

**STATE LICENSING BOARD FOR
RESIDENTIAL AND GENERAL CONTRACTORS
Residential Division Meeting: February 19, 2014**

The State Licensing Board for Residential and General Contractors met on Wednesday, February 19, 2014, at the Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia, for the purpose of conducting Board business.

The following Board members were present:

Bill Duck, Division Chairman
Keely Fennell, Division Vice Chairman
Bob Barnard
Robert Cleveland
Andy Cooper
Mark Herbert

Others present:

Darren Mickler, Executive Director
Tonya Richardson, Board Support Specialist
David Stubins, Assistant Attorney General
Jeanette Leeks, Licensing Analyst
Judy Bradley, Complaint Compliance Specialist

Call Meeting to Order:

At 9:16 a.m., Board Chairman Bill Duck established that a quorum was present and called the meeting to order.

Agenda:

The agenda was amended as follows:

Old/New Business:

REMOVED: Item 3a. Mr. Christopher Fetters from old/new business to the OIG report.

Approval of Open Session Minutes:

A motion was made by Mark Herbert, seconded by Andy Cooper, and the Board voted unanimously to approve the minutes of the October 17, 2013 Residential Division Board meeting as presented.

Old/New Business:

The Board received and reviewed the first application under House Bill 188. The Board discussed drafting a policy that will approve military applicants with proof of insurance and proof of physical address.

The Board discussed drafting a policy to impose fines for unlicensed practice.

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Executive Director's Report:

Darren Mickler discussed House Bill 294, which states that Electrical Contractor Class II; provides that a person licensed may perform low-voltage contracting without obtaining a state-wide Low-voltage Contractor Class. He also had a discussion of the Bill that would allow Roofers to become licensed but at this time, the status of the Bill is that it didn't get out of committee.

Personal Appearance:

1. **Applicant #1071711**– As a result of the board reviewing this case, the Board voted to deny the applicant for licensure. Applicant may apply to sit for the exam.

Ratifications:

The Residential Division reviewed the list of applicants that have been previously reviewed and approved administratively or by Division members. A motion was made by Mark Herbert, seconded by Robert Cleveland, and the Residential Division voted unanimously to ratify licenses issued from October 17, 2013 – February 18, 2014.

Executive Session:

At 9:33 a.m. a motion was made by Andy Cooper, seconded by Mark Herbert, and the Board members present: Bob Barnard, Robert Cleveland, Andy Cooper, Keely Fennell, Bill Duck, and Mark Herbert, voted unanimously to enter into Executive Session in accordance with O.C.G.A. 43-1-2(k) and 43-1-19(h).

Open Session was declared at 11:34 a.m. to vote on discussions from Executive Session.

Approval of Executive Session Minutes:

A motion was made by Bobby Cleveland, seconded by Keely Fennell, and the Board voted unanimously to approve the Executive Session minutes of the October 17, 2013 Residential Division meeting as presented.

Application Discussion:

A motion was made by Keely Fennell, seconded by Mark Herbert, and the Residential Division voted unanimously to accept the recommendations made during Executive Session.

The recommendations made during Executive Session are as follows:

The Residential Division reviewed the application and accepted the Cognizant's recommendation to deny this applicant due to judgement needs to be settled and he needs to re-apply and take the exam.

- **Applicant #2304311**

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The Residential Division reviewed the application and accepted the Cognizant's recommendation to deny this applicant due to convictions and outstanding judgement.

- **Applicant # 2310012**

The Residential Division reviewed the application and accepted the Cognizant's recommendation to deny this applicant due to projects not meeting the residential light project requirements.

- **Applicant #1777704**

The Residential Division reviewed the application and accepted the Cognizant's recommendation to approve this applicant to take the exam and issue consent order w/24-month probation because of failure to show financial responsibility; made eligible to take the RLCI exam.

- **Applicant #2093389**

The Residential Division reviewed the application and accepted the Cognizant's recommendation to deny this applicant because the LLP does not meet the criteria to be a QA for the company.

- **Applicant # 2288482**

Following discussion, the Residential Division recommended accepting the Cognizant recommendations given by Judy Bradley in her Complaint and Compliance Report to the Board for the following:

Board Office:

- **ORR Request** – The Board voted to deny request.
- **RGC110055** – The Board approved request to release probation.
- **RGC120063** – The Board approved request to release probation.
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- **RGC130128** – The Board voted to close with no action.
- **RGC130218** – The Board voted to close with no action.
- **RGC140065** – The Board voted to close with no action.
- **RGC140090** – The Board voted to close with no action.
- **RGC140041** – The Board voted to close with no action.
- **RGC140076** – The Board voted to close with no action.
- **RGC140069** – The Board voted to close with no action.

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- **RGC120073** – The Board voted to send licensee a letter concerning non-compliance with consent order.
- **RGC130141** – The Board voted to close with no action.
- **RGC140052** – The Board voted to close with no action.
- **RGC140055** – The Board voted to close with no action.
- **RGC140127** – The Board voted to close with no action.
- **RGC140128** – The Board voted to obtain update, refer to SSI if appropriate.
- **RGC140049** – The Board voted to close with no action.
- **RGC140048** – The Board voted to close with no action.
- **RGC120054** – The Board voted to close after letters are written.
- **RGC140077** – The Board voted to close with no action.
- **RGC130183** – The Board voted to close with no action.
- **RGC130023** – The Board voted to close with no action.
- **RGC140086** – The Board voted to close with no action.
- **RGC140088** – The Board voted to refer to Secretary of State Investigations if no response from respondent.
- **RGC110247** – The Board voted to close with no action.
- **RGC110180** – The Board voted to close with no action.
- **RGC110158** – The Board voted to close with no action.
- **RGC110266** – The Board voted to close with no action.
- **RGC110222** – The Board voted to close with no action.
- **RGC110302** – The Board voted to close with no action.
- **RGC110275** – The Board voted to close with no action.
- **RGC110274** – The Board voted to close with no action.

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- **RGC110271** – The Board voted to close with no action.
- **RGC110270** – The Board voted to close with no action.
- **RGC110229** – The Board voted to close with no action.
- **RGC140133** – The Board voted to close with no action.
- **RGC120198** – The Board voted to close with no action.
- **RGC110213** – The Board voted to close with no action.
- **RGC110253** – The Board voted to close with no action.
- **RGC110316** – The Board voted to close with no action.
- **RGC110322** – The Board voted to close with no action.
- **RGC110324** – The Board voted to close with no action.
- **RGC120017** – The Board voted to close with no action.
- **RGC120024** – The Board voted to close with no action.
- **RGC120047** – The Board voted to close with no action.
- **RGC120099** – The Board voted to close with no action.
- **RGC120186** – The Board voted to close with no action.
- **RGC120197** – The Board voted to close with a letter of concern.
- **RGC120199** – The Board voted to close with no action.
- **RGC120236** – The Board voted to close with no action.
- **RGC120244** – The Board voted to refer to Secretary of State Investigations for Cease and Desist for unlicensed practice; send letter of concern to licensee.
- **RGC120249** – The Board voted to close with no action.
- **RGC120262** – The Board voted to close with no action.
- **RGC120274** – The Board voted to close with a warning letter about building on site.

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- **RGC120275** – The Board voted to send letter to respondent.
- **RGC120299** – The Board voted to send letter to respondent.
- **RGC120279** – The Board voted to close with no action.
- **RGC120280** – The Board voted to close with no action.
- **RGC120288** – The Board voted to close with no action.
- **RGC120294** – The Board voted to close with no action.
- **RGC120297** – The Board voted to close with no action.
- **RGC120304** – The Board voted to close with a letter of concern.
- **RGC130009** – The Board voted to close with no action.
- **RGC130022** – The Board voted to close with no action.
- **RGC130073** – The Board voted to refer to Secretary of State Investigations for substandard work.
- **RGC130086** – The Board voted to refer to Secretary of State Investigations for Cease and Desist on unlicensed practice, and schedule investigative interview with licensee.
- **RGC130091** – The Board voted to close with no action.
- **RGC130092** – The Board voted to close with an alert for future activity.
- **RGC130103** – The Board voted to refer to Secretary of State Investigations for Cease and Desist for unlicensed practice.
- **RGC130104** – The Board voted to refer to Secretary of State Investigations for Cease and Desist for unlicensed practice.
- **RGC130143** – The Board voted close with no action.
- **RGC130171** – The Board voted to close with no action.
- **RGC140082** – The Board voted to approve projects and close file.

The Board voted to refer the following to Legal Department for appropriate Consent Orders and to accept the signed Consent Order upon receipt. Complaint will be closed when order is docketed:

- **RGC130095** – The Board voted to issue Consent Order to fine applicant \$500

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if paid within 30 days; if paid after 30 days and before 60 days fine will be \$1000.

- **RGC140067** – The Board voted to issue Consent Order to fine applicant \$500 for unlicensed practice.
- **RGC140068** – The Board voted to issue Consent Order to fine applicant \$500 for unlicensed practice.
- **RGC120256** – The Board voted to issue Consent Order for licensure for 24 month probation due to substandard work and unlicensed practice and require licensee to apply for QA license.
- **RGC140100** – The Board voted to issue Consent Order to fine applicant \$1000 for failure to reveal criminal history on application.
- **RGC140101** – The Board voted to issue Consent Order for reinstatement with 24 month probation for failure to show financial responsibility.
- **RGC140102** – The Board voted to issue Consent Order to fine applicant \$1000 for unlicensed practice.
- **RGC140103** – The Board voted to issue Consent Order to fine applicant \$1000 for unlicensed practice.
- **RGC140104** – The Board voted to issue Consent Order to fine applicant \$1000 for unlicensed practice.
- **RGC140105** – The Board voted to issue Consent Order for licensure with 24 month probation due to failure to demonstrate financial responsibility.
- **RGC140106** – The Board voted to issue Consent Order for licensure with 24 month probation due to failure to demonstrate financial responsibility.
- **RGC140107** – The Board voted to issue Consent Order to fine applicant \$500 for unlicensed practice.
- **RGC140073** – a) The Board voted to issue Consent Order for licensure with 24 month probation, and to fine applicant \$3000 (\$1000 x 3 projects) for unlicensed practice. Fine is to be paid prior to licensing. b) The Board further voted to issue a letter of reprimand to the Building Department for issuing commercial permits to a residential licensee, and c) to refer the architect to the Architect Board for working with unlicensed contractors on residential light projects.
- **RGC140108** – The Board voted to issue Consent Order for licensure with 24 month probation due to failure to demonstrate financial responsibility.

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- **RGC140109** – The Board voted to issue Consent Order for licensure with 24 month probation due to failure to demonstrate financial responsibility.
- **RGC140110** – The Board voted to issue Consent Order to fine applicant \$1000 (\$500 x 2) for unlicensed practice. Fine to be paid before license is issued.
- **RGC140111** - The Board voted to issue Consent Order for licensure with 24 month probation due to failure to demonstrate financial responsibility.
- **RGC140112** – The Board voted to issue Consent Order for licensure with probation due to criminal conviction, to run concurrent with criminal probation. If applicant does not comply with probation or parole his license will be revoked.
- **RGC140117** – The Board voted to issue Consent Order for licensure with 24 month probation due to failure to demonstrate financial responsibility.
- **RGC140118** – **The Board voted to issue Consent Order for fine of \$2000 for unlicensed practice.**
- **RGC140079** - The Board voted to issue Consent Order for licensure with 24 month probation due to failure to demonstrate financial responsibility.
- **RGC140120** - The Board voted to issue Consent Order for licensure with 24 month probation due to failure to demonstrate financial responsibility.
- **RGC140121** - The Board voted to issue Consent Order for licensure with 24 month probation due to failure to demonstrate financial responsibility.
- **RGC140122** - The Board voted to issue Consent Order for licensure with 24 month probation due to failure to demonstrate financial responsibility.
- **RGC140124** - The Board voted to issue Consent Order for licensure with 24 month probation due to failure to demonstrate financial responsibility.
- **RGC140125** - The Board voted to issue Consent Order for licensure with 24 month probation due to failure to demonstrate financial responsibility.
- **RGC140126** - The Board voted to issue Consent Order for licensure with 24 month probation due to failure to demonstrate financial responsibility.
- **RGC140132** - The Board voted to issue Consent Order for licensure with 24 month probation due to failure to demonstrate financial responsibility.
- **RGC140058** – The Board voted to issue Consent Order for licensure with 24 month probation due to failure to demonstrate financial responsibility.

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The Board voted to accept the following docketed Orders and close:

- **RGC140059** – Reinstatement for Kenneth McDaniel, Blairsville, GA, with Consent Order for 24 month probation.
- **RGC140060** – License James Matthew Knight, Rutledge, GA. with Consent Order for 24 month probation and \$500 fine due to unlicensed practice.
- **RGC140061** – Reinstatement for Ronald D Johnson, Willacoochee, GA, with Consent Order for \$600 fine and completion of 12 hours of continuing education.
- **RGC140062** - Reactivation for Randall Duane Wallis, Bethlehem, GA, with Consent Order for 24 month probation due to failure to demonstrate financial responsibility.
- **RGC130166** – License Chad Everett Edge, Jefferson, GA, upon passage of exam with Consent Order for 24 month probation.
- **RGC130021** – License David Paul Frank, Marietta, GA, with Consent Order for 24 month probation for failure to demonstrate financial responsibility.
- **RGC130018** – License surrendered. Joshua Howard Stafford, Hinesville, GA.
- **RGC130197** – Voluntary C&D on Jose Miguel Valencia, Smyrna, GA 30082.
- **RGC130136** – Voluntary C&D on Kelly Lindsey, Aragon, GA 30104.
- **RGC140070** – Voluntary C&D on Gildardo Perez, Nashville, GA 31639.
- **RGC140007** – Reinstatement for John Presley Cown, Athens, GA with Consent Order for 24 month probation for failure to demonstrate financial responsibility.
- **RGC140009** – License Randall Dean Thelen, Cumming, GA, with Consent Order for 24 month probation for failure to demonstrate financial responsibility.
- **RGC130159** – License Christopher Allen Jones, Cleveland, GA, with Consent Order for 24 month probation for failure to demonstrate financial responsibility.
- **RGC140113** – Reinstatement for Stephen Thomas Sapp, Hiram, GA, with Consent Order for 24 month probation for failure to demonstrate financial responsibility.

The Board voted to refer the following to AG’s Office for action:

- **RGC120152** – The Board voted to refer to AG’s office for sanctions.

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- **RGC130222** – The Board voted to refer to AG’s office for Cease and Desist Hearing.
- **RGC130065** – The Board voted to refer to AG’s office for Cease and Desist Hearing.
- **RGC130079** – The Board voted to refer to AG’s office for suspension of license.
- **RGC130175** - The Board voted to refer to AG’s office for Cease and Desist Hearing for unlicensed person, and have licensee come in for Cognizant Interview.
- **RGC130177, RGC130181** – The Board voted to refer to AG’s office for C&D Hearing.
- **RGC140015** – The Board voted to refer to AG’s office for Cease and Desist Hearing.
- **RGC140046** _ The Board voted to refer to AG’s office for Cease and Desist Hearing.
- **RGC130012** – The Board voted to refer to AG’s office for suspension of license.
- **RGC120125** – The Board voted to refer to AG’s office for suspension of license.
- **RGC120255** – The Board voted to refer to AG for revocation of licensure.
- **RGC120300** – The Board voted to refer to AG office for suspension of license.

With no other business to discuss, the Residential Division adjourned at 11:50 a.m.

Minutes recorded by:

Tonya Richardson, Board Support Specialist

Minutes Edited/Reviewed by:

Darren Mickler, Executive Director