

**MINUTES**  
**THE WEST VIRGINIA CONTRACTOR LICENSING BOARD**

June 26, 2019

The West Virginia Contractor Licensing Board met on June 26, 2019, 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  
Jacob Meck, Co-Chair  
Manuel Alvarez  
Ted Brady  
Michael Davis  
Frank R. Ferguson  
James Noel  
Steven Solomon  
Michael Stone

**BOARD MEMBERS ABSENT**

None

**OTHERS PRESENT**

Mitchell E. Woodrum, Commissioner  
Michael Sams, Deputy Commissioner  
Elizabeth G. Farber, Assistant Attorney General  
Kathy Rucker, Director, Licensing  
Kimberly Legg, Board Secretary  
Brian White, Labor Programs Specialist

**MEETING CALLED TO ORDER**

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

**APPROVAL OF MINUTES**

Mr. Alvarez made a motion to approve the minutes of the March 20, 2019 board meeting. Mr. Brady seconded. Motion carried.

**PUBLIC COMMENT**

No one appeared for public comment

**ED O'DELL CONSTRUCTION GROUP, LLC – Request to re-apply for contractor license**

Edwin E. O'Dell, Jr. appeared on behalf of Ed O'Dell Construction Group, LLC, requesting reinstatement/permission to re-apply for a contractor license. License Number WV043021 was originally suspended in 2012 for failing to pay a former employee wages for work he performed in

connection with the company's contracting activities. All additional debts have been paid and his case was dismissed in Kanawha County Circuit Court.

Mr. Brady made a motion to allow Mr. O'Dell to re-apply for a contractor license. Mr. Noel seconded. Motion carried.

## **LICENSEE DISCIPLINARY HEARINGS**

**A. KLW, LLC DBA Atlas Hydrovac – Buckhannon, WV – WV039406  
(Upshur County Circuit Court judgment in the amount of \$57,000.00, plus post judgment interest at the statutory rate)**

Ms. Farber explained to the Board regarding KLW, LLC DBA Atlas Hydrovac. Attorney Charles Hughes and Member Kenneth Woody appeared on behalf of KLW. Consumer Brian Tucker appeared on his own behalf.

Mr. Noel made a motion to suspend license immediately upon receipt of order. Mr. Brady seconded. Motion carried.

**B. Samuel Gillenwater DBA Pro Builders – Clendenin, WV – WV053686  
(Putnam County Magistrate Court judgment in the amount of \$3,600.00, plus \$115.00 in court costs and interest at 5% per year; Boone County Magistrate Court judgment in the amount of \$3,800.00 plus \$95.00 in court costs at 5.5% interest per year)**

Ms. Farber explained to the Board regarding Brian Oller DBA CF Unlimited. No one appeared on behalf of Pro Builders. Consumers David Gillispie and Steven L. Estep appeared on their own behalf.

Mr. Brady made a motion to suspend license immediately upon receipt of order. Mr. Davis seconded. Motion carried.

**C. Howard Home Improvement – Triadelphia, WV – WV055930  
(Ohio County Magistrate Court judgment in the amount of \$2,500.00, plus \$190.66 in court costs at 5.50% interest per year)**

Ms. Farber explained to the Board regarding Howard Home Improvement. No one appeared on behalf of Howard Home Improvement.

Mr. Alvarez made a motion to suspend license immediately upon receipt of order. Mr. Brady seconded. Motion carried.

**D. Conard Glen Smith DBA The Conards Builders – Cedar Grove, WV – WV057644  
(Provided his contractor license for use by an unlicensed individual)**

Ms. Farber explained to the Board regarding The Conards Builders. No one appeared on behalf of The Conards Builders.

Mr. Brady made a motion to suspend license immediately upon receipt of order and must appear before Board before license will be re-instated. Mr. Meck seconded. Motion carried.

**E. P & C Construction, Inc. – Chattanooga, TN – WV054912  
(4<sup>th</sup> Offense of Hiring Unlicensed Subcontractors)**

Ms. Farber advised the Board regarding P & C Construction, Inc. Nick Cornelison appeared on behalf of P & C Construction.

Mr. Brady made a motion to issue a Letter of Reprimand to the company. Mr. Noel seconded. Motion carried.

**F. Nella Constructors, Inc. – New Market, TN – WV053275  
(5<sup>th</sup> Offense of Hiring Unlicensed Subcontractors)**

Ms. Farber explained to the Board regarding Nella Constructors, Inc. William Scott Allen appeared on behalf of Nella Constructors.

Mr. Noel made a motion to issue a Letter of Reprimand to the company. Mr. Brady seconded. Motion carried.

**G. Steven Russell DBA Russell Construction – Coolville, OH – WV053563  
(Wood County Magistrate Court judgment in the amount of \$1,939.00, plus \$90.00 in court costs)**

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

Mr. Stone made a motion to suspend license immediately upon receipt of order. Mr. Noel seconded. Motion carried.

**CEASE AND DESIST ORDERS**

**A. Advisory Letters**

*UL014684 – Bryce Barfield appeared on behalf of Olvera Concrete, Inc.*

*UL014806 – Gordon R. Blevins appeared on his own behalf.*

Mr. Woodrum advised the Board that UL014782 will be rescinded.

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

**B. \$200.00 Fines**

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

**C. \$500.00 Fines**

*UL014691 – Craig Fox appeared on behalf of AMR Home Improvements*

*UL014728 – Alvin Christian appeared on behalf of Christian Home Improvement*

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

**D. \$1,000.00 Fines**

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

## **ONE STOP BUSINESS CENTER FEE**

Advised Board of payment of onetime fee of \$13,000.00 for the One Stop Business Center.

## **DOL REPORT**

- Staff reported to the Board 28 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. Thompson announced his retirement from the Board if no replacement is appointed by the next meeting.

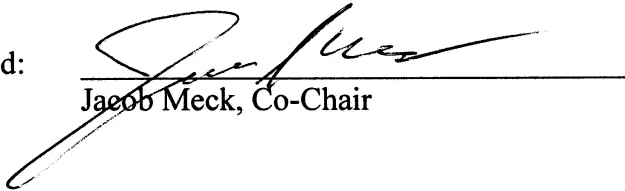
## **NEXT MEETING DATE**

The next meeting dates are scheduled for Thursday, September 26, 2019 at 9:00 a.m. and Wednesday, December 18, 2019 at 10:00 a.m.

## **ADJOURNMENT**

Mr. Noel made a motion to adjourn at 11:02 a.m. Mr. Alvarez seconded. Motion carried.

Approved:

  
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Jacob Meck, Co-Chair