

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

December 15, 2022

The West Virginia Contractor Licensing Board met on December 15, 2022, at 10:00 a.m. at 1900 Kanawha Boulevard East – State Capitol Complex – Building 3 – Room 124 – Charleston, West Virginia.

**BOARD MEMBERS PRESENT**

Jacob S. Meck, Chair  
Ted H. Brady  
Frank R. Ferguson  
Mary J. Neenan  
Charles K. Smith  
Steven Solomon

**BOARD MEMBERS ABSENT**

Manny Alvarez  
Michael E. Davis  
Amy Fairman  
James M. Noel

**OTHERS PRESENT**

Mitchell E. Woodrum, Commissioner  
Brooke M. Farber Esq., Deputy Commissioner  
Brian White, Labor Programs Manager  
Larry Rucker, Labor Program Specialist  
Kimberly Legg, Board Secretary  
Kelli Rucker, Administrative Services Manager  
Freda Sanders, Regulatory Licensing Specialist

**MEETING CALLED TO ORDER**

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

**APPROVAL OF AGENDA**

Mr. Solomon made a motion to approve the agenda of the December 15, 2022, board meeting. Mr. Smith seconded. Motion carried.

**APPROVAL OF MINUTES**

Mr. Brady made a motion to approve the minutes of the August 25, 2022, board meeting. Ms. Neenan seconded. Motion carried.

**PUBLIC COMMENT**

No one appeared for public comment.

**LICENSEE DISCIPLINARY HEARINGS**

- A. Quesenberry's Construction, LLC – Beckley, WV – WV061907  
(Raleigh County Magistrate Court judgment in the amount of \$5,000.00 plus court costs and interest)**

Adam Quesenberry appeared on behalf of Quesenberry's Construction, LLC.

Mr. Brady made a motion to give company 30 days to submit a payment plan approved by both parties or a release of judgment, or license will be suspended. Mr. Ferguson seconded. Motion carried.

**B. Jerry Walls DBA Walls Construction – Brandywine, WV – WV033375  
(Wyoming County Magistrate Court judgment in the amount of \$6,585.57 plus court costs and interest)**

Jerry R. Walls II appeared on behalf of Walls Construction and provided documentation showing that judgment has been paid. Ms. Farber will follow up with magistrate court to verify.

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

**C. M&H Construction, LLC – Tunnelton, WV – WV058955\*\*\*  
(Upshur County Magistrate Court judgment in the amount of \$6,127.94 plus court costs and interest)**

No one appeared on behalf of M&H Construction, LLC, but a written response was submitted.

Mr. Ferguson made a motion to suspend license until judgment has been paid in full or provide a payment plan. Mr. Brady seconded. Motion carried.

**D. Star Construction Group, LLC – Fairmont, WV – WV062030  
(Marion County Magistrate Court judgment in the amount of \$6,850.00 plus court costs and interest)**

No one appeared on behalf of Star Construction Group, LLC.

Mr. Ferguson made a motion to suspend license until judgment has been paid in full or provide a payment plan. Mr. Brady seconded. Motion carried.

**E. River City Chem Dry, LLC DBA Drake's Restoration – Parkersburg, WV – WV037234  
(Defaulted on payment plan with Workforce West Virginia)**

No one appeared on behalf of River City Chem Dry, LLC DBA Drake's Restoration.

Mr. Ferguson made a motion to suspend license until company is in compliance with Workforce. Mr. Brady seconded. Motion carried.

**F. Daniels Building Corporation – Advent, WV – WV054720  
(Defaulted on payment plan with Workforce West Virginia)**

No one appeared on behalf of Daniels Building Corporation.

Mr. Ferguson made a motion to suspend license until company is in compliance with Workforce. Mr. Brady seconded. Motion carried.

**G. C & G Contracting, LLC – Spencer, WV – WV058197  
(Workers' Compensation Default List – Placed on list September 20, 2022 – Balance owed \$501.00)**

No one appeared on behalf of C & G Contracting, LLC but Cody May spoke with Mr. White prior to the meeting to advise him that he was unable to attend.

Mr. Ferguson made a motion to allow company 2 weeks to provide payment plan or proof that default has been resolved or license will be suspended. Mr. Brady seconded. Motion carried.

**H. Thomas Grace Construction, Inc. – Stillwater, MN – WV041823  
(Hiring unlicensed subcontractors)**

No one appeared on behalf of Thomas Grace Construction but a written response with an overview of their action plan was submitted.

Mr. Ferguson made a motion to give company 30 days submit a detailed action plan. Mr. Smith seconded. Motion carried.

**I. Stella Construction, LLC – Kingmont, WV – WV050722  
(Hiring unlicensed subcontractors)**

David Reitz appeared on behalf of Stella Construction, LLC and provided copy of their detailed action plan. The Board took no action against the company.

**CEASE AND DESIST ORDERS**

**A. Advisory Letters**

*UL016067 – Miguel Perez appeared on behalf of JMC Framing, LLC*

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

**B. \$200.00 Fines**

*UL016028 – Scott Stacy appeared on behalf of Stacy's Plumbing & Electric Co.*

Mr. Brady made a motion to reduce UL016028 to \$100.00. Mr. Ferguson seconded. Motion carried.

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

**C. \$500.00 Fines**

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

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

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

**APPROVAL OF DIVISION OF LABOR PAYROLL REIMBURSEMENT INVOICE**

Mr. Woodrum presented the FY 2023 1<sup>st</sup> Quarter Financial Report and Payroll Reimbursement Invoice to the Board for approval.

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

**WEST VIRGINIA BOARD OF ARCHITECTS CONSUMER COMPLAINT PROCESS**

The Board discussed the Board of Architects' request to submit complaints to the Contractor Licensing Board for disciplinary action and the Board stated they must have a judgment.

## **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.
- Advised the Board of the results of disciplinary action taken at August board meeting.

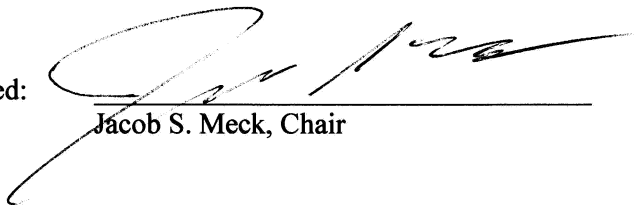
## **NEXT MEETING DATE**

March 30, 2023, at 9:00am

## **ADJOURNMENT**

Mr. Solomon made a motion to adjourn at 11:30 a.m. Mr. Ferguson seconded. Motion carried.

Approved:



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Jacob S. Meck, Chair