

STATE LICENSING BOARD FOR RESIDENTIAL AND GENERAL CONTRACTORS
Residential Division
October 12, 2016
Open Session Minutes

The State Licensing Board for Residential and General Contractors, Residential Division met on Wednesday, October 12, 2016, at the Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia, for the purpose of conducting Board business.

Members present:

Delmar Robert "Bob" Barnard, Division Chairman
Timothy Andrew "Andy" Cooper, Division Vice Chair
William "Bill" Lewis Duck, Jr.
Keely Meredith Nesmith Fennell
Jarrett McIntosh

Members absent:

Robert "Bobby" Joseph Cleveland, Jr
Ted Noe

Staff present:

Deborah Beard, Executive Director
Tiffanie Taylor, Board Support Specialist
Ken English, Licensing Supervisor
Max Changus, Assistant Attorney General
Amanda Califf, Complaint/Compliance Specialist
Jansen Balisi, PLB Staff Attorney

Visitors:

Call Meeting to Order:

At 09:11 am, Board Chair Barnard established that a quorum was present and called the meeting to order.

There was brief discussion about Cognizant Barnard conducting an informal interview after the last Board meeting.

Executive Session:

At 09:14 a.m. a motion was made by McIntosh, seconded by Cooper, and the Board members present voted unanimously to enter into Executive Session in accordance with O.C.G.A. §§ 43-1-2(k), 43-1-19(h), and 50-14-2(1) to deliberate on an application issue. None opposed, motion carried.

At the conclusion of the Executive Session on Wednesday, October 12, 2016, Barnard declared the meeting to be "open" pursuant to the Open and Public Meeting Act, O.C.G.A. §§ 50-14-1 et seq. No votes were taken during executive session.

OPEN SESSION:

Approval of Open Session Minutes:

A motion was made by Duck, seconded by Fennell, and the Board voted to approve the minutes of the August 17, 2016 Residential Division Board meeting. None opposed, motion carried.

Licenses Issued Report:

The Residential Division reviewed the list of applicants that have been previously reviewed and administratively approved by staff and/or by Division Board Members. A motion was made by McIntosh, seconded by Cooper, and the Residential Division voted to ratify 9 Residential Basic Individual, 29 Residential Basic Qualifying Agent, 29 Residential Basic Company, 0 Residential Light Commercial Individual, 19 Residential Light Qualifying Agent, and 21 Residential Light Company licenses issued from August 1, 2016 through September 30, 2016. None opposed, motion carried.

Residential Basic Individual

RBI003744 Rashidul Hafiz
RBI003746 Zeporah Esther Williams
RBI003747 Sean Fitzgerald Carter
RBI003748 Robert Minniefield
RBI003749 James Tyler Myers

RBI003745 Joe Howard Dew, JR
RBI003750 Ryan Terry Sosebee
RBI003751 Chad Michael Dudley
RBI003752 Alla Yakubova

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Residential Basic Qualifying Agent

RBQA006118 James Edward Waldroup
RBQA006119 Branden Michael Reagin
RBQA006120 Robert Chris Ellis
RBQA006121 Rodney Lee McCart
RBQA006122 Laura Sydel Sharp
RBQA006123 Paul Steven Cables
RBQA006124 James Davison Crill
RBQA006125 George S Bergen
RBQA006126 Kenneth Furman Warlick
RBQA006127 Bobby Wayne Barton
RBQA006128 Matthew Joseph Marshall
RBQA006129 Jared Levi Brown
RBQA006130 Robert Brant Cooper
RBQA006131 Jonathan Bruce Boyd
RBQA006132 David Paul Frank

RBQA006133 Christopher James Moody
RBQA006134 Nathan Thomas Pressley
RBQA006135 Robert Wayne Hupp
RBQA006136 Wade Gilmer Jurney
RBQA006137 James Mark Shea
RBQA006138 Funmi A Abiodun
RBQA006139 James E Reynolds, III
RBQA006140 Darrell H McWaters
RBQA006141 Andrew John Molenstra
RBQA006142 Richard W Foster
RBQA006143 John Brady Cochran
RBQA006144 John Anthony Temmel
RBQA006145 Jason Vic Stanfield
RBQA006146 David Douglas Barinowski

Residential Basic Company

RBCO006119 Lenoir Construction LLC
RBCO006120 Harrison Development & Construction, LLC
RBCO006121 Classic City Building Group LLC
RBCO006122 Alcovy Builders Inc
RBCO006123 Sharpshooter Studio Inc
RBCO006124 Sanctuary Development Services LLC
RBCO006125 Crill Construction and Contracting LLC
RBCO006126 North Georgia Craftsmen LLC
RBCO006127 Harrison Development & Construction, LLC
RBCO006128 Heartwood Renovations Inc
RBCO006129 Pillar Construction LLC
RBCO006130 Brown Building Inc
RBCO006131 ProSouth Contracting & Restoration LLC
RBCO006132 Augusta Access Inc
RBCO006133 GE General Contracting Inc

RBCO006134 Liberty Communities LLC
RBCO006135 Pressley Manous LLC
RBCO006136 Traton Homes LLC
RBCO006137 Wade Jurney Homes Inc
RBCO006138 Shea & Company
RBCO006139 Findo Homes & Communités Inc
RBCO006140 Reynolds Realty Construction LLC
RBCO006141 Reliant Homes GA LLC
RBCO006142 A&M General Contracting Inc
RBCO006143 Traton Homes LLC
RBCO006144 John Cochran Residential LLC
RBCO006145 John Temmel Home Builders LLC
RBCO006146 Storehouse Construction
RBCO006147 Green Forest Homes LLC

Residential Light Qualifying Agent

RLQA003974 Robert Andrew Lacher
RLQA003975 Joseph Griffin Ransom
RLQA003976 David Mulford Wahlbom, Jr
RLQA003977 Garrett Russell Jones
RLQA003978 Alexander Zaitsev
RLQA003979 Johnathan Ray Hanson
RLQA003980 Cory Michael Leaverton
RLQA003981 Andrew John Malec
RLQA003982 Paul Andrew Shivers
RLQA003983 Paul Andrew Shivers

RLQA003984 Sang In Seol
RLQA003985 Roderick Allen Wright
RLQA003986 Joseph Michael Hinton
RLQA003987 James Murone Miller
RLQA003988 Ryan Mark Weatherby
RLQA003989 Scott Richard McLain
RLQA003990 Scott Raymond Haydel
RLQA003991 Richard Bruce Carothers
RLQA003992 Stuart Granville Abel, III

Residential Light Company

RLCO003972 Lacher Construction Inc.
RLCO003973 Oak City Contracting LLC
RLCO003974 Bridgewater Builders LLC
RLCO003975 Nationwide Construction Labor LLC
RLCO003976 Cornerstone Concrete Development
RLCO003981 Highland Custom Homes LLC

RLCO003982 Highland Communities LLC
RLCO003983 JC Construction Solutions Inc
RLCO003984 Rodwright Corp
RLCO003985 TSM Contractors LLC
RLCO003986 Landmark 24 Homes of Savannah LLC
RLCO003987 Falcon Design Build LLC

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RLCO003988 MD Residential LLC
RLCO003989 Angela R and James H Griffin Jr Enterprises, Inc.
RLCO003990 Scott Haydel Enterprises LLC
RLCO003991 Starlight Homes Georgia LLC
RLCO003992 Abel Construction and Management, LLC

RLCO003977 Mckinley Construction LLC
RLCO003978 Hanson Construction and Renovation LLC
RLCO003979 Renascent Constructors LLC
RLCO003980 Timerlane Construction LLC

Board Orders:

A motion was made by McIntosh, seconded by Cooper, and the Residential Division voted to ratify the following Public Board Orders. None opposed, Herbert abstained, motion carried.

Wright, Roderick Allen	Consent Agreement for Licensure
Temmel, John	Consent Agreement for Licensure
Harrington, Robert Michael	Consent Agreement for Licensure
Vickers, Jason Chadwick	Consent Agreement for Licensure
Patel, Pankaj	Consent Agreement for Licensure
Holt, Ted Jefferson	Consent Agreement for Licensure
Patrick, Timothy Allen	Consent Agreement for Licensure
James, Ryan	Consent Agreement for Licensure

Request to Terminate Probation:

A motion was made by Fennell, seconded by Cooper, and the Board voted to approve terminating probation for the following licensee(s). None opposed, motion carried.

Durden, Charles Allen	RBI002710
Durden, Charles Allen	RLQA005666
Holman, Larry	RBI003172
Holman, Larry	RBQA006028
Evans, George F. Sr.	RBQA004127
Bonham, Nathan	RBQA000900

Exam Discussion:

The Board briefly discussed revising the Residential exams. Barnard informed the Board of how the exam was initially created. The Board discussed the law as it pertains to the exam. Board law states in part applicants may be reexamined at any regularly scheduled examination within one year of the date of original application upon payment of a reexamination fee. Anyone requesting to take the examination a third or subsequent time shall wait at least one calendar year after the taking of the last examination and shall submit an application with the appropriate examination fees.

Executive Director, Deborah Beard, presented the Board with correspondence from Gary Freitage and Charles Stahl concerning the examination. A motion was made by Duck, seconded by Fennell, and the Board to respond to the correspondence received from Freitage and Stahl, and notify the individuals the Board does not have the authority to waive the law and they must comply with the requirements regarding the examination.

The Board also discussed reciprocity applicants and the examination. Board law provides for reciprocity in that such other states have requirements substantially equal to the requirements in force in this state for registration, licensure, or certification, and that any such contractor holding a current and valid license, certificate, or registration from another state or territory seeking licensure by way of reciprocity shall demonstrate that such applicant meets the qualification requirements and that a similar privilege is offered to Georgia applicants by the other state. No vote was taken on this item.

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Meeting Discussion

Executive Director, Deborah Beard, presented the Board with proposals for the 2017 meeting schedule. Barnard discussed with the Board that Beard informed him of the law requirement which states in part the Board shall meet at least six (6) times each year for the purpose of transacting such business as may properly come before it. The Board also discussed the fact that the full Residential and General Contractors Board shall meet at least twice (2) each year for the purpose of conducting Board meetings. The Division sought clarification from the Assistant Attorney General, Max Changus, as to whether a teleconference would suffice for the six meetings. Changus informed the Board a teleconference would meet the requirement of a Board meeting.

2017 Board meeting dates are as follows:

January 11, 2017

February 22, 2017

April 18, 2017 (Division and Full Board)

June 21, 2017

August 16, 2017 (Division and Full Board)

October 18, 2017

A motion was made by Duck, seconded by Fennell, and the Board voted to accept all 2017 Board Meeting dates and meetings to be modified as needed.

Agricultural Building/Chicken Coop Discussion:

Barnard informed the Board of a couple of phone calls he received from Building Officials in Madison. They were seeking advice regarding licensure to build chicken houses. If licensure is required they would like a letter for their records. The Board discussed the building of agricultural buildings, what all is involved with the process, and employees. There was discussion as to whether this would fall under specialty work and the reason that it would not meet the requirements of specialty. Changus cautioned the Board on giving legal advice, but instead referring individuals to the Board laws and rules. A motion was made by Cooper, seconded by Fennell, and the Board voted to approve a letter being written to the Madison Building Officials referring them to the law regarding residential contractors. Staff is to create the letter, forward to the Assistant Attorney General for review/approval and then forward to Barnard for signature.

Frequently Asked Questions Discussion

Barnard presented the Board with a draft for a frequently asked questions (FAQs) document to be posted on the Board's website. Board Members would like to update the information in an effort to provide information to the public and to limit the number of questions they get asked from licensees. Beard advised the Board of the frequently asked questions document that is currently on the website and advised it would be beneficial for the Board and staff to have more current information out for the licensees and public. The Assistant Attorney General, Changus, agreed to review the document from Barnard and assist in providing suggestions for the Boards responses which are within the law.

Unlicensed Practice Discussion:

After reviewing the frequently asked questions information from Barnard, the Board discussed the current issue with Qualifying Agents pulling licenses for unlicensed individuals. The Board discussed how to pursue disciplinary action against licensees aiding and abetting in unlicensed practice. Discussion also included possibly creating a policy as to how many companies an individual can be the qualifying agent for to ensure licenses are not being sold, or creating a rule related to the number of companies one can qualify with the Board. The Boards Assistant Attorney General will look into this matter and respond back to the Board at a later date. No votes were taken.

Executive Session:

At 10:12 a.m. a motion was made by McIntosh, seconded by Cooper, and the Board members present voted unanimously to enter into Executive Session in accordance with O.C.G.A. §§ 43-1-2(k), 43-1-19(h), and 50-14-2(1) to deliberate on applications, complaints, enforcement matters, review executive session minutes, and to receive the Senior Assistant Attorney General's report. None opposed, motion carried.

At the conclusion of the Executive Session on Wednesday, October 12, 2016, Barnard declared the meeting to be "open" pursuant to the Open and Public Meeting Act, O.C.G.A. §§ 50-14-1 et seq. No votes were taken during executive session.

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OPEN SESSION:

Discussion Policy Items:

A motion was made by McIntosh, seconded by Cooper and the Board voted to on the following policy: Once an application has been reviewed by staff and is ready for Cognizant review (according to legal/discipline grid regarding criminal convictions) then send to Cognizant to review to determine if application will move forward. If Cognizant recommends not issuing license then the application comes before the Board for the Board to uphold denial or change the recommendation. Upon Board vote for denial then send letter for reason of denial and the right to an appearance of the denial before the Board. Cognizant recommendation to be reviewed and voted on by the full Residential Board. Board Assistant Attorney General to review the policy before implementing to determine if this will require the Governor's approval per House Bill 952. None opposed, motion carried.

A motion was made by Cooper, second by McIntosh, and the Board voted to accept the following policy: Reinstatement applicants over five (5) years will not be required to sit for the exam if they have previously taken and passed the Georgia exams. Score will be considered good for life. Staff may administratively approve the reinstatement application as long as it is complete according to the Board laws and rules and has no criminal or disciplinary issues reported.

Discussion Item:

Beard asked Board for clarification regarding Certificates of Insurance from an individual. An individual can provide a Certificate of Insurance with a DBA listed as long he complies with the law when practicing as an individual. This type individual would be considered a sole proprietor.

Approval of Executive Session Minutes:

A motion was made by McIntosh, seconded by Cooper, and the Board voted to approve the Executive Session minutes of the August 17, 2016 Residential Division meeting. None opposed, motion carried.

Application Review:

A motion was made by McIntosh, seconded by Cooper, and the Board voted to accept the following recommendations on the applications reviewed. Barnard opposed, motion carried.

Approve the following applicant to sit for the exam, and issue upon passing.

2641764

Approve the following applicant for Reinstatement.

2619969

Approve the following applicant for Reactivation upon passing exam.

2639202

Approve the following applicant for Reinstatement upon passing exam.

2614688

Approve an exam extension until May 31, 2017 for the following application.

2540366

Request applicant submit corrected certificate of insurance and upon receipt refer the applicant to Legal Services for a Consent Agreement for Licensure to include 24 months' probation for failure to demonstrate financial responsibility.

2637856

Approve the following applicant for exam and upon passing refer to Legal Services for a Consent Agreement for Licensure to include 24 months' probation for failure to demonstrate financial responsibility.

2632071

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Refer the following applicant to Legal Services for a Consent Order for Licensure to include 60 months' probation for failure to demonstrate financial responsibility.

2632041

Send letter to the following applicant for deficient items including signed affidavit.

2637834

Send letter to the following applicant for deficient items regarding two projects, certificate of insurance, and must sit for Georgia exam. Board will not accept North Carolina exam scores.

2582558

Deny the following applicants due to felony convictions.

2642566

2638834

Deny the following applicants for failure to meet qualification requirements.

2609347

2552300

Send the following applicant a letter quoting the law regarding number of times an applicant can sit for the exam before having to reapply, and notify applicant the Board is not authorized to grant another exam per the law.

2557493

Table the following applications until the next Board meeting.

2627787

Table application pending further review.

2632066

Complaint and Compliance Case Review:

A motion was made by Cooper, seconded by McIntosh, and the Board voted to accept the following recommendations on the complaint and compliance cases reviewed. None opposed, motion carried.

Close the following cases with no action.

RGC140128	RGC160172	RGC160280	RGC170053	RGC170089
RGC160004	RGC160180	RGC160289	RGC170054	RGC170094
RGC160018	RGC160183	RGC170006	RGC170056	RGC170098
RGC160029	RGC160189	RGC170012	RGC170057	RGC170099
RGC160030	RGC160198	RGC170016	RGC170058	RGC170102
RGC160034	RGC160206	RGC170018	RGC170063	RGC170103
RGC160075	RGC160218	RGC170034	RGC170064	RGC170104
RGC160079	RGC160223	RGC170038	RGC170068	RGC170113
RGC160117	RGC160225	RGC170041	RGC170070	RGC170114
RGC160124	RGC160235	RGC170042	RGC170072	RGC160085
RGC160153	RGC160246	RGC170043	RGC170075	RGC160181
RGC160165	RGC160254	RGC170045	RGC170082	RGC170097

Refer the following case(s) to Investigations.

RGC160210

Refer the following cases for a Cognizant Interview with Board member Cooper.

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RGC160011
RGC160088

Refer the following case to the Attorney General's office for revocation.
RGC160155

Refer the following case to the Attorney General's office for further review and combine with other open case in Attorney General's office.
RGC170095

Refer the following case to the Attorney General's office for a Cease and Desist order.
RGC140175

Accept the Consent Agreement and close the following case.
RGC160286

Review of Compliance Report:

A motion was made by Cooper, seconded by McIntosh, and the Board voted to accept the following recommendations compliance cases reviewed. None opposed, motion carried.

Accept the Continuing Education Course for financial responsibility for the following applicant.
RBQA006096

Legal Services Report:

A motion was made by Cooper, seconded by McIntosh, and the Board voted to uphold previous motion.
2546228

With no other business to discuss, the Residential Division meeting adjourned at 1:24 p.m.

Minutes recorded by:
Minutes edited/reviewed by:

Tiffanie Taylor, Board Support Specialist
Deborah Beard, Executive Director

DELMAR ROBERT "BOB" BARNARD
Division Chairman

DEBORAH BEARD
Executive Director

These minutes were approved on October 25, 2016.