

**MINUTES
THE WEST VIRGINIA CONTRACTOR LICENSING BOARD**

December 13, 2023

The West Virginia Contractor Licensing Board met on December 13, 2023, at 10:00 a.m. at 1900 Kanawha Boulevard East – State Capitol Complex – Building 3 – Room 200 – Charleston, West Virginia.

BOARD MEMBERS PRESENT

Jacob S. Meck, Chair
Manny Alvarez
Michael E. Davis
Amy Fairman
Frank R. Ferguson
Mary J. Neenan
Charles K. Smith
Steven Solomon

BOARD MEMBERS ABSENT

Ted H. Brady, Co-Chair
James M. Noel

OTHERS PRESENT

Mitchell E. Woodrum, Commissioner
Brooke M. Farber, Esq., Deputy Commissioner
Brian White, Labor Programs Manager
John Burke, Labor Programs Specialist
Kimberly Legg, Board Secretary

MEETING CALLED TO ORDER

A quorum being present, Mr. Meck called the meeting to order at 10:00 a.m.

APPROVAL OF AGENDA

Mr. Smith made a motion to approve the agenda. Mr. Alvarez seconded. Motion carried.

APPROVAL OF MINUTES

Mr. Smith made a motion to approve the minutes of the September 14, 2023, board meeting. Mr. Solomon seconded. Motion carried.

PUBLIC COMMENT

No one appeared for public comment.

LICENSEE DISCIPLINARY HEARINGS

- A. OMG's Handyman Service, LLC – Elkins / Beverly, WV – WV060443
(Randolph County Magistrate Court judgment in the amount of \$5,200.00 plus court costs and interest)**

No one appeared on behalf of the company.

Mr. Smith made a motion to suspend License Number WV060443 until judgment has been paid in full or provide a payment plan. Mr. Ferguson seconded. Motion carried.

**B. Larry Hughes DBA B & H Home Improvement – Kimball, WV – WV051772
(Kanawha County Magistrate Court judgment in the amount of \$5,800.00, plus court costs and interest)**

No one appeared on behalf of the company. Consumer Patricia Moss appeared.

Mr. Smith made a motion to suspend License Number WV051772 until judgment has been paid in full or provide a payment plan. Mr. Ferguson seconded. Motion carried

**C. Wagner Development Company, Inc. – Bridgeville, PA – WV052018
(Hiring unlicensed subcontractors)**

Walt Shaffer appeared on behalf of Wagner Development Company.

Mr. Ferguson made a motion to take no action. Mr. Davis seconded. Motion carried.

CEASE AND DESIST ORDERS

A. Advisory Letters

*UL016286 – Attorney Michael Fisher appeared on behalf of Sonny’s Car Wash Services.
UL016299 – Attorney Colton Parsons and Molena Rose appeared on behalf of Thomas Rose Partners.
UL016302 – Jonathan Miller appeared on behalf of Millers Excavation Services, LLC
UL016328 – Attorney Gene Bailey appeared on behalf of Five Star Metal Buildings, LLC
UL016336 – Attorney Gene Bailey appeared on behalf of Bull Buildings
UL016350 – Alan Chad Smith and Chad Long appeared on behalf of Pro Kleen Industrial Services, Inc.*

Mr. Smith made a motion to accept staff recommendations. Mr. Solomon seconded. Motion carried.

B. \$200.00 Fines

*UL016288 – Kevin Smith appeared on behalf of Tatonka Flooring Installations, Inc.
UL016333 – Garvey Bennett appeared on behalf of Gee’s Property Maintenance, LLC.*

Mr. Ferguson made a motion to reduce the staff recommendation of a \$200.00 fine for UL016288 to an Advisory Letter. Ms. Neenan seconded. Motion carried.

Mr. Ferguson made a motion to accept the remaining \$200.00 staff recommendations. Mr. Smith seconded. Motion carried.

C. \$500.00 Fines

Mr. Ferguson made a motion to accept staff recommendations. Mr. Alvarez seconded. Motion carried.

D. \$1,000.00 Fines

*UL016318 – Felipe Rivera appeared on behalf of FRR Roofing.
UL016345 – Richard Linville appeared on behalf of Linville Construction Co.
UL016355 – Grant Snider appeared on behalf of Snider Excavating, LLC.*

Mr. Ferguson made a motion to reduce the staff recommendation of a \$1,000.00 fine for UL016318 to \$500.00. Mr. Smith seconded. Motion carried.

Mr. Ferguson made a motion to accept the remaining staff recommendations. Mr. Smith seconded. Motion carried.

LINVILLE CONSTRUCTION CO REINSTATEMENT REQUEST

Mr. Smith made a motion to reject Mr. Linville's request to reinstate License Number WV030716. Mr. Ferguson seconded. Motion carried.

APPROVAL OF DIVISION OF LABOR PAYROLL REIMBURSEMENT INVOICE

Mr. Woodrum presented the FY 2024 1st Quarter Report and Invoice to the Board for approval.

Mr. Smith made a motion to approve the reimbursement invoice. Mr. Alvarez seconded. Motion carried.

DOL REPORT

- An update was provided to the Board on Advisory Letters sent to companies for hiring unlicensed subcontractors.
- Criminal Action Report update was provided to the Board.
- Staff advised the Board of the results of disciplinary action taken at the June 15, 2023 board meeting.
- Staff informed the Board that the cost of translating the Business & Law reference manual into Spanish is \$25,000.00.

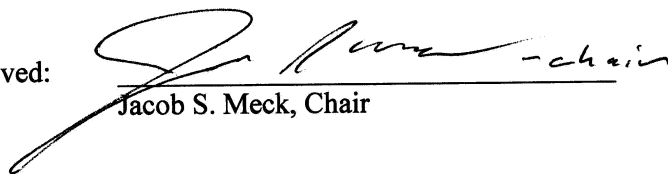
NEXT MEETING DATE

March 21, 2023 at 9:00am. The meeting was moved to March 28 due to the conference room being unavailable.

ADJOURNMENT

Mr. Smith made a motion to adjourn at 12:58 p.m. Mr. Solomon seconded. Motion carried.

Approved:

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Jacob S. Meck, Chair