

## **BOARD FOR CONTRACTORS BOARD MEETING**

### **MINUTES**

The Board for Contractors met on Tuesday, August 4, 2009 at the Department of Professional and Occupational Regulation (DPOR), 9960 Mayland Drive, Richmond, Virginia. The members indicated below were present. Each of the other members present was qualified to vote, except where a specific reason for disqualification is stated. There are 13 members on this board, in which seven constitutes a quorum pursuant to §54.1-1102.

Robert M. Kirby, Chairman  
Kenneth Hart  
Jeffrey Modisett  
Michael Redifer  
Troy Smith  
Homer Pete Sumpter  
Deborah Lynn Tomlin  
A. Bruce Williams  
Dorothy Wood

Board Members absent from the meeting were:  
Mark Cronin, Jack Miller, William Rusher, Wyatt  
Walton and A. Bruce Williams.

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

Jay W. DeBoer, Director  
Mark Courtney, Deputy Director, LRD  
Eric L. Olson, Executive Director  
Sheila Watkins, Administrative Assistant  
Karen Bullock, Compliance Specialist  
Michelle Atkinson, Legal Analyst  
Victoria Traylor, Legal Analyst  
Earlyne Perkins, Legal Analyst  
Whitney Fulcher, Licensing & Education Specialist  
Adrienne Mayo, Regulatory Boards Administrator  
Steven Jack, Assistant Attorney General

Chairman Robert Kirby called the meeting to order at 9:15 a.m. and declared declared a of board members was in attendance.

Call  
To Order

A motion was made by Mr. Modisett and seconded by Mr. Hart to approve the agenda. The motion passed unanimously. Members voting "Yes" were: Hart, Kirby, Modisett, Redifer, Smith, Tomlin, and Wood.

Approval of the  
Agenda

Miller, Cronin, Rusher, Walton and Williams were absent. Sumpter was in route to the meeting.

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

Approval of Minutes

July 1, 2009 Board for Contractors Meeting  
June 23, 2009 Informal Fact Finding Conference  
June 25, 2009 Informal Fact Finding Conference  
June 30, 2009 Informal Fact Finding Conference  
July 1, 2009 Informal Fact Finding Conference  
July 7, 2009 Informal Fact Finding Conference  
July 8, 2009 Informal Fact Finding Conference

Ms. Tomlin seconded the motion and it was unanimously approved by members: Mr. Redifer shared he wanted to make a correction to the minutes and to have case 2008-04581 reflect that he recused himself. The motion passed unanimously. The minutes were corrected immediately. Members voting "Yes" were: Hart, Kirby, Modisett, Redifer, Smith, Tomlin, and Wood.

Miller, Cronin, Rusher, Walton and Williams were absent. Sumpter was in route to the meeting.

Tom Crimmons of Fredericksburg, Virginia addressed the Board during public comment period and shared his concerns about the way the Board publishes case information. He would like the Board to place information about Contractor's who've come before the Board on Disciplinary issues in the local newspapers.

Public Comment  
Period

In the matter of Recovery Fund File Number 2009-00902, Judy O Duer (Claimants) vs. Benny H Annis (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. Benny H Annis (Regulant) did not appear at the board meeting. Judy O Duer (Claimant) did not attend the Board meeting.

File Number  
2009-00902  
Judy O. Duer  
(Claimant) and  
Benny H. Annis  
(Regulant)

Mr. Hollar, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by Mr. Redifer and seconded by Mr. Modisett to adopt the claim review and the hearing officer's recommendations and summary for violations and approve the claim for payment in the amount of \$7,538.00. The motion passed by unanimous vote.

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Members voting "Yes" were: **Hart, Kirby, Modisett, Redifer, Smith, Tomlin, and Wood.**

**Miller, Cronin, Rusher, Walton and Williams were absent. Sumpter was in route to the meeting.**

**In the matter of Recovery Fund File Number 2009-01050, Bruce and Megann Sheppard (Claimant) vs. Billy Lee Grye t/a Frye's Home Improvement (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Bill Lee Frye t/a Frye's Home Improvement (Regulant)** did not appear at the board meeting. **Megann Sheppard (Claimant)** did attend the Board meeting. She addressed the Board. Her son was in attendance with her.

**File Number  
2009-01050  
Bruce & Megann  
Sheppard vs Billy  
Lee Frye t/a Frye's  
Home Improvement**

**Mr. Hollar, the Board's Hearing Representative** was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Ms. Wood** and seconded by **Mr. Hart** to adopt the claim review and the hearing officer's recommendations and summary for violations and approve the claim for payment in the amount of **\$19,286.00**. The motion passed by unanimous vote. Members voting "Yes" were: **Hart, Kirby, Modisett, Redifer, Smith, Tomlin, and Wood.**

**Miller, Cronin, Rusher, Walton and Williams were absent. Sumpter was in route to the meeting.**

**In the matter of Recovery Fund File Number 2009-01760, Gleness Knauer (Claimant) vs. Transcontinental Granite, Inc. t/a Countertop Company (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Transcontinental Granite, Inc. t/a Countertop Company (Regulant)** did not appear at the board meeting. **Gleness Knauer (Claimants)** did attend the Board meeting. She addressed the Board.

**File Number  
2009-01760  
Gleness Knauer vs.  
Transcontinental  
Granite, Inc. t/a  
Countertop  
Company**

**Mr. Hollar, the Board's Hearing Representative** was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Mr. Modisett** and seconded by **Ms. Tomlin** to adopt the claim review and the hearing officer's recommendations and summary for violations and approve the claim for payment in the amount of **\$4,775.66**. The motion passed by unanimous vote. Members voting "Yes" were: **Hart, Kirby, Modisett, Redifer, Smith, Tomlin, and Wood.**

**Miller, Cronin, Rusher, Walton and Williams were absent. Sumpter was in route to the Board meeting.**

**In the matter of Recovery Fund File Number 2009-02117, Robert and Cynthia**

**File Number**

**Ritchey (Claimants) vs. George Linkous t/a L & K Specialties (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **George Linkous t/a L & K Specialties (Regulant)** did not appear at the board meeting. **Robert and Cynthia Ritchey (Claimant)** did not attend the Board meeting.

2009-02117  
**Robert and Cynthia  
Ritchey vs. George  
Linkous t/a L & K  
Specialties**

**Mr. Hollar**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Ms. Wood** and seconded by **Ms. Tomlin** to adopt the claim review and the hearing officer's recommendations and summary for violations and approve the claim for payment in the amount of **\$20,000.00**. The motion passed by unanimous vote. Members voting "Yes" were: **Hart, Kirby, Modisett, Redifer, Smith, Tomlin, and Wood.**

**Miller, Cronin, Rusher, Walton and Williams** were absent. **Sumpter** was in route to the meeting.

**In the matter of Recovery Fund File Number 2009-02214, Robert Wuench, III (Claimants) vs. Amalgamated Building & Properties, Inc (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Amalgamated Building & Properties, Inc (Regulant)** did not appear at the board meeting. **Robert Wuench, III (Claimant)** did attend the Board meeting. He addressed the Board. **Mr. Hollar**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion a motion was made by **Ms. Wood** and seconded by **Mr. Walton** to adopt the claim review and the hearing officer's recommendations and summary for violations and approve the claim for payment in the amount of **\$13,634.71**. The motion passed by majority vote. Members voting "Yes" were: **Hart, Kirby, Modisett, Redifer, Smith, Tomlin, and Wood.**

File Number  
2009-02214  
**Robert Wuench, III  
vs. Amalgamated  
Building &  
Properties, Inc.**

**Miller, Cronin, Rusher, Walton and Williams** were absent. **Sumpter** was in route to the meeting.

**In the matter of Recovery Fund File Number 2009-02321, John Car Baugh & Thomas Markham III (Claimants) vs. Two Cheeks LLC (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Two Cheeks (Regulant)** did not appear at the board meeting. **Steve Owens, Attorney for John Carbaugh & Thomas Markham III (Claimants)** did attend the Board meeting. He addressed his disagreement with the amount proposed for payment to his clients. He wanted to include additional attorney fees that were not included in the recommendation.

File Number  
2009-02321  
**John Carbaugh &  
Thomas Markham  
III vs. Two Cheeks  
LLC**

**Mr. Hollar**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Hart** to adopt the claim review and the hearing

officer's recommendations and summary for violations and approve the claim for payment in the amount of **\$5,094.00**. The motion passed by unanimous vote. Members voting "Yes" were: **Hart, Kirby, Modisett, Redifer, Smith, Tomlin, and Wood**.

**Miller, Cronin, Rusher, Walton and Williams were absent. Sumpter was in route to the meeting.**

**In the matter of Recovery Fund File Number 2009-02328, David and Teresa Willebeek-Lemair (Claimants) vs. All Phase Contracting, Inc (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **All Phase Contracting, Inc (Regulant)** did not appear at the board meeting. **Teresa Willebeck-Lemair (Claimants)** did attend the Board meeting. She addressed the Board.

**File Number  
2009-02328  
David and Teresa  
Willebeek-Lemair  
vs. All Phase  
Contracting, Inc**

**Mr. Hollar**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Mrs. Wood** and seconded by **Ms. Tomlin** to adopt the claim review and the hearing officer's recommendations and summary for violations and approve the claim for payment in the amount of **\$20,000.00**. The motion passed by unanimous vote. Members voting "Yes" were: **Hart, Kirby, Modisett, Redifer, Smith, Tomlin, and Wood**.

**Miller, Cronin, Rusher, Walton and Williams were absent. Sumpter was in route to the meeting.**

**In the matter of Recovery Fund File Number 2009-02502, George & Eleanor Butler (Claimants) vs. Stayce Adams t/a Master Piece Builders (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Stayce Adams t/a Master Piece Builders (Regulant)** did not appear at the board meeting. **The Butlers (Claimants)** did not attend the Board meeting.

**File Number  
2009-02502  
George & Eleanor  
Butler vs. Stayce  
Adams t/a Master  
Piece Builders**

**Mr. Hollar**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Modisett** to adopt the claim review and the hearing officer's recommendations and summary for violations and approve the claim for payment in the amount of **\$1,498.00**. The motion passed by unanimous vote. Members voting "Yes" were: **Hart, Kirby, Modisett, Redifer, Smith, Tomlin, and Wood**.

**Miller, Cronin, Rusher, Walton and Williams were absent. Sumpter was in route**

**to the meeting.**

**In the matter of License Application File Number 2009-03915, Joseph Construction, Inc, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.**

**File Number  
2009-03915  
Joseph  
Construction, Inc**

**Applicant Michael Turner** appeared at the IFF and the Board meeting. He addressed the Board. He shared he wished to correct a statement in the Informal Fact Finding Conference. The Judgment is not outstanding. It has been satisfied. He shared his disagreement with the recommendation. The presiding Board representative **Ms. Brigil** was not present, did not participate in the discussion and did not vote. After discussion **Mrs. Wood** offered a motion that was seconded by **Mr. Redifer** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and deny a license. The motion passed by majority vote. Members voting "Yes" were: **Hart, Kirby, Modisett, Redifer, Smith, Tomlin, and Wood.**

**Miller, Cronin, Rusher, Walton and Williams were absent. Sumpter was in route to the meeting.**

**Mr. Sumpter arrived at the meeting at 9:35 am.**

**Board Member  
Arrival**

**In the matter of License Application File Number 2009-03916, Glenn Michael Austin, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.**

**File Number  
2009-03916  
Glenn Michael  
Austin**

**Applicant Glenn Michael Austin** appeared at the IFF and the Board meeting. He addressed the Board. He shared his agreement with the Recommendation. The presiding Board representative **Ms. Brigil** was not present, did not participate in the discussion and did not vote. After discussion **Mrs. Wood** offered a motion that was seconded by **Mrs. Tomlin** 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: **Modisett, Redifer, Sumpter, Tomlin, and Wood.**

**Members voting "No" were: Kirby, Smith and Hart. The motion passed with a vote of 5 yes and 3 no.**

**Miller, Cronin, Rusher, Walton and Williams were absent.**

**In the matter of Recovery Fund File Number 2008-02931, Christopher Paulitz**

**File Number**

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**(Claimants) vs. Evans Contracting Associates, Inc. (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Evans Contracting Associates, Inc., (Regulant)** did not appear at the board meeting. **Christopher Paulitz (Claimant)** did not attend the Board meeting.

**2008-02931  
Christopher Paulitz  
vs. Evans  
Contracting  
Associates, Inc.**

**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 **Ms. Wood** and seconded by **Mr. Modisett** to adopt the claim review and the hearing officer's recommendations and summary for violations and approve the claim for payment in the amount of **\$2,653.00**. The motion passed by unanimous vote. Members voting "Yes" were: **Hart, Kirby, Modisett, Smith, Sumpter, Tomlin, and Wood.**

**Miller, Cronin, Rusher, Walton and Williams** were absent. **Redifer** recused himself.

**In the matter of Recovery Fund File Number 2008-04862, William & Carol Gideon (Claimants) vs. AlMark Properties, Inc. (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Alex Dail for AlMark Properties, Inc. (Regulant)** did appear at the board meeting. He addressed the Board. **William Burnside, Attorney for William and Carol Gideon (Claimants)** did attend the Board meeting. He addressed the Board.

**File Number  
2008-04862  
William & Carol  
Gideon vs. AlMark  
Properties, Inc.**

**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 **Mrs. Wood** and seconded by **Mr. Sumpter** to adopt the claim review and the hearing officer's recommendations and summary for violations and approve the claim for payment in the amount of **\$20,000.00**. The motion passed by unanimous vote. Members voting "Yes" were: **Hart, Kirby, Modisett, Sumpter, Smith, Tomlin, and Wood.**

**Miller, Cronin, Rusher, Walton and Williams** were absent. **Redifer** recused himself.

**In the matter of Recovery Fund File Number 2009-00394, Robert & Sandra Hadley (Claimants) vs. David Paciello t/a Variety Builders (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **David Paciello t/a Variety Builders (Regulant)** did not appear at the board meeting. **The Hadley's (Claimants)** did not attend the Board meeting.

**File Number  
2009-00394  
Robert & Sandra  
Hadley vs. David  
Paciello t/a Variety  
Builders**

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**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 **Mrs. Wood** and seconded by **Mr. Sumpter** to adopt the claim review and the hearing officer's recommendations and summary for violations and approve the claim for payment in the amount of **\$16,899.00**. The motion passed by unanimous vote. Members voting "Yes" were: **Hart, Kirby, Modisett, Sumpter, Smith, Tomlin, and Wood**.

**Miller, Cronin, Rusher, Walton and Williams** were absent. **Redifer** recused himself.

**In the matter of Recovery Fund File Number 2009-00554, Nancy Pond (Claimant) vs. Rodney Stephens t/a Stephens Improving Home Improvements (Regulant)**; the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Rodney Stephens t/a Stephens Improving Home Improvements (Regulant)** did not appear at the board meeting. **Nancy Pond (Claimant)** did not attend the Board meeting.

File Number  
**2009-00554**  
**Nancy Pond vs.**  
**Rodney Stephens t/a**  
**Stephens Improving**  
**Home**  
**Improvements**

**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 **Mrs. Wood** and seconded by **Mr. Sumpter** to adopt the claim review and the hearing officer's recommendations and summary for violations and approve the claim for payment in the amount of **\$3,048.00**. The motion passed by unanimous vote. Members voting "Yes" were: **Hart, Kirby, Modisett, Sumpter, Smith, Tomlin, and Wood**.

**Miller, Cronin, Rusher, Walton and Williams** were absent. **Redifer** recused himself.

**In the matter of Recovery Fund File Number 2009-01381, Antonio Randolph (Claimants) vs. Virginia Renovations, Inc (Regulant)**; the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Virginia Renovations, Inc. (Regulant)** did not appear at the board meeting. **Thomas D Lane Attorney for Antonio Randolph (Claimants)** did attend the Board meeting. He addressed the Board, sharing his disagreement with the Hearing Officer's recommendation. He requested that this case be remanded back for an Informal Fact Finding Conference. Attorney Lane feels the record is in direct conflict with evidence they have.

File Number  
**2009-01381**  
**Antonio Randolph**  
**vs. Virginia**  
**Renovations, Inc**

**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. Modisett** and seconded by **Mrs. Wood** to remand the case back to an Informal Fact Finding Conference. The motion passed by unanimous vote. Members voting "Yes" were: **Hart, Kirby, Modisett, Sumpter, Smith, Tomlin, and Wood**.

**Miller, Cronin, Rusher, Walton and Williams** were absent. **Redifer** recused

**himself.**

**In the matter of Recovery Fund File Number 2009-01609, Robert and Cheryl Whittaker (Claimants) vs. Dennis Ayers (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Dennis Ayers (Regulant)** did not appear at the board meeting. **Robert and Cheryl Whittaker (Claimants)** did not attend the Board meeting.

**File Number**  
**2009-01609**  
**Robert and Cheryl**  
**Whittaker vs.**  
**Dennis Ayers**

**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 **Mrs. Wood** and seconded by **Mr. Sumpter** to adopt the claim review and the hearing officer's recommendations and summary for violations and approve the claim for payment in the amount of **\$2,354.36**. The motion passed by unanimous vote. Members voting "Yes" were: **Hart, Kirby, Modisett, Sumpter, Smith, Tomlin, and Wood.**

**Miller, Cronin, Rusher, Walton and Williams were absent. Redifer recused himself.**

**In the matter of Recovery Fund File Number 2009-01610, Angelina Anathram (Claimant) vs. Glenn Dubois t/a Woodchuck Marine Structures (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Glen Dubois t/a Woodchuck Marine Structures (Regulant)** did not appear at the board meeting. **Angelina Anathram (Claimant)** did not attend the Board meeting. A handout from the Claimant was distributed to the Board for review.

**File Number**  
**2009-01610**  
**Angelina Anathram**  
**vs. Glenn Dubois t/a**  
**Woodchuck Marine**  
**Structures**

**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 **Mrs. Wood** and seconded by **Mr. Sumpter** to adopt the claim review and the hearing officer's recommendations and summary for violations and approve the claim for payment in the amount of **\$12,380.00**. The motion passed by unanimous vote. Members voting "Yes" were: **Hart, Kirby, Modisett, Sumpter, Smith, Tomlin, and Wood.**

**Miller, Cronin, Rusher, Walton and Williams were absent. Redifer recused himself.**

**In the matter of Recovery Fund File Number 2009-01759, Marie Hughes (Claimants) vs. Windows Direct of Winchester, LLC (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Windows Direct of Winchester, LLC (Regulant)** did not appear at the board meeting. **Marie Hughes (Claimants)** did not attend the Board meeting.

**File Number**  
**2009-01759**  
**Marie Hughes vs.**  
**Windows Direct of**  
**Winchester, LLC**

**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 **Mrs. Wood** and seconded by **Mr. Modisett** to adopt the claim review and the hearing officer's recommendations and summary for violations and approve the claim for payment in the amount of \$20,000.00. The motion passed by unanimous vote. Members voting "Yes" were: **Hart, Kirby, Modisett, Sumpter, Smith, Tomlin, and Wood.**

**Miller, Cronin, Rusher, Walton and Williams** were absent. **Redifer** recused himself.

**In the matter of Recovery Fund File Number 2009-02209, Lewis & Emma Bellinger (Claimants) vs. Fidelity Construction, Inc. t/a Fidelity Custom Homes (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Fidelity Construction, Inc t/a Fidelity Custom Homes (Regulant)** did not appear at the board meeting. **The Bellingers (Claimants)** did attend the Board meeting.

File Number  
2009-02209  
**Lewis & Emma Bellinger vs. Fidelity Construction, Inc. t/a Fidelity Custom Homes**

**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 **Mrs. Wood** and seconded by **Mr. Modisett** to adopt the claim review and the hearing officer's recommendations and summary for violations and approve the claim for payment in the amount of \$20,000.00. The motion passed by unanimous vote. Members voting "Yes" were: **Hart, Kirby, Modisett, Sumpter, Smith, Tomlin, and Wood.**

**Miller, Cronin, Rusher, Walton and Williams** were absent. **Redifer** recused himself.

**In the matter of Recovery Fund File Number 2009-02216, Barbara Atherton (Claimant) vs. Ed Carroll t/a E Carroll Paving (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Ed Carroll t/a E Carroll Paving (Regulant)** did not appear at the board meeting. **Barbara Atherton (Claimant)** did not attend the Board meeting.

File Number  
2009-02216  
**Barbara Atherton vs. Ed Carroll t/a E Carroll Paving**

**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 **Mrs. Wood** and seconded by **Mr. Sumpter** to adopt the claim review and the hearing officer's recommendations and summary for violations and approve the claim for payment in the amount of \$6,687.67. The motion passed by unanimous vote. Members voting "Yes" were: **Hart, Kirby, Modisett, Sumpter, Smith, Tomlin, and Wood.**

**Miller, Cronin, Rusher, Walton and Williams** were absent. **Redifer** recused himself.

**In the matter of Recovery Fund File Number 2009-02218, Kyle Bakke (Claimants) vs. Tech, Design & Construction, LLC (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Tech Design & Construction, LLC (Regulant)** did not appear at the board meeting. **The Butlers (Claimants)** did not attend the Board meeting.

**File Number**  
**2009-02218**  
**Kyle Bakke vs.**  
**Tech, Design &**  
**Construction, LLC**

**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 **Mrs. Wood** and seconded by **Mr. Hart** to adopt the claim review and the hearing officer's recommendations and summary for violations and approve the claim for payment in the amount of **\$7,149.75**. The motion passed by unanimous vote. Members voting "Yes" were: **Hart, Kirby, Modisett, Sumpter, Smith, Tomlin, and Wood.**

**Miller, Cronin, Rusher, Walton and Williams** were absent. **Redifer** recused himself.

**In the matter of Recovery Fund File Number 2009-02334, Joseph and Nancy Sturdivant (Claimants) vs. Remodeling Professionals and Craftsmen, Inc. (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Remodeling Professionals and Craftsmen, Inc. (Regulant)** did not appear at the board meeting. **Joseph and Nancy Sturdivant (Claimants)** did attend the Board meeting. They addressed the Board.

**File Number**  
**2009-02334**  
**Joseph & Nancy**  
**Sturdivant vs.**  
**Remodeling**  
**Professionals and**  
**Craftsmen, Inc.**

**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 **Mrs. Wood** and seconded by **Mr. Modisett** to adopt the claim review and the hearing officer's recommendations and summary for violations and approve the claim for payment in the amount of **\$19,567.15**. The motion passed by unanimous vote. Members voting "Yes" were: **Hart, Kirby, Modisett, Sumpter, Smith, Tomlin, and Wood.**

**Miller, Cronin, Rusher, Walton and Williams** were absent. **Redifer** recused himself.

**In the matter of Recovery Fund File Number 2009-02348, Cynthia Fowler (Claimant) vs. Smolar Construction LLC (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Smolar Construction LLC (Regulant)** did not appear at the board meeting. **Cynthia Fowler (Claimant)** did attend the Board meeting.

**File Number**  
**2009-02348**  
**Cynthia Fowler vs.**  
**Smolar**  
**Construction LLC**

**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. Smith** to adopt the claim review and the hearing officer's recommendations and summary for violations and approve the claim for payment in the amount of **\$5,268.00**. The motion passed by unanimous vote. Members voting "Yes" were: **Hart, Kirby, Modisett, Sumpter, Smith, Tomlin, and Wood**.

**Miller, Cronin, Rusher, Walton and Williams were absent. Redifer recused himself.**

**In the matter of Recovery Fund File Number 2009-02431, Tina Dubois (Claimant) vs. Bruce Camp, Sr. t/a B C Home Improvements (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Bruce Camp, Sr. t/a B C Home Improvements (Regulant)** did not appear at the board meeting. **Scott Barney attorney for Tina Dubois (Claimants)** did attend the Board meeting. He addressed the Board sharing his disagreement in the difference in the recommended amount to be awarded to his client. He shared he felt there should be \$3,920.05 additional monies recommended to be awarded.

**File Number**  
**2009-02431**  
**Tina Dubois vs.**  
**Bruce Camp, Sr. t/a**  
**B C Home**  
**Improvements**

**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. Smith** and seconded by **Mr. Modisett** to adopt the claim review and the hearing officer's recommendations and summary for violations and approve the claim for payment in the amount of **\$8,515.95**. The motion passed by unanimous vote. Members voting "Yes" were: **Hart, Kirby, Modisett, Sumpter, Smith, Tomlin, and Wood**.

**Miller, Cronin, Rusher, Walton and Williams were absent. Redifer recused himself.**

**In the matter of Recovery Fund File Number 2009-02605, Ralth Baskerville (Claimants) vs. Franklin Furrow t/a Peace by Piece (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Franklin Furrow t/a Peace by Piece (Regulant)** did not appear at the board meeting. **Ralth Baskerville (Claimants)** did attend the Board meeting. He shared his disagreement with the Board.

**File Number**  
**2009-02605**  
**Ralth Baskerville vs.**  
**Franklin Furrow t/a**  
**Peace by Piece**

**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. Hart** to adopt the claim review and the hearing officer's recommendations and summary for violations and approve the claim for payment in the amount of **\$3,549.00**. The motion passed by unanimous vote. Members voting "Yes" were: **Hart, Kirby, Modisett, Sumpter, Smith, Tomlin, and Wood**.

**Miller, Cronin, Rusher, Walton and Williams were absent. Redifer recused himself.**

**In the matter of Recovery Fund File Number 2009-02926, Carolyn Fine (Claimant) vs. Steven & Karen Stuart t/a Renovation Solutions (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Steven & Karen Stuart t/a Renovation Solutions (Regulant)** did not appear at the board meeting. **Rose Pantazis, Attorney for Carolyn Fine (Claimant)** did attend the Board meeting. She addressed the Board and shared her client's agreement with the findings but disagreement with the recommended amount to be awarded. The client would like for attorney's fees to be included in the recommended amount to be awarded.

**File Number**  
**2009-02926**  
**Carolyn Fine vs.**  
**Steven & Karen**  
**Stuart t/a**  
**Renovation**  
**Solutions**

**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. Hart and seconded by Mr. Modisett to adopt the claim review and the hearing officer's recommendations and summary for violations and approve the claim for payment in the amount of \$18,600.00. The motion passed by unanimous vote. Members voting "Yes" were: Hart, Kirby, Modisett, Sumpter, Smith, Tomlin, and Wood.**

**Miller, Cronin, Rusher, Walton and Williams were absent. Redifer recused himself.**

**In the matter of Recovery Fund File Number 2009-02930, Kenneth & Ligia McWilliams (Claimants) vs. Adrrian Edwards Custom Homes, (Regulant);** the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Adrrian Edwards Custom Homes (Regulant)** did not appear at the board meeting. **The McWilliams (Claimants)** did not attend the Board meeting.

**File Number**  
**2009-02930**  
**Kenneth & Lifa**  
**McWilliams vs.**  
**Adrrian Edwards**  
**Custom Homes**

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

**Miller, Cronin, Rusher, Walton and Williams were absent. Redifer recused himself.**

**The Board took a five minute recess. The Board reconvened at 10 am.**

**Recess and**  
**Reconvene**  
**File Number**  
**2009-03411**

**In the matter of License Application File Number 2009-03411, Vanover's HJardwood Floors Co., Inc. the Board members reviewed the record, which**

consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**Travis Bynum**

**Applicant Ron A Cooke, Jr. for Vanover's HJardwood Floors Co., Inc.** appeared at the IFF and the Board meeting. He addressed the Board. The presiding Board representative **Ms. Brigil** was not present, did not participate in the discussion and did not vote. **Mr. Kirby** did not participate and did not vote. **Mr. Redifer** chaired this case. After discussion, a motion was made by **Mrs. Tomlin** and seconded by **Ms. Wood** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference, and issue a license. The motion passed by unanimous vote. Members voting "Yes" were: **Hart, Modisett, Redifer, Smith, Sumpter, Tomlin, and Wood.**

**Miller, Cronin, Rusher, Walton and Williams were absent. Kirby recused himself.**

**In the matter of License Application File Number 2009-03917, MSF Electric Inc** the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number  
2009-03917  
MSF Electric, Inc.**

**Applicant MSF Electric, Inc** appeared at the IFF and the Board meeting. The presiding Board representative **Ms. Brigil** 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. Modisett** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and issue a license. The motion passed by unanimous vote. Members voting "Yes" were: **Hart, Kirby, Modisett, Redifer, Smith, Sumpter, Tomlin, and Wood.**

**Miller, Cronin, Rusher, Walton and Williams were absent.**

**In the matter of License Application File Number 2009-04236, Brandon Vergara,** the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number  
2009-04236  
Brandon Vergara**

**Applicant Proven Construction Management, Inc** appeared at the IFF. **Brandon Vergara** attended the Board meeting. He addressed the Board. The presiding Board representative **Ms. Brigil** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Sumpter** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and issue the license. The motion passed by unanimous vote. Members voting "Yes" were: **Hart, Kirby, Modisett, Redifer, Smith, Sumpter, Tomlin, and Wood.**

**Miller, Cronin, Rusher, Walton and Williams were absent.**

**In the matter of License Application File Number 2009-04239, Shane Grimsley,** the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number  
2009-04239  
Shane Grimsley**

**Applicant Shane Grimsley** appeared at the IFF and the Board meeting. He addressed the Board and shared his disagreement with the Hearing Officer's recommendation. The presiding Board representative **Ms. Brigil** was not present, did not participate in the discussion and did not vote. **Mrs. Perkins** shared with the Board that a correction needed to be made to the summary should cite 1850 VAC 50-3-40 A and not 130 B. After discussion, a motion was made by **Mr. Redifer** and seconded by **Ms. Wood** to reject the recommendation contained in the Summary of the Informal Fact-Finding Conference and to grant permission to Shane Grimsley to sit for the Journeyman's exam. The motion passed by majority vote. Members voting "Yes" were: **Kirby, Modisett, Smith, Sumpter, Tomlin, and Wood.**

**Members voting no were: Redifer and Hart. The vote was 6 to 2.**

**Miller, Cronin, Rusher, Walton and Williams were absent.**

**In the matter of License Application File Number 2009-04276, SunPlug Energy Services, LLC,** the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number  
2009-04276  
SunPlug Energy  
Services, LLC**

**Applicants Robert Rouse and Glenn Klenk for SunPlug Energy Services, LLC** appeared at the IFF and the Board meeting. They addressed the Board and shared their disagreement with the recommendation. The presiding Board representative **Ms. Brigil** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Hart** and seconded by **Mr. Redifer** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and deny a license. The motion passed by unanimous vote. Members voting "Yes" were: **Hart, Kirby, Modisett, Redifer, Smith, Sumpter, Tomlin, and Wood.**

**Miller, Cronin, Rusher, Walton and Williams were absent.**

**In the matter of License Application File Number 2009-04511, Merryman Grounds Maintenance,** the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number  
2009-04511  
Merryman Ground  
Maintenance**

**Applicant Merryman Grounds Maintenance** appeared at the IFF. He did not attend the Board meeting. The presiding Board representative **Ms. Brigil** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Modisett** and seconded by **Mr. Smith** to adopt the recommendation

contained in the Summary of the Informal Fact-Finding Conference and issue a license. The motion passed by unanimous vote. Members voting "Yes" were: **Hart, Kirby, Modisett, Redifer, Smith, Sumpter, Tomlin, and Wood.**

**Miller, Cronin, Rusher, Walton and Williams were absent.**

**In the matter of Disciplinary File Number 2008-03563, Delaware Elevator, Inc. (Respondent);** the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Charles Meeks and David Smart on behalf of Delaware Elevator, Inc (Respondent)** did appear at the IFF and did attend the Board meeting. They addressed the Board. **David Geib (Complainant) and Stephen Van (Witness)** did appear at the IFF and did attend the Board meeting. They addressed the Board. The presiding Board representative **Mr. Cronin** was not present, did not participate in the discussion and did not vote. Mr. Olson addressed the Board. After discussion, a motion was made by **Mr. Sumpter** and seconded by **Mr. Redifer** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Delaware Elevator Inc,** violated the following sections of its Regulations:

**File Number  
2008-03563  
Delaware Elevator,  
Inc.**

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

The motion passed by majority vote. Members voting "yes" were: **Hart, Kirby, Modisett, Redifer, Smith, Sumpter, Tomlin, and Wood.**

**Miller, Cronin, Rusher, Walton and Williams were absent.**

After discussion a motion was made by **Mr. Sumpter** and seconded by **Mr. Redifer** to impose no sanction for the violation of the regulation.

The motion passed by majority vote. Members voting "yes" were: **Hart, Kirby, Modisett, Redifer, Smith, Sumpter, Tomlin, and Wood.**

**Miller, Cronin, Rusher, Walton and Williams were absent.**

**In the matter of Disciplinary File Number 2009-01057, Cornerstone Construction Services, LLC (Respondent);** the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Cornerstone Construction Services, LLC (Respondent)** did not attend the IFF. They did appear at the Board meeting in person and by counsel. **Edward Younger** Attorney for Cornerstone,

**File Number  
2009-01057  
Cornerstone  
Construction  
Services, LLC**

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**Heriberto Rodriguez and Edward D Gregory** addressed the Board. **Jason Davison (Complainant)** and his attorney **Shawn David** attended the Board meeting and addressed the Board. **Attorney David** shared his client's disagreement. The presiding Board representatives **Mr. Cronin and Mr. Redifer** were not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Mrs. Wood** and seconded by **Mr. Hart** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Cornerstone Construction Services, LLC** violated the following sections of its Regulations:

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

The motion passed by unanimous vote. Members voting "yes" were: **Hart, Kirby, Modisett, Smith, Sumpter, Tomlin, and Wood.**

**Miller, Cronin, Rusher, Walton and Williams** were absent. **Redifer** recused himself.

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

Count 1:	\$400.00	
Total		\$400.00

In addition, for violation of **Count 1**, the Board to require **Cornerstone Construction Services LLC, t/a Cornerstone Construction** has a member of Responsible Management successfully complete a Board-approved remedial education class.

The Board voted to close counts 2 and 3 with a finding of no violation.

The motion passed by unanimous vote. Members voting "yes" were: **Hart, Kirby, Modisett, Redifer, Smith, Sumpter, Tomlin, and Wood.**

**Miller, Cronin, Rusher, Walton and Williams** were absent.

In the matter of Disciplinary File Number 2009-03415, **O W Wilson & Leroy Wilson t/a Wilson & Sons (Respondent)**; the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **O W Wilson & Leroy Wilson t/a Wilson & Wilson (Respondent)** participated in the IFF. He did not appear at the Board meeting in person or by counsel or by any other qualified

File Number  
**2009-03415**  
**O W Wilson &**  
**Leroy Wilson t/a**  
**Wilson & Sons**

representative. The presiding Board representative **Mr. Cronin** 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. Modisett** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **OW Wilson & Leroy Wilson**, violated the following sections of its Regulations:

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

The motion passed by unanimous vote. Members voting "yes" were: **Hart, Kirby, Modisett, Redifer, Smith, Sumpter, Tomlin, and Wood.**

**Miller, Cronin, Rusher, Walton and Williams were absent.**

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

Count 1:	\$500.00	
Total		\$500.00
In addition, for violation of <b>Count 1</b> , the Board to require <b>O W Wilson &amp; Leroy Wilson, t/a Wilson &amp; Sons</b> has a member of Responsible Management successfully complete a Board-approved remedial education class.		

The motion passed by unanimous vote. Members voting "yes" were: **Hart, Kirby, Modisett, Redifer, Smith, Sumpter, Tomlin, and Wood.**

**Miller, Cronin, Rusher, Walton and Williams were absent.**

**In the matter of Disciplinary File Number 2009-03677, Integrated Electrical LLC (Respondent);** the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Integrated Electrical LLC (Respondent)** appeared at the IFF. They did not appear at the Board meeting in person or by counsel or by any other qualified representative. The presiding Board representative **Mr. Cronin** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Modisett** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Integrated Electrical LLC**, violated the following sections of its Regulations:

**File Number**  
**2009-03677**  
**Integrated Electrical**  
**LLC**

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

The motion passed by unanimous vote. Members voting "yes" were: **Hart, Kirby, Modisett, Redifer, Smith, Sumpter, Tomlin, and Wood.**

**Miller, Cronin, Rusher, Walton and Williams were absent.**

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

Count 1:	\$1,350.00	
Total		\$1,350.00
In addition, for violation of Count 1, the Board voted to revoke license number 2705-087048.		

The motion passed by unanimous vote. Members voting "yes" were: **Hart, Kirby, Modisett, Redifer, Smith, Sumpter, Tomlin, and Wood.**

**Miller, Cronin, Rusher, Walton and Williams were absent.**

**In the matter of Disciplinary File Number 2009-03708, Patriot Custom Builders, LLC (Respondent);** the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. Larry Simpson for **Patriot Custom Builders, LLC (Respondent)** appeared at the IFF by telephone. He did not appear at the Board meeting in person or by counsel or by any other qualified representative. The presiding Board representative **Mr. Cronin** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Mrs. Wood** and seconded by **Mr. Sumpter** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Patriot Custom Builders LLC**, violated the following sections of its Regulations:

**File Number**  
**2009-03708**  
**Patriot Custom**  
**Builders, LLC**

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

The motion passed by unanimous vote. Members voting "yes" were: **Hart, Kirby, Modisett, Redifer, Smith, Sumpter, Tomlin, and Wood.**

**Miller, Cronin, Rusher, Walton and Williams were absent.**

After discussion a motion was made by **Mr. Sumpter** and seconded by **Mrs. Wood** to impose the following sanctions adding Remedial Education to be in line with standard Board practice:

Count 1:	\$500.00	
Total		\$500.00

In addition, for violation of **Count 1**, the Board to require **Patriot Custom Builders LLC** has a member of Responsible Management successfully complete a Board-approved remedial education class.

The motion passed by majority vote. Members voting "yes" were: **Hart, Kirby, Modisett, Redifer, Smith, Sumpter, Tomlin, and Wood.**

**Miller, Cronin, Rusher, Walton and Williams were absent.**

In the matter of Disciplinary File Number 2008-04662, **Rodney Stephens, t/a Stephens Improving Home Improvements (Respondent)**; the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Rodney Stephens, t/a Stephens Improving Home Improvements (Respondent)** did not appear at the IFF. Neither **Stephens**, legal counsel nor any other qualified representative attended the Board meeting. **Bhaskaran Nair (Complainant)** attended the IFF. He did not attend the Board meeting. The presiding Board representative **Mr. Kirby** was not present, did not participate in the discussion and did not vote. **Mr. Redifer** chaired this case. After discussion, a motion was made by **Mr. Sumpter** and seconded by **Mr. Smith** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Gaudencio Fernandez**, violated the following sections of its Regulations:

**File Number  
 2008-04662  
 Rodney Stephens,  
 t/a Stephens  
 Improving Home  
 Improvements**

Effective September 1, 2001		
Count 1:	18 VAC 50-22-260.B 6	
Count 2:	18 VAC 50-22-260 B 6	
Count 3:	18 VAC 50-22-260.B.9	Effective: February 1, 2001
Count 4:	18 VAC 50-22-260.B.27	Effective September 1, 2001

The motion passed by unanimous vote. Members voting "yes" were: **Hart, Modisett, Redifer, Smith, Sumpter, Tomlin, and Wood.**

**Miller, Cronin, Rusher, Walton and Williams were absent.  
Kirby did not vote.**

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

Count 1	\$2,500.00	
Count 2	\$1,500.00	
Count 3	\$500.00	
Count 4	\$750.00	
Total		\$5,250.00

In addition, for violation of Counts 3 and 4, the Board imposes voted to require **Rodney Stephens** 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. Further for the violation of Count 1 and 2 the Board imposes revocation of license 2705-085902.

The motion passed by unanimous vote. Members voting "yes" were: **Hart, Modisett, Redifer, Smith, Sumpter, Tomlin, and Wood.**

**Miller, Cronin, Rusher, Walton and Williams were absent.**

**Kirby did not vote.**

In the matter of Disciplinary File Number 2009-01782, **David W Cover, t/a Cover's Chimney Service (Respondent)**; the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **David W Cover, t/a Cover's Chimney Service (Respondent)** appeared at the IFF. **Cover** did not appear at the Board meeting in person or by counsel or by any other qualified representative. The presiding Board representative **Mr. Kirby** was not present, did not participate in the discussion and did not vote. **Mr. Redifer** chaired this case. **Mrs. Perkins** shared with the Board that priors exist; respondent has previously entered into a Consent Order with the Board. After discussion, a motion was made by **Mr. Sumpter** and seconded by **Mr. Smith** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **David W Cover** violated the following of its Regulations.

**File Number  
2009-01782  
David W Cover, t/a  
Cover's Chimney  
Service**

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

The motion passed by unanimous vote. Members voting "yes" were: were: **Hart, Modisett, Redifer, Smith, Sumpter, Tomlin, and Wood.**

**Miller, Cronin, Rusher, Walton and Williams were absent.**

**Kirby did not vote.**

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

Count 1:	\$250.00	
Total		\$250.00

The motion passed unanimously. Members voting "yes" were: **Hart, Modisett, Redifer, Smith, Sumpter, Tomlin, and Wood.**

**Miller, Cronin, Rusher, Walton and Williams were absent.**

**Kirby did not vote.**

**In the matter of Disciplinary File Number 2009-02470 Islander Pools Inc (Respondent);** the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Islander Pools Inc (Respondent)** did not appear at the IFF or the Board meeting. The presiding Board representative **Mr. Kirby** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Sumpter** and seconded by **Mr. Smith** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Islander Pools Inc** violated the following sections of its Regulations:

**File Number**  
**2009-02470**  
**Islander Pools Inc**

Effective February 1, 2006		
Count 1:	18 VAC 50-22-260 B 9	
Count 2:	18 VAC 50-22-260.B 26	September 1, 2001

The motion passed by unanimous vote. Members voting "yes" were: **Hart, Modisett, Redifer, Smith, Sumpter, Tomlin, and Wood.**

**Miller, Cronin, Rusher, Walton and Williams were absent.**  
**Kirby did not vote.**

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

Count 1: \$300.00	
Count 2: \$1,000.000	
<b>Total</b>	<b>\$1,300.00</b>
In addition, for violation of Count 1 and 2, the Board voted to require Islander Pools Inc has a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the effective date of the order.	

The motion passed by unanimous vote. Members voting "yes" were: **Hart, Modisett, Redifer, Smith, Sumpter, Tomlin, and Wood.**

**Miller, Cronin, Rusher, Walton and Williams were absent.**

**Kirby did not vote.**

**In the matter of Disciplinary File Number 2009-02504, Vanovers Hardwood Floorworks Co Inc (Respondent);** the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Dwight Vanover** on be half of **Vanovers Hardwood Floorworks Co Inc (Respondent)** appeared at the IFF. **Vanover** and **Ron Cook** did not appear at the Board meeting. They both addressed the Board. The presiding Board representative **Mr. Kirby** was not present, did not participate in the discussion and did not vote. **Mr. Redifer** chaired this case. After discussion, a motion was made by **Mr. Sumpter** and seconded by **Mr. Smith** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Vanovers Hardwood Floorworks Co Inc** violated the following sections of its Regulations:

**File Number**  
**2009-02504**  
**Vanovers Hardwood**  
**Floorworks Co Inc**

Effective September 1, 2001		
Count 1:	18 VAC 50-22-260.B 27	
Count 2:	18 VAC 50-22-260.B 22	
Count 3:	18 VAC 50-22-260 B 23	
Count 4:	18 VAC 50-22-260 B 2	Effective: May, 1999

The motion passed by unanimous vote. Members voting "yes" were: **Hart, Modisett,**

**Redifer, Smith, Sumpter, Tomlin, and Wood.**

**Miller, Cronin, Rusher, Walton and Williams were absent.**

**Kirby did not vote.**

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

Count 1:	\$750.00	
Count 3:	\$500.00	
Count 4:	\$1,000.00	
Total		\$2,250.00

In addition, for violation of Count 1, 2, 3 and 4, the Board voted to require **Vanovers Hardwood Floorworks Co Inc** has a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.

As to Count 2, the Board voted to impose no monetary penalty pursuant to §54.1-202 of the Code of Virginia.

The motion passed by unanimous vote. Members voting "yes" were: **Hart, Modisett, Redifer, Smith, Sumpter, Tomlin, and Wood.**

**Miller, Cronin, Rusher, Walton and Williams were absent.**

**Kirby did not vote.**

**In the matter of Disciplinary File Number 2009-00275, Darren L Bonner t/a Vanguard Builders (Respondent);** the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Darren L Bonner t/a Vanguard Builders (Respondent)** did not appear at the IFF. He did not attend the Board meeting. The presiding Board representative **Mr. Smith** 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 **Mrs. Wood** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Darren L Bonner** violated the following sections of its Regulations:

**File Number**  
**2009-00275**  
**Darren L Bonner t/a**  
**Vanguard Builders**

Effective September 1, 2001

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Count 1:	18 VAC 50-22-260.B 27	
Count 2:	18 VAC 50-22-260.B 31	
Count 3:	18 VAC 50-22-260 B 29	
Count 4:	18 VAC 50-22-260 B 12	
Count 5:	18 VAC 50-22-260 B 28	

The motion passed by unanimous vote. Members voting "yes" were: **Hart, Modisett, Redifer, Kirby, Sumpter, Tomlin, and Wood.**

**Miller, Cronin, Rusher, Walton and Williams were absent.**

**Smith did not vote.**

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

Count 1:	\$1,000.00	
Count 2:	\$300.00	
Count 3:	\$600.00	
Count 4:	\$1,000.00	
Count 5:	\$2,000.00	
Total		\$4,900.00

In addition, for violation of Count 1, 2, 3 and 4, the Board voted to require **Darren L Bonner** has a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.

As to Count 4 and 5, the Board voted to impose revocation of license 2705-062879.

The motion passed by unanimous vote. Members voting "yes" were: **Hart, Modisett, Redifer, Kirby, Sumpter, Tomlin, and Wood.**

**Miller, Cronin, Rusher, Walton and Williams were absent.**

**Smith did not vote.**

**In the matter of Disciplinary File Number 2009-00721, Oscar Cuzmar, t/a CPG Construction (Respondent);** the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Mr. Cuzmar (Respondent)** attended the Board meeting. The presiding Board representatives **Mr. Smith and Mrs Wood** were not present, did not participate in the discussion and did not vote. After discussion, the Board chairman, **Mr. Kirby** informed the Respondent, **Mr.**

**File Number**  
**2009-00721**  
**Oscar Cuzmar t/a**  
**CPG Construction**

**Cuzmar** that due to lack of a voting quorum this case would need to be remanded to the next Board meeting of **September 1, 2009**. The legal analyst, **Mrs. Perkins** was requested to notify in writing, **Mr. Cuzmar** of **CPG Construction** and also **Mr. Colin M. Raufer** of the new date for this case to be heard before the Board for Contractors.

In the matter of **Disciplinary File Number 2009-01153, Washington Marrow, t/a Econo-works (Respondent)**; the Board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Washington Marrow (Respondent)** and his Attorney, **William K Grogan** appeared at the IFF. **William K Grogan**, attorney for Marrow attended the Board meeting. He addressed the Board on his client's behalf. The presiding Board representatives **Mr. Smith** and **Mr. Miller** were not present and did not participate and did not vote. After discussion a motion was made by **Mr. Redifer** and seconded by **Mrs. Wood** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with amended Recommendations. The Board found that **Washington Marrow** violated the following sections of its Regulations:

**File Number**  
**2009-01153**  
**Washington**  
**Marrow, t/a Econo-**  
**works**

Effective September 1, 2001		
Count 1:	18 VAC 50-22-260.B 8	
Count 2:	18 VAC 50-22-260.B 27	
Count 3:	18 VAC 50-22-260.B.6	
Count 4:	18 VAC 50-22-260.B.31	

The motion passed by unanimous vote. Members voting "yes" were: **Hart, Modisett, Redifer, Kirby, Sumpter, Tomlin, and Wood.**

**Miller, Cronin, Rusher, Walton and Williams** were absent.

**Smith and Miller** did not vote.

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

Count 1:	\$100.00	Instead of \$300.00
Count 2:	\$100.00	Instead of \$300.00
Count 3:	\$100.00	Instead of \$200.00
Count 4:	\$100.00	Instead of \$300.00
Total		\$1,350.00

In addition, for violation of Count 1, 2, 3 and 4, the Board voted to require **Washington Marrow** has a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.

The motion passed by unanimous vote. Members voting "yes" were: **Hart, Modisett, Redifer, Kirby, Sumpter, Tomlin, and Wood.**

**Miller, Cronin, Rusher, Walton and Williams were absent.**

**Smith and Miller did not vote.**

**In the matter of Disciplinary File Number 2009-01717, Atlantic Landscapes & Irrigation Inc (Respondent);** the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Neither Atlantic Landscapes & Irrigation Inc, (Respondent),** nor anyone on its behalf appeared at the IFF or the Board meeting. **Neither Atlantic nor** counsel or any other qualified representative appeared at the Board meeting on its behalf. The presiding Board representative **Mr. Smith** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Williams** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Atlantic Landscapes & Irrigation Inc,** violated the following sections of its Regulations:

**File Number**  
**2009-01717**  
**Atlantic Landscapes**  
**& Irrigation Inc**

Effective September 1, 2001		
Count 1:	18 VAC 50-22-260.B 27	Two violations
Count 2:	18 VAC 50-22-260.B 12	Effective February 1, 2006
Count 3:	18 VAC 50-22-260.B.6	Effective September 1, 2001 Two violations
Count 4:	18 VAC 50-22-260.B.13	

The motion passed by unanimous vote. Members voting "yes" were: **Hart, Modisett, Redifer, Kirby, Sumpter, Tomlin, and Wood.**

**Miller, Cronin, Rusher, Walton and Williams were absent.**

**Smith did not vote.**

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

Count 1:	\$800.00	2@ \$400.00 each
Count 2:	\$1,000.00	
Count 3:	\$1,200.00	2@ \$400.00 each
Count 4:	\$2,000.00	
Total		\$1,350.00

In addition, for violation of Count 1 and 2, the Board voted to require **Atlantic Landscapes & Irrigation Inc** has a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.

The Board voted to impose revocation of license (2705-109201) for the violation of its Regulations.

The motion passed by unanimous vote. Members voting "yes" were: **Hart, Modisett, Redifer, Kirby, Sumpter, Tomlin, and Wood.**

**Miller, Cronin, Rusher, Walton and Williams were absent.**

**Smith did not vote.**

In the matter of Disciplinary File Number 2009-02956, **Richard A Stafford, t/a Home Improvement Contractor (Respondent)**; the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Richard A Stafford on behalf of Home Improvement Contractor, (Respondent)**, appeared at the IFF. Neither **Stafford, Home Improvement Contractor**, counsel or by any other qualified representative appeared at the Board meeting on its behalf. The presiding Board representative **Mr. Smith** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Sumpter** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Richard A Stafford**, violated the following sections of its Regulations:

**File Number**  
**2009-02956**  
**Richard A Stafford,**  
**t/a Home**  
**Improvement**  
**Contractor**

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

The motion passed by unanimous vote. Members voting "yes" were: **Hart, Modisett, Redifer, Kirby, Sumpter, Tomlin, and Wood.**

**Miller, Cronin, Rusher, Walton and Williams were absent.**

**Smith did not vote.**

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

Count 1:	\$300.00	
Count 2:	\$300.00	

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Total		\$600.00
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In addition, for violation of Count 1 and 2, the Board voted to require **Richard A Stafford** has a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.

The motion passed by unanimous vote. Members voting "yes" were: **Hart, Modisett, Redifer, Kirby, Sumpter, Tomlin, and Wood.**

**Miller, Cronin, Rusher, Walton and Williams were absent.**

**Smith did not vote.**

**In the matter of Disciplinary File Number 2009-01846, Randall Falwell, t/a FHI & Const Falwell Home Improvement & Const (Respondent);** the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Randall Falwell (Respondent)** appeared at the Board meeting. **Mr. Modisett** recused himself from this case. The presiding Board representatives **Ms. Wall and Mr. Redifer** were not present, did not participate in the discussion and did not vote. The Board chair, **Mr. Kirby** shared with **Mr. Falwell** that due to lack of a voting quorum the Board could not hear his case today. **Mr. Kirby** shared that the case would need to be remanded to the next available Board meeting on **September 1, 2009**. **Mr. Falwell** requested that due to a previous commitment that he would need to have the Board hear the case at the Board's **October 6, 2009** meeting. **Mr. Kirby** shared that in order to hear the case at the October meeting as requested that **Mr. Falwell** would need to agree to waive the 90 day requirement. **Mr. Falwell** stated, he would waive the 90 requirement if the Board would grant his request and hear his case October 6, 2009. The legal analyst **Mrs. Perkins** was requested to notify **Mr. Falwell** in writing of this agreement and to also copy **Jack and Carol Dyer and Henry C Devening, Esq.**

**File Number**  
**2009-01846**  
**Randall Falwell, t/a**  
**FHI & Const**  
**Falwell Home**  
**Improvement &**  
**Const**

**In the matter of Disciplinary File Number 2009-02917, Advanced Housing Systems Inc (Respondent);** the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Neither Advanced Housing Systems Inc nor anyone on behalf of Advanced Housing Systems Inc** appeared at the IFF. **Neither Advanced Housing Systems Inc, counsel nor any other qualified representative** attended the Board meeting.

**File Number**  
**2009-02917**  
**Advanced Housing**  
**Systems Inc**

The presiding Board representatives **Ms. Wall and Mrs. Wood** were not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Sumpter** and seconded by **Mr. Hart** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with

**Recommendations.**

The Board found that **Advanced Housing Systems Inc**, violated the following sections of its Regulations:

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

The motion passed by unanimous vote. Members voting "yes" were: **Hart, Modisett, Redifer, Smith, Sumpter, Tomlin, and Kirby.**

**Miller, Cronin, Rusher, Walton and Williams were absent.**

**Wood did not vote.**

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

Count 1:	\$1,900.00	
Count 2:	\$1,900.00 .	
<b>Total</b>		<b>\$3,800.00</b>

In addition, for violation of Counts 1 and 2 the Board voted to impose revocation of license (2705-095455).

The motion passed by unanimous vote. Members voting "yes" were: **Hart, Modisett, Redifer, Smith, Sumpter, Tomlin, and Kirby.**

**Miller, Cronin, Rusher, Walton and Williams were absent.**

**Wood did not vote.**

In the matter of Disciplinary File Number 2009-03279, **Jeff D Bond (Respondent)**; the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Neither Jeff D Bond (Respondent)**, nor anyone on his behalf appeared at the IFF or the Board meeting. The presiding Board representative **Ms. Wall** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Smith** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the

**File Number**  
**2008-03279**  
**Jeff D Bond**

Informal Fact-Finding Conference with Recommendations. The Board found that **Jeff D Bond**, violated the following sections of its Regulations:

Effective February 1, 2006		
Count 1:	18 VAC 50-22-260.B13	
Count 2:	18 VAC 50-22-260 B 28	

The motion passed by unanimous vote. Members voting "yes" were: **Hart, Kirby, Modisett, Redifer, Smith, Sumpter, Tomlin, and Wood.**

**Miller, Cronin, Rusher, Walton and Williams were absent.**

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

Count 1:	\$1,350.00	
Count 2:	\$1,900.00	
Total		\$3,250.00

In addition, for violation of Count 1 and 2, the Board voted to impose revocation of license 2705-076673.

The motion passed by unanimous vote. Members voting "yes" were: **Hart, Kirby, Modisett, Redifer, Smith, Sumpter, Tomlin, and Wood.**

**Miller, Cronin, Rusher, Walton and Williams were absent.**

**In the matter of Disciplinary File Number 2009-00462, Edsall Design Build Inc (Respondent);** the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Neither Edsall Design Build Inc (Respondent),** nor anyone on its behalf appeared at the IFF or the Board meeting. **John and Leslie Madden** attended the IFF. The presiding Board representatives **Mr. Walton and Mr. Kirby** were not present, did not participate in the discussion and did not vote. **Mr. Redifer** chaired this case. After discussion, a motion was made by **Mr. Sumpter** and seconded by **Mr. Smith** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Edsall Design Build Inc**, violated the following sections of its Regulations:

**File Number**  
**2009-00462**  
**Edsall Design Build**  
**Inc**

Effective February 1, 2006
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Count 1:	18 VAC 50-22-260.B 9	
Count 2:	18 VAC 50-22-260 B 10	September 1, 2001
Count 3:	18 VAC 50-22-260 B 31	
Count 4:	18 VAC 50-22-260 B 15	
Count 5:	18 VAC 50-22-260 B 6	

The motion passed by unanimous vote. Members voting "yes" were: **Hart, Modisett, Redifer, Smith, Sumpter, Tomlin, and Wood.**

**Miller, Cronin, Rusher, Walton and Williams were absent.**

**Kirby and Walton did not vote.**

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

Count 1:	\$500.00	
Count 2:	\$500.00	
Count 3:	\$500.00	
Count 4:	\$1,500.00	
Count 5:	\$1,500.00	
Total		\$4, 500.00

In addition, for violation of Count 4 and 5, the Board voted to impose revocation of license (2705-120215) for the violation of its Regulations. In addition, for violation of Count 1, 2 and 3, the Board voted to require **Edsall Design Build Inc** has a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the effective date of this order.

The motion passed by unanimous vote. Members voting "yes" were: **Hart, Modisett, Redifer, Smith, Sumpter, Tomlin, and Wood.**

**Miller, Cronin, Rusher, Walton and Williams were absent.**

**Kirby and Walton did not vote.**

In the matter of Disciplinary File Number 2009-02001, **Cutting Edge Landscaping LLC (Respondent)**; the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Richard Ryals** on behalf of **Cutting Edge Landscaping LLC (Respondent)** appeared at the IFF meeting. He did not come forward at the Board meeting when this case was called. The presiding Board representatives **Mr. Walton** and **Mr. Kirby** were not present, did not participate in the discussion and did not vote. **Mr. Redifer** chaired this case. After discussion, a motion was made by **Mrs. Wood** and seconded by **Mr. Sumpter** to

**File Number**  
**2009-02001**  
**Cutting Edge**  
**Landscaping LLC**

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adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Cutting Edge Landscaping LLC**, violated the following sections of its Regulations:

Effective September 1, 2001		
Count 1:	18 VAC 50-22-260.B 15	
Count 2:	18 VAC 50-22-260 B 31	
Count 3:	18 VAC 50-22-260 B 28	

The motion passed by unanimous vote. Members voting "yes" were: **Hart, Modisett, Redifer, Smith, Sumpter, Tomlin, and Wood.**

**Miller, Cronin, Rusher, Walton and Williams were absent.**

**Kirby and Walton did not vote.**

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

Count 1:	\$2,000.00	
Count 2:	\$300.00	
Count 3:	\$2,000.00	
Total		\$4,300.00

The Board imposes the Revocation of license (2705-109211) for the violation of Counts 1, and Count 3.

In addition, for violation of Count 2, the Board voted to require **Cutting Edge Landscaping LLC** has a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.

The motion passed by unanimous vote. Members voting "yes" were: **Hart, Modisett, Redifer, Smith, Sumpter, Tomlin, and Wood.**

**Miller, Cronin, Rusher, Walton and Williams were absent.**

**Kirby and Walton did not vote.**

**In the matter of Disciplinary File Number 2009-02208, Cutting Edge Landscaping LLC (Respondent); the board reviewed the record, which consisted of**

**File Number  
2009-02208**

**Cutting Edge  
 Landscaping LLC**

the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Richard Ryals** on behalf of **Cutting Edge Landscaping LLC (Respondent)** appeared at the IFF meeting. **He did not come forward at the Board meeting when this case was called.** The presiding Board representatives **Mr. Walton and Mr. Kirby** were not present, did not participate in the discussion and did not vote. **Mr. Redifer chaired this case.** After discussion, a motion was made by **Mrs. Wood** and seconded by **Mr. Sumpter** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Cutting Edge Landscaping LLC**, violated the following sections of its Regulations:

Effective February 1, 2006		
Count 1:	18 VAC 50-22-260.B 9	
Count 2:	18 VAC 50-22-260 B 26	Effective September 1, 2001
Count 3:	18 VAC 50-22-260 B 6	
Count 4:	18 VAC 50-22-260 B 14	
Count 5:	18 VAC 50-22-260 B 16	

The motion passed by unanimous vote. Members voting "yes" were: **Hart, Modisett, Redifer, Smith, Sumpter, Tomlin, and Wood.**

**Miller, Cronin, Rusher, Walton and Williams were absent.**

**Kirby and Walton did not vote.**

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

Count 1:	\$300.00	
Count 2:	\$500.00	
Count 3:	\$600.00	
Count 4:	\$1,750.00	
Count 5:	\$2,000.00	
Total		\$5,150.00

The Board imposes the Revocation of license (2705-109211) for the violation of Counts 4, and Count 5.  
 In addition, for violation of Count 2, the Board voted to require **Cutting Edge Landscaping LLC** has a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.

The motion passed by unanimous vote. Members voting "yes" were: **Hart, Modisett,**

**Redifer, Smith, Sumpter, Tomlin, and Wood.**

**Miller, Cronin, Rusher, Walton and Williams were absent.**

**Kirby and Walton did not vote.**

**In the matter of Disciplinary File Number 2009-02351, Cutting Edge Landscaping LLC (Respondent);** the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Richard Ryals** on behalf of **Cutting Edge Landscaping LLC (Respondent)** appeared at the IFF meeting. **Ryals came forward at the Board meeting when this case was called. He shared he didn't hear the other cases called. He addressed the Board concerning this case.** The presiding Board representatives **Mr. Walton and Mr. Kirby** were not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Mrs. Wood** and seconded by **Mr. Sumpter** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the **Summary of the Informal Fact-Finding Conference with Recommendations.** The Board found that **Cutting Edge Landscaping LLC,** violated the following sections of its Regulations:

**File Number  
 2009-02351  
 Cutting Edge  
 Landscaping LLC**

Effective February 1, 2006		
Count 1:	18 VAC 50-22-260.B 9	
Count 2:	18 VAC 50-22-260 B 26	Effective September 1, 2001
Count 3:	18 VAC 50-22-260 B 6	
Count 4:	18 VAC 50-22-260.B.15	
Count 5:	18 VAC 50-22-260 B 16	

The motion passed by unanimous vote. Members voting "yes" were: **Hart, Modisett, Redifer, Smith, Sumpter, Tomlin, and Wood.**

**Miller, Cronin, Rusher, Walton and Williams were absent.**

**Kirby and Walton did not vote.**

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

Count 1:	\$300.00	
Count 2:	\$500.00	
Count 3:	\$750.00	
Count 4:	\$1,750.00	
Count 5:	\$2,000.00	
Total		\$5,300.00

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The Board imposes the Revocation of license (2705-109211) for the violation of Count 5.

In addition, for violation of Counts 1, 2, 3 and 4, the Board voted to require **Cutting Edge Landscaping LLC** has a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.

The motion passed by unanimous vote. Members voting "yes" were: **Hart, Modisett, Redifer, Smith, Sumpter, Tomlin, and Wood.**

**Miller, Cronin, Rusher, Walton and Williams were absent.**

**Kirby and Walton did not vote.**

In the matter of Disciplinary File Number 2009-02627, **Cutting Edge Landscaping LLC (Respondent)**; the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Richard Ryals** on behalf of **Cutting Edge Landscaping LLC (Respondent)** appeared at the IFF meeting. He addressed the Board. The presiding Board representatives **Mr. Walton and Mr. Kirby** were not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Mrs. Wood** and seconded by **Mr. Sumpter** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Cutting Edge Landscaping LLC**, violated the following sections of its Regulations:

**File Number**  
**2009-02627**  
**Cutting Edge**  
**Landscaping LLC**

Effective February 1, 2006		
Count 1:	18 VAC 50-22-260.B 9	
Count 2:	18 VAC 50-22-260 B 6	Effective September 1, 2001
Count 3:	18 VAC 50-22-260 B 15	
Count 4:	18 VAC 50-22-260 B 17	
Count 5:	18 VAC 50-22-260 B 16	

The motion passed by unanimous vote. Members voting "yes" were: **Hart, Modisett, Redifer, Smith, Sumpter, Tomlin, and Wood.**

**Miller, Cronin, Rusher, Walton and Williams were absent.**

**Kirby and Walton did not vote.**

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

impose the following sanctions:

Count 1:	\$500.00	
Count 2:	\$750.00	
Count 3:	\$1,750.00	
Count 4:	\$1,500.00	
Count 5:	\$2,000.00	
Total		\$6,500.00
The Board imposes the Revocation of license (2705-109211) for the violation of Count 5.		
In addition, for violation of Counts 1, 2, 3, and 4, the Board voted to require <b>Cutting Edge Landscaping LLC</b> has a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.		

The motion passed by unanimous vote. Members voting "yes" were: **Hart, Modisett, Redifer, Smith, Sumpter, Tomlin, and Wood.**

**Miller, Cronin, Rusher, Walton and Williams were absent.**

**Kirby and Walton did not vote.**

**In the matter of Disciplinary File Number 2009-02208, Cutting Edge Landscaping LLC (Respondent);** the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Mr. Smith** offered a motion seconded by **Mr. Hart** to reopen this case. The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Modisett, Redifer, Smith, Sumpter, Tomlin, and Wood.**

**File Number**  
**2009-02208**  
**Cutting Edge**  
**Landscaping LLC**

**Richard Ryals** on behalf of **Cutting Edge Landscaping LLC (Respondent)** appeared at the IFF meeting. **He attended the Board meeting on behalf of Cutting Edge Landscaping LLC.** He addressed the Board.

The presiding Board representatives **Mr. Walton** and **Mr. Kirby** were not present, did not participate in the discussion and did not vote. **Mr. Redifer** chaired this case. After discussion, a motion was made by **Mr. Hart** and seconded by **Mr. Modisett** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Cutting Edge Landscaping LLC**, violated the following sections of its Regulations:

Effective February 1, 2006		
Count 1:	18 VAC 50-22-260.B 9	
Count 2:	18 VAC 50-22-260 B 26	Effective September 1, 2001
Count 3:	18 VAC 50-22-260 B 6	
Count 4:	18 VAC 50-22-260 B 14	
Count 5:	18 VAC 50-22-260 B 16	

The motion passed by unanimous vote. Members voting "yes" were: **Hart, Modisett, Redifer, Smith, Sumpter, Tomlin, and Wood.**

**Miller, Cronin, Rusher, Walton and Williams were absent.**

**Kirby and Walton did not vote.**

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

Count 1:	\$300.00	
Count 2:	\$500.00	
Count 3:	\$600.00	
Count 4:	\$1,750.00	
Count 5:	\$2,000.00	
Total		\$5,150.00

The Board imposes the Revocation of license (2705-109211) for the violation of Counts 4, and Count 5.

In addition, for violation of Count 2 and 3, the Board voted to require **Cutting Edge Landscaping LLC** has a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.

The motion passed by unanimous vote. Members voting "yes" were: **Hart, Modisett, Redifer, Smith, Sumpter, Tomlin, and Wood.**

**Miller, Cronin, Rusher, Walton and Williams were absent.**

**Kirby and Walton did not vote.**

**In the matter of Disciplinary File Number 2009-02001, Cutting Edge Landscaping LLC (Respondent);** the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Mr Hart** offered a motion seconded by **Mr. Modisett** to reopen this case. The motion passed by unanimous

**File Number**  
**2009-02001**  
**Cutting Edge**  
**Landscaping LLC**

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vote. Members voting "yes" were: **Hart, Modisett, Redifer, Smith, Sumpter, Tomlin, and Wood.** **Miller, Cronin, Rusher, Walton and Williams** were absent. **Kirby and Walton** did not vote.

**Richard Ryals** on behalf of **Cutting Edge Landscaping LLC (Respondent)** appeared at the IFF meeting. **He addressed the Board.** **Mr. Redifer chaired this case.** Mr. Ryals was asked if he has satisfied the judgment. He shared "no". The presiding Board representatives **Mr. Walton and Mr. Kirby** were not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Mrs. Wood** and seconded by **Mr. Sumpter** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Cutting Edge Landscaping LLC**, violated the following sections of its Regulations:

Effective September 1, 2001		
Count 1:	18 VAC 50-22-260.B 15	
Count 2:	18 VAC 50-22-260 B 31	
Count 3:	18 VAC 50-22-260 B 28	

The motion passed by unanimous vote. Members voting "yes" were: **Hart, Modisett, Redifer, Smith, Sumpter, Tomlin, and Wood.**

**Miller, Cronin, Rusher, Walton and Williams** were absent.

**Kirby and Walton** did not vote.

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

Count 1:	\$2,000.00	
Count 2:	\$300.00	
Count 3:	\$2,000.00	
Total		\$4,300.00

The Board imposes the Revocation of license (2705-109211) for the violation of Counts 1, and Count 3.

In addition, for violation of Count 2, the Board voted to require **Cutting Edge Landscaping LLC** has a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.

The motion passed by unanimous vote. Members voting "yes" were: **Hart, Modisett,**

**Redifer, Smith, Sumpter, Tomlin, and Wood.**

**Miller, Cronin, Rusher, Walton and Williams were absent.**

**Kirby and Walton did not vote.**

**In the matter of Disciplinary File Number 2009-02389, WPC Contractors Inc (Respondent);** the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Paul Chong (Respondent)** appeared at the Board. He addressed the Board and requested to have time to pay the judgment. . The presiding Board representatives **Mr. Walton** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Ms. Wood** and seconded by **Mr. Smith** that the Board would have staff draft a Consent Order for consideration at this Board meeting. The motion passed by unanimous vote. Members voting "yes" **Hart, Kirby, Modisett, Redifer, Smith, Sumpter, Tomlin, and Wood.**

**File Number**  
**2009-02389**  
**WPC Contractors**  
**Inc**

**Miller, Cronin, Rusher, Walton and Williams were absent.**

**In the matter of Disciplinary File Number 2009-00346, Michael Perry t/a Solid Concepts (Respondent);** the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Michael D Perry (Respondent)** did not appear at the IFF or the Board meeting. The presiding Board representative **Mr. Williams** was not present, did not participate in the discussion and did not vote.

**File Number**  
**2009-00346**  
**Michael Perry t/a**  
**Solid Concepts**

After discussion, a motion was made by **Mr. Sumpter** and seconded by **Mrs. Wood** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Michael D Perry**, violated the following sections of its Regulations:

Effective September 1, 2001		
Count 1:	18 VAC 50-22-260.B 18	
Count 2:	18 VAC 50-22-260 B 25	
Count 3:	18 VAC 50-22-230 B	

The motion passed by unanimous vote. Members voting "yes" **Hart, Kirby, Modisett, Redifer, Smith, Sumpter, Tomlin, and Wood.**

**Miller, Cronin, Rusher, Walton and Williams were absent.**

**Williams did not vote.**

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

Count 1:	\$800.00	
Count 2:	\$1,050.00	
Count 3:	\$850.00	
Total		\$2,700.00
In addition, for violation of Count 1, 2 and 3 the Board voted to impose revocation of license (2705-060868) for the violation of Count 3.		

The motion passed by unanimous vote. Members voting "yes" **Hart, Kirby, Modisett, Redifer, Smith, Sumpter, Tomlin, and Wood.**

**Miller, Cronin, Rusher, Walton and Williams were absent.**

**Williams did not vote.**

In the matter of Disciplinary File Number 2009-01696, **Morning Star & Associates Inc (Respondent)**; the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Stephen Buzz ell on behalf of Morning Star & Associated Inc (Respondent)** appeared at the IFF and he attended the Board meeting. He addressed the Board and shared his disagreement. **Horrace and Samantha Courtney, (Complainants)** attended the IFF. They did not attend the Board meeting. He addressed the Board. The presiding Board representative **Mr. Williams** was not present, did not participate in the discussion and did not vote.

File Number  
**2009-01696**  
**Morning Star & Associates Inc**

After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Sumpter** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Morning Star & Associates Inc**, violated the following sections of its Regulations:

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

The motion passed with a unanimous vote. Members voting "yes" were: **Hart, Kirby, Modisett, Redifer, Smith, Sumpter, Tomlin, and Wood.**

**Miller, Cronin, Rusher, Walton and Williams were absent.**

**Williams did not vote.**

After discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Sumpter** to impose the following sanctions with amendment as suggested by **Modisett**:

Count 1:	\$1,000.00	Instead of \$2,000.00
Total		\$1,000.00
The Board also imposes revocation of license 2705-081080 for the violation of Count 1.		

The motion passed by majority vote. Members voting "yes" were: **Hart, Kirby, Modisett, Redifer, Sumpter, Tomlin, and Wood.**

**Smith** voted "no".

**Miller, Cronin, Rusher, Walton and Williams** were absent.

**Williams** did not vote.

**In the matter of Disciplinary File Number 2009-01985, Michael Perry t/a Solid Concepts (Respondent);** the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Michael D Perry (Respondent)** did not appear at the IFF or the Board meeting. The presiding Board representative **Mr. Williams** was not present, did not participate in the discussion and did not vote.

**File Number**  
**2009-01985**  
**Michael D Perry, t/a**  
**Solid Concepts**

After discussion, a motion was made by **Mr. Sumpter** and seconded by **Mr. Redifer** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Michael D Perry**, violated the following sections of its Regulations:

Effective September 1, 2001		
Count 1:	18 VAC 50-22-260.B 14	

The motion passed by unanimous vote. Members voting "yes" **Hart, Kirby, Modisett, Redifer, Smith, Sumpter, Tomlin, and Wood.**

**Miller, Cronin, Rusher, Walton and Williams** were absent.

**Williams** did not vote.

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

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Count 1:	\$1,800.00	
Total		\$1,800.00
In addition, for violation of Count 1, the Board voted to impose revocation of license (2705-060868). For 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" **Hart, Kirby, Modisett, Redifer, Smith, Sumpter, Tomlin, and Wood.**

**Miller, Cronin, Rusher, Walton and Williams were absent.**

**Williams did not vote.**

**In the matter of Disciplinary File Number 2009-02841, A Plus Delivery Services Inc (Respondent);** the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **A Plus Delivery Services Inc (Respondent) did not appear at the IFF or the Board meeting. Neither a Plus Delivery Services Inc, counsel, nor anyone on its behalf appeared at the Board meeting.**

**File Number  
2009-02841  
A Plus Delivery  
Services Inc**

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

After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Sumpter** to adopt the **Report of Findings** which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the **Summary of the Informal Fact-Finding Conference with Recommendations**. The Board found that **A Plus Delivery Services Inc**, violated the following sections of its Regulations:

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

The motion passed by unanimous vote. Members voting "yes" **Hart, Kirby, Modisett, Redifer, Smith, Sumpter, Tomlin, and Wood.**

**Miller, Cronin, Rusher, Walton and Williams were absent.**

**Williams did not vote.**

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

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

In addition, for violation of Count 1, the Board voted to impose revocation of license 2705-121572.

The motion passed by unanimous vote. Members voting "yes" **Hart, Kirby, Modisett, Redifer, Smith, Sumpter, Tomlin, and Wood.**

**Miller, Cronin, Rusher, Walton and Williams were absent. Williams did not vote.**

In the matter of Disciplinary File Number 2009-03919, Fence & Deck Of Tidewater Inc (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Fence & Deck Of Tidewater Inc (Respondent) did not appear at the IFF or the Board meeting. The presiding Board representative Mr. Williams was not present, did not participate in the discussion and did not vote.**

**File Number  
 2009-03919  
 Fence & Deck Of  
 Tidewater Inc**

After discussion, a motion was made by **Mr. Sumpter** and seconded by **Mr. Redifer** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Fence & Deck Of Tidewater Inc**, violated the following sections of its Regulations:

Effective February 1, 2006		
Count 1:	18 VAC 50-22-260.B 13	
Count 2:	18 VAC 50-22-230 B	Effective September 1, 2001

The motion passed by unanimous vote. Members voting "yes" **Hart, Kirby, Modisett, Redifer, Smith, Sumpter, Tomlin, and Wood.**

**Miller, Cronin, Rusher, Walton and Williams were absent.**

**Williams did not vote.**

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

Count 1:	\$1,350.00	
Count 2:	\$850.00	
Total		\$2,200.00

In addition, for violation of Count 1 and 2 the Board voted to impose revocation of license (2705-11810).

The motion passed by unanimous vote. Members voting "yes" **Hart, Kirby, Modisett, Redifer, Smith, Sumpter, Tomlin, and Wood.**

**Miller, Cronin, Rusher, Walton and Williams were absent.**

**Williams did not vote.**

**In the matter of Disciplinary File Number 2009-04073, Michael Irvin Paige Jr, t/a Paiges Homes Improvement (Respondent);** the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Neither Michael Irvin Page, Jr., t/a Paiges Home Improvement (Respondent) counsel, nor anyone on its behalf appeared at the IFF or the Board meeting.**

**File Number  
2009-04073  
Michael Irvin Paige  
Jr, t/a Paiges Home  
Improvement**

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

After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Sumpter** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Michael Irvin Paige Jr.,** violated the following sections of its Regulations:

Effective February 1, 2006		
Count 1:	18 VAC 50-22-260.B13	

The motion passed by unanimous vote. Members voting "yes" **Hart, Kirby, Modisett, Redifer, Smith, Sumpter, Tomlin, and Wood.**

**Miller, Cronin, Rusher, Walton and Williams were absent.**

**Williams did not vote.**

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

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

In addition, for violation of Count 1, the Board voted to imposes revocation of license 2705-094297.



The motion passed by unanimous vote. Members voting "yes" **Hart, Kirby, Modisett, Redifer, Smith, Sumpter, Tomlin, and Wood.**

**Miller, Cronin, Rusher, Walton and Williams were absent.**

**Williams did not vote.**

**In the matter of Consent Order File Number 2009-01201 Board v. Newhouse Builders Inc.,** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number  
2009-01201  
Newhouse Builders  
Inc.**

**Tom Crimmons,** the complainant in this case was present at the Board meeting.

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

Count 1:	18 VAC 50-22-260 B 27	\$00.00
Count 2:	18 VAC 50-22-260 B 31	\$00.00
Count 3:	18 VAC 50-22-260.B.22	\$00.00
Count 4:	18 VAC 50-22-260.B.28 (10 violations @ \$0.00 each)	\$00.00
Board Costs		
Total		\$00.00
In addition, for violation of Counts 1-4 Newhouse Builders Inc agrees to voluntary revocation of its license.		

Upon a motion by **Mr. Redifer** seconded by **Mr. Sumpter** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Hart, Kirby, Modisett, Redifer, Smith, Sumpter, and Tomlin.**

**Miller, Cronin, Rusher, Walton and Williams were absent.**

**Wood did not vote.**

**In the matter of Consent Order File Number 2009-03555 Board v. J R Moore & Sons General Contractor 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  
2009-03555  
J R Moore & Sons  
General Contractor  
Inc.**

Jackie Moore was present and expressed her agreement with the proposed Consent Order.

**J R Moore & Sons General Contractor, Inc**, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 6	\$800.00
Count 2:	18 VAC 50-22-260 B 27	\$650.00
Board Costs		\$150.00
Total		\$1,600.00
In addition, <b>J R Moore &amp; Sons General Contractor Inc</b> agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

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

**Miller, Cronin, Rusher, Walton and Williams** were absent.

**In the matter of Consent Order File Number 2007-03577 Board v. C S Design/build LLC, t/a Br Design Build**; 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**  
**2007-03577**  
**C S Design/build**  
**LLC, t/a Br Design**  
**Build**

**CS Design/build LLC**, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	§54.1-1110 of the Code Of Virginia	\$0.00
Board Costs		\$500.00
Total		\$500.00
Further, <b>CS Design/build LLC</b> agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order. In addition, <b>CS Design/build LLC</b> agrees to pay the \$6,773.00 monetary penalty and Board costs of \$150.00 imposed in the Consent Order for File Number 2005-01733.		

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

Miller, Cronin, Rusher, Walton and Williams were absent.

Kirby did not vote.

In the matter of Consent Order File Number 2008-04461 Board v. Kenneth Paul Morton Sr. & Kenneth Paul Morton, Jr., t/a Morton Quality Home Builders Report of Findings that contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number  
2008-04461  
Kenneth Paul  
Morton Sr &  
Kenneth Paul  
Morton Jr, t/a  
Morton Quality  
Home Builders

Kenneth Paul Morton Sr. & Kenneth Paul Morton Jr., acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 18	\$2,000.00
Board Costs		\$150.00
Total		\$2,150.00
Further, Kenneth Paul Morton Sr & Kenneth Paul Morton Jr agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.		

Upon a motion by Mr. Sumpter seconded by Mr. Hart the board ratified the consent order with an unanimous vote: Members voting "Yes" were: Hart, Kirby, Modisett, Redifer, Smith, Sumpter, and Wood.

Miller, Cronin, Rusher, Walton and Williams were absent.

As a Board representative, Ms. Tomlin was not present and did not participate in discussion and did not vote on this matter.

In the matter of Consent Order File Number 2009-00058 Board v. Norris LLC, t/a NorVic Construction the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number  
2009-00058  
Norris LLC, t/a  
NorVic  
Construction

Norris LLC, t/a Nor Vic Construction, 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	\$00.00
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Count 2:	18 VAC 50-22-230 A	\$00.00
Board Costs		\$0.00
Total		\$0.00
Further, Norris LLC agrees to revocation of license 2705-101632.		

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

**Miller, Cronin, Rusher, Walton and Williams were absent.**

**In the matter of Consent Order File number 2009-00478 Board v. Mawyer Enterprises 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  
 2009-00478  
 Mawyer Enterprises  
 Inc**

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

Count 1:	18 VAC 50-22-260.B.31	\$400.00
Board Costs		\$150.00
Total		\$550.00
In addition, for violation of Count 1, <b>Mawyer Enterprises Inc</b> agrees to 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.		

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

**Miller, Cronin, Rusher, Walton and Williams were absent.**

**In the matter of Consent Order File Number 2009-00709 Board v. Houston Springs Subdivision Inc, t/a W A Stevens 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  
 2009-00709  
 Houston Springs  
 Subdivision Inc, t/a  
 W A Stevens  
 Construction  
 Company**

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

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Count 1:	18 VAC 50-22-260 B 18	\$800.00
Board Costs		\$150.00
Total		\$950.00
Further, <b>Houston Springs Subdivision Inc</b> agrees to have a member of responsible management successfully complete a Board approved school.		

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

**Miller, Cronin, Rusher, Walton and Williams were absent.**

**In the matter of Consent Order File Number 2009-00879 Board v. Carl L Smith, t/a Refrigeration Service of Blountville** 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  
2009-00879  
Carl L Smith, t/a  
Refrigeration  
Service of  
Blountville**

**Carl L Smith, t/a Refrigeration Service of Blountville**, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 19	\$00.00
Board Costs		\$0.00
Total		\$0.00
Further, <b>Carl L Smith</b> agrees to revocation of his license 2705-000552.		

Upon a motion by **Mr. Sumpter** seconded by **Mr. Hart** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Hart, Kirby, Modisett, Redifer, Smith, Sumpter, and Tomlin.**

**Miller, Cronin, Rusher, Walton and Williams were absent.**

**Wood did not vote.**

**In the matter of Consent Order File Number 2009-00897 Board v. Michael J Adamov, t/a Mike's Roofing**, and the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number  
2009-00897  
Michael J Adamov,  
t/a Mike's Roofing**

**Michael J Adamov** acknowledges an understanding of the charges and admits to the violations of the Counts as outlined in the Report of Findings. **Michael J Adamov** consents to the following terms:

Count 1:	18 VAC 50-22-260 B 9	\$200.00
Count 2:	18 VAC 50-22-260 B 31	\$200.00
Count 3:	18 VAC 50-22-260.B.15	\$850.00
Count 4:	18 VAC 50-22-260.B.29	\$300.00
Count 5:	18 VAC 50-22-260.B.29	\$300.00
Board Costs		\$150.00
Total		\$2,000.00
In addition, <b>Michael J Adamov</b> agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.		

Upon a motion by **Mr. Sumpter** seconded by **Mr. Hart** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Hart, Kirby, Modisett, Redifer, Smith, Sumpter, and Tomlin.**

**Miller, Cronin, Rusher, Walton and Williams were absent.**

**Wood did not vote.**

In the matter of Consent Order File Number 2009-01182 Board v. **Michael L Stein, t/a Basic Needs Home Repair**; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number**  
**2009-01182**  
**Michael L Stein, t/a**  
**Basic Needs Home**  
**Repair**

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

Count 1:	18 VAC 50-22-260 B 8	\$00.00
Count 2:	18 VAC 50-22-230 B	\$00.00
Count 3:	18 VAC 50-22-260 B 22 (2 violations @ \$0.)	\$00.00
Count 4:	18 VAC 50-22-260 B 23 (2 violations at \$0.)	\$00.00
Board Costs		\$150.00
Total		\$150.00
In addition, <b>Michael L Stein</b> agrees to revocation of his license		

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2705-059929.

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

**Miller, Cronin, Rusher, Walton and Williams were absent.**

**In the matter of Consent Order File Number 2009-01252 Board v. Gregory M Harris, t/a GMH Stone Masonry;** 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**  
**2009-01252**

**Gregory M Harris,**  
**t/a GMH Stone**  
**Masonry**

**Gregory M Harris,** 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	\$600.00
Count 2:	18 VAC 50-22-260.B.29	\$600.00
Board Costs		\$150.00
Total		\$1,350.00
In addition, for violation of Counts 1 and 2, <b>Block Construction Inc</b> agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.		

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

**Miller, Cronin, Rusher, Walton and Williams were absent.**

**In the matter of Consent Order File Number 2009-01274 Board v. new Age Builders Inc, t/a New Age Builders Inc,** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number**  
**2009-01267**

**New Age Builders**  
**Inc, t/a New Age**  
**Builders Inc**

**New Age Builders Inc** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 5	\$500.00
Count 2:	18 VAC 50-22-260.B 30	\$2,000.00

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Board Costs		\$150.00
Total		\$2,650.00
Further, <b>New Age Builders Inc</b> agrees to have a member of Responsible Management for complete a board approved remedial education class.		

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

**Miller, Cronin, Rusher, Walton and Williams were absent.**

**In the matter of Consent Order File Number 2009-01518 Board v. Kevin C Shannon, t/a Potomac Decks Plus;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number  
2009-01518  
Kevin C Shannon,  
t/a Potomac Decks  
Plus**

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

Count 1:	18 VAC 50-22-260 B 6	\$800.00
Count 2:	18 VAC 50-22-260 B 6	\$800.00
Board Costs		\$150.00
Total		\$1,750.00
In addition, <b>Kevin C Shannon</b> agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.		

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

**Miller, Cronin, Rusher, Walton and Williams were absent.**

**In the matter of Consent Order File Number 2009-01536 Board v. Village Builders Of The Shore Inc, t/a Village Builders Inc/Millennium Homes/Century Homes,** 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  
2009-01536  
Village Builders Of  
The Shore Inc, t/a  
Village Builders  
Inc/Millennium  
Homes/Century  
Homes**

**Village Builders Of The Shore Inc,** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the

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following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 6	\$00.00
Count 2:	18 VAC 50-22-260.B 28	\$0.00
Board Costs		\$0.00
Total		\$0.00
In addition, <b>Village Builders Of The Shore Inc</b> agrees to license revocation 2705-058998.		

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

**Miller, Cronin, Rusher, Walton and Williams were absent.**

In the matter of Consent Order File Number 2009-01590 Board v. Sherry A George, t/a Asphalt Pavemaster, 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**  
**2009-01590**  
**Sherry A George,**  
**t/a/ Asphalt**  
**Pavemaster**

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

Count 1:	18 VAC 50-22-260 B 8	\$200.00
Count 2:	18 VAC 50-22-230 A	\$700.00
Count 3:	18 VAC 50-22-260 B 8	\$50.00
Board Costs		\$150.00
Total		\$1,100.00
In addition, <b>Sherry A George</b> agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order. In addition, for violation, <b>Sherry A George</b> agrees to provide a copy of her current contract which reflects the name in which the license is issued within ninety days of the effective date of the order. The contract must also be in compliance with Board Regulation 18 VAC 50-22-260.B.9..		

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

**Miller, Cronin, Rusher, Walton and Williams were absent.**

**In the matter of Consent Order File Number 2009-001702 Board v. Carroll Wayne Huffman, t/a Wayne's General Construction, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.**

**File Number  
 2009-01702  
 Carroll Wayne  
 Huffman, t/a  
 Wayne's General  
 Construction**

**Carroll Wayne Huffman , 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
Board Costs		\$150.00
Total		\$550.00
In addition, for violation <b>Carroll Wayne Huffman</b> agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.		

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

**Miller, Cronin, Rusher, Walton and Williams were absent.**

**In the matter of Consent Order File Number 2009-01761 Board v. Thomas Builders of Virginia 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  
 2009-01761  
 Thomas Builders of  
 Virginia Inc**

**Thomas Builders of Virginia 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 50-22-260.15	\$800.00
Count 2:	18 VAC 50-22-260.31	\$200.00
Count 3:	18 VAC 50-22-260.8	\$200.00
Board Costs		\$150.00
Total		\$1,350.00
Further, <b>Thomas Builders of Virginia Inc</b> agrees to have a		

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member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.

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

**Miller, Cronin, Rusher, Walton and Williams were absent.**

**In the matter of Consent Order File Number 2009-01871 Board v. Cesar Dominquez, t/a DC Enterprises 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  
2009-01871  
Cesar Dominquez,  
t/a D C Enterprises**

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

Count 1:	18 VAC 50-22-260 B 9	\$250.00
Count 2:	18 VAC 50-22-260 B 31	\$200.00
Count 3:	18 VAC 50-22-260.B.27	\$300.00
Board Costs		\$150.00
Total		\$950.00

In addition, **Cesar Doninquez** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education.

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

**Miller, Cronin, Rusher, Walton and Williams were absent.**

**In the matter of Consent Order File Number 2009-02081 Board v. 2H Custom Homes 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  
2009-02081  
2H Custom Homes  
LLC**

**2H Custom Homes 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	\$400.00
Count 2:	18 VAC 50-22-260 B 29 2 violations @ \$600. and 1	\$1,600.00

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	@ \$400.	
Count 3:	18 VAC 50-22-260 B 29	\$400.00
Board Costs		\$150.00
Total		\$2,550.00
Further, 2H Custom Homes LLC agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.		

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

Miller, Cronin, Rusher, Walton and Williams were absent.

In the matter of Consent Order File Number 2009-02110 Board v. John E Ridgeway Jr, t/a John Ridgeway, 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  
2009-02110  
John E Ridgeway  
Jr, t/a John  
Ridgeway

John E Ridgeway Jr, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 9 (2 violations @ \$250. each)	\$500.00
Count 2:	18 VAC 50-22-260 B 31	\$250.00
Count 3:	18 VAC 50-22-260 B 15	\$850.00
Count 4:	18 VAC 50-22-260.B.15	\$1,700.00
Count 5:	18 VAC 50-22-260 B 16	\$1,950.00
Board Costs		\$150.00
Total		\$5,400.00

In addition, John E Ridgeway Jr agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.

Further the Board shall waive imposition of license revocation and the \$1,700.00 monetary penalty for Count 4 provided John E Ridgeway Jr reimburses Gary Franklin Arnold per agreement in the amount of \$8,900.00 and provides the Board with proof of the reimbursement within ninety (90) days of the effective date of the order. If Ridgeway fails to comply with these conditions, then license revocation and the full monetary penalty will be

automatically imposed.

The Board shall waive imposition of license revocation and the \$1,950.00 monetary penalty for Count 5 provided John E Ridgeway Jr reimburses Gary Franklin Arnold per agreement in the amount of \$8,900. and provides the Board with proof of the reimbursement within ninety days of the effective date of the order. If Ridgeway fails to comply with these conditions, then license revocation and the full monetary penalty will be automatically imposed.

Upon a motion by **Mr. Redifer** seconded by **Mr. Smith** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Hart, Kirby, Modisett, Redifer, Smith, Sumpter, and Tomlin.**

**Miller, Cronin, Rusher, Walton and Williams were absent.**

**Wood did not vote.**

In the matter of Consent Order File Number 2009-02274 Board v. Donald L Lucas, t/a AAA Plumbing & Mechanical/Comfort Zone-Heating & Cooling, 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  
 2009-02274  
 Donald L Lucas, t/a  
 AAA Plumbing &  
 Mechanical/Comfort  
 Zone-Heating &  
 Cooling**

**Donald L Lucas** , 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 (2 violations @ \$400. each)	\$800.00
Board Costs		\$150.00
Total		\$950.00

In addition, **Donald L Lucas** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.

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

**Miller, Cronin, Rusher, Walton and Williams were absent.**

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**In the matter of Consent Order File Number 2009-02355 Board v. Brown Building & Remodeling Inc;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter. William Butch Cann was present at the Board meeting and wanted the Board to know he was sorry for the inconvenience to the Board and the customer.

**File Number  
2009-02355  
Brown Building &  
Remodeling Inc**

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

Count 1:	18 VAC 50-22-230 B	\$00.00
Count 2:	18 VAC 50-22-260 B 9	\$00.00
Count 3:	18 VAC 50-22-260.B.31	\$00.00
Count 4:	18 VAC 50-22-260.B.25	\$00.00
Board Costs		\$150.00
Total		\$150.00
In addition, <b>Brown Building &amp; Remodeling</b> agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.		

Upon a motion by **Mr. Redifer** seconded by **Mrs. Tomlin** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Hart, Modisett, Redifer, Smith, Sumpter, Tomlin, and Wood.**

**Miller, Cronin, Rusher, Walton and Williams were absent.**

**Kirby did not vote.**

**In the matter of Consent Order File Number 2009-02421 Board v. Alexander Lewis Lee t/a Dr Lee's Home Repair;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number  
2009-02421  
Alexander Lewis  
Lee, t/a Dr Lee's  
Home Repair**

**Alexander Lewis Lee**, 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 10	\$300.00
Count 3:	18 VAC 50-22-260.B.27	\$650.00
Count 4:	18 VAC 50-22-260.B.17	\$1,000.00

Count 5:	18 VAC 50-22-260 B 16	\$1,000.00
Board Costs		\$150.00
Total		\$3,450.00
In addition, <b>Alexander Lewis Lee</b> agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.		

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

**Miller, Cronin, Rusher, Walton and Williams were absent.**

**In the matter of Consent Order File Number 2009-02510 Board v. Peter A Fisette, t/a Professional Contracting Services;** 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  
 2009-02510  
 Peter A Fisette, t/a  
 Professional  
 Contracting  
 Services**

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

Count 1:	18 VAC 50-22-260 B 8	\$350.00
Count 2:	18 VAC 50-22-260.B 27	\$650.00
Board Costs		\$150.00
Total		\$1,150.00
In addition, <b>Peter A Fisette</b> agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		
Fisette further agrees that for violation of Count 2, the Board shall waive imposition of the \$650.00 monetary penalty provided Fisette successfully obtains the building contractors ("BLD") license classification within ninety days of the order. If Peter A Fisette fails to comply with this condition, then the full monetary penalty will be automatically imposed.		

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

**Miller, Cronin, Rusher, Walton and Williams were absent.**

**In the matter of Consent Order File Number 2009-02918 Board v. Block 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  
 2009-02918  
 Block Construction  
 Inc**

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

Count 1:	18 VAC 50-22-260 B 8	\$350.00
Count 2:	18 VAC 50-22-260 B 16	\$1,500.00
Board Costs		\$150.00
Total		\$2,000.00
In addition, <b>Block Construction Inc</b> agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Smith** seconded by **Mr. Sumpter** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Hart, Kirby, Modisett, Smith, Sumpter, Tomlin, and Wood.**

**Miller, Cronin, Rusher, Walton and Williams were absent.**

**Redifer did not vote.**

**In the matter of Consent Order File Number 2009-02985 Board v. L E Blizzard Concrete Contractor Inc, t/a L E Blizzard Grading 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  
 2009-02985  
 L E Blizzard  
 Concrete  
 Contractor Inc, t/a  
 L E Blizzard  
 Grading Inc**

**L E Blizzard Concrete Contractor 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	\$250.00
Count 2:	18 VAC 50-22-260 B 31	\$250.00
Board Costs		\$150.00
Total		\$650.00
In addition, <b>L E Blizzard</b> agrees to have a member of Responsible Management successfully complete a Board-approved remedial		

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education class within 90 days of the order.

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

**Miller, Cronin, Rusher, Walton and Williams were absent.**

**Redifer did not vote.**

**In the matter of Consent Order File Number 2009-03137 Board v. Potomac Shore Homes Inc;** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number  
2009-03137  
Potomac Shore  
Homes Inc**

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

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

In addition, **Potomac Shore Homes Inc** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order. Further the Board shall waive imposition of license revocation for Count 1 provided Potomac Shore Homes Inc satisfies the judgment and provides the Board with proof of the satisfaction within one year of the effective date of the order. If Potomac Shore Homes Inc fails to comply with these conditions, then license revocation will be automatically imposed.

Also, Potomac Shore Homes Inc agrees to a one year probation its license as of the effective date of this order. During this one year probation, Potomac Shore Homes Inc agrees to comply with the rules and regulations of the Board for Contractors.

If Potomac Shore Homes Inc violates the probation, its license shall be automatically revoked. Potomac Shore Homes Inc understands the right to have this revocation considered in a n informal fact-finding conference and/or formal hearing under Sections 2.2-4019, 2.2-4020, and 2-2.4021 of the Code of Virginia, and knowingly and voluntarily waives any rights to these proceedings.

Upon a motion by **Mr. Redifer** seconded by **Mr. Sumpter** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Hart, Kirby, Modisett, Redifer, Smith, Sumpter, and Tomlin.**

**Miller, Cronin, Rusher, Walton and Williams were absent.**

**Wood did not vote.**

**In the matter of Consent Order File Number 2009-03223 Board v. Carey D Addison, t/a Addison 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  
 2009-03223  
 Carey D Addison,  
 t/a Addison  
 Construction Co**

**Carey D Addison, t/a Addison Construction Co** acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 16	\$2,500.00
Board Costs		\$0.00
Total		\$2,500.00
In addition, <b>Carey D Addison</b> agrees to revocation of its license, 2701-031805 and the Board shall waive imposition of the \$2,500.00 monetary penalty for Count 1.		

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

**Miller, Cronin, Rusher, Walton and Williams were absent.**

**Sumpter did not vote.**

**In the matter of Consent Order File Number 2009-03227 Board v. Standing Construction Corporation,** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number  
 2009-03227  
 Standing  
 Construction  
 Corporation**

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

Count 1:	18 VAC 50-22-260 B 8	\$350.00
Count 2:	18 VAC 50-22-260.B 6	\$800.00

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Count 3:	18 VAC 50-22-260.B.29	\$600.00
Board Costs		\$150.00
Total		\$1,750.00
Further, Standing Construction Corporation agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

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

**Miller, Cronin, Rusher, Walton and Williams were absent.**

**In the matter of Consent Order File Number 2009-03299 Board v. R W Gibson Construction LLC**, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number  
2009-03299  
R W Gibson  
Construction LLC**

**R W Gibson Construction LLC**, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 9	\$200.00
Count 2:	18 VAC 50-22-230 B 31	\$200.00
Count 3:	18 VAC 50-22-260 B 31	\$200.00
Board Costs		\$150.00
Total		\$750.00
In addition, <b>R W Gibson Construction LLC</b> agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.		

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

**Miller, Cronin, Rusher, Walton and Williams were absent.**

**In the matter of Consent Order File Number 2009-03349 Board v. D C Ramsey Inc of Virginia.**, 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  
2009-03349  
D C Ramsey Inc of  
Virginia**

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**D C Ramsey Inc of Virginia** , acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 28	\$00.00
Board Costs		\$150.00
Total		\$150.00
In addition, <b>D C Ramsey Inc of Virginia</b> agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		
Further the Board shall waive imposition of license revocation for Count 1 provided <b>D C Ramsey Inc of Virginia</b> satisfies the judgment and provides the Board with proof of the satisfaction within four weeks of the effective date of this order. If <b>D C Ramsey Inc of Virginia</b> fails to comply with these conditions, then the license revocation will be automatically imposed.		

Upon a motion by **Mr. Redifer** seconded by **Mr. Sumpter** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Hart, Kirby, Modisett, Redifer, Smith, Sumpter, and Tomlin.**

**Miller, Cronin, Rusher, Walton and Williams were absent.**

**Wood did not vote.**

In the matter of Consent Order File Number 2009-03454 Board v. **Charlie F Wells, t/a Asphalt Experts**, 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**  
**2009-03454**  
**Charlie F Wells, t/a**  
**Asphalt Experts**

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

Count 1:	18 VAC 50-22-260 B 6	\$500.00
Count 2:	18 VAC 50-22-260.B 9	\$250.00
Count 3:	18 VAC 50-22-260.B.22	\$00.00
Board Costs		\$150.00
Total		\$900.00
In addition, <b>Charlie F Wells</b> agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.		

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

**Miller, Cronin, Rusher, Walton and Williams were absent.**

**Walton did not vote.**

**In the matter of Consent Order File Number 2009-03594 Board v. Sowers Remodeling Inc.,** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number  
2009-03594  
Sowers Remodeling  
Inc**

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

Count 1:	18 VAC 50-22-260 B 28	\$00.00
Board Costs		\$150.00
Total		\$150.00

In addition, **Sowers Remodeling Inc** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.

Further the Board shall waive imposition of license revocation for Count 1, provided Sowers Remodeling Inc satisfies the judgment and provides the Board with proof of the satisfaction within ninety days of the order. If Sowers Remodeling Inc fails to comply with these conditions, then license revocation will be automatically imposed.

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

**Miller, Cronin, Rusher, Walton and Williams were absent.**

**In the matter of Consent Order File Number 2009-03622 Board v. Wayne Weaver, t/a Wayne Weaver Builders** the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number  
2009-03622  
Wayne Weaver, t/a  
Wayne Weaver  
Builders**

**Wayne Weaver ,** 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
In addition, <b>Wayne Weaver</b> agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.		

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

**Miller, Cronin, Rusher, Walton and Williams were absent.**

In the matter of Consent Order File Number 2009-03684 Board v. **Raymond Rivenbark, t/a Affordable Decks**, 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  
**2009-03684**  
**Raymond**  
**Rivenbark, t/a**  
**Affordable Decks**

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

Count 1:	18 VAC 50-22-260 B 18	\$400.00
Board Costs		\$150.00
Total		\$550.00
In addition, <b>Raymond Rivenbark</b> agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.		

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

**Miller, Cronin, Rusher, Walton and Williams were absent.**

In the matter of Consent Order File Number 2009-03886 Board v. **Craig Phelps, t/a Phelps Construction**; the Board reviewed the Consent Order. Incorporated in the

File Number  
**2009-03886**

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

**Craig Phelps, t/a Phelps Construction**

**Craig Phelps, t/a Phelps Construction**, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 9	\$500.00
Count 2:	18 VAC 50-22-260 B 31	\$500.00
Board Costs		\$150.00
Total		\$1,150.00
In addition, <b>Craig Phelps</b> agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.		

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

**Miller, Cronin, Rusher, Walton and Williams were absent.**

In the matter of Consent Order File Number 2009-04043 Board v. **JA-MAR-HVAC Inc, t/a JA-MAR 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**  
**2009-04043**  
**JA-MAR HVAC**  
**Inc, t/a JA-MAR Inc**

**JA-MAR-HVAC 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	\$400.00
Count 2:	18 VAC 50-22-260 B 16	\$2,500.00
Board Costs		\$00.00
Total		\$2,900.00
In addition, <b>JA-MAR-HVAC Inc</b> agrees to have the Board-waive imposition of the total monetary penalties of \$2,900.00 and in exchange, to revoke its license 2705-04043.		

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

**Miller, Cronin, Rusher, Walton and Williams were absent.**

**Sumpter did not vote.**

**In the matter of Consent Order File Number 2009-02389 Board v. WPC Contractors Inc**, the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number  
2009-02389  
WPC Contractors  
Inc**

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

Count 1:	18 VAC 50-22-260 B 28	\$2,000.00
Board Costs		\$0.00
Total		\$2,000.00

In addition, **WPC Contractors Inc** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.

Further **WPC Contractors Inc** agrees to satisfy the judgment referenced in Count 1 of the Report of findings and provide the Board with proof of the satisfaction within thirty days of the effective date of the order. Failure to comply with this term of the Order shall result in the automatic revocation of **WPC Contractors Inc's** license.

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

**Miller, Cronin, Rusher, Walton and Williams were absent.**

**Walton did not vote.**

**A. Board member per diem:**

Eric Olson briefed the Board bringing them up to date regarding the provisions of the Appropriations Act and that they would not be receiving per diem money until a clarification of certain language was obtained by DPOR.

**Other Board  
Business**

**B. Board member training:**

The Board was informed that Board member training is coming and their presence is required and participation is mandatory.

**C. Extensions:**

The Board discussed and adopted a policy that there would be no extensions to the provisions of any Final or Consent Orders issued by the Board. This was brought to the table by staff as a result of several written requests and dozens of verbal requests that individuals be given extra time to pay fines, attend continuing education and meet other provisions of mostly Consent Orders.

After discussion, **Mr. Redifer** offered a motion seconded by **Mr. Smith** to adopt a policy that there will be no extension to the provisions of any Final or Consent Orders issued by the Board. The motion passed by unanimous vote. Members voting "yes" were: **Hart, Kirby, Modisett, Redifer, Smith, Sumpter, Tomlin, and Wood.**

**Miller, Cronin, Rusher, Walton and Williams were absent.**

**D. Recover Fund:**

The Board discussed and adopted an interpretation of the statutes pertaining to the Transaction Recovery Fund, which would require the Board to ensure that any judgment being used as the basis for a claim, contain language that would either state that there was improper or dishonest conduct or other language that could be reasonably inferred related to improper or dishonest conduct.

After discussion, **Mr. Redifer** offered a motion seconded by **Mr. Smith** to adopt the interpretation of the statutes pertaining to the Transaction Recovery Fund, which would require the Board to ensure that any judgment being used as the basis for a claim, contain language that would either state that there was improper or dishonest conduct or other language that could be reasonably inferred related to improper or dishonest conduct. The motion passed by unanimous vote. Members voting "yes" were: **Hart, Kirby, Modisett, Redifer, Smith, Sumter, Tomlin, and Wood.**

**Miller, Cronin, Rusher, Walton and Williams were absent.**

**E. Education Report:**

The Board adopted the recommendations of the Committee with regards to the approval of education providers. Nine applications were presented, eight were given unconditional approval and one was given a conditional approval.

**Adrienne Mayo presented the Committee report to the Board.**

**Education Report**

**Education Provider Applications\***

Applications for proposed education providers and courses were reviewed and the Committee recommendations are as follows:

Jade Learning	Continuing (Correspondence and Online)	Electrical	Approval
Millennium Institute of Construction	Continuing Vocational (Classroom)	Plumbing (CE) Electrical (Voc)	Approval
BlueVolt	Continuing (Online)	Electrical	Approval
180 Degree Education	Continuing Pre-License and Remedial (Online)	Electrical (CE) Basic (Pre & Rem)	Approval
A Rod Tripp & Associates	Continuing (Classroom)	HVAC Plumbing Fuel/Gas	Approval
National Association of Power Engineers Educational Foundation	Vocational (Classroom)	HVAC Electrical	Approval
Premier Electric	Continuing (Classroom)	Electrical	Approval
VA Water Well Association	Continuing & Vocational (Classroom)	Water Well	Approval
NC Electrical Institute	Continuing (Classroom)	Electrical	<b>Conditional retroactive approval to April 1, 2009 based on documentation showing that all code updates are addressed and that it covers at least 3 hours of class time.</b>

After discussion a motion was made by **Mr. Hart** and seconded by **Mr. Sumpter** to approve the recommendations of the Board Staff and approve eight of the applications

as unconditional education providers and one as a conditional education provider. The motion passed by unanimous vote. Members voting "Yes" were: **Hart, Kirby, Modisett, Redifer, Smith, Sumpter, Tomlin, and Wood.**

**Miller, Cronin, Rusher, Walton and Williams were absent.**

**Whitney Fulcher** provided information to the Board on the three **Education Provider audits** performed by Jill Richardson. All audits were found to be in compliance. After discussion a motion was made by **Mrs. Tomlin** and seconded by **Mr. Redifer** to approve the recommendation contained in the Audit Information report. The motion passed by unanimous vote. Members voting "Yes" were: **Hart, Kirby, Modisett, Redifer, Smith, Sumpter, Tomlin, and Wood.**

**Audit Information**

**Miller, Cronin, Rusher, Walton and Williams were absent.**

**New Committee Business\***

Regulatory Board Administrator, Adrienne Mayo updated the Committee that all authorizing signatures for prior Board-approved examination reciprocity agreement with the Maryland Board of Heating, Ventilation, Air Conditioning and Refrigeration Contractors have been obtained which became effective July 1, 2009.

**Reciprocity Agreement**

\*The Committee reviewed the work description for Electrician, Maintenance apprenticeship and recommended for Board approval allowing applicants who have completed such apprenticeship with DOT code 829.261-018 to qualify and to take the journeyman or master electrician examination.

**Journeyman or Master Exam**

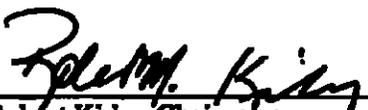
There was no new business.

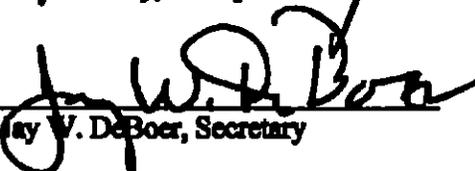
**New Business**

Their being no further business to come before the board, the meeting was adjourned at 1:00 p.m. upon a motion by **Mr. Redifer** and seconded by **Mrs. Tomlin**. The motion passed by unanimous vote. Members voting "Yes" were: **Hart, Kirby, Modisett, Redifer, Smith, Sumpter, Tomlin, and Wood.**

**Adjournment**

**Miller, Cronin, Rusher, Walton and Williams were absent.**

  
\_\_\_\_\_  
Robert Kirby, Chairperson

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

**Copy tests:**

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Custodian of the Record

STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT

TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government

1. Name: Robert Kirby  
(Name of Board Member)
2. Title: Board Member
3. Agency: Board for Contractors  
(Name of Board)
4. Meeting/IFF Date: August 4, 2009  
(Date)

5. I have a personal interest in the following transaction:

None

(Agenda Item)

Nature of Personal Interest Affected by Transaction: \_\_\_\_\_

N/A

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

AGC OF VA, IMP OF VA, BUILDERS & CONTRACTORS FED. DIST. PROGRAM

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

or

I did not participate in the transaction.

6.  I do not have a personal interest in any transactions taken at this meeting.

Robert Kirby  
Signature

August 4, 2009  
Date

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

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1. Name: Kenneth Hart  
(Name of Board Member)
2. Title: Board Member
3. Agency: Board for Contractors  
(Name of Board)
4. Meeting/IFF Date: August 4, 2009  
(Date)

5. I have a personal interest in the following transaction:

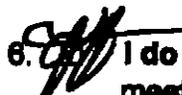
\_\_\_\_\_  
(Agenda Item)

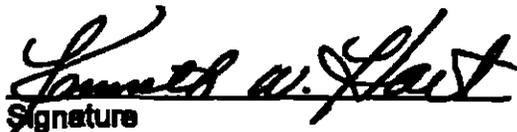
Nature of Personal Interest Affected by Transaction: \_\_\_\_\_

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

\_\_\_\_\_

- I am able to participate in this transaction fairly, objectively, and in the public interest.
- or
- I did not participate in the transaction.

6.  I do not have a personal interest in any transactions taken at this meeting.

  
Signature

August 4, 2009  
Date

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

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1. Name: Jeffrey Modisett  
(Name of Board Member)
2. Title: Board Member
3. Agency: Board for Contractors  
(Name of Board)
4. Meeting/IFF Date: August 4, 2009  
(Date)

5. I have a personal interest in the following transaction:

None  
(Agenda Item)

Nature of Personal Interest Affected by Transaction: \_\_\_\_\_

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

Contractors, Masons & Plumbers, Associated General Contractors of Va.

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

or

I did not participate in the transaction.

6.  I do not have a personal interest in any transactions taken at this meeting.

Jeffrey A. Modisett  
Signature

August 4, 2009  
Date

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

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1. Name: Michael Redifer  
(Name of Board Member)
2. Title: Board Member
3. Agency: Board for Contractors  
(Name of Board)
4. Meeting/IFF Date: August 4, 2009  
(Date)

5. I have a personal interest in the following transaction:

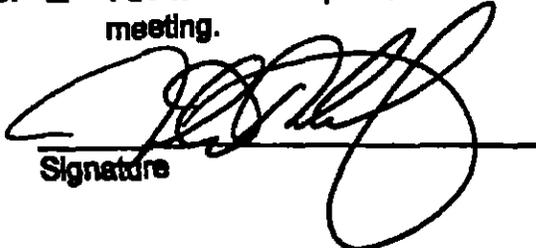
\_\_\_\_\_  
(Agenda Item)

Nature of Personal Interest Affected by Transaction: \_\_\_\_\_

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

UBCA UPWA LAEI ILL UPWA

- I am able to participate in this transaction fairly, objectively, and in the public interest.
- or
- I did not participate in the transaction.
6.  I do not have a personal interest in any transactions taken at this meeting.

  
\_\_\_\_\_  
Signature

August 4, 2009  
Date

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

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1. Name: Troy Smith  
(Name of Board Member)
2. Title: Board Member
3. Agency: Board for Contractors  
(Name of Board)
4. Meeting/IFF Date: August 4, 2009  
(Date)

5. I have a personal interest in the following transaction:

\_\_\_\_\_

(Agenda Item)

Nature of Personal Interest Affected by Transaction: \_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_

- I am able to participate in this transaction fairly, objectively, and in the public interest.
- or
- I did not participate in the transaction.

6.  I do not have a personal interest in any transactions taken at this meeting.

Troy Smith  
Signature

August 4, 2009

\_\_\_\_\_  
Date

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

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1. Name: Home C. Sumpter  
(Name of Board Member)
2. Title: Board Member
3. Agency: Board for Contractors  
(Name of Board)
4. Meeting/IFF Date: August 4, 2009  
(Date)

5. I have a personal interest in the following transaction:

\_\_\_\_\_

(Agenda Item)

Nature of Personal Interest Affected by Transaction: \_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_

- I am able to participate in this transaction fairly, objectively, and in the public interest.
- or
- I did not participate in the transaction.

6.  I do not have a personal interest in any transactions taken at this meeting.

Home C. Sumpter  
Signature

August 4, 2009  
Date

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

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1. Name: Deborah Tomlin  
(Name of Board Member)

2. Title: Board Member

3. Agency: Board for Contractors  
(Name of Board)

4. Meeting/IFF Date: August 4, 2009  
(Date)

5. I have a personal interest in the following transaction:

NONE  
(Agenda Item)

Nature of Personal Interest Affected by Transaction: \_\_\_\_\_

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

\_\_\_\_\_

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

or

I did not participate in the transaction.

6.  I do not have a personal interest in any transactions taken at this meeting.

Deborah Tomlin  
Signature

August 4, 2009  
Date

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

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1. Name: Bruce A. Williams  
(Name of Board Member)
2. Title: Board Member
3. Agency: Board for Contractors  
(Agency of Board)
4. Meeting/IFF Date: August 4, 2009  
(Date)

5. I have a personal interest in the following transaction:

\_\_\_\_\_

(Agenda Item)

Nature of Personal Interest Affected by Transaction: \_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_

- I am able to participate in this transaction fairly, objectively, and in the public interest.
- or
- I did not participate in the transaction.

6.  I do not have a personal interest in any transactions taken at this meeting.

  
\_\_\_\_\_  
Signature

August 4, 2009

\_\_\_\_\_  
Date

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

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1. Name: Dorothy Wood  
(Name of Board Member)
2. Title: Board Member
3. Agency: Board for Contractors  
(Name of Board)
4. Meeting/IFF Date: August 4, 2009  
(Date)

5. I have a personal interest in the following transaction:

\_\_\_\_\_

(Agenda Item)

Nature of Personal Interest Affected by Transaction: \_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_

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

or

I did not participate in the transaction.

6.  I do not have a personal interest in any transactions taken at this meeting.

Dorothy Wood  
Signature

August 4, 2009

Date