

MINUTES
THE WEST VIRGINIA CONTRACTOR LICENSING BOARD

February 15, 2018

The West Virginia Contractor Licensing Board met on February 15, 2018, at 9:00 a.m. at 1900 Kanawha Boulevard East – State Capitol Complex – Building 3 – Room 124 – Charleston, West Virginia.

BOARD MEMBERS PRESENT

Eugene Thompson, Chair
Manuel Alvarez
Ted Brady
Randy Ferguson
Jacob Meck
James Noel
Steven Solomon
Michael Stone

BOARD MEMBERS ABSENT

Michael Davis

OTHERS PRESENT

Mitchell E. Woodrum, Commissioner
Michael Sams, Deputy Commissioner
Elizabeth G. Farber, Assistant Attorney General
Kimberly Legg, Secretary
Kathy Rucker, Director, Licensing
Brian White, Labor Program Specialist, Licensing
Joseph Mason, Field Inspector
Tom Stricklen, Field Inspector
Donald Billups, Field Inspector

MEETING CALLED TO ORDER

A quorum being present, Mr. Thompson called the meeting to order at 9:00 a.m.

APPROVAL OF MINUTES

Mr. Brady made a motion to approve the minutes of the November 2, 2017 board meeting. Mr. Alvarez seconded. Motion carried.

PUBLIC COMMENT

No one appeared for public comment.

LICENSEE DISCIPLINARY HEARINGS

**A. Phillips Construction and Builders, Inc. – Charleston, WV – WV053429
(Lewis County Magistrate Court judgment in the amount of \$8,500.00, plus 7% interest and \$170.00 in court costs)**

Ms. Farber explained to the Board regarding Phillips Construction and Builders, Inc. No one appeared on behalf of Phillips Construction and Builders, Inc.

Mr. Alvarez made a motion to suspend license until the judgment has been resolved. Mr. Brady seconded. Motion carried.

**B. 3-D Builders – Morgantown, WV – WV035416
(Monongalia Circuit Court judgment in the amount of \$500.00, plus 7% interest and \$90.00 for court costs)**

Ms. Farber explained to the Board regarding 3-D Builders. No one appeared on behalf of 3-D Builders.

Mr. Alvarez made a motion to suspend license until the judgment has been resolved or payment agreement has been arranged. Mr. Meck seconded. Motion carried.

**C. Bayliss & Ramey, Inc. – Fraziers Bottom, WV – WV000856
(Requested company surrender original license issued August 7, 2017)**

Ms. Farber explained to the Board regarding Bayliss & Ramey, Inc. No one appeared on behalf of Bayliss & Ramey, Inc. and the original license was never returned to the Division.

Mr. Brady made a motion to suspend license and for the company to appear before the Board. Mr. Noel seconded. Motion carried.

CEASE AND DESIST ORDERS

- A. Advisory Letters
- B. \$200.00 Fine Recommendations
- C. \$500.00 Fine Recommendations
- D. \$1,000.00 Fine Recommendations

A. ADVISORY LETTERS

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| UL014043 | COUNTRY LANE WOODWORKING (1ST C&D) | NO LICENSE |
| UL014044 | DBA D&S HANDYMAN SERVICE (1ST C&D) | OUT OF CLASS |
| UL014045 | DELAWDER ELECTRICAL & HOME SERVICE (1ST C&D) | OUT OF CLASS |
| UL014046 | PINEVIEW BUILDINGS LLC (1ST C&D) | NO LICENSE |
| UL014048 | MACH 1 ENERGY & CONSTRUCTION INC (1ST C&D) | NO LICENSE |
| UL014050 | CHRIS MORRIS (1ST C&D) | NO LICENSE |
| UL014051 | NEW TECH GLOBAL VENTURES LLC (1ST C&D) | NO LICENSE |
| UL014052 | DBA CUSTOM CONTRACTING LLC (1ST C&D) | NO LICENSE |
| UL014053 | ALEXANDER GREENE (1ST C&D) | NO LICENSE |
| UL014055 | WOOD HEATING & AIR CONDITIONING (1ST C&D) | NO LICENSE |
| UL014056 | TADD L WYRICK (1ST C&D) | NO LICENSE |
| UL014057 | BRIAN CRAIG (1ST C&D) | NO LICENSE |

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| UL014058 | JASON LAWRENCE (1ST C&D) | NO LICENSE |
| UL014060 | ASPHALT SURFACE ENTERPRISES INC (1ST C&D) | NO LICENSE |
| UL014061 | MOUNTAINEER TELEPHONE & NETWORKING (1ST C&D) | NO LICENSE |
| UL014063 | CARDINAL GLASS & DOOR (1ST C&D) | NO LICENSE |
| UL014064 | EARTHTEK SERVICES LLC (1ST C&D) | NO LICENSE |
| UL014065 | RANSON HANDYMAN (1ST C&D) | NO LICENSE |
| UL014066 | MONUMENT DRYWALL INC (1ST C&D) | NO LICENSE |
| UL014067 | KEYSTONE CONCRETE (1ST C&D) | NO LICENSE |
| UL014068 | DBA D & L CONTRACTING (1ST C&D) | OUT OF CLASS |
| UL014070 | RICK'S HAULING AND BACKHOE LLC (1ST C&D) | NO LICENSE |
| UL014071 | CAM SAFETY LLC (1ST C&D) | NO LICENSE |
| UL014072 | DBA GIBBS RETAIL SYSTEMS (1ST C&D) | NO LICENSE |
| UL014073 | DEHAVENS CONSTRUCTION AND SONS (1ST C&D) | OUT OF CLASS |
| UL014076 | TONY QUESINBERRY (1ST C&D) | NO LICENSE |
| UL014077 | CHAD COMER (1ST C&D) | NO LICENSE |
| UL014078 | DANNIC SOLUTIONS LLC (1ST C&D) | NO LICENSE |
| UL014080 | SETH MANN DBA MANN MADE (1ST C&D) | EXPIRED |
| UL014082 | APEX IMAGING SERVICES (1ST C&D) | NO LICENSE |
| UL014083 | GRUNT WORK CONSTRUCTION LLC (1ST C&D) | OUT OF CLASS |
| UL014084 | STRIKE LLC (1ST C&D) | OUT OF CLASS |
| UL014085 | DBA DAN KEL CONCRETE CUTTING (1ST C&D) | NO LICENSE |
| UL014086 | CAMBRIDGE OVERHEAD DOOR LLC (1ST C&D) | EXPIRED |
| UL014087 | CARTER CONTRACTING LLC (1ST C&D) | NO LICENSE |
| UL014090 | DAVID DWAYNE RICHMOND (1ST C&D) | NO LICENSE |
| UL014091 | DBA WINDOW DEPOT USA OF STH WEST VA (1ST C&D) | EXPIRED |
| UL014093 | WM AUTOMATION SERVICE LLC (1ST C&D) | NO LICENSE |
| UL014096 | RAW CONTRACTING (1ST C&D) | NO LICENSE |
| UL014099 | DBA CGS CONTINUOUS GUTTER SYSTEMS (1ST C&D) | EXPIRED |
| UL014102 | GENE KEEN (1ST C&D) | NO LICENSE |
| UL014103 | JOHN F KITZMILLER JR (2ND C&D - 1ST EXPIRED) | EXPIRED |
| UL014104 | JPB SERVICES LLC (1ST C&D) | OUT OF CLASS |
| UL014106 | WILLIAM EARL WINGFIELD (1ST C&D) | NO LICENSE |
| UL014107 | MICHAEL BRICKER CONTRACTING (1ST C&D) | NO LICENSE |
| UL014111 | CLARENCE R GRAYSON (1ST C&D) | NO LICENSE |
| UL014113 | DBA IMAGINE CARPET (1ST C&D) | NO LICENSE |
| UL014114 | NORA RESENDIZ (1ST C&D) | NO LICENSE |
| UL014117 | DBA PROTOUCH RESTORATIONS (1ST C&D) | NO LICENSE |
| UL014118 | J & M ROOFING AND REMODELING (1ST C&D) | NO LICENSE |
| UL014119 | LERU STORAGE INC DBA LERU EXCAVATING (1ST C&D) | OUT OF CLASS |
| UL014121 | THE HANDY MAN (1ST C&D) | NO LICENSE |
| UL014122 | ICC (1ST C&D) | EXPIRED |
| UL014123 | BENCO DENTAL (1ST C&D) | NO LICENSE |
| UL014127 | GHL SERVICES INC (1ST C&D) | NO LICENSE |
| UL014128 | O'SULLIVAN PAINTING (1ST C&D) | NO LICENSE |
| UL014129 | SMH CONSTRUCTION CO INC (1ST C&D) | EXPIRED |
| UL014130 | DBA J & J PAVING (1ST C&D) | EXPIRED |
| UL014131 | FAST CARPET (1ST C&D) | NO LICENSE |
| UL014133 | KENNETH RAY TILLIUS (1ST C&D) | NO LICENSE |
| UL014134 | WILLIAM SIMS (1ST C&D) | NO LICENSE |
| UL014135 | KENNETH RUSSELL TILLIUS (1ST C&D) | NO LICENSE |

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| UL014136 | COMMERCIAL RADIO SYSTEMS LLC (1ST C&D) | NO LICENSE |
| UL014137 | STROBEL CONTRACTING INC (1ST C&D) | EXPIRED |
| UL014138 | ZACK CHITTUM (1ST C&D) | NO LICENSE |
| UL014140 | A1 BEST QUALITY PAINTING LLC (1ST C&D) | EXPIRED |
| UL014141 | BRENT PARKER (1ST C&D) | NO LICENSE |
| UL014144 | JACK'S EXCAVATING (1ST C&D) | NO LICENSE |
| UL014147 | UPLAND HOSPITALITY GROUP LLC (1ST C&D) | NO LICENSE |
| UL014149 | RICK & SON CONTRACTING INC (1ST C&D) | OUT OF CLASS |
| UL014151 | AMISH COUNTRY BARNES (1ST C&D) | NO LICENSE |
| UL014153 | T & C DRYWALL INC (1ST C&D) | EXPIRED |
| UL014154 | DOMENALEX (1ST C&D) | NO LICENSE |
| UL014155 | DELTA T DEVELOPMENT OF MORGANTOWN LLC (1ST) | NO LICENSE |
| UL014156 | J F CONSTRUCTION (1ST C&D) | NO LICENSE |
| UL014157 | WEAVER STEEL CONSTRUCTION (1ST C&D) | NO LICENSE |
| UL014158 | GARCIA FLOORS LLC (1ST C&D) | NO LICENSE |

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

B. \$200.00 FINES

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| UL014047 | SDW ELECTRIC LLC (2ND C&D) | EXPIRED |
| UL014049 | ER CON TECHNOLOGIES LLC (1ST C&D) - DC RECOMMENDED | NO LICENSE |
| UL014054 | DBA CNR RENOVATIONS (1ST C&D) - CC | NO LICENSE |
| UL014059 | WESTERN MARYLAND CONCRETE INC - (2ND C&D) | EXPIRED |
| UL014062 | HIGH COUNTRY MOWING LLC (2ND C&D) | OUT OF CLASS |
| UL014069 | LEWIS & ARK BUILDERS INC (1ST C&D) - CC | NO LICENSE |
| UL014075 | B & B CONSTRUCTION (1ST C&D) - CC | NO LICENSE |
| UL014079 | DBA S AND N CONSTRUCTION (1ST C&D) - CC | OUT OF CLASS |
| UL014081 | K & G EXCVATING (2ND C&D) | NO LICENSE |
| UL014088 | WESLEE TRIPLETT (1ST C&D) - CC | NO LICENSE |
| UL014089 | PARSONS HEATING & COOLING (1ST C&D) - CC | NO LICENSE |
| UL014094 | INDIANHEAD PIPELINE SERVICES LLC (2ND C&D) | EXPIRED |
| UL014097 | KENDALL CLENDENEN II (1ST C&D) - DC RECOMMENDED | NO LICENSE |
| UL014100 | CARTER CONTRACTING LLC (2ND C&D) | NO LICENSE |
| UL014101 | CAM SAFETY LLC (2ND C&D) | NO LICENSE |
| UL014108 | COMPLETE CONSTRUCTION LLC (1ST C&D) - CC | NO LICENSE |
| UL014109 | RUGRATZ FLOORING (2ND C&D) | EXPIRED |
| UL014110 | POWER PRO'S CONSTRUCTION & REMODELING (1ST C&D) - CC | NO LICENSE |
| UL014115 | FOUR SEASONS CONTRACTING AND REPAIR (1ST C&D) - CC | OUT OF CLASS |
| UL014116 | STEPHEN HENRY (1ST C&D) - CC | NO LICENSE |
| UL014120 | PREMIER STONE (2ND C&D) | NO LICENSE |
| UL014125 | MICHAEL TWIGG (1ST C&D) - CC | NO LICENSE |
| UL014132 | TROYMILL BUILDERS LLC (2ND C&D) | NO LICENSE |
| UL014139 | HUMBER PAINTING INC (2ND C&D) | EXPIRED |
| UL014142 | PARSONS HEATING & COOLING (2ND C&D) | NO LICENSE |
| UL014143 | RIVER VALLEY CONTRACTING (1ST C&D) - CC | NO LICENSE |
| UL014145 | ANDREW MCDANIEL (1ST C&D) - CC | EXPIRED |
| UL014148 | JW'S HOME IMPROVEMENT (1ST C&D) - CC | NO LICENSE |

UL014089 and UL014142 – Terry Parsons appeared on behalf of Parsons Heating & Cooling

Mr. Noel made a motion to accept initial staff recommendations. Mr. Brady seconded. Motion carried. Later in the meeting, Mr. Brady discovered that UL014116, Stephen Henry, should have been placed on the \$1,000.00 list. Mr. Alvarez made a motion to revisit the \$200.00 fines. Mr. Brady seconded. Motion carried. Mr. Brady made a motion to move UL014116 to the \$1,000.00 fine list. Mr. Alvarez seconded. Motion carried.

C. \$500.00 FINES

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| UL014074 | K & G EXCAVATING (2ND C&D) - CC | NO LICENSE |
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Mr. Brady made a motion to accept staff recommendation. Mr. Noel seconded. Motion carried.

D. \$1,000.00 FINES

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| UL014092 | HANDYMAN AND LABOR SERVICES (3RD C&D) – CC | NO LICENSE |
| UL014095 | B & B CONSTRUCTION (2ND CC C&D) | NO LICENSE |
| UL014098 | KENDALL CLENDENEN II (2ND C&D) - DC RECOMMENDED | NO LICENSE |
| UL014105 | PRO HANDYMAN SERVICES LLC (3RD C&D) – CC | OUT OF CLASS |
| UL014112 | PRO HANDYMAN SERVICES LLC (4TH C&D) – CC | OUT OF CLASS |
| UL014146 | WV SIGN MAINTENANCE LLC (5TH C&D) | EXPIRED |
| UL014150 | PARKER ELECTRIC AND SIGN SERVICE LLC (5TH C&D) | NO LICENSE |
| UL014152 | DBA ALL PRO GENERAL MAINTENANCE (3RD C&D) - CC | NO LICENSE |

UL014146 – Randy Adkins appeared on behalf of WV Sign Maintenance, LLC.

Mr. Noel made a motion to accept staff recommendations with the addition of UL014116 from the \$200.00 list. Mr. Alvarez seconded. Motion carried. Mr. Meck made a motion to reduce the fine for UL014146 from \$1,000.00 to \$500.00. Mr. Noel seconded. Motion carried with Mr. Thompson voting against.

SOLAR PANEL INSTALLATION REQUIREMENTS

Bill Anderson submitted a response to the Board’s decision not to require an additional classification for installation of solar panels. The Board discussed Mr. Brady’s findings from researching solar panel installation in other states and determined again that the electrical classification currently required is sufficient for most projects; however, additional work and the classifications needed are handled on a case by case basis. Mr. Noel made a motion to accept Ms. Farber’s response to Mr. Anderson as drafted. Mr. Brady seconded. Motion carried.

DOL REPORT

- A report was provided to the Board on criminal charges being filed in magistrate court on various contractors.
- Mr. Thompson and Mr. Woodrum updated the Board regarding HB4317 currently in the Legislature, moving the Contractor Licensing Board to Chapter 30.
- Licensing Director Kathy Rucker introduced new field inspectors Joseph Mason, Tom Stricklen and Donald Billups to the Board.

NEXT MEETING DATE

The next meeting date is June 14, 2018 at 9:00 a.m.

ADJOURNMENT

Mr. Brady made a motion to adjourn at 10:20 a.m. Mr. Noel seconded. Motion carried.

Approved:



Eugene E. Thompson, Chair