motion by **Mr. Williams** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with an unanimous vote: Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Smith, Sumpter, Tomlin, Vander Pol, Walker, Walton and Williams.**

**In the matter of Consent Order File Number 2011-04133 Board v. Smith Management Construction, Inc., t/a Smith Management Construction, Inc.**, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in

**File Number  
2011-04133  
Smith Management  
Construction, Inc.,**

this matter.

**Smith Management 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:

**t/a Smith Management Construction, Inc.**

Count 1:	18 VAC 50-22-260 B 28	\$0.00
Board Costs		\$150.00
Total		\$150.00

In addition, for violation of Count 1, Smith Management Construction, Inc. agrees to satisfy the judgment and provide the Board with proof of the satisfaction within one hundred eighty (180) days of the effective date of this order.

Further, Smith Management Construction, Inc. failure to satisfy the judgment will result in suspension of its license until proof that the judgment has been satisfied is presented to the Board.

Upon a motion by **Mr. Williams** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with an unanimous vote: Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Smith, Sumpter, Tomlin, Vander Pol, Walker, Walton and Williams.**

**In the matter of Consent Order File Number 2011-04221 Board v. Richard Craig Theisen, t/a A Appliance Repair**, the Board reviewed the Consent Order.

Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number**  
**2011-04221**

**Richard Craig Theisen, t/a**  
**A Appliance Repair**

**Richard Craig Theisen, t/a A Appliance Repair**, 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	\$300.00
Board Costs		\$150.00
Total		\$450.00

Further, for violation of Count 1, **Richard Craig Theisen** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

Upon a motion by **Mr. Williams** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with an unanimous vote: Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Smith, Sumpter, Tomlin, Vander Pol, Walker, Walton and Williams.**

**In the matter of Consent Order File Number 2011-04252 Board v. Assured Comfort, LLC**, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number**  
**2011-04252**  
**Assured Comfort, LLC**

**Assured Comfort, LLC**, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 9 (2 violations)	\$0.00
Count 2:	18 VAC 50-22-260 B 8	\$0.00
Count 3:	18 VAC 50-22-260 B 15	\$0.00
Board Costs		\$150.00
Total		\$150.00

In addition, Assured Comfort LLC agrees to revocation of its license (2705-114773).

Upon a motion by **Mr. Williams** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with an unanimous vote: Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Smith, Sumpter, Tomlin, Vander Pol, Walker, Walton and Williams.**

**In the matter of Consent Order File Number 2011-04282 Board v. Gregory J. Cubbage, t/a First Class Landscaping**, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number**  
**2011-04282**  
**Gregory J. Cubbage, t/a**  
**First Class Landscaping**

**Gregory J. Cubbage**, 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 (six violations at \$350.00 each)	\$2,100.00
Count 2:	18 VAC 50-22-230 A	\$350.00
Count 3:	18 VAC 50-22-260 B 11	\$450.00
Board Costs		\$150.00
Total		\$3,050.00

In addition, for violation of Counts 1 through 3, Gregory J. Cubbage, t/a First Class Landscaping agrees to revocation of his

license (2705-099306).

Upon a motion by **Mr. Williams** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with an unanimous vote: Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Smith, Sumpter, Tomlin, Vander Pol, Walker, Walton and Williams.**

**In the matter of Consent Order File Number 2011-04331 Board v. AP Plumbing LLC**, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number**  
**2011-04331**  
**AP Plumbing LLC**

**AP Plumbing LLC**, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 6	\$ 750.00
Count 2:	18 VAC 50-22-260 B 32	\$ 450.00
Count 3:	18 VAC 50-22-260 B 5	\$1,300.00
Board Costs		\$ 150.00
Total		\$2,650.00

Further, for violation of Counts 1 - 3, **AP Plumbing LLC** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

Upon a motion by **Mr. Williams** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with an unanimous vote: Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Smith, Sumpter, Tomlin, Vander Pol, Walker, Walton and Williams.**

**In the matter of Consent Order File Number 2011-04363 Board v. DCI/Shires Inc., t/a Contemporary Builders**, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number**  
**2011-04363**  
**DCI/Shires Inc., t/a**  
**Contemporary Builders**

**DCI/Shires 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 24 (four violations)	\$0.00
Board Costs		\$150.00

Total	\$150.00
<p>Further, for violation of Count 1, <b>DCI/Shires, Inc.</b> agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.</p> <p>It is noted that between June 3, 2008 and January 12, 2010, DCI/Shires, Inc. was issued four (4) Citations and Notifications of Penalty by the Virginia Department of Labor and Industry wherein DCI/Shires, Inc. was disciplined, assessed fines totaling \$10,884.00, and required to take corrective action.</p>	

Upon a motion by **Mr. Williams** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with an unanimous vote: Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Smith, Sumpter, Tomlin, Vander Pol, Walker, Walton and Williams.**

**In the matter of Consent Order File Number 2011-04370 Board v. Michael Horton, t/a Mike Horton Tritech Service**, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number  
 2011-04370  
 Michael Horton, t/a  
 Mike Horton Tritech  
 Services**

**Michael Horton**, 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	\$ 50.00
Count 2:	18 VAC 50-22-260 B 6	\$350.00
Count 3:	18 VAC 50-22-260 B 31	\$200.00
Board Costs		\$150.00
Total		\$750.00
<p>Further, <b>Michael Horton</b> agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.</p>		

Upon a motion by **Mr. Williams** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with an unanimous vote: Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Smith, Sumpter, Tomlin, Vander Pol, Walker, Walton and Williams.**

**In the matter of Consent Order File Number 2011-04509 Board v. JBR, Inc.**, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in

**File Number  
 2011-04509  
 JBR, Inc.**

this matter.

**JBR, Inc.**, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 18	\$1,250.00
Board Costs		\$ 150.00
Total		\$1,400.00
Further JBR, Inc. agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Williams** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with an unanimous vote: Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Smith, Sumpter, Tomlin, Vander Pol, Walker, Walton and Williams.**

**In the matter of Consent Order File Number 2011-04541 Board v. Harman Construction, Inc.**, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number**  
**2011-04541**  
**Harman Construction, Inc.**

**Harman 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 18	\$400.00
Board Costs		\$150.00
Total		\$550.00
Further, <b>Harman Construction, Inc.</b> agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Williams** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with an unanimous vote: Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Smith, Sumpter, Tomlin, Vander Pol, Walker, Walton and Williams.**

**In the matter of Consent Order File Number 2011-04559 Board v. Lou Who Contracting, Inc., t/a Lou Who Heating and Air Conditioning**, the Board reviewed

**File Number**  
**2011-04559**

the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**Lou Who Contracting, Inc.  
t/a Lou Who Heating and  
Air Conditioning**

**Lou Who 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	\$350.00
Count 2:	18 VAC 50-22-260 B 6	\$500.00
Board Costs		\$150.00
Total		\$1,000.00

Further, **Lou Who Contracting, Inc.** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

Upon a motion by **Mr. Williams** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with an unanimous vote: Members voting "Yes" were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Smith, Sumpter, Tomlin, Vander Pol, Walker, Walton and Williams.**

**In the matter of Consent Order File Number 2011-04575 Board v. Delmer Lee Grady, Jr., t/a Black Top Plus**, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number  
2011-04575  
Delmer Lee Grady, Jr., t/a  
Black Top Plus**

**Delmer Lee Grady, Jr.**, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 2	\$750.00
Board Costs		\$150.00
Total		\$900.00

Further, **Delmer Lee Grady, Jr.** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

Upon a motion by **Mr. Williams** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with an unanimous vote: Members voting "Yes" were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Smith, Sumpter, Tomlin, Vander Pol, Walker, Walton and Williams.**

**In the matter of Consent Order File Number 2011-04625 Board v. RMI**

**File Number**

**Remodeling, Inc.**, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**2011-04625**  
**RMI Remodeling, Inc.**

**RMI Remodeling, Inc.**, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 19	\$1,000.00
Board Costs		\$150.00
Total		\$1,150.00
Further, for violation of Count 1, <b>RMI Remodeling, Inc.</b> agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Williams** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with an unanimous vote: Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Smith, Sumpter, Tomlin, Vander Pol, Walker, Walton and Williams.**

**In the matter of Consent Order File Number 2011-04658 Board v. G C Schue, Inc., t/a Gary C. Schue**, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number**  
**2011-04658**  
**G C Schue, Inc., t/a**  
**Gary C. Schue**

**G C Schue, 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 13	\$0.00
Board Costs		\$150.00
Total		\$150.00
In addition, for violation of Count 1, G C Schue, Inc. agrees to voluntary revocation of its license (2705-017707).		

Upon a motion by **Mr. Williams** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with an unanimous vote: Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Smith, Sumpter, Tomlin, Vander Pol, Walker, Walton and Williams.**

**In the matter of Consent Order File Number 2011-04740 Board v. Betterton Home Improvement, Inc.**, the Board reviewed the Consent Order. Incorporated in the

**File Number**  
**2011-04740**

Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**Betterton Home Improvement, Inc.**

**Betterton Home Improvement, 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	\$500.00
Count 2:	18 VAC 50-22-260 B 29	\$500.00
Board Costs		\$150.00
Total		\$1,150.00
<p>Further, <b>Betterton Home Improvement, Inc.</b> agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.</p>		

Upon a motion by **Mr. Williams** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with an unanimous vote: Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Smith, Sumpter, Tomlin, Vander Pol, Walker, Walton and Williams.**

**In the matter of Consent Order File Number 2011-04864 Board v. Deckorators Design & Build LLC, t/a WindowPro**, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number  
2011-04864  
Deckorators Design & Build  
LLC, t/a WindowPro**

**Deckorators Design & Build 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
Count 2:	18 VAC 50-22-260 B 17	\$1,350.00
Count 3:	18 VAC 50-22-260 B 29 (2 violations at \$500.00 each)	\$1,000.00
Count 4:	18 VAC 50-22-260 B 6	\$ 750.00
Count 5:	18 VAC 50-22-260 B 31	\$ 400.00
Board Costs		\$ 150.00
Total		\$4,000.00
<p>Further, for violation of Counts 1 - 5, <b>Deckorators Design &amp; Build LLC</b> agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.</p>		

Upon a motion by **Mr. Williams** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with an unanimous vote: Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Smith, Sumpter, Tomlin, Vander Pol, Walker, Walton and Williams.**

**In the matter of Consent Order File Number 2011-04903 Board v. Tom Selinger**, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number**  
**2011-04903**  
**Tom Selinger**

**Tom Selinger**, 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 6	\$750.00
Board Costs		\$150.00
Total		\$1,250.00
Further, <b>Tom Selinger</b> agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Williams** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with an unanimous vote: Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Smith, Sumpter, Tomlin, Vander Pol, Walker, Walton and Williams.**

**In the matter of Consent Order File Number 2011-04904 Board v. Parker Home Improvement LLC**, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number**  
**2011-04904**  
**Parker Home Improvement, LLC**

**Parker Home Improvement 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 2	\$650.00
Board Costs		\$150.00
Total		\$800.00
Further, <b>Parker Home Improvement LLC</b> agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Williams** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with an unanimous vote: Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Smith, Sumpter, Tomlin, Vander Pol, Walker, Walton and Williams.**

**In the matter of Consent Order File Number 2010-00369 Board v. Corell Electrical Contractors, Inc.**, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number**  
**2012-00369**  
**Corell Electrical Contractors,**  
**Inc.**

**Corell Electrical Contractors, 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
Board Costs		\$150.00
Total		\$900.00
Further, for violation of Count 1, <b>Corell Electrical Contractors, Inc.</b> agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Williams** seconded by **Mr. Gelardi**, the Board ratified the Consent Order with an unanimous vote: Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Pace, Smith, Sumpter, Tomlin, Vander Pol, Walker, Walton and Williams.**

**The DPOR team of Mr. Olson and Mr. Kunkel** shared the education providers and course applications for consideration before the Committee on Monday, October 24th, 2011. The Recommendations were shared with the Board and a vote was requested.

**Committee Report**  
**Adrienne Mayo**

**Education Provider Applications\***

The following Applications for proposed education providers and courses were reviewed and the Committee recommended for Board approval are as follows:

Name	Education	Type	Staff Recommendation	Committee Recommendation
CodeUpdate4U	Continuing	WWP in Classroom	<b>Approval – 1 course</b>	<b>Denial -</b>

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Virginia Elevator Safety Association	Continuing	Elevator in the Classroom	<b>Approval – 7 courses</b>	<b>Denial –</b>
Jamison Electric Company Inc	Continuing	Electrical in Classroom	<b>Approval – 1 course</b>	<b>Approval</b>
Richmond Public Schools/ Adult Evening Technical Center	Vocational	Backflow in Classroom w/ Wet Lab	<b>Approval – 1 course</b>	<b>Approval</b>
Blue Volt	Continuing Education	Electrical online	<b>Approval -2 courses</b>	<b>Approval</b>
ACR Construction Education	Continuing and Vocational	HVAC, PLB, GFC CE; ELE VT in the classroom	<b>Approval-7 courses</b>	<b>Approval</b>

A motion was offered by **Mr. Gelardi** and seconded by **Mr. Sumpter** to receive the report and the recommendations from the Committee. The Motion passed with a unanimous vote: Members voting “Yes” were: **Dyer, Dowdy, Pace, Walker, Vander Pol, Murrow, Gelardi, Giesen, Middleton, Smith, Sumpter, Tomlin, Walton, Oliver and Williams.**

**New Business:**

**Continuing Education - Code Curriculum Requirements\***

Staff shared with the Committee that they were receiving inquiries from existing education providers and needed their guidance as to when the new code changes should become part of a course curriculum. The Committee by unanimous decision recommends for Board approval that existing providers come into compliance within one year from the effective date of the new code.

A motion was offered by **Mr. Gelardi** and seconded by **Mr. Walton** to adopt the report and the recommendations from the Committee concerning Continuing Education-Code Curriculum Requirements. The Motion passed with a unanimous vote: Members voting “Yes” were: **Dyer, Dowdy, Pace, Walker, Vander Pol, Murrow, Gelardi, Giesen, Middleton, Smith, Sumpter, Tomlin, Walton, Oliver and Williams.**

### **Water Well Systems Providers/Plumbers – Scope of Practice**

Mr. Skip Harper, representative for the Virginia Plumbing and Mechanical Inspectors Association attended the meeting. Mr. Harper addressed the Committee with concerns regarding the fact that plumbers could not perform work on water wells. The Committee reaffirm the board's position that any installation, maintenance, or repair that is performed inside of the water well casing must be performed by a water well systems provider. Further, the Committee advised Mr. Harper of the statute addressing water well systems. No action was taken by the Committee.

No action was taken was taken by the Board.

### **SDS Interpretation\***

By memorandum board staff provided an interpretation adopted on September 27, 2011 by the Board for Waterworks and Wastewater Operators and Onsite Sewage System Professionals that identifies deciding factors as to when an Onsite System Installer must be licensed. As result board staff shared with the Committee that an interpretation as policy for the scope of practice definition for H/H and SDS contractors is needed. After discussion and review of the regulations the Committee recommends the following for board approval until clarifying language to the regulations can be added:

*Contractors holding the Sewage Disposal Systems (SDS) specialty may perform services that include the installation, removal, repair and improvement of non-discharging onsite sewage systems, of any size, when a permit is issued by the Virginia Department of Health. The qualified individual of a contractor holding the SDS specialty must be licensed by the Board for Waterworks and Wastewater Operators and Onsite Sewage System Professionals as an Onsite Sewage System Installer. No other classification or specialty service provides for this function.*

*Contractors holding the Highway/Heavy (H/H) classification may perform services that include the installation, removal, repair, and improvement of discharging onsite and offsite sewage systems.*

A motion was offered by **Mr. Gelardi** and seconded by **Mr. Dowdy** to receive the report and the recommendations from the Committee. The Motion passed with a unanimous vote: Members voting "Yes" were: **Dyer, Dowdy, Pace, Walker, Vander Pol, Murrow, Gelardi, Giesen, Middleton, Smith, Sumpter, Tomlin, Walton, Oliver and Williams.**

### **Alternative Energy – License Specialty Requirements\***

Executive Director, Eric Olson addressed the Committee regarding the June 29, 2011 Energy Conference that was hosted by the agency and the Board for Contractors. The Committee reviewed recommendations presented during the conference and

recommends the following for board approval:

- 1) Create the Photovoltaic System Contractor (PSC) specialty which would require that the Qualified Individual have the required years of experience in photovoltaic systems requisite to the class of license being applied for AND hold a current electrical tradesman license issued by the Board for Contractors.
- 2) Create the Solar Heating System Contractor (SOL) specialty which would require that the Qualified Individual have the required years of experience in **active** solar heating systems requisite to the class of licensing being applied for AND hold a current plumbing/HVAC tradesman license issued by the Board for Contractors.
- 3) Create the Wind Turbine Energy System Contractor (WND) specialty which would be limited to systems of 5 kilowatts or less and require that the Qualified Individual have the required years of experience in wind turbine energy generating systems requisite to the class of license being applied for AND hold a current electrical tradesman license issued by the Board for Contractors. Systems of more than 5 kilowatts would fall under the Highway/Heavy classification.
- 4) Amend the Alternative Energy Systems (AES) specialty definition to reflect any newly created specialties.

After much discussion A motion was offered by **Mr. Walton** and seconded by **Mrs. Tomlin** to send this back to the Committee for further review. The Motion passed with a unanimous vote: Members voting “Yes” were: **Dyer, Dowdy, Pace, Walker, Vander Pol, Murrow, Gelardi, Giesen, Middleton, Smith, Sumpter, Tomlin, Walton, Oliver and Williams.**

**The proposed 2012 IFF Schedule was presented to the Board. They review it and adopted it.**

**Mr. Walton** offered a motion that was seconded by **Mrs. Tomlin** to adopt the 2012 IFF Schedule as presented. The Motion passed with a unanimous vote: Members voting “Yes” were: **Dyer, Dowdy, Pace, Walker, Vander Pol, Murrow, Gelardi, Giesen, Middleton, Smith, Sumpter, Tomlin, Walton, Oliver and Williams.**

**At 1:58 pm Mr. Dyer addressed the Chair:**

Mr. Chairman, I move that this meeting be recessed and that the Board immediately reconvene in closed meeting for the purpose of consultation with legal counsel and/or briefings by staff members pertaining to actual and/or potential litigation as permitted by § 2.2-3711.A.28 of the Code of Virginia. The following non-members will be in

**2012 IFF Schedule**

**Closed Session**

attendance to reasonably aid the consideration of the topic. Mark Courtney, Steven Jack, and Eric Olson. This motion is made with respect to the matters identified as agenda item: 7 D case 2009-02116 Bailey vs. Board for Contractors. The motion was seconded by Mr. Gelardi.

The Motion passed with a unanimous vote: Members voting "Yes" were: **Dyer, Dowdy, Pace, Walker, Vander Pol, Murrow, Gelardi, Giesen, Middleton, Smith, Sumpter, Tomlin, Walton, Oliver and Williams.**

At 2:09 PM

Mr. Olson read the following statement:

WHEREAS, the Board for Contractors has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, § 2.2-3712 of the *Code of Virginia* requires a certification by this Board for Contractors that such closed meeting was conducted in conformity with Virginia law;

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

Call for vote (each member must answer "Aye" or "Nay"):

Dowdy (Aye)  
Dyer (Aye)  
Gelardi (Aye)  
Giesen (Aye)  
Middleton (Aye)  
Murrow (Aye)  
Oliver (Aye)  
Pace (Aye)  
Smith (Aye)  
Sumpter (Aye)  
Tomlin (Aye)  
Vander Pol (Aye)  
Walker (Aye)  
Walton (Aye)  
Williams (Aye)

**Certification of Closed Meeting**  
**2009-02116**  
**Reconvene 2:09 PM**

**Mr. Gelardi** offered a motion that was seconded by **Mr. Vander Pol** to reopen file number 2009-02116 .

**Reopen File  
2009-02116  
Anthony D Bailey vs. Lyons  
Development Corp and  
the Board for Contractors**

The Motion passed with a unanimous vote: Members voting “Yes” were: **Dyer, Dowdy, Pace, Walker, Vander Pol, Murrow, Gelardi, Giesen, Middleton, Smith, Sumpter, Tomlin, Walton, Oliver and Williams.**

**In the matter of File Number 2009-02116, Anthony D Bailey (Claimant) and Lyons Development Corp (Regulant) and the Virginia Board For Contractors,** Mr. Vander Pol offered a motion seconded by Mr. Gelardi to reconsider the case and noted that the claimant, Anthony D Bailey, appealed the Board’s decision to the Circuit Court of the County of Accomack, Virginia. On September 14, 2011, the Court reversed the decision of the Board and the matter was remanded for further proceedings in accordance with its opinion. The Board orders that this claim be approved for payment in the amount of **\$20,000.00**. This Order will vacate the Order previously entered by the Board.

**File Number  
2009-02116  
Anthony D Bailey vs. Lyons  
Development Corp and  
the Board for Contractors**

Upon payment of this claim, the license of Lyons Development Corp. 2705-081209 will be revoked pursuant to Title 54.1, Chapter 11, Article 2, of the Code of Virginia. Pursuant to 54.1-1123(B), payments may be reduced on a prorated basis based upon the number of claims received.

The Motion passed with a unanimous vote: Members voting “Yes” were: **Dyer, Dowdy, Pace, Walker, Vander Pol, Murrow, Gelardi, Giesen, Middleton, Smith, Sumpter, Tomlin, Walton, Oliver and Williams.**

**At 2:15 pm Mr. Dyer addressed the Chair:**

**Closed Session**

Mr. Chairman, I move that this meeting be recessed and that the Board immediately reconvene in closed meeting for the purpose of consultation with legal counsel and/or briefings by staff members pertaining to actual and/or potential litigation as permitted by § 2.2-3711.A.28 of the Code of Virginia. The following non-members will be in attendance to reasonably aid the consideration of the topic. Mark Courtney, Steven Jack, and Eric Olson. This motion is made with respect to the matters identified as agenda item: 7 D case 2007-02177 Hall vs. Board for Contractors.

The motion was seconded by Mr. Gelardi. The Motion passed with a unanimous vote: Members voting “Yes” were: **Dyer, Dowdy, Pace, Walker, Vander Pol, Murrow, Gelardi, Giesen, Middleton, Smith, Sumpter, Tomlin, Walton, Oliver and Williams.**

At 2:50 PM

**Certification of Closed Meeting  
2007-02177  
Reconvene 2:50 PM**

Mr. Olson read the following statement:

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

pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, § 2.2-3712 of the *Code of Virginia* requires a certification by this Board for Contractors that such closed meeting was conducted in conformity with Virginia law;

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

Call for vote (each member must answer "Aye" or "Nay"):

Dowdy (Aye)  
Dyer (Aye)  
Gelardi (Aye)  
Giesen (Aye)  
Middleton (Aye)  
Murrow (Aye)  
Oliver (Aye)  
Pace (Aye)  
Smith (Aye)  
Sumpter (Aye)  
Tomlin (Aye)  
Vander Pol (Aye)  
Walker (Aye)  
Walton (Aye)  
Williams (Aye)

Mr. Walton offered a motion that was seconded by Mr. Gelardi to reopen file number 2007-02177.

**Reopen Case**  
**2007-02177**

The Motion passed with a unanimous vote: Members voting "Yes" were: **Dyer, Dowdy, Pace, Walker, Vander Pol, Murrow, Gelardi, Giesen, Middleton, Smith, Sumpter, Tomlin, Walton, Oliver and Williams.**

**In the matter of File Number 2007-02177, Jeffrey R Hall (Claimant) and James McQuinn (Regulant) and the Virginia Board For Contractors,** Mr. Walton offered a motion seconded by Mr. Gelardi to reconsider the case and noted that on November 1, 2011 the Board moved to reconsider the case and rejected the Presiding Officer's recommendation. The Board finds that a verified claim was submitted and otherwise meets the requirements of the Virginia Contractor Recovery Fund Act.

**File Number**  
**2007-02177**  
**Jeffrey R Hall vs. James**  
**McQuinn and**  
**the Board for Contractors**

The Board orders that this claim be approved for payment in the amount of **\$15,100.00**.

Upon payment of this claim, the license of James's Home Improvement 2705-090672 will be revoked pursuant to Title 54.1, Chapter 11, Article 2, of the Code of Virginia. Pursuant to 54.1-1123(B), payments may be reduced on a prorated basis based upon the number of claims received.

The Motion passed with a unanimous vote: Members voting "Yes" were: **Dyer, Dowdy, Pace, Walker, Vander Pol, Murrow, Gelardi, Giesen, Middleton, Smith, Sumpter, Tomlin, Walton, Oliver and Williams.**

Mr. Williams offered a motion to have staff prepare a Resolution for former Board member Dorothy Wood and present it to her at the December 6 meeting.

The Motion passed with a unanimous vote: Members voting "Yes" were: **Dyer, Dowdy, Pace, Walker, Vander Pol, Murrow, Gelardi, Giesen, Middleton, Smith, Sumpter, Tomlin, Walton, Oliver and Williams.**

**Mr. Olson reminded the Board members that they have to complete their COIA training. It will be offered at the December meeting.**

The next Board meeting will be December 6th, 2011.

The Board Chair and Mr. Olson asked all members to be certain to complete and turn in their paperwork for processing to Sheila Watkins prior to leaving the meeting. It is important to turn it in so we can have it processed in a timely fashion.

There being no further business to come before the board, the meeting was adjourned at **03:47 p.m.** upon a motion by **Mr. Sumpter** and seconded by **Mr. Williams**. The motion passed by unanimous vote.

The Motion passed with a unanimous vote: Members voting "Yes" were: **Dyer, Dowdy, Pace, Walker, Vander Pol, Murrow, Gelardi, Giesen, Middleton, Smith, Sumpter, Tomlin, Walton, Oliver and Williams.**

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Troy Smith, Chairman

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Gordon N. Dixon, Secretary

**Resolution**

**COIA Training**

**Next Board meeting**

**Paperwork**

**Adjournment**