

MINUTES
THE WEST VIRGINIA CONTRACTOR LICENSING BOARD

March 28, 2024

The West Virginia Contractor Licensing Board met on March 28, 2024, at 9:00 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, Co-Chair
Manny Alvarez
Michael E. Davis – via telephone
Amy Fairman – via telephone
Frank R. Ferguson
Charles K. Smith
Steven Solomon – via telephone

BOARD MEMBERS ABSENT

Mary J. Neenan
James M. Noel

OTHERS PRESENT

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

MEETING CALLED TO ORDER

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

APPROVAL OF AGENDA

Mr. Brady made a motion to approve the agenda. Mr. Ferguson seconded. Motion carried.

APPROVAL OF MINUTES

Mr. Brady made a motion to approve the minutes of the December 13, 2023, board meeting. Mr. Alvarez seconded. Motion carried.

PUBLIC COMMENT

No one appeared for public comment.

LICENSEE DISCIPLINARY HEARINGS

- A. Big Rock Contracting, LLC – Wallace, WV – WV061620
(Harrison County Magistrate Court judgment in the amount of \$10,000.00, plus court costs and interest)**

No one appeared on behalf of the company, but a Christopher Drake called prior to the meeting.

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

**B. Cook Bros Building & Excavating, Inc. – Fairmont, WV – WV010074
(Hiring unlicensed subcontractors)**

Kenneth Cook appeared on behalf of Cook Bros. Building & Excavating.

Mr. Smith made a motion to take no disciplinary action but required company to submit an action plan within 90 days. Mr. Brady seconded. Motion carried.

**C. Rorrer Construction Co. – Huntington, WV – WV041585
(Wayne County Magistrate Court judgment in the amount of \$8,375.00, plus court costs and interest)**

No one appeared on behalf of Rorrer Construction Co.

Mr. Ferguson made a motion to suspend license until judgment has been paid. Mr. Brady seconded. Motion carried.

**D. Brown & Sons Construction, LLC – White Sulphur Springs, WV – WV049880
(Greenbrier County Magistrate Court judgment in the amount of \$8,900.00, plus court costs and interest)**

Thomas Brown appeared on behalf of Brown & Sons Construction.

Mr. Alvarez made a motion to not allow company to renew license until judgment is paid. Mr. Brady seconded. Motion carried.

CEASE AND DESIST ORDERS

A. Advisory Letters

UL016389 – Chris Morgan appeared on behalf of Elemental Shelter Solutions.

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

B. \$200.00 Fines

UL016385 – Consumer Mitchell Wayne appeared regarding Davis Handyman Services, LLC.

UL016388 – Mark Wilgenbusch appeared on behalf of Delightful Handyman Service

UL016412 – Consumer Gary Nichols appeared regarding Elk River Handyman & Home Solutions, LLC

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

C. \$500.00 Fines

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

D. \$1,000.00 Fines

Mr. Brady 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 2024 2nd Quarter Report and Invoice to the Board for approval.

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

NASCLA / PSI SERVICES, LLC EXAMS

- Provided the Board with a Pro-V / PSI 15-month Pass/Fail Comparison
- Requested the Board remove the restriction date of September 1, 2013 from the NASCLA General Building Exam.

Mr. Brady made a motion to put the exam contract out to bid in lieu of extending PSI's contract. Mr. Smith seconded. Motion carried.

Mr. Ferguson made a motion to remove the NASCLA General Building exam date restriction. Mr. Smith seconded. Motion carried.

Mr. Ferguson made a motion to accept any comparable exam issued by an accredited national testing organization. Mr. Brady seconded. Motion carried.

Mr. Brady made a motion to allow Commissioner Woodrum to reach out to NASCLA regarding creating a Spanish version of the Business & Law Study Guide if the cost does not exceed \$15,000.00. Mr. Ferguson seconded. Motion carried.

A Spanish version of the Business & Law Study Guide and Business & Law exam are to be added to the RFQ.

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 the December 13, 2023 board meeting.
- Updated the Board on the new website and database.
- Advised Board of the Legislative Audit currently being conducted.

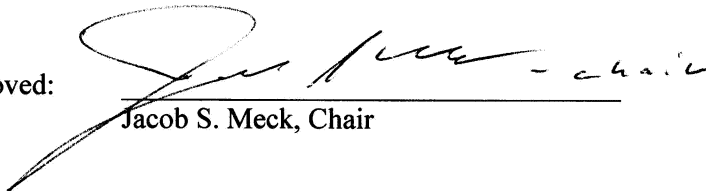
NEXT MEETING DATE

June 13, 2024, at 10:00am

ADJOURNMENT

Mr. Smith made a motion to adjourn at 10:55a.m. Mr. Brady seconded. Motion carried.

Approved:



Jacob S. Meck, Chair