

**MINUTES
THE WEST VIRGINIA CONTRACTOR LICENSING BOARD**

December 19, 2018

The West Virginia Contractor Licensing Board met on December 19, 2018, at 10:00 a.m. at 1900 Kanawha Boulevard East – State Capitol Complex – Building 3 – Room 124 – Charleston, West Virginia.

BOARD MEMBERS PRESENT

Eugene Thompson, Chair
Manny Alvarez
Ted Brady
Michael Davis
Frank R. Ferguson
Jacob Meck
James Noel
Steven Solomon

BOARD MEMBERS ABSENT

Michael Stone

OTHERS PRESENT

Mitchell E. Woodrum, Commissioner
Michael Sams, Deputy Commissioner
Elizabeth G. Farber, Assistant Attorney General
Kathy Rucker, Director, Licensing
Kimberly Legg, Board Secretary
LaShawna Johnson, Regulatory Licensing Support Specialist II
Brian White, Labor Programs Specialist
Brian Smith, Labor Inspector I

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 September 20, 2018 board meeting. Mr. Ferguson seconded. Motion carried.

PUBLIC COMMENT

No one appeared for public comment.

LICENSEE DISCIPLINARY HEARINGS

**A. Justice and Son Heating and Cooling – Chesapeake, OH – WV057769
(Cabell County Magistrate Court judgment in the amount of \$10,000.00, plus 4.5% interest per year and \$120.00 for court costs)**

Ms. Farber explained to the Board regarding Justice and Son Heating and Cooling. No one appeared on behalf of Justice and Son.

Mr. Ferguson made a motion to revoke the license. Mr. Alvarez seconded. Motion carried.

**B. Willow Construction, LLC – Morgantown, WV – WV055695
(Preston County Magistrate Court judgment in the amount of \$5,111.87, plus 4.5% interest per year and \$95.00 in court costs)**

Ms. Farber explained to the Board regarding Willow Construction, LLC. Katherine Slagle and Keith Woods appeared on behalf of Willow Construction.

Mr. Ferguson made a motion to allow company thirty (30) days to submit copy of payment plan or license will be suspended. Mr. Alvarez seconded. Motion carried.

**C. Preferred Construction – Parkersburg, WV – WV051426
(Wood County Circuit Court judgment in the amount of \$5,079.01, plus 4.5% interest per year and \$300.00 in court costs)**

Ms. Farber explained to the Board regarding Preferred Construction. No one appeared on behalf of Preferred Construction.

Mr. Brady made a motion to revoke the license. Mr. Meck seconded. Motion carried.

**D. Precision Fence and Floors – Wheeling, WV – WV051644
(Ohio County Magistrate Court judgment in the amount of \$2,300.00, plus 4.5% interest per year and \$160.00 in court cost)**

Ms. Farber explained to the Board regarding Precision Fence and Floors. Adam Parsons appeared on behalf of Precision.

Mr. Brady made a motion to revoke the license. Mr. Ferguson seconded. Motion carried.

**E. H & J Contracting, LLC – Fairmont, WV – WV038623
(Marion County Circuit Court judgment in the amount of \$4,750.00, plus court costs)**

Ms. Farber explained to the Board regarding H & J Contracting, LLC. Consumers Kelli Henderson and Levi Henderson appeared on their own behalf.

Mr. Ferguson made a motion to revoke license and require company appear before the Board before license can be re-instated. Mr. Meck seconded. Motion carried.

**F. Blue Ridge Carpentry, LLC – Charles Town, WV – WV040005
(Workers' Compensation Default List – Placed on list September 19, 2018 – Balance owed as
of November 20, 2018 - \$2,769.00)**

Ms. Farber explained to the Board regarding Blue Ridge Carpentry, LLC. No one appeared on behalf of Blue Ridge Carpentry.

Mr. Brady gave the company thirty (30) days to submit proof of a payment plan or that default has been resolved or license will be suspended. Mr. Alvarez 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

UL014472	BARR-NONE COATING APPLICATORS INC (1ST)	NO LICENSE
UL014474	R H S SAFETY CONSULTING LLC (1ST)	NO LICENSE
UL014476	DAVACO INC (1ST)	EXPIRED
UL014478	LARRY MCCULLOUGH (1ST)	NO LICENSE
UL014479	QUALITY COVERINGS (1ST)	NO LICENSE
UL014480	ALBERT J HOOVER DBA HOOVER POLE BUILDING (1ST)	NO LICENSE
UL014481	HIGH COUNTRY CONTRACTING LLC (1ST)	NO LICENSE
UL014482	ARRAY SERVICES CORPORATION (1ST)	NO LICENSE
UL014483	WINTERS TOWING & GARAGE INC (1ST)	NO LICENSE
UL014485	A M BUILDERS LLC (1ST)	NO LICENSE
UL014486	GLOBAL INTERIORS GROUP (1ST)	NO LICENSE
UL014487	ELECTRIC GENERAL SERVICE (1ST)	NO LICENSE
UL014488	MILLS CONSTRUCTION SERVICES LLC (1ST)	NO LICENSE
UL014489	WEST END ELECTRIC CO INC (1ST)	EXPIRED
UL014491	GREYSTAR CONSTRUCTION INC (1ST)	EXPIRED
UL014493	BOWYER GENERAL CONTRACTING LLC (1ST)	EXPIRED
UL014494	CHAD TAYLOR DBA TAYLORS CONSTRUCTION (1ST)	EXPIRED
UL014495	HOIST SALES & SERVICE INC (1ST)	NO LICENSE
UL014496	SECURITY LOCK & KEY INC (1ST)	NO LICENSE
UL014497	DIAMOND FLAGGING SERVICES LLC (1ST)	EXPIRED
UL014498	SHALLENBERGER CONSTRUCTION INC (1ST)	EXPIRED
UL014500	DARRIN COOPER (1ST)	NO LICENSE
UL014501	JESSE YATES (1ST)	NO LICENSE
UL014502	DBA ROUST PAINTING AND RENOVATIONS (1ST)	OUT OF CLASS
UL014503	EDUARDO MARTINEZ ALMANZA (1ST)	NO LICENSE
UL014504	ASTCO CONSTRUCTION INC (1ST)	NO LICENSE
UL014506	ROBERT SANDERS (1ST)	NO LICENSE
UL014507	THE EARLY CONSTRUCTION CO (1ST)	EXPIRED

UL014508	BRYAN BARKER (1ST)	NO LICENSE
UL014509	CHAI SUKERUKSA (1ST)	NO LICENSE
UL014510	DBA HARRISON INTERIOR SERVICES (1ST)	OUT OF CLASS
UL014511	JOHN CARLINE (1ST)	NO LICENSE
UL014512	OCEANA QUALITY IMPROVEMENTS (1ST)	NO LICENSE
UL014514	INDUSTRIAL CONTAINMENT SOLUTIONS LLC (1ST)	NO LICENSE
UL014515	J G CONSTRUCTION LLC (1ST)	OUT OF CLASS
UL014516	LAZ HVAC LLC (1ST)	NO LICENSE
UL014517	TERRY MICHAELS (1ST)	NO LICENSE
UL014518	APEX CONSTRUCTION AND DEVELOPMENT (1ST)	NO LICENSE
UL014519	IMPRESSIVE HOMES LLC (1ST)	EXPIRED
UL014520	EBENEZER ROOFING LLC (1ST)	NO LICENSE
UL014521	NEW LIFE PROJECTS LLC (1ST)	NO LICENSE
UL014524	DBA MASCELLINO CONTRACTING (1ST)	EXPIRED
UL014525	FRANCISCO CASCANTE (1ST)	NO LICENSE
UL014526	DURABLE PAINTING (1ST)	NO LICENSE
UL014527	TOTAL COMFORT GROUP (1ST)	NO LICENSE
UL014528	ORGANELLY LLC (1ST)	NO LICENSE
UL014529	B & D CONSTRUCTION DBA CONCRETE BUSTERS (1ST)	OUT OF CLASS
UL014531	DRUMMOND WELDING LLC (1ST)	NO LICENSE
UL014532	ANCHOR A WELDING LLC (1ST)	NO LICENSE
UL014533	DJC WELDING LLC	NO LICENSE
UL014535	LANE VALENTE INDUSTRIES INC (1ST)	OUT OF CLASS
UL014537	CPP DAYTON LLC DBA CERTAPRO PAINTERS (1ST)	NO LICENSE
UL014538	GATOR SIGN COMPANY (1ST)	NO LICENSE
UL014539	NEW TECH GLOBAL STAFFING LLC (1ST)	NO LICENSE
UL014540	JAMIE BOSTIC (1ST)	NO LICENSE
UL014541	WORKMAN SECURITY SERVICES INC (1ST)	NO LICENSE
UL014543	FK INDUSTRIES INC (1ST)	NO LICENSE
UL014544	RISE & RISE WIRELESS (1ST)	NO LICENSE
UL014545	YOUNGS CONTRACTING LLC (1ST)	OUT OF CLASS
UL014546	DEARBORN OVERHEAD CRANE (1ST)	NO LICENSE
UL014549	DBA SKIDMORE CONSTRUCTION (1ST)	NO LICENSE
UL014550	METRO STEEL INC (1ST)	NO LICENSE
UL014551	DEMBY STEEL LLC (1ST)	NO LICENSE
UL014552	3 RIVERS REMOTE CONTROLS LLC (1ST)	NO LICENSE
UL014553	JORGE GARCIA DBA JOSE ROOFING (1ST)	NO LICENSE
UL014554	HEWITT DETAILED PAINTING LLC (1ST)	EXPIRED
UL014556	RANDY ADDISON (1ST)	NO LICENSE
UL014557	JEFF TOLER (1ST)	NO LICENSE
UL014558	STEVEN WORIX (1ST)	NO LICENSE
UL014562	HOT PAVE (1ST)	NO LICENSE
UL014563	PRIME PETRO SERVICES LLC (1ST)	NO LICENSE
UL014564	TURNER UNDERGROUND INSTALLATIONS INC (1ST)	NO LICENSE
UL014565	JOSH THRASHER (1ST)	NO LICENSE
UL014567	MATTHEW KEIM ROOFING LLC (1ST)	NO LICENSE
UL014568	FAIRVIEW EXTERIORS (1ST)	NO LICENSE
UL014569	ONLY CONCRETE LLC (1ST)	EXPIRED
UL014571	SHELBY EBLIN DBA K & S CONCRETE (1ST)	NO LICENSE

UL014572	MARBLE PRO INC (1ST)	NO LICENSE
UL014573	ZEMBA BROS INC (1ST)	NO LICENSE
UL014575	LINK STAFFING SERVICES CORP (1ST)	NO LICENSE
UL014577	FREEMAN ROOFING & CONSTRUCTION CO (1ST)	EXPIRED
UL014578	TJD ENERGY SERVICES LLC (1ST)	OUT OF CLASS
UL014581	EDWIN WALKER JENNEY JR (1ST)	NO LICENSE
UL014582	TERRY DANIEL CANTRALL (1ST)	NO LICENSE
UL014583	DAVID ALLEN DROWN (1ST)	NO LICENSE
UL014584	CHARLES BOWMAN JOHNSON (1ST)	NO LICENSE
UL014585	THOMAS EDWARD SHORT (1ST)	NO LICENSE
UL014588	PLY GEM SPECIALTY PRODUCTS LLC (1ST)	EXPIRED
UL014589	ON-PAR TURF & LANDSCAPING (1ST)	NO LICENSE
UL014590	RYAN MORRIS (1ST)	NO LICENSE
UL014591	JACOB MISCOWICH (1ST)	NO LICENSE
UL014592	KENNY EWING (1ST)	NO LICENSE
UL014593	CLARENCE BELSAR (1ST)	NO LICENSE
UL014595	TODD CONCRETE CONSTRUCTION (1ST)	NO LICENSE
UL014596	CLAYTON RESTORATION (1ST)	NO LICENSE
UL014598	SKY VIEW STEEL LLC (1ST)	NO LICENSE
UL014599	MOUNTAIN LOG AND TIMBER (1ST)	NO LICENSE
UL014600	LUSHER TRUCKING (1ST)	NO LICENSE
UL014601	DC GENERALS ROOFING AND SIDING (1ST)	NO LICENSE
UL014602	DBA JUSTICE AND SON HEATING AND COOLING (1ST)	NO LICENSE
UL014603	CAPITAL GROUND CONSTRUCTION (1ST)	NO LICENSE
UL014604	DBA BROWN CONSTRUCTION COMPANY (1ST)	OUT OF CLASS
UL014605	THE PAINT STORE LLC (1ST)	NO LICENSE
UL014608	DBA WOODYS GENERAL SERVICES (1ST)	NO LICENSE
UL014609	BUCKEYE PIPELINE CONSTRUCTION (1ST)	NO LICENSE
UL014610	BRODY DALE ROUSH (1ST)	NO LICENSE
UL014611	SEAN DAVID SUCHEVITS (1ST)	NO LICENSE
UL014613	SCOTT MARTIN CONSTRUCTION LLC (1ST)	NO LICENSE
UL014615	BOB THELLMAN (1ST)	NO LICENSE
UL014616	FIVE M CONSTRUCTION LLC (1ST)	OUT OF CLASS
UL014617	SNM WIRELESS LLC (1ST)	NO LICENSE
UL014618	TIMOTHY LACY (1ST)	OUT OF CLASS
UL014619	WILLIAM GREATHOUSE DBA FATHER SON SERVICES (1ST)	EXPIRED

UL014544 – Navrha Acharya appeared on behalf of Rise & Rise Wireless

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

B. \$200.00 FINES

UL014473	MATTHEW BARKER (2ND)	EXPIRED
UL014475	DOMINION REBAR LLC (2ND)	EXPIRED
UL014477	BERLIN GARDENS LLC (2ND)	NO LICENSE
UL014492	WHARTON HOME IMPROVEMENTS (1ST) - CC	NO LICENSE

UL014505	L & S ENTERPRISES (1ST) - CC	NO LICENSE
UL014513	TWYMANS CONTRACTING (1ST) - CC	NO LICENSE
UL014522	RIGIDPLY RAFTERS INC (2ND)	EXPIRED
UL014523	MICHAEL SANKEY DBA SANKEY TILE (1ST) - CC	NO LICENSE
UL014536	DBA UNLIMITED FLOORING INSTALLATION (2ND)	EXPIRED
UL014542	DAVID BEEGLE JR DBA DAVIDS HANDYMAN (1ST)	NO LICENSE
UL014548	DBA HOMESTEAD CONSTRUCTION (2ND)	EXPIRED
UL014566	PREMIER CHOICE EXTERIORS LLC (1ST) - CC	NO LICENSE
UL014570	RICHARD ST HILAIRE DBA ELITE FINISHES (1ST) - CC	EXPIRED
UL014574	44 BUILDERS LLC (2ND)	EXPIRED
UL014576	J L CONTRACTING LLC (1ST) - CC	EXPIRED
UL014579	A & T ROOFING (1ST) - CC	NO LICENSE
UL014587	JORGE GARCIA DBA JOSE ROOFING (2ND)	NO LICENSE
UL014597	DBA JOHNSONS COMFORT CONNECTION (1ST) - CC	EXPIRED
UL014606	E Z WELDING & FABRICATING LLC (2ND)	EXPIRED
UL014607	VORST PAVING INC (2ND)	EXPIRED
UL014622	SAMUEL GILLENWATER DBA PRO BUILDERS (1ST) - CC	OUT OF CLASS
UL014612	PHILDON CONSTRUCTION INC (2ND)-CC	EXPIRED
UL014621	JOES CUSTOM CABINETS (1ST) - CC	NO LICENSE

UL014621 – Joseph Bennett appeared on behalf of Joe’s Custom Cabinets

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

C. \$500.00 FINES

UL014484	KOOL MAX (2ND) - CC	EXPIRED
UL014490	ACME BROS PLUMBING CONTRACTORS CO (3RD)	NO LICENSE
UL014499	HARRISON CONTRACTING CO INC (3RD)	EXPIRED
UL014559	DBA ROGERS OUTDOOR SERVICES (2ND) - CC	NO LICENSE
UL014586	ERVIN PETERSHEIM DBA E P ROOFING (3RD)	NO LICENSE

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

D. \$1,000.00 FINES

UL014530	GENE DILLSWORTH JR (2ND) CC	NO LICENSE
UL014534	PARKERSBURG ROOFING & CONSTRUCTION (5TH) CC	EXPIRED
UL014547	DBA PETER HIGGS GENERAL CONTRACTING (1ST) CC	NO LICENSE
UL014555	FULL DRAW CONSTRUCTION LLC (1ST) CC	NO LICENSE
UL014560	DBA ROGERS OUTDOOR SERVICES (3RD) CC	NO LICENSE
UL014561	DBA ROGERS OUTDOOR SERVICES (4TH) CC	NO LICENSE
UL014580	JACOB MEADOWS (4TH)	SUSPENDED/EXP
UL014594	KIDWELL FENCE LLC (7TH)	EXPIRED
UL014614	DENNIS EISENACHER DBA DME ENTERPRISES (2ND) CC	SUSPENDED/EXP
UL014620	KIDWELL FENCE LLC (8TH)	EXPIRED

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

DOL REPORT

- Staff reported to the Board the number of Advisory Letters sent to prime contractors for hiring unlicensed sub-contractors
- A report was provided to the Board on criminal charges being filed in magistrate court on various contractors.
- Mr. Woodrum updated the Board regarding the electrical exam now being administered by NASCLA. Board discussed the possibility of accepting NASCLA electrical exam scores in the future. Issue will be left on the agenda for discussion at future meetings.
- Mr. Woodrum and Ms. Farber updated the Board regarding the 2019 proposed legislation regarding amendments to the Contractor Licensing Act. The Governor's Office has not responded.
- Mr. Woodrum advised the Board of concerns from Patricia Morrison regarding David Smith and NES Unlimited, Inc. and NES Unlimited Development, Inc. Mr. Smith was brought before the Board in 2014 in response to a guilty plea in Taylor County Circuit Court for obtaining money under false pretenses for a project for Carl and Patricia Morrison. Taylor County placed Mr. Smith under probation for 2 years and the Board placed his licenses under probation for the duration of the Court's probation; however, Mr. Smith has never submitted a copy of his release to the Board, so he remains under probation. Mrs. Morrison submitted documentation regarding disciplinary action taken against NES out-of-state and wished to be placed on the agenda to present her information to the Board. Since the Board cannot take any action on judgments, disciplinary action and criminal complaints in other states, the Board declined to place Mrs. Morrison on the agenda but said she can appear for public comment. The Board directed staff to document in company's record for Mr. Smith to submit a copy of his release from probation from Taylor County Circuit Court or his licenses cannot be renewed. The Board also directed staff to notify Mr. Smith that if he does not send the January and February monthly statements of work status in West Virginia, he will be brought before the Board for disciplinary action unless he sends a copy of the release from probation.
- Staff introduced new Field Inspector Brian Smith to the Board.

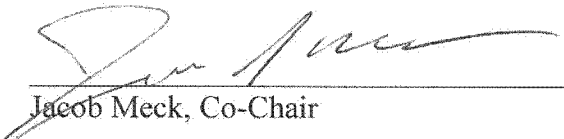
NEXT MEETING DATE

The next meeting date is Thursday, March 28, 2019 at 9:00 a.m. (Due to issues regarding booking the conference room this date, the meeting was rescheduled for Wednesday, March 20, 2019 at 9:00am.

ADJOURNMENT

Mr. Thompson made a motion to adjourn at 11:33 a.m. Mr. Meck seconded. Motion carried.

Approved:



Jacob Meck, Co-Chair