

STATE LICENSING BOARD FOR RESIDENTIAL AND GENERAL CONTRACTORS
Residential Contractor Division
October 18, 2017
Open Session Minutes

The State Licensing Board for Residential and General Contractors, Residential Contractor Division met on Wednesday, October 18, 2017, at the Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia, for the purpose of conducting Board business.

Members present:

Timothy Andrew "Andy" Cooper, Division Chairman
Ted Noe, Division Vice Chairman
Jarrett McIntosh via teleconference
Keely Meredith Fennell via teleconference

Members absent:

Robert "Bobby" Cleveland Jr.
William "Bill" Duck

Staff present:

Deborah Beard , Executive Director
Amber Burch, Board Support Specialist
Maximillian Changus, Assistant Attorney General
Ken English, Licensing Supervisor
Laura Fremont, Licensure Analyst
Amanda Califf, Complaint/Compliance Analyst

Visitors:

None

Call Meeting to Order:

At 9:19 a.m., Division Chairman Cooper established a quorum was present and called the meeting to order.

Presentation of Bridge

Julie Walters presented the new Bridge system to the Board Members. This system will be replacing the current system which is utilized for the board packet information.

Approval of Open Session Minutes:

A motion was made by Noe, seconded by Fennell, and the Board voted to approve the open session minutes of the August 16, 2017 Residential Contractor Division Board meeting. None opposed, motion carried.

Licenses Issued Report:

The Residential Contractor 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 Fennell, seconded by Noe, and the Residential Division voted to ratify 26 Residential Basic Contractor Qualifying Agent, 3 Residential Basic Individual , 26 Residential Basic Company , 1 Residential Light Commercial Individual , 27 Residential Light Company, and 26 Residential Light Qualifying Agents licenses issued from August 1, 2017 through September 30, 2017. None opposed, motion carried.

Residential Basic Individual

RBI003791	Russell Austin Mullins	RBI003793	Jonathan David Mobley
RBI003792	Samuel Heinselman		

Residential Basic Qualifying Agent

RBQA006309	Jeffrey Glen Powell	RBQA006313	John Peter Hungerbuhler
RBQA006310	Khanh Nguyen Bui	RBQA006314	Lyle Nicholas Collins
RBQA006311	Michael Jefferson Arthur, Jr	RBQA006315	Glenn C Sanborn
RBQA006312	Charles Troy Dixon	RBQA006316	Albert R Cook

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RBQA006317 Richard Edward Bishop
 RBQA006318 Charles P Edwards
 RBQA006319 Tanya Sue Dixon Smith
 RBQA006320 Jason Scott Hipps
 RBQA006321 Einar Daryl Sundberg
 RBQA006322 Terence Orlando Lang
 RBQA006323 Trevor Michael McDonald
 RBQA006324 Jackie Wayne Hiott, II
 RBQA006325 Michael K Waggoner

RBQA006326 James Ryan MacDowell
 RBQA006327 John Ross Allen, II
 RBQA006328 Donald William Britt
 RBQA006329 Stephen P Armour
 RBQA006330 Holly Elizabeth Brooks
 RBQA006331 John W Ray, III
 RBQA006332 Carl Edward Dempsey
 RBQA006333 Brent James Potter
 RBQA006334 Phillip Glynn Rogers

Residential Basic Company

RBCO006312 KO Home Services, Inc
 RBCO006313 KB Building Co LLC
 RBCO006314 Elite Urban Design and Construction LLC
 RBCO006315 Gardner Excavating Inc
 RBCO006316 Jeff A. Hedden Builder CP LLC
 RBCO006317 Southern Trillium LLC
 RBCO006318 Kendall Chris Construction Corp
 RBCO006319 ALCO Contractors LLC
 RBCO006320 Frugal Kitchens & Cabinets Inc
 RBCO006321 Edwards Estate Homes
 RBCO006322 Creekview Custom Homes of Augusta Inc
 RBCO006323 Jason Hipps Homes LLC
 RBCO006324 LGI Homes - Georgia LLC

RBCO006325 Lang Residential LLC
 RBCO006326 McDonald Remodel & Construction
 RBCO006327 Kirklake Partners, LLC
 RBCO006328 Roof Professionals LLC dba Dr. Roof Atlanta
 RBCO006329 MacBuilt Homes LLC
 RBCO006330 Brown Haven Homes
 RBCO006331 Britt Capital LLC
 RBCO006332 Stephen Armour Homes LLC
 RBCO006333 King Landscaping LLC
 RBCO006334 Euchee Creek LLC
 RBCO006335 Exact Construction LLC
 RBCO006336 Potter Design , LLC
 RBCO006337 Phillip Rogers Construction LLC

Residential Light Commercial Individual

RLCI001568 Ryshaard Nykeil Davis

Residential Light Qualifying Agent

RLQA004104 Thomas Ray Rowan
 RLQA004105 George C Woodruff
 RLQA004106 Dan Weams Bramblett
 RLQA004107 Jeb A Gibbs
 RLQA004108 Jonathan Andrew Copeland
 RLQA004109 Mark Alan McClintock
 RLQA004110 Clyde Brett Tillman
 RLQA004111 Susan Risteen Ovens
 RLQA004112 Jeremy B Wall
 RLQA004113 Renny Scott Milholland
 RLQA004114 Ian Blaine Jones
 RLQA004115 Jarrod C Gwaltney
 RLQA004116 Douglas W Cotter, Jr

RLQA004117 David Michael Barnett
 RLQA004118 Adam Gordon Jones
 RLQA004119 Thomas Joseph Troesken
 RLQA004120 Thomas Lewis Witts
 RLQA004121 Nicholas Daniel Imerman
 RLQA004122 Dennis Renae Goddard
 RLQA004123 Thomas Leonard Lane, Jr
 RLQA004124 Robert Claude Raptis
 RLQA004125 Timothy Alan Kuss
 RLQA004126 Clifford Schaak
 RLQA004127 David Lamar Dennis
 RLQA004128 Dean John Uccardi
 RLQA004129 Robert Jeffrey Cain

Residential Light Company

RLCO004105 Adel Steel Inc
 RLCO004106 Woodruff Real Estate Services, LLC
 RLCO004107 Soncel Construction Inc.
 RLCO004108 Danco Builders LLC
 RLCO004109 Windsong Properties LLC
 RLCO004110 Jonathan Copeland Contracting Inc

RLCO004111 Southern Pines Construction Group LLC
 RLCO004112 Tillman Development Group LLC
 RLCO004113 Big Sky Construction Services Inc
 RLCO004114 J B Wall Construction LLC
 RLCO004115 CB Jabez Construction Inc
 RLCO004116 Diversified Commercial Construction

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RLCO004117	Solutions Inc	RLCO004124	Direct Properties LV LLC
RLCO004118	Gwaltney Construction LLC	RLCO004125	CAMCO Services LLC
RLCO004119	Silverstone Residential GA LLC	RLCO004126	JP Allen Homes LLC
RLCO004120	Oxford Capital Development LLC	RLCO004127	Able Building Systems, LLC
RLCO004121	Lake Haven Homes LLC	RLCO004128	Schaak Services Inc.
RLCO004121	Southwinds Services LLC	RLCO004129	Double D Carpentry LLC
RLCO004122	MNG Inc	RLCO004130	Gravitas Services LLC
RLCO004123	Improp LLC	RLCO004131	Midtown Builders Group LLC

Board Orders:

A motion was made by Noe, seconded by McIntosh, and the Board voted to accept the following board orders. None opposed, motion carried.

Dejournett, Charles	Voluntary Cease and Desist Order
Eubanks, Patrick	Voluntary Cease and Desist Order
Mars, Stephen	Voluntary Cease and Desist Order
Cain, Robert	Public Consent Agreement for Licensure
Eubaks, Gary K.	Public Consent Agreement for Reinstatement of Licensure
Worley, Robert	Public Consent Agreement for Reinstatement of Licensure
Ruff, Cayle M.	Public Consent Agreement for Licensure

Request to Terminate Probation:

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

Gentry, Christoper James	RBQA000058
Tillman, Gilbert	RBIO03255

Open Records Request:

Sheffield, James - A motion was made by Noe, seconded by Fennell, and the Board voted to deny request to release application information. None opposed, motion carried.

Rule Waiver Requests:

A motion was made by Cooper, seconded by Noe, and the Board voted to deny the petition as the Board does not have the authority to grant a variance or waiver to O.C.G.A. § 43-41-8 or any other statute. The individual may re-submit a petition and provide the specific rule from which the variance or waiver is requested, complete the form in its entirety, and provide documentation to verify any medical conditions which may be noted in the petition. None opposed, motion carried.

Hobby, Mark

A motion was made by Noe, seconded by Cooper, and the Board voted to deny the petition based upon the facts in the petition. None opposed, motion carried.

Jordan, Donald

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A motion was made by Cooper, seconded by McIntosh, and the Board voted to deny the petition for failure to demonstrate a substantial hardship. None opposed, motion carried.

Wilson, Michael

A motion was made by Fennell, seconded by Noe, and the Board voted to deny the petition for failure to demonstrate a substantial hardship. None opposed, motioned carried.

Wilson, William

Correspondence:

A motion was made by Cooper, seconded by Noe, and the Board voted to accept the following recommendations regarding correspondence. None opposed, motion carried.

Smith, Gambrell & Russell, LLP – Inform respondent licensure is not required if the work falls within the scope of work described in the Industrial Specialty Work category. The coordination of multiple specialty trades within the scope of work is not covered. The Board cannot comment on electrical contractor as it falls under the jurisdiction of the Division of Electrical Contractors.

RES America Construction Inc. – Refer to the General Contractor Division.

Discussion Items:

The Board discussed Board Rule 553-12-.03 as it relates to paragraph (4). Discussion involved striking the requirement that online and correspondence courses may not exceed 50% of the continuing education hours. Following the discussion, a motion was made by Fennell, seconded by Cooper, and the Board voted to refer the following Rule 553-12-.03 to the Attorney General's Office for a memorandum of authority and upon receipt post the rule for a public hearing to be held on February 21, 2018 at 9:00 a.m. None opposed, motion carried.

Rule 553-12-.03 Program Which Qualify

- (1) The overriding consideration in determining whether a specific program qualifies as acceptable continuing education is that it be a formal program of learning which contributes directly to the professional competence of an individual licensed to practice as a residential contractor by this State, and which meets the minimum standards of quality of development and presentation and of measurement and reporting of credits as may be established from time to time by the Residential Division.
- (2) Subject Matter: The following general subject matters are acceptable so long as they meet the standards specified in subsection (1):
 - (a) Building and related codes;
 - (b) Functional fields of business (e.g., finance, marketing, personnel relations, business management, and organization);
 - (c) Legal, legislative or regulatory updates;
 - (d) Workplace safety;
 - (e) Workers compensation;

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- (f) Building techniques and technology.
- (3) Subjects of study other than those listed above will be acceptable if the applicant or program provider can demonstrate to the Residential Division that the subjects contribute directly to the professional competence of an individual licensed to practice as a residential contractor by this State. The responsibility for substantiating that a particular program is acceptable and meets the requirements rests upon the applicant or program provider. Applications for approval of subjects other than those listed in subsection (2) above shall be submitted to the Residential Division. Such applications shall include the name of the program provider, the instructor(s) for the program, the location of the program, a description of the program's content and how the proposed program satisfies the requirements of subsection (1), and a program outline. The Residential Division must approve the application before the provider may offer the class for continuing education credit.
- (4) Continuing education hours may be obtained via classroom courses and/or online or correspondence courses. ~~Online and correspondence courses may not exceed 50% of the continuing education hours required.~~
- (a) General requirements:
 - 1. An outline of the program is prepared in advance by the program director and retained by the license holder;
 - 2. The program is conducted by a person whose formal training and experience qualify him as a competent instructor;
 - 3. Hours of continuing professional education shall be calculated in one-half continuing professional education credit hour increments;
 - 4. A record of registration and attendance through the entire program is maintained, a copy of which is retained by the student and program provider.
 - 5. The program provider will provide the Residential Division with an electronic roster of license holders who have completed any course and the number of hours completed.
- (b) The following programs will qualify provided the general requirements in (4)(a) are met:
 - 1. Professional development programs of recognized national, state and local trade associations;
 - 2. Technical sessions at meetings of recognized national, state and local trade associations and their chapters;
 - 3. University or college courses;
 - 4. Noncredit courses from a college or university;
 - 5. Dinner, luncheon and breakfast meetings of recognized trade associations may qualify if the requirements in (a) are met.

The Board and staff discussed Board Rule 553-11-.01 for clarification purposes only.

Approval of 2018 Board Meeting Dates:

January 17, 2018 9:00 a.m. – PLB Division (in-person)
February 21, 2018 9:00 a.m. – PLB Division (in-person)

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April 11, 2018 9:00 a.m. – PLB Division (in-person)
June 20, 2018 9:00 a.m. – PLB Division (in-person)
August 15, 2018 9:00 a.m. – PLB Division (in-person)
October 24, 2018 9:00 a.m. – PLB Division (in-person)

Executive Session:

At 11:24 a.m. a motion was made by Noe, 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, correspondence, review executive session minutes, and to receive the Assistant Attorney General’s report. None opposed, motion carried.

At the conclusion of the Executive Session on Wednesday, October 18, 2017, Cooper 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:

Executive Session Minutes:

A motion was made by Noe, seconded by Fennell, and the Board voted to approve the executive session minutes of the October 18, 2017 Residential Contractor Division Board meeting. None opposed, motion carried.

Executive Correspondence:

A motion was made by Noe, seconded by Fennell, and the Board voted to accept the following recommendations on the correspondence reviewed. None opposed, motion carried.

Applicant #2690454 (S.F.) – Applicant must comply with O.C.G.A. § 43-41-6(g). The Board does not have the statutory authority to waive a law.

Applicant #2641764 (W.C.) – The Board found no irregularities with the examination, and applicant must comply with O.C.G.A. 43-41-6(g). The Board does not have the statutory authority to waive a law. Application may apply for a different license type.

Review of Applications:

A motion was made by Noe, seconded by Fennell, and the Board voted to accept the following recommendations on the applications reviewed. None opposed, motion carried.

Approve to issue license based on passing exam scores.

2656569 2694791 2639212 2642532

Approve the following applicant(s) to sit for the exam and upon passing exam, issue license.

2693606	2693930	2668495	2685689	2675759
2657850	2691078	2681796	2648356	2667560
2686899	2669633	2659594	2669109	2684237
2684343	2666459	2675972	2675850	2691679
2681236	2685076	2675119	2661751	2629543
2686488	2633056	2673875	2685500	

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Approve the following applicant(s) to sit for the exam and upon passing exam, reinstate license.
2650612

Approve the following applicant(s) to be reactivated.
2680366

Approve the following applicant(s) to sit for the exam and upon passing exam, bring back before the Board.
2661456

Approve the following applicant(s) for licensure by prior approval.
2685049 2686354 2679543 2688753 2673864
2636628

Send deficiency letter for additional information.
2694920 – Submit additional work history
2692246 – Submit additional work history and project documents
2694301 – Submit additional continuing education documents

Refer the following applicant(s) to Legal Services for a Consent Agreement for Licensure by Prior Approval to include twenty-four (24) months' probation for failure to demonstrate financial responsibility.
2683741

Refer the following applicant(s) to Legal Services for a Consent Agreement for Licensure by Reinstatement to include twenty-four (24) months' probation for failure to demonstrate financial responsibility.
2672163

Approve the following applicant(s) to sit for the exam and upon passing, refer the following applicant(s) to Legal Services for a Consent Agreement for Licensure by Exam to include twenty-four (24) months' probation for failure to demonstrate financial responsibility.
2682401

The following applicant(s) were tabled for further review.
2694289

Deny the following applicant(s) to sit for the exam for failure to meet licensure qualifications (experience).
2666678

Review of Complaints:

(RGC= Residential/General Contractors Investigative Case Number)

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

Close the following case(s) with no action.
RGC160304 RGC170278 RGC170322 RGC170040
RGC170236 RGC170279 RGC170345 RGC160315
RGC170265 RGC170285 RGC180013 RGC160260

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Accept Board Orders and close the following case(s).

RGC160148	RGC160232	RGC170215
RGC160230	RGC160233	RGC180060
RGC160231	RGC160261	

Refer the following case(s) to Investigations for a Cease and Desist Order.

RGC160313	RGC180030	RGC170317
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Close the following case(s) with a letter of concern.

RGC170230

Table for further review.

RGC160019

Review of Compliance Matters:

A motion was made by Cooper, seconded by Noe, and the Board voted to the information submitted meets the intent of the Consent Agreement. None opposed, motion carried.

RGC170008

Attorney General's Report:

A motion was made by McIntosh, seconded by Fennell, and the Board voted to accept the status report as presented in Executive Session. None opposed, motion carried.

A motion was made by Fennell, seconded by McIntosh, and the Board voted to close the following case.

RGC160309

With no other business to discuss, the Residential Contractor Division meeting adjourned at 12:20 p.m.

The next meeting scheduled Division meeting will be held on Wednesday, October 18, 2017 at 9:00 a.m.

Minutes recorded/reviewed/edited by:

Deborah Beard, Executive Director

TIMOTHY ANDREW "ANDY" COOPER

Division Chairman

DEBORAH BEARD

Executive Director

These minutes were approved on: January 31, 2018.