

The General Contractor Division of the State Licensing Board for Residential and General Contractors met on **April 6, 2006** at the Professional Licensing Boards Division, 237 Coliseum Drive in Macon, Georgia for the purpose of conducting business.

Members Present:

Roger Huggins, Division Chairman
David Cyr
Morgan Wheeler
Timothy Ansley

Others Present:

Kyle Floyd, Executive Director
Alison Martin, Board Secretary
Chris Helms, Board Attorney
Laura Sturick, Application Specialist

At 9:05 a.m., Chairman Huggins established that a quorum was present and called the meeting to order.

The division discussed new legislation updates, specifically the extension of the examination exemption period.

Huggins raised the issue of further defining the term of a specialty contractor and asked Chris Helms for legal counsel on the matter. The reason the term needs clarification is out of concern that the specialty contractor who applies during examination exemption will not qualify with the projects listed, but after examination exemption expires that specialty contractor may need the appropriate license. Chris Helms said that it was the Division's responsibility to decide what kind of projects would or would not qualify a specialty contractor for a license. Until a decision is reached on this matter, the appropriate answer to this question is to tell applicants that as long as they are contracting as a specialty contractor, as defined in the code, the applicants are exempt and thus any specialty contractor projects submitted would not qualify the applicants for a license as a General Contractor. The Division agreed that once a decision is made on this matter, it will need to be supported in a rule or a policy.

Executive Director, Kyle Floyd, added to this discussion by saying that it could cause more complications for the specialty contractors, the board staff, and the building permit offices, to make a list of specialty contractor exemptions because lists invariably exclude persons unintentionally by failing to include them on the list.

Chairman Huggins said he would draft some language on the issue of further defining a specialty contractor and will then propose that language to the

division. This draft would be addressing both individual applicants and qualifying agent applicants.

Chairman Huggins explained how the divisions for the Residential and General Contractors Board were formed. Huggins proposed to the division that Residential-Light commercial projects become an approved qualification for a General Contractor application.

A motion was made by Roger Huggins and seconded by Morgan Wheeler to rescind and revise the motion made in the February 1, 2006 board meeting that states: " Hoppy Hopkins made the motion to amend both the individual and qualifying agent General Contractor applications so that they state 'none of the listed projects may fall within the Residential-Basic or the Residential-Light Commercial categories. Tommy Holder seconded the motion and the division voted unanimously to accept the motion." The revision of this motion made in the February 1, 2006 meeting will indicate that the division will accept Residential-Light Commercial projects for the General Contractor license. Further, it will be clarified that only Residential Basic projects will not qualify one for the General Contractor license, but those regulated by Residential-Light commercial will be accepted for experience as a General Contractor license. Huggins said he would consider developing classes under the General Contractor Division to be a topic for legislative change.

A motion was made to go into closed session for the purpose of discussing applications. The motion was made by David Cyr, seconded by Roger Huggins, and the other division members present Morgan Wheeler and Timothy Ansley voted unanimously to accept the motion.

The division discussed applicant D.P. and whether requirements were met because the applicant listed only DOT projects and those involving mainly site-preparation.

The division discussed applicant G.S.

With no other business to discuss in closed session, a motion was made by Roger Huggins and seconded by David Cyr to move back into open session.

The division concluded that applicant Dave Parrish would be defined as a "specialty contractor" once specialties were further defined from the division.

A motion was made by David Cyr and seconded by Morgan Wheeler to approve and ratify applicant Gregory Sportsman for licensure as a general contractor (qualifying agent), and to ratify the below indicated applicants approved for licensure as general contractors on March 27, 2006 by application subcommittee members. The division unanimously approved the motion.

Burtera, Daniel Ralph of Whitworth Construction Company, Inc.

Cannarella, Anthony of Protech Contractors, Inc.
Fortune, James Brett of Fortune-Johnson, Inc. Real Estate Development
Gordy, Benjamin B. of Ben B. Gordy Construction Co., Inc.
Gordy, Ben. B. Jr. of Ben B. Gordy Construction Co., Inc.
Hall, Lawrence Gilbert of MEJA Construction, Inc.
Halloran, Patrick M. of Halloran Masonry, Inc.
Martin, Douglas Jay of EMJ Corporation
McDonald, Clark Bedney of Charles Black Construction Co., Inc.
McKenzie, Gregory Glen of Greg McKenzie Builders, Inc.
Minish, Billy Leon of Charles Black Construction Co., Inc.
Newell, Gary Wayne of Collins & Company 2000, Inc.
Spratlin, John Webb III of John W. Spratlin & Son, LLC
Sportsman, Gregory D. of Hobgood Construction Group, LLC
Swofford, Ernest Kenneth of Swofford Construction, Inc.

The division revisited the previous discussion on how to consider G.C.I.C. applicants and brought up the possibility of forming a committee just to review these types of applications in the future.

Chris Helms read O.C.G.A. §§ 43-41-19(a) and 43-41-19(b), which state how members of this board are to consider these types of applicants who have a criminal history in their background.

The division discussed the Attorney General's memo that Chris Helms prepared for division members concerning the five year requirement stated in O.C.G.A § 43-41-8(a)(2). The Board had requested legal counsel on this issue in the March 1, 2006 meeting. Chris Helms reiterated that assuming that the Board is equal in consideration, the Board can by statute consider these types of applicants on a case by case basis.

The division discussed new business items.

With no other business for the division to discuss, Chairman Huggins adjourned the meeting at 12:40 p.m.

Minutes recorded by:

Alison Martin, Board Secretary

Reviewed/edited by:

Kyle Floyd, Executive Director