

BOARD FOR CONTRACTORS BOARD MEETING

DRAFT MINUTES

The Board for Contractors met on Tuesday, December 6th, 2011 at the Department of Professional and Occupational Regulation (DPOR), 9960 Mayland Drive, Richmond, Virginia. The members indicated below were present. Each of the 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
Homer Pete Sumpter
Deborah Tomlin
Dwight Todd Vander Pol
Chancey Walker
Walton H. Walton, III
A. Bruce Williams

Mr. E.C. “Chick” Pace, III was not present at the meeting.

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

Gordon Dixon, Director
Mark Courtney, Deputy Director
Eric L. Olson, Executive Director
Adrienne Mayo, Regulatory Boards Administrator
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
Steven Jack, Assistant Attorney General

Chairman Troy Smith called the meeting to order at 9:05 a.m. and declared a quorum of board members was in attendance.

Call
To Order

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

Approval of the Agenda

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

Approval of Minutes

November 1st, 2011 Board for Contractors Meeting
October 11th, 2011 Informal Fact Finding Conference
October 13th, 2011 Informal Fact Finding Conference
October 18th, 2011 Informal Fact Finding Conference
October 19th, 2011 Informal Fact Finding Conference
October 24th, 2011 Informal Fact Finding Conference

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

There was no public comment.

Public Comment Period

In the matter of Recovery Fund File Number 2011-02497, Louis and Valerie Zecca (Claimants) vs. Paul Scrivner, t/a Trademaster Remodeling (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Paul Scrivner (Regulant)** appeared at the board meeting and addressed the Board. **Louis and Valerie Zecca (Claimants)** did not attend the Board meeting. Louis and Valerie Zecca requested, in writing, for their case to be continue at the Board’s January 24th meeting.

File Number
2011-02497
Louis and Valerie Zecca
(Claimants) vs.
Paul Scrivner t/a Trademaster
Remodeling
(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. Dyer** and seconded by **Mr. Oliver** to deny the Zecca’s request for a continuance. The motion passed by majority vote. Members voting “Yes” were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Smith, Sumpter, Tomlin, Vander Pol, Walker, and Williams.**

Member voting “No” was: **Walton.**

Mr. Pace was not present and did not participate during the discussion and did not vote.

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Williams** to adopt the claim review and the recommendation and deny payment of the claim. The

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

Member voting “No” was: **Walton.**

In the matter of Recovery Fund File Number 2011-02580, Victoria Bailery (Claimant) vs. Dorse Taylor t/a Taylor’s 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. **Dorse Taylor (Regulant)** did not appear at the board meeting. **Victoria Bailery (Claimant) Cheryl Runstrom and Stephen Orem (Witnesses)** attended the Board meeting and they addressed the board.

File Number
2011-02580
Victoria Bailery (Claimant)
vs. Dorse Taylor t/a
Taylor’s Custom
Carpentry(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. Williams** 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. There was no vote.

After further discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Walton** to deny payment of the claim. The motion failed by majority vote. Members voting “Yes” were: **Dyer and Walton.**

Members voting “No” were: **Dowdy, Gelardi, Giesen, Middleton, Murrow, Oliver, Smith, Sumpter, Tomlin, Vander Pol, Walker, and Williams.**

After discussion, a motion was made by **Mr. Williams** and seconded by **Mr. Oliver** to adopt the claim review and the hearings officer’s recommendations and summary and pay the claim in the amount of \$20,000.00. The motion passed by majority vote. Members voting “Yes” were: **Dowdy, Gelardi, Giesen, Middleton, Murrow, Oliver, Smith, Sumpter, Tomlin, Vander Pol, Walker, Walton and Williams.**

Member voting “No” was: **Dyer.**

Mr. Pace was not present and did not participate during the discussion and did not vote.

In the matter of Recovery Fund File Number 2011-03249, Margaret Legum (Claimant) vs. Carlos Montes (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Carlos Montes. (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Margaret Legum (Claimant)** and her attorney, **Terry C. Legum** attended the Board meeting.

File Number
2011-03249
Margaret Legum
(Claimant) vs. Carlos
Montes (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. Middleton** 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 motion passed by unanimous vote. Members voting "Yes" were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Smith, Sumpter, Tomlin, Vander Pol, Walker, Walton and Williams.**

Mr. Pace was not present and did not participate during the discussion and did not vote.

In the matter of Recovery Fund File Number 2011-03694, Harold and Kum Buter (Claimants) vs. Ford 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. **Ford Builders, Inc. (Regulant)** did not appear at the board meeting. **Harold and Kum Butler (Claimants)** did not attend the Board meeting.

File Number
2011-03694
Harold and Kum Butler
(Claimants) vs.
Ford 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. Sumpter** and seconded by **Mr. Gelardi** to adopt the claim review and the hearing officer's recommendations and summary and pay the claim in amount of \$15, 069.99. The motion passed by unanimous vote. Members voting "Yes" were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Smith, Sumpter, Tomlin, Vander Pol, Walker, Walton and Williams.**

Mr. Pace was not present and did not participate during the discussion and did not vote.

In the matter of Recovery Fund File Number 2011-04429, Sherwood and Jacquelyn Branch (Claimants) vs. Premier Flooring, Inc. (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Premier Flooring, Inc. (Regulant)** did not appear at the Board meeting. **Sherwood and Jacquelyn Branch (Claimants)** did not attend the Board meeting.

File Number
2011-04429
Sherwood and Jacquelyn
Branch (Claimants)
vs. Premier Flooring, 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. 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: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver,**

Smith, Sumpter, Tomlin, Vander Pol, Walker, Walton and Williams.

Mr. Pace was not present and did not participate during the discussion and did not vote.

In the matter of Recovery Fund File Number 2010-02159, Robert Cooper (Claimant) vs. Cutting Edge Landscaping LLC (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Cutting Edge Landscaping LLC (Regulant)** did not appear at the board meeting. **Robert Cooper (Claimant)** did not attend the Board meeting.

File Number
2010-02159
Robert Cooper
(Claimant) vs. Cutting
Edge Landscaping
LLC (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. Sumpter** and seconded by **Mr. Gelardi** to adopt the claim review and approve the payment of the claim in the amount of **\$5,550.00**. **Mr. Dyer** offered a substitute motion to deny the payment of the claim; however, there was no second. The Board voted to pay the claim. The motion passed by majority vote. Members voting "Yes" were: **Dowdy, Gelardi, Giesen, Middleton, Murrow, Oliver, Smith, Sumpter, Vander Pol, Walker, and Williams.**

Members voting "No" were: **Dyer and Walton.**

Mr. Pace was not present and did not participate during the discussion and did not vote.

In the matter of Recovery Fund File Number 2010-04704, Patrick and Debbie (Claimants) vs. Empty Pools, LLC (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Empty Pools, LLC (Regulant)** did not appear at the Board meeting. **Patrick and Debbie McLaughlin (Claimants)** attended the Board meeting and addressed the Board.

File Number
2010-04704
Patrick and Debbie
McLaughlin (Claimants) vs.
Empty Pools, LLC
(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 \$20,000.00. The motion passed by unanimous vote. Members voting "Yes" were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Smith, Sumpter, Vander Pol, Walker, Walton and Williams.**

Mr. Pace was not present and did not participate during the discussion and did not vote.

In the matter of Recovery Fund File Number 2010-04786, Barry and Myra Polsky (Claimants) vs. Kevin C. Carter t/a 1995Roof.Com (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Kevin C. Carter (Regulant)** did not appear at the Board meeting. **Charles Adams**, counsel for **Barry and Myra Polsky (Claimants)** attended the Board meeting and addressed the Board.

File Number
2010-04786
Barry and Myra Polsky
(Claimants) vs.
Kevin C. Carter t/a
1995Roof.Com (Regulant)

Mrs. Tomlin, and Mr. Murrow, 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. Vander Pol** 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 \$11,463.98. The motion passed by majority vote. Members voting "Yes" were: **Dowdy, Gelardi, Giesen, Middleton, Oliver, Smith, Sumpter, Vander Pol, Walker, Walton and Williams.**

Member voting "No" was: **Dyer**

Mr. Pace was not present and did not participate during the discussion and did not vote.

In the matter of Recovery Fund File Number 2011-04045, Jean and Gina Clayton (Claimants) vs. Crawford Construction Company of Virginia (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Elwood L Crawford** representative for **Crawford Construction Company of Virginia (Regulant)** appeared at the Board meeting and addressed the Board. **Jean and Gina Clayton (Claimants)** did not attend the Board meeting.

File Number
2011-04045
Jean and Gina Clayton
(Claimants) vs.
Crawford Construction
Company of Virginia
(Regulant)

Mrs. Tomlin and Mr. Murrow, 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. Gelardi** 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 \$20,000.00. The motion passed by unanimous vote. Members voting "Yes" were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Oliver, Smith, Sumpter, Vander Pol, Walker, Walton and Williams.**

Mr. Pace was not present and did not participate during the discussion and did not vote.

In the matter of Recovery Fund File Number 2010-05893, Richard and Lynne Hunt (Claimants) vs. Crawford Construction Company of Virginia (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Elwood L Crawford** representative for **Crawford Construction Company of Virginia (Regulant)** appeared at the Board meeting and addressed the Board. **Shelton Frank**, counsel for **Richard and Lynne Hunt (Claimants)** attended the Board meeting and shared his disagreement with the recommendations.

File Number
2010-05893
Richard and Lynne Hunt
(Claimants) vs.
Crawford Construction
Company of
Virginia (Regulant)

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

Mr. Murrow abstained from the discussion and vote.

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Dowdy** 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: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Oliver, Smith, Sumpter, Vander Pol, Walker, Walton and Williams.**

Mr. Pace was not present and did not participate during the discussion and did not vote.

In the matter of Recovery Fund File Number 2011-01773, David and Teresa Hutton (Claimants) vs. Ricky Compton t/a Compton Construction (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Ricky Compton (Regulant)** did not attend the Board meeting. **David and Teresa Hutton (Claimants)** did not attend the Board meeting.

File Number
2011-01773
David and Teresa Hutton
(Claimants) vs.
Ricky Compton t/a Compton
Construction (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. 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 \$20,000.00. The motion passed by unanimous vote. Members voting "Yes" were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Smith, Sumpter, Vander Pol, Walker, Walton and Williams.**

Mr. Pace was not present and did not participate during the discussion and did not vote.

In the matter of Recovery Fund File Number 2011-03161, Gary and Deborah Watkins (Claimants) vs. Evans Contractors, Inc. (Regulant); the board reviewed

File Number
2011-03161

the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Evans Contractors, Inc. (Regulant)** did not appear at the board meeting. **Michael Donner, counsel for Gary and Deborah Watkins (Claimants)** attended the Board meeting and addressed the Board.

Gary and Deborah Watkins (Claimant) vs. Evans Contractors, 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. Walton** 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 motion passed by unanimous vote. Members voting "Yes" were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Smith, Sumpter, Vander Pol, Walker, Walton and Williams.**

Mr. Pace was not present and did not participate during the discussion and did not vote.

In the matter of Recovery Fund File Number 2011-03600, Barry and Virginia Bylund (Claimants) vs. Charles Black t/a Virginia Gardens and Hardscapes (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Charles Black (Regulant)** did not appear at the board meeting. **Barry and Virginia Bylund (Claimants)** did not attend the Board meeting.

**File Number
2011-03600
Barry and Virginia Bylund (Claimant) vs. Charles Black t/a Virginia Gardens and Hardscapes (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. Middleton** 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 motion passed by unanimous vote. Members voting "Yes" were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Smith, Sumpter, Vander Pol, Walker, Walton and Williams.**

Mr. Pace was not present and did not participate during the discussion and did not vote.

In the matter of Recovery Fund File Number 2011-03774, Joanne C. Monticelli (Claimant) vs. Nathaniel D. Patten t/a Patten Services (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Nathaniel Patten (Regulant)** did not appear at the board meeting. **Joanne C. Monticelli (Claimant)** attended the Board meeting and addressed the Board.

**File Number
2011-03774
Joanne C. Monticelli (Claimant) vs. Nathaniel Patten t/a Patten Services (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. Sumpter** 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 motion passed by unanimous vote. Members voting "Yes" were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Smith, Sumpter, Vander Pol, Walker, Walton and Williams.**

Mr. Pace was not present and did not participate during the discussion and did not vote.

In the matter of Recovery Fund File Number 2011-04032, Thomas Ferris (Claimant) vs. Spectrum Installations & Improvements, LLC (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Spectrum Installations & Improvements, LLC (Regulant)** did not appear at the board meeting. **Thomas Ferris (Claimant)** did not attend the Board meeting and addressed the Board.

File Number
2011-04032
Thomas Ferris
(Claimant) vs.
Spectrum Installations &
Improvements, LLC
(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. Sumpter** 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: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Smith, Sumpter, Vander Pol, Walker, Walton and Williams.**

Mr. Pace was not present and did not participate during the discussion and did not vote.

In the matter of Recovery Fund File Number 2011-04140, Barbara Bach (Claimant) vs. Hollywood & Hall, Inc. (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Hollywood & Hall, Inc. (Regulant)** did not appear at the Board meeting. **Barbara Bach (Claimant)** and her attorney, **Mark R. Colombell** attended the Board meeting and addressed the Board.

File Number
2011-04140
Barbara Bach
(Claimant) vs.
Hollywood & Hall, 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. Sumpter** 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 motion passed by unanimous vote. Members voting "Yes" were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Smith, Sumpter, Vander Pol, Walker, Walton and Williams.**

Mr. Pace was not present and did not participate during the discussion and did not vote.

In the matter of Recovery Fund File Number 2011-04212, William and Peggy Akers (Claimants) vs. Clarence & Tina Kemp t/a Outfront Builders (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Clarence & Tina Kemp (Regulant)** did not appear at the board meeting. **William and Peggy Akers (Claimants)** did not attend the Board meeting.

File Number
2011-04212
William and Peggy Akers vs.
(Claimant)
Clarence & Tina Kemp
t/a Outfront Builders
(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. Sumpter** 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: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Smith, Sumpter, Vander Pol, Walker, Walton and Williams.**

Mr. Pace was not present and did not participate during the discussion and did not vote.

In the matter of Recovery Fund File Number 2011-04340, Eric and Kimberly McFadden (Claimants) vs. Autumn Dianne Hayes t/a CO2 Construction (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Autumn Dianne Hayes (Regulant)** did not appear at the board meeting. **Eric and Kimberly McFadden (Claimants)** and their attorney, **A. Blake Gayle**, attended the Board meeting and shared their disagreement with the recommendation with the Board.

File Number
2011-04340
Eric and Kimberly
McFadden (Claimants) vs.
Autumn Dianne
Hayes t/a CO2 Construction
(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. Sumpter** to adopt the claim review and the hearing officer's recommendations and summary and pay the claim in the amount of \$17, 594.00. The motion passed by unanimous vote. Members voting "Yes" were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Smith, Sumpter, Vander Pol, Walker, Walton and Williams.**

Mr. Pace was not present and did not participate during the discussion and did not vote.

In the matter of Recovery Fund File Number 2011-04417, Eric Hauptmann (Claimant) vs. Davinci Construction, Inc. (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Davinci Construction, Inc. (Regulant)** did not appear at the board meeting. **Eric Hauptmann (Claimant)** attended the Board meeting.

File Number
2011-04417
Eric Hauptmann
(Claimant) vs.
Davinci Construction, 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. Sumpter** 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: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Smith, Sumpter, Vander Pol, Walker, Walton and Williams.**

Mr. Pace was not present and did not participate during the discussion and did not vote.

In the matter of Recovery Fund File Number 2011-04654, Lawrence M. and Michelle King (Claimants) vs. Michael Perry t/a Solid Concepts (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Michael Perry (Regulant)** did not appear at the board meeting. **Lawrence King (Claimant)** attended the Board meeting and addressed the Board.

File Number
2011-04654
Lawrence M. and Michelle King (Claimants) vs. Michael Perry t/a Solid Concepts (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. Sumpter** to adopt the claim review and the hearing officer's recommendations and summary and pay the claim in the amount of \$20,000.00. **Mr. Dyer** offered a substitute motion to pay the claim in the amount of \$18,184.00. After further discussion, the motion was withdrawn. The Board voted to pay \$20,000.00. The motion passed by unanimous vote. Members voting "Yes" were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Smith, Sumpter, Vander Pol, Walker, Walton and Williams.**

Mr. Pace was not present and did not participate during the discussion and did not vote.

In the matter of Recovery Fund File Number 2011-04947, Carl and Lori Knapp (Claimants) vs. A-1 Additions, Inc. (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **A-1 Additions, Inc. (Regulant)** did not appear at the board meeting. **Carl Knapp (Claimant)** attended the Board meeting and addressed the Board.

File Number
2011-04947
Carl and Lori Knapp (Claimants) vs. A-1 Additions, 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. 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 \$20,000.00. The motion passed by unanimous vote. Members voting "Yes" were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Smith, Sumpter, Vander Pol, Walker, Walton and Williams.**

Mr. Pace was not present and did not participate during the discussion and did not vote.

In the matter of License Application File Number 2012-00259, Donald Roger Newlond, 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
2012-00259
Donald Roger Newlond

Applicant Donald Roger Newlond 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. Gelardi** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and approve a license. The motion passed by unanimous vote. Members voting "Yes" were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Smith, Sumpter, Tomlin, Vander Pol, Walker, Walton and Williams.**

Mr. Pace was not present and did not participate during the discussion and did not vote.

In the matter of License Application File Number 2011-04583, Benjamin L. Kendrick, 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
2011-04583
Benjamin L. Kendrick

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

Mr. Pace was not present and did not participate during the discussion and did not vote.

In the matter of License Application File Number 2011-05073, Gary Walker, 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
2011-05073
Gary Walker**

Applicant Gary Walker appeared at the IFF. He did not attend the Board meeting. The presiding Board representative **Mrs. Brigil** was not present, did not participate in the discussion and did not vote.

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

Mr. Pace was not present and did not participate during the discussion and did not vote.

In the matter of License Application File Number 2012-00089, Siemens Medical Solution USA, 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
2012-00089
Siemens Medical Solution
USA, Inc.**

Nathan Kottkamp, attorney for **applicant Siemens Medical Solution USA, Inc.** and **Lynette Sroka**, witness, appeared at the IFF and the Board meeting.

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

Mr. Pace was not present and did not participate during the discussion and did not vote.

In the matter of License Application File Number 2012-00256 Joseph James Karavias, 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
2012-00256
Joseph James Karavias**

Applicant Joseph James Karavias 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. Gelardi** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and grants a conditional license. The motion passed by unanimous vote. Members voting "Yes" were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Smith, Sumpter, Tomlin, Vander Pol, Walker, Walton and Williams.**

Mr. Pace was not present and did not participate during the discussion and did not vote.

In the matter of License Application File Number 2012-00257 Steve M. Smith t/a Town and Country 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
2012-00257
Steve M. Smith t/a Town
and Country**

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

Mr. Pace was not present and did not participate during the discussion and did not vote.

In the matter of License Application File Number 2012-00258 Rodney L. Mitchem t/a Flooring Masterss of Tidewater, 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
2012-00258
Rodney Mitchem t/a
Flooring Masters of
Tidewater**

Applicant Rodney Mitchem 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. Gelardi** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and grants a conditional license. The motion passed by unanimous vote. Members voting "Yes" were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Smith, Sumpter, Tomlin, Vander Pol, Walker, Walton and Williams.**

Mr. Pace was not present and did not participate during the discussion and did not vote.

In the matter of License Application File Number 2012-00260, William Sutton, Jr., 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
2012-00260
William Sutton, Jr.

Applicant William Sutton, Jr. appeared at the IFF and the Board meeting. Lorna Smith, witness, appeared at the IFF and 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. 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 approve a license. The motion passed by unanimous vote. Members voting "Yes" were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Smith, Sumpter, Tomlin, Vander Pol, Walker, Walton and Williams.**

Mr. Pace was not present and did not participate during the discussion and did not vote.

In the matter of License Application File Number 2012-00336 American Home Maintenance Services, LLC, 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
2012-00336
American Home
Maintenance Services, LLC

Applicant Ricky Pence of American Home Maintenance Services, LLC appeared at the IFF and the Board meeting. Earl Pence and Gamble Hanes, witnesses appeared at 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. Gelardi** 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, Smith, Sumpter, Tomlin, Vander Pol, Walker, Walton and Williams.**

Member voting "No" was: **Dyer.**

Mr. Pace was not present and did not participate during the discussion and did not vote.

In the matter of License Application File Number 2012-00491, Robert Crowe Painting & Power Washing LLC, 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
2012-00491
Robert Crowe Painting &
Power Washing LLC**

Applicant Robert Crowe of Robert Crowe Painting & Power Washing LLC appeared at the IFF and the Board meeting. Cindy Patterson, witness, appeared at 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. Gelardi** offered a motion that was seconded by **Mr. Sumpter** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and approve a license. The motion passed by unanimous vote. Members voting "Yes" were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Smith, Sumpter, Tomlin, Vander Pol, Walker, Walton and Williams.**

Mr. Pace was not present and did not participate during the discussion and did not vote.

In the matter of License Application File Number 2012-00404 Jerry Custalow, Sr., 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
2012-00404
Jerry Custalow, Sr.**

Applicant Jerry Custalow, Sr. appeared at the IFF. He did not attend the Board meeting. Mr. Custalow provided a written request for a continuance to the Board's next scheduled meeting

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

After discussion **Mr. Gelardi** offered a motion that was seconded by **Mr. Sumpter** to grant a continuance. The motion passed by unanimous vote. **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Oliver, Smith, Sumpter, Tomlin, Vander Pol, Walker, Walton and Williams.**

Mr. Pace was not present and did not participate during the discussion and did not vote.

In the matter of License Application File Number 2012-00411, Jose Rodolfo Morales, Jr. t/a Jose Morales Remodeling, 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
2012-00411
Jose Rodolfo Morales, Jr.
t/a Jose Morales
Remodeling**

Applicant Jose Rodolfo Morales, Jr. appeared at the IFF and the Board meeting. Emerson Morales, witness, and Jesstina Adelman, DPOR interpreter attended the IFF

and the Board meeting.

The presiding Board representative **Mrs. Brigil** 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 deny a license due to Morales does not have the minimum skills necessary to operate a financially sound business. The motion passed by majority vote. Members voting "Yes" were: **Dowdy, Dyer, Gelardi, Giesen, Middleton, Murrow, Smith, Sumpter, Vander Pol, Walton and Williams.**

Members voting "No" were: **Walker, Tomlin and Oliver.**

Mr. Pace was not present and did not participate during the discussion and did not vote.

In the matter of License Application File Number 2012-00490 Marc Gordon, 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
2012-00490
Marc Gordon

Applicant Marc Gordon appeared at the IFF and the Board meeting. Mrs. Ann Rackas Pate, attorney for the applicant attended the IFF and the Board meeting.

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

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

Members voting "No" were: **Williams, Dowdy, Dyer, Walker, Middleton and Vander Pol.**

Mr. Pace was not present and did not participate during the discussion and did not vote.

In the matter of License Application File Number 2012-00501, Andrew Mosher, 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
2012-00501
Andrew Mosher

Applicant Andrew Mosher appeared at the IFF and the Board meeting.

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

Mr. Pace was not present and did not participate during the discussion and did not vote.

In the matter of License Application File Number 2012-00689, Paul McComas Geisbert, Jr., 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
2012-00689
Paul McComas
Geisber, Jr.

Applicant Paul McComas Geisbert, Jr. appeared at the IFF and the Board meeting.

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

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

Mr. Pace was not present and did not participate during the discussion and did not vote.

In the matter of License Application File Number 2012-00691, Richard Charles Spilde, 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
2012-00691
Richard Charles Spilde

Applicant Richard Charles Spilde appeared at the IFF and the Board meeting.

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

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

Mr. Pace was not present and did not participate during the discussion and did not vote.

In the matter of License Application File Number 2012-00695 Benjamin A. Meffley t/a Sky Home Improvements, 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
2012-00695
Benjamin A. Meffley
t/a Sky Home Improvements**

Applicant Benjamin A. Meffley appeared at the IFF and the Board meeting.

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

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

Mr. Pace was not present and did not participate during the discussion and did not vote.

The Board took a fifteen minute recess.

Break

In the matter of Disciplinary File Number 2011-03807, Renu Contracting Inc., t/a Renu Contracting Services (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
2011-03807
Renu Contracting Inc.,
t/a Renu Contracting
Services**

Neither Renu Contracting Inc. (Respondent) nor anyone on its behalf appeared at the IFF or the Board meeting.

The presiding Board representative **Mr. Vander Pol** 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. 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. The Report of Findings and Summary are incorporated as part of the Order. The Board finds substantial evidence that **Renu Contracting Inc.** violated the following sections of its Regulations:

Violations	February, 1, 2006
Count 1:	18 VAC 50-22-260 B 15
Count 2:	18 VAC 50-22-260 B 16
Count 3:	18 VAC 50-22-260 B 6

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

Mr. Pace was not present and did not participate during the discussion and did not vote.

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

Sanctions	February, 1, 2006	
Count 1:		\$1,000.00
Count 2:		\$1,500.00
Count 3:		\$1,000.00
Total		\$3,500.00

In addition, for violation of Counts 1, 2 and 3 the Board voted to impose the revocation of license (2705-126983).

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

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

Mr. Pace was not present and did not participate during the discussion and did not vote.

In the matter of Disciplinary File Number 2011-03822, Renu Michael A Thompson, t/a Pro Tech Construction Co (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
2011-03822
Michael A Thompson,
t/a Pro Tech Construction
Co**

Neither Michael A Thompson (Respondent) nor anyone on his behalf appeared at the IFF or the Board meeting.

The presiding Board representative **Mr. Vander Pol** 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. 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. The Report of Findings and Summary are incorporated as part of the Order. The Board finds substantial evidence that **Michael A Thompson** violated the following sections of its

Regulations:

Violations	February, 1, 2006	
Count 1:	18 VAC 50-22-260 B 28	
Violations	September 1, 2001	
Count 2:	18 VAC 50-22-230 B	

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

Mr. Pace was not present and did not participate during the discussion and did not vote.

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

Sanctions	February, 1, 2006	
Count 1:		\$500.00
Total		\$500.00

In addition, for violation of Count 2, the Board voted to require **Michael A Thompson** have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the Order. In addition, for violation of Count 1, the Board voted to imposes the revocation of license (2705-133570).

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

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

Mr. Pace was not present and did not participate during the discussion and did not vote.

In the matter of Disciplinary File Number 2011-03852, K T H 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
2011-03852
K T H Inc.**

Neither K T H Inc. (Respondent) nor anyone on its behalf appeared at the IFF or the Board meeting.

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

After discussion, a motion was made by **Mr. Sumper** 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 **K T H Inc.** violated the following sections of its Regulations:

Violations	February, 1, 2006
Count 1:	§ 54.1-1110 of Code of VA
Count 2:	18 VAC 50-22-260 B 13

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

Mr. Pace was not present and did not participate during the discussion and did not vote.

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

Sanctions	February, 1, 2006
Count 2:	\$1,250.00
Total	\$1,250.00

In addition, for violation of Counts 1 and 2, the Board voted to impose the revocation of license (2705-113861).

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

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

Mr. Pace was not present and did not participate during the discussion and did not vote.

In the matter of Disciplinary File Number 2011-02854, Crawford Builders 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
2011-02854
Crawford Builders Inc.**

Elwood Crawford, Jr. on behalf of **Crawford Builders Inc. (Respondent)** appeared at the IFF and the Board meeting.

The presiding Board representatives **Mr. Vander Pol** and **Mr. Walton** were 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. Dowdy** 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 **Crawford Builders Inc.** violated the following sections of its Regulations:

Violations		
Count 2:	§ 54.1-1110 of the Code of VA	

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

Mr. Murrow abstained from the discussion and vote.

Mr. Pace was not present and did not participate during the discussion and did not vote.

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

Sanctions
In addition, for violation of Count 2, the Board voted to imposes the revocation of license (2705-132584).
As to Count1, the Board closes this aspect of the file with a finding of no violation.

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

Member voting “No” was: **Gelardi**.

The presiding Board representatives **Mr. Vander Pol and Mr. Walton** were not present, did not participate in the discussion and did not vote.

Mr. Murrow abstained from the discussion and vote.

Mr. Pace was not present and did not participate during the discussion and did not vote.

In the matter of Disciplinary File Number 2011-02673, Home & Garden Specialties Inc., t/a Clark Nursery (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
2011-02673
Home & Garden Specialties
Inc., t/a Clark Nursery**

Clark Olsen, on behalf of **Home & Garden Specialties, Inc. (Respondent)** appeared at the IFF and the Board meeting.

The presiding Board representatives **Mr. Vander Pol and Mr. Sumpter** were not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Giesen** 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. The Report of Findings and Summary are incorporated as part of the Order. The Board finds substantial evidence that **Home & Garden Specialties, Inc.** violated the following sections of its Regulations:

Violations	February, 1, 2006
Count 1:	18 VAC 50-22-260 B 27
Count 2:	18 VAC 50-22-260 B 6
Count 3:	18 VAC 50-22-260 B 31

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

Mr. Pace was not present and did not participate during the discussion and did not vote.

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

Sanctions	February, 1, 2006
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Count 1:		\$500.00
Count 2:		\$500.00
Count 3:		\$200.00
Total		\$1,200.00

In addition, for violation of Counts 2 and 3, the Board voted to require **Home & Garden Specialties, Inc.** 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 voted to decrease the monetary penalty for Count 1 due to Home & Garden Specialties Inc's lack of any prior violations and, due to the violation not rising to the level that warrants the monetary penalty originally recommended.

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

The presiding Board representatives **Mr. Vander Pol and Mr. Sumpter** were not present, did not participate in the discussion and did not vote.

Mr. Pace was not present and did not participate during the discussion and did not vote.

In the matter of Disciplinary File Number 2011-03296, S R U Inc., t/a Landscape Solutions (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
2011-03296
S R U Inc., t/a Landscape
Solutions**

Stuart Usher, on behalf of **S R U Inc., (Respondent)** and his attorney, Stephen Roberts, appeared at the IFF and the Board meeting.

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

After discussion, a motion was made by **Mr. Oliver** to send this case to another Informal Fact Finding Conference (IFF). There was no second to this motion.

After further discussion, a motion was made by **Mr. Gelardi** 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. The Report of Findings and Summary are incorporated as part of the Order. The Board finds substantial evidence that **S R U Inc.** violated the following sections of its Regulations:

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

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

Mr. Pace was not present and did not participate during the discussion and did not vote.

After discussion, **Mr. Dyer** offered a motion to increase the monetary penalty for Count 1 by \$500.00 and seconded by **Mrs. Tomlin** to impose the following sanctions:

Sanctions		February, 1, 2006	
Count 1			\$1,000.00
Total			\$1,000.00

In addition, for violation of Count 1, the Board voted to impose the revocation of license (2705-104240).

For violation of Count 2, the Board voted to require S R U Inc. have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 (ninety) days of the effective date of this Order.

The motion to increase the monetary penalty for Count 1 by \$500.00 failed because of no vote.

After further discussion **Mr. Dyer** offered to withdraw his previous motion and offered a motion seconded by **Mr. Gelardi** to impose the following sanctions:

Sanctions		February, 1, 2006	
Count 1			\$500.00
Total			\$500.00

In addition, for violation of Count 1, the Board voted to impose the revocation of license (2705-104240).

For violation of Count 2, the Board voted to require S R U Inc. have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 (ninety) days of the effective date of this Order.

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

Members voting “No” were: Williams and Oliver.

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

Mr. Pace was not present and did not participate during the discussion and did not vote.

In the matter of Disciplinary File Number 2011-03853, Eastern Electrical Corporation (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
2011-03853
Eastern Electrical
Corporation**

David Barker, on behalf of **Eastern Electrical Corporation (Respondent)** appeared at the IFF and the Board meeting and shared his disagreement with the recommendation.

The presiding Board representative **Mr. Middleton** 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. Oliver** 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 **Eastern Electrical Corporation** violated the following sections of its Regulations:

Violations	February, 1, 2006	
Count 1:	§ 54.1-1110 of the Code of VA	
Count 2:	18 VAC 50-22-260 B 13	

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

Mr. Pace was not present and did not participate during the discussion and did not vote.

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

Sanctions		February, 1, 2006
Count 2:		\$2,000.00
Total		\$2,000.00

In addition, for violation of Counts 1 and 2, the Board voted to revocation of license (2705-136709). As to Count 1, the Board voted to impose no monetary penalty for the violation of the statute.

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

Members voting “No” were: **Williams and Walton.**

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

Mr. Pace was not present and did not participate during the discussion and did not vote.

In the matter of Disciplinary File Number 2011-03792, Platinum Electric, 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
 2011-03792
 Platinum Electric, Inc.**

David Barker, on behalf of **Platinum Electric, Inc. (Respondent)** appeared at the IFF and the Board meeting and shared his disagreement with the recommendation.

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

After discussion, a motion was made by **Mr. Walton** and seconded by **Mr. 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. The Report of Findings and Summary are incorporated as part of the Order. The Board finds substantial evidence that **Platinum Electric, Inc.** violated the following sections of its Regulations:

Violations		February, 1, 2006
Count 1:	§ 54.1-1110 of the Code of VA	
Count 2:	18 VAC 50-22-260 B 13	

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

Mr. Pace was not present and did not participate during the discussion and did not vote.

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

Sanctions	February, 1, 2006	
Count 2:		\$2,000.00
Total		\$2,000.00

In addition, for violation of Counts 1 and 2, the Board voted to revocation of license (2705-135188). As to Count 1, the Board voted to impose no monetary penalty for the violation of the Statue.

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

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

Mr. Pace was not present and did not participate during the discussion and did not vote.

In the matter of Disciplinary File Number 2011-03797, David Barker Enterprises, 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
2011-03797
David Barker
Enterprises, LLC**

David Barker, on behalf of **David Barker Enterprises, LLC (Respondent)** appeared at the IFF and the Board meeting and shared his disagreement with the recommendation.

The presiding Board representative **Mr. Middleton** 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. 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. The Report of Findings and Summary are incorporated as part of the Order. The Board finds substantial evidence that **David Barker Enterprises, LLC** violated the following sections of its Regulations:

Violations		February, 1, 2006
Count 1:	§ 54.1-1110 of the Code of VA	
Count 2:	18 VAC 50-22-260 B 13	
	September 1, 2001	
Count 3:	18 VAC 50-22-230 B	

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

Mr. Pace was not present and did not participate during the discussion and did not vote.

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

Sanctions		February, 1, 2006
Count 2:		\$2,000.00
Total		\$2,000.00

In addition, for violation of Count 3, the Board voted to require **David Barker Enterprises, LLC** have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 (ninety) days of the effective date of the Order.

For violation of Count 2, the Board voted to revocation of license (2705-134913). As to Counts 1 and 3, the Board voted to impose no monetary penalties for the violations of the statute and regulation.

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

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

Mr. Pace was not present and did not participate during the discussion and did not vote.

In the matter of Disciplinary File Number 2011-00022, Lisa Ayers t/a Solo Enterprise (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
 2011-00022
 Lisa Ayers t/a Solo
 Enterprise**

Lisa Ayers, on behalf of **Lisa Ayers t/a Solo Enterprise (Respondent)** requested, in writing, her case be continued to the Board's January 24, 2012 meeting.

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

After reviewing Ayers' request for a continuance and discussion, a motion was made by **Mr. Williams** and seconded by **Mr. Oliver** to grant a continuance.

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

Mr. Pace was not present and did not participate during the discussion and did not vote.

In the matter of Disciplinary File Number 2011-02984, Wynbrooke at Madison Heights, 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
2011-02984
Wynbrooke at Madison
Heights, LLC

Neither Wynbrooke at Madison Heights, LLC, nor anyone on its behalf appeared at the IFF or the Board meeting.

The presiding Board representative **Mr. Middleton** 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. 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 **Wynbrooke at Madison Heights, LLC** violated the following sections of its Regulations:

Violations	February, 1, 2006	
Count 1:	18 VAC 50-22-260 B 9	
Count 2:	18 VAC 50-22-260 B 8	
Count 3:	18 VAC 50-22-260 B 30	
Count 4:	18 VAC 50-22-260 B 6	
Count 5:	18 VAC 50-22-220 A	
Count 6:	18 VAC 50-22-220 B	
Count 7:	18 VAC 50-22-220 C	

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

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

Mr. Pace was not present and did not participate during the discussion and did not vote.

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

Sanctions	February, 1, 2006	
Count 1:		\$ 350.00
Count 2:		\$ 500.00
Count 3:		\$2,500.00
Count 4:		\$2,500.00
Count 5:		\$1,000.00
Count 6:		\$ 700.00
Count 7:		\$ 800.00
Total		\$8,350.00

In addition, for violation of Counts 1 and 2, the Board voted to require **Wynbrooke at Madison Heights, LLC** have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 (ninety) days of the effective date of the Order.

The Board also imposed revocation of license (2705-117194) for the violation of Counts 3, 4, 5, 6 and 7.

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

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

Mr. Pace was not present and did not participate during the discussion and did not vote.

In the matter of Disciplinary File Number 2011-05136, James Baker, II t/a Tiger Enterprises (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
2010-05136
James Baker, II
t/a Tiger Enterprises**

Neither **James Baker, II, (Respondent)**, nor anyone on his behalf appeared at the IFF.

James Baker, II, appeared at the Board meeting and he shared his disagreement with the recommendation.

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

Mr. Middleton chaired this case.

After discussion, a motion was made by **Mr. Williams** and seconded by **Mr. Oliver** 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 **James Baker, II** violated the following sections of its Regulations:

Violations	February, 1, 2006	
Count 1:	18 VAC 50-22-260 B 2	
Count 2:	18 VAC 50-22-260 B 28	
Count 3:	18 VAC 50-22-260 B 28	

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

Mr. Pace was not present and did not participate during the discussion and did not vote.

After discussion, **Mr. Williams** offered a motion to amend the hearing officer’s recommendation for sanctions and to offer a Consent Order, seconded by **Mr. Oliver** to impose the following sanctions:

Sanctions	February, 1, 2006	
Count 1:		\$500.00
Count 2:		\$500.00
Count 3:		\$500.00
Total		\$1,500.00

In addition, for violation of Counts 1, 2, and 3, the Board voted on the following terms of the Consent Order:

- (1) **James Baker, II** is require to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 (ninety) days of the effective date of the Order.

- (2) **James Baker, II**, has until May 31, 2012 to satisfy all judgments.
- (3) **James Baker, II** has 2 (two) weeks from the Board meeting (12-5-11) to return the Consent Order with his signature. If **James Baker, II** fail to return the Consent Order within two weeks, then his license shall be automatically revoke.

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

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

Mr. Pace was not present and did not participate during the discussion and did not vote.

In the matter of Disciplinary File Number 2011-03181, Remodeling Resources of Richmond, 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
2011-03181
Remodeling Resources
of Richmond, LLC

Mark James Smith, on behalf of **Remodeling Resources of Richmond, LLC (Respondent)** appeared at the IFF, but did not attend the Board meeting. **Albert Lynch (Complainant)** attended the IFF and the Board meeting. Lynch did not agree with the recommendation.

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

Mr. Middleton chaired this case.

After discussion, a motion was made by **Mr. Walton** 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. The Report of Findings and Summary are incorporated as part of the Order. The Board finds substantial evidence that **Remodeling Resources of Richmond, LLC** violated the following sections of its Regulations:

Violations	February, 1, 2006
Count 1:	18 VAC 50-22-260 B 9
Count 3:	18 VAC 50-22-260 B 15
Count 4:	18 VAC 50-22-260 B 31
Count 5:	18 VAC 50-22-260 B 31

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

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

Mr. Pace was not present and did not participate during the discussion and did not vote.

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

Sanctions	February, 1, 2006	
Count 1:		\$350.00
Count 3:		\$500.00
Count 4:		\$300.00
Count 5:		\$200.00
Total		\$1,350.00

In addition, for violation of Counts 1, 4, and 5, the Board voted to require **Remodeling Resources of Richmond LLC** have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 (ninety) days of the effective date of the Order.

As to Count 2, the Board closes this aspect of the file with a finding of no violation.

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

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

Mr. Pace was not present and did not participate during the discussion and did not vote.

In the matter of Disciplinary File Number 2011-04940, C & A General Builders, 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
2011-04940
C & A General Builders,
LLC**

Neither C & A General Builders, LLC, (Respondent) nor anyone on its behalf appeared at the IFF or the Board meeting.

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

Mr. Middleton chaired this case.

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 adopts the Summary. The Report of Findings and Summary are incorporated as part of the Order. The Board finds substantial evidence that **C & A General Builders, LLC** violated the following sections of its Regulations:

Violations		
Count 1:	§ 54.1-1110 of the Code of VA	
Violations	Effective February 1, 2006	
Count 2::	18 VAC 50-22-260 B 13	

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

Mr. Pace was not present and did not participate during the discussion and did not vote.

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

Sanctions February, 1, 2006		
Count 3:		\$2,000.00
Total		\$2,000.00

The Board also imposed revocation of license (2705-131824) for violation of Counts 1 and 2.

As to Count 1, the Board closes this aspect of the file with a finding of no violation of the statute.

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

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

Mr. Pace was not present and did not participate during the discussion and did not vote.

In the matter of Disciplinary File Number 2011-02966, Energy Star Additions, 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
2011-02966
Energy Star Additions, Inc.

Neither Energy Star Additions, Inc. (Respondent) nor anyone on its behalf appeared at the IFF or the Board meeting.

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

Mr. Middleton chaired this case.

After discussion, a motion was made by **Mr. Williams** 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. The Report of Findings and Summary are incorporated as part of the Order. The Board finds substantial evidence that **Remodeling Resources of Richmond, LLC** violated the following sections of its Regulations:

Violations	February, 1, 2006
Count 1:	18 VAC 50-22-260 B 16
Count 3:	18 VAC 50-22-260 B 13

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

Mr. Pace was not present and did not participate during the discussion and did not vote.

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

Sanctions	February, 1, 2006
Count 1:	\$1,900.00
Count 3:	\$1,300.00
Total	\$3,200.00

In addition, for violation of Counts 1 and 2, the Board voted to require **Energy Star**

Additions, Inc. have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 (ninety) days of the effective date of the Order.

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

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

Mr. Pace was not present and did not participate during the discussion and did not vote.

In the matter of Disciplinary File Number 2011-03784, Imer Lopez Funez t/a I & K (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
2011-03784
Imer Lopez Funez
t/a I & K**

Imer Lopez Funez, (Respondent) appeared at the IFF, but did not attend 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. 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 adopts the Summary. The Report of Findings and Summary are incorporated as part of the Order. The Board finds substantial evidence that **Imer Lopez Funez** violated the following sections of its Regulations:

Violations	February, 1, 2006
Count 1:	18 VAC 50-22-260 B 9
Count 3:	18 VAC 50-22-260 B 31

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

Mr. Pace was not present and did not participate during the discussion and did not vote.

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

Sanctions		February, 1, 2006
Count 1:		\$50.00
Total		\$50.00

In addition, for violation of Counts 1 and 3, the Board voted to require **Ilmer Lopez Funez** have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 (ninety) days of the effective date of the Order.

As to Counts 2, 4, 5. And 6, the Board closes this aspect of the file with a finding of no violation.

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

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

Mr. Pace was not present and did not participate during the discussion and did not vote.

In the matter of Consent Order File Number 2011-04335 Board v. Jewels 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
2011-04335
Jewels Inc.**

Thomas A. O’Kells, Jr. on behalf of **Jewels Inc.**, attended the Board meeting and 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 (2 violations at \$200.00 each)	\$ 400.00
Count 2:	18 VAC 50-22-260 B 27	\$ 650.00
Count 3:	18 VAC 50-22-260 B 6 (3 violations at \$250.00 each)	\$ 750.00
Board Costs		\$ 150.00
Total		\$1,950.00
Further, for violation of Counts 1 - 3, Jewels 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: **Dyer,**

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

Mr. Pace was not present and did not participate during the discussion and did not vote.

In the matter of Consent Order File Number 2011-03112 Board v. D J Smith Quality 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
2011-03112
D J Smith Quality
Construction, Inc.**

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

D J Smith Quality 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 9	\$ 100.00
Count 2:	18 VAC 50-22-260 B 13	\$1,000.00
Count 3:	18 VAC 50-22-260 B 15	\$1,500.00
Count 4:	18 VAC 50-22-260 B 31 (3 violations at \$200.00 each)	\$ 600.00
Board Costs		\$ 150.00

In addition, for violation of Count 3, **D J Smith Quality Construction, Inc.** agrees to a three (3) years probation of its license as of the effective date of the Order. During this three (3) year probation, D J Smith Quality Construction, 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 the Order.

If D J Smith Quality Construction, Inc. violates any terms of this probation, its license shall be automatically revoked. D J Smith Quality Construction, 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, 2 and 4, **D J Smith Quality 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: **Dyer, Dowdy, Gelardi, Giesen, Middleton, Murrow, Oliver, Sumpter, Tomlin, Vander Pol, and Walker, Walton and Williams.**

Mr. Pace was not present and did not participate during the discussion and did not vote.

In the matter of Consent Order File Number 2011-03689 Board v. Mickey R Baker, t/a M R Baker Construction 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
2011-03689
Mickey R Baker, t/a
M R Baker Construction
Company

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

Mickey R Baker; 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 5	\$ 500.00
Board Costs		\$ 150.00
Total		\$ 650.00

In addition, for violation of Count 1, **Mickey R Baker** agrees to a one (1) year probation of its license as of the effective date of the Order. During this one (1) year probation, Mickey R Barker agrees to:

Not be in violation of any rules and regulations of the Board for Contractors for transactions occurring after the effective date of the Order.

If Mickey R Baker violates any terms of this probation, its license shall be automatically revoked. Mickey R Baker 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, **Mickey R Baker** 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: **Dyer, Dowdy, Gelardi, Giesen, Middleton, Oliver, Smith, Sumpter, Tomlin, Vander Pol, and Walker, Walton and Williams.**

Mr. Pace was not present and did not participate during the discussion and did not vote.

In the matter of Consent Order File Number 2011-04597 Board v. The Carpentry and Painting Experts 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
 2011-04597
 The Carpentry and
 Painting Experts LLC**

The Carpentry and Painting Experts 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 9	\$ 100.00
Count 3:	18 VAC 50-22-260 B 31	\$ 400.00
Board Costs		\$ 150.00
Total		\$1,000.00

Further, for violation of Counts 1 - 3, **The Carpentry and Painting Experts, 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: **Dyer, Dowdy, Gelardi, Giesen, Middleton, Murrow, Oliver, Smith, Sumpter, Tomlin, Vander Pol, and Walker, Walton and Williams.**

Mr. Pace was not present and did not participate during the discussion and did not vote.

In the matter of Consent Order File Number 2011-04591 Board v. John Allen Dinsmore, t/a T & A Construction & Fencing; 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
2011-04591
John Allen Dinsmore,
t/a T & A Construction &
Fencing**

John Allen Dinsmore; 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 9	\$ 400.00
Count 3:	18 VAC 50-22-260 B 6	\$ 800.00
Count 4:	18 VAC 50-22-260 B 27	\$ 650.00
Count 5:	18 VAC 50-22-260 B 27	\$ 650.00
Board Costs		\$ 150.00
Total		\$3,000.00

In addition, John Allen Dinsmore agrees to voluntary revocation of his license (2705-061584).
Further, the Board shall waive imposition of the \$2,850.00 total monetary penalties for Counts 1 through 5, and the Board shall waive imposition of the \$150.00 Board costs.

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

Mr. Pace was not present and did not participate during the discussion and did not vote.

In the matter of Consent Order File Number 2011-03950 Board v. Minkoff 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
2011-03950
Minkoff Company Inc.**

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

Count 1:	18 VAC 50-22-260 B 9	\$ 300.00
Count 2:	18 VAC 50-22-260 B 31 (3 violations at \$300.00 each)	\$ 900.00
Count 3:	18 VAC 50-22-260 B 29 (2 violations at \$300.00 each)	\$ 600.00
Board Costs		\$ 150.00
Total		\$1,950.00
Further, for violation of Counts 1 - 3, Minkoff Company 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: **Dyer, Dowdy, Gelardi, Giesen, Middleton, Murrow, Oliver, Smith, Sumpter, Tomlin, Vander Pol, and Walker, Walton and Williams.**

Mr. Pace was not present and did not participate during the discussion and did not vote.

In the matter of Consent Order File Number 2011-04350 Board v. Jarrod Smith, t/a Smith’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
2011-04350
Jarrod Smith, t/a Smith’s
Home Improvement

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

Jarrod Smith; 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 27	\$ 650.00
Count 3:	18 VAC 50-22-260 B 6	\$ 750.00
Count 4:	18 VAC 50-22-260 B 11	\$450.00
Board Costs		\$ 150.00
Total		\$2,650.00
Further, for violation of Counts 1 - 4, Jarrod Smith 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, Smith, Sumpter, Tomlin, Vander Pol, and Walton and Williams.**

Mr. Pace was not present and did not participate during the discussion and did not vote.

In the matter of Consent Order File Number 2011-04808 Board v. Kenneth Williams, t/a Williams Construction 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
2011-04808
Kenneth Williams, t/a
Williams Construction Co**

Kenneth Williams; 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
Board Costs		\$ 150.00
Total		\$350.00
Further, for violation of Count 1, Kenneth Williams 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, Smith, Sumpter, Tomlin, Vander Pol, and Walker, Walton and Williams.**

Mr. Pace was not present and did not participate during the discussion and did not vote.

In the matter of Consent Order File Number 2011-04814 Board v. Jenkins Services LLC, t/a Jenkins Restorations; 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
2011-04814
Jenkins Services LLC, t/a
Jenkins Restorations**

Jenkins Services 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 31	\$ 40000
Board Costs		\$ 150.00
Total		\$ 550.00

Further, for violation of Count 1, **Jenkins Services 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, Smith, Sumpter, Tomlin, Vander Pol, and Walker, Walton and Williams.**

Mr. Pace was not present and did not participate during the discussion and did not vote.

In the matter of Consent Order File Number 2011-04591 Board v. John Allen Dinsmore, t/a T & A Construction & Fencing; 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
2011-04591
John Allen Dinsmore, t/a
T & A Construction
& Fencing

John Allen Dinsmore; 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 9	\$ 400.00
Count 3:	18 VAC 50-22-260 B 31	\$ 800.00
Count 4:	18 VAC 50-22-260 B 27	\$ 650.00
Count 5:	18 VAC 50-22-260 B 27	\$ 650.00
Board Costs		\$ 150.00
Total		\$3,000.00

In addition, John Allen Dinsmore agrees to voluntary revocation of his license (2705-061584).

Further, the Board shall waive imposition of the \$2,850.00 total monetary penalties for Counts 1 through 5 and the Board shall waive imposition of the \$150.00 Board costs.

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

Mr. Pace was not present and did not participate during the discussion and did not vote.

In the matter of Consent Order File Number 2011-04310 Board v. Belmont Deck & Patio Corp; the Board reviewed the Consent Order. Incorporated in the Consent

File Number
2011-04310

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

Belmont Deck & Patio Corp

Belmont Deck & Patio Corp; acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 6	\$ 350.00
Count 2:	18 VAC 50-22-260 B 27 (2 violations at \$350.00 each)	\$ 700.00
Count 3:	18 VAC 50-22-260 B 31	\$ 100.00
Board Costs		\$ 150.00
Total		\$1,300.00
Further, for violation of Counts 1 - 3, Belmont Deck & Patio Corp 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, Smith, Sumpter, Tomlin, Vander Pol, and Walker, Walton and Williams.**

Mr. Pace was not present and did not participate during the discussion and did not vote.

In the matter of Consent Order File Number 2011-03070 Board v. Delwin Washington, t/a Reasonable 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
2011-03070
Delwin Washington, t/a Reasonable Renovations

Delwin Washington; 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	\$ 0.00
Count 2:	18 VAC 50-22-260 B 13	\$ 0.00
Board Costs		\$ 150.00
Total		\$ 150.00
Further, for violation of Count 1, Delwin Washington agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		
In addition, for violation of Count 2, Delwin Washington agrees to		

revocations of his license (2705-116026).

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

Mr. Pace was not present and did not participate during the discussion and did not vote.

In the matter of Consent Order File Number 2011-03717 Board v. Clayton & Son Construction 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
 2011-03717
 Clayton & Son
 Construction
 Company, Inc.**

Clayton & Son Construction Company, Inc.; acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 15	\$1,500.00
Count 2:	18 VAC 50-22-260 B 15	\$1,500.00
Count 3:	18 VAC 50-22-260 B 16 (2 violations at #1,500.00 each)	\$3,000.000
Board Costs		\$ 150.00
Total		\$6,150.00

In addition, the \$6,000.00 monetary penalty and violations for Counts 1-3, will be suspended provided **Clayton & Son Construction Company, Inc.** pays an agreed monetary settlement to Surry County and provides the Board with proof of the payment within ninety (90) days of the effective date of the Order. If Clayton & Son Construction Company, Inc. fails to comply with these conditions, then the full monetary penalty and violations will be automatically imposed.

Further, for violation of Counts 1 - 3, **Clayton & Son Construction Company, 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, Smith, Sumpter, Tomlin, Vander Pol, and Walker, Walton and Williams.**

Mr. Pace was not present and did not participate during the discussion and did not vote.

In the matter of Consent Order File Number 2011-04479 Board v. Larry Wayne Barrett, t/a All Pro Roofing; 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
2011-04479
Larry Wayne Barrett, t/a
All Pro Roofing**

Larry Wayne Barrett; 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	\$ 100.00
Count 2:	18 VAC 50-22-230 A	\$ 350.00
Board Costs		\$ 150.00
Total		\$ 600.00

Further, for violation of Counts 1 and 2, **Larry Wayne Barrett** 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, Smith, Sumpter, Tomlin, Vander Pol, and Walker, Walton and Williams.**

Mr. Pace was not present and did not participate during the discussion and did not vote.

In the matter of Consent Order File Number 2011-04599 Board v. James C Griffis, t/a Total Residential; 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
2011-04599
James C Griffis, t/a
Total Residential**

James C Griffis; 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 6	\$ 800.00
Board Costs		\$ 150.00
Total		\$1,600.00

Further, for violation of Counts 1 - 2, **James C Griffis** 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, Smith, Sumpter, Tomlin, Vander Pol, and Walker, Walton and Williams.**

Mr. Pace was not present and did not participate during the discussion and did not vote.

In the matter of Consent Order File Number 2011-04688 Board v. Robert B Triplett, t/a Triplett Siding 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
 2011-04688
 Robert B Triplett, t/a
 Triplett Siding Co**

Robert B Triplett; 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, Robert B Triplett 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, Smith, Sumpter, Tomlin, Vander Pol, and Walker, Walton and Williams.**

Mr. Pace was not present and did not participate during the discussion and did not vote.

The following is a summary and report of the meeting of the Committee of the Board for Contractors held on December 5, 2011. The items requiring Board action are marked with an asterisk (*).

**Other Board Business
 Committee Report
 Adrienne Mayo**

Education Provider Applications*

The following applications for proposed education providers and courses were reviewed by the committee and their recommendations are as follows:

Name	Education	Type	Staff Recommendation	Committee Recommendation			
NC Association of	Continuing and	Electrical in the Classroom	Approval – 2 courses	Approval			

Electrical Contractors	Vocational					
Integrated Cross Connection Partners LLC	Vocational	Backflow in Classroom w. Wet Lab	Approval – 1 course	Approval		
Virginia Water Well Association	Continuing and Vocational	WWP in Classroom	Approval – 10 courses	Approval		
Elton R Fahnestock, ELEC COMM	Continuing and Vocational	Electrical in Classroom	Approval – 2 courses	Approval		
SAVAGE & Associates LLC	Continuing Education	Electrical in Classroom	Approval -15 courses	Approval		
Middle Department Inspection Agency Inc	Continuing Education	Electrical in Classroom	Approval-11 courses (4 courses have prior approval)	Approval		

A motion was offered by **Mr. Walton** and seconded by **Mr. Williams** to receive the report and the recommendations from the Committee. The Motion passed by unanimous vote: Members voting “Yes” were: **Dowdy, Dyer, Gelardi Giesen, Middleton, Murrow, Oliver, Smith, Sumpter, Tomlin, Vander Pol, Walker, Walton and Williams.**

Mr. Pace was not present and did not participate during the discussion and did not vote.

Periodic Review*

The Board received a comment during the public comment period. The comment suggested changing the length of a Tradesman license from two to three years. After discussion, a motion was made by **Mr. Gelardi** and seconded by **Mr. Sumpter** to not to amend the regulations. The Motion passed by unanimous vote: Members voting “Yes” were: **Dowdy, Dyer, Gelardi Giesen, Middleton, Murrow, Oliver, Smith, Sumpter, Tomlin, Vander Pol, Walker, Walton and Williams.**

Mr. Pace was not present and did not participate during the discussion and did not vote.

Alternative Energy*

The Board reviewed the recommendation of the Alternative Energy Workgroup and the Committee and upon a motion made by **Mr. Gelardi** and seconded by **Mr. Dyer**

to adopt the Committee's recommendation that current regulations are sufficient to require adequate knowledge and skills to perform such work. No change to the regulations will be made at this time, however, the Board will continue to monitor the industry and amend the regulations at a later time, if necessary. The Motion passed by unanimous vote: Members voting "Yes" were: **Dowdy, Dyer, Gelardi Giesen, Middleton, Murrow, Oliver, Smith, Sumpter, Tomlin, Vander Pol, Walker, Walton and Williams.**

Mr. Pace was not present and did not participate during the discussion and did not vote.

Examination Exemption Agreement – Louisiana State Licensing Board for Contractors

The Board staff presented a copy of an examination agreement for Electrician, HVA Tradesman and Electrical and HVA contractors submitted by the Louisiana State Licensing Board for Contractors. After review the Board adopted the licensing agreement with Louisiana.

VA Underground Utility Damage Prevention Act

The Board reviewed the recommendation of the Committee and decided not to require pre-license education provide a certain amount of time be set aside to cover subjects mandated by the Board. The Board does not want to get to the point where the Board, acting on requests from outside agencies and interest, ends up "mandating" the entire course, with providers having no input into areas that should be covered. The current requirement that all individual course syllabi are reviewed by the Board for approval has been very successful and has resulted in a diverse choice of courses and methods of instruction.

There was no old business.

Adrienne Mayo, Regulatory Boards Administrator provided the required COIA training to the Board members.

The next Board meeting will be January 24th, 2012.

The Board Chair asked all members to be certain to complete and turn in their paperwork for processing to Karen Bullock prior to leaving the meeting. Mr. Olson reminded the members to send in their Financial Disclosure Statements as soon as possible to meet the state's deadline of January 15th, 2012.

There being no further business to come before the board, the meeting was adjourned at **1:55 p.m.** upon a motion by **Mr. Gelardi** and seconded by **Mr. Sumpter**. The motion passed by unanimous vote.

Old Business

New Business
COIA Training

Next Board meeting

Paperwork

Adjournment

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

Troy Smith, Chairman

Gordon N. Dixon, Secretary