



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
LANSING

MIKE ZIMMER  
DIRECTOR

**MICHIGAN BOARD OF RESIDENTIAL BUILDERS AND MAINTENANCE  
AND ALTERATION CONTRACTORS  
November 10, 2015 MEETING**

***APPROVED MINUTES***

In accordance with the Open Meetings Act, 1976 PA 267, as amended, the Michigan Board of Residential Builders and Maintenance and Alteration Contractors met on November 10, 2015, at the Ottawa Building, Conference Room 3, 611 West Ottawa Street, Lansing, Michigan 48933.

**CALL TO ORDER**

Gary August, Chairperson, called the meeting to order at 9:04 AM.

**ROLL CALL**

***Members Present:*** Gary August, Chairperson, Public Member  
Sidney Browne, Jr., Vice Chairperson, Building Inspector  
William Adcock, Residential Builder  
Jeff Agnew, Maintenance & Alteration Contractor  
Gregory Powell, Residential Builder

***Members Absent:*** John Kelly, Residential Builder  
Thomas Thelen, Maintenance & Alteration Contractor  
Mark Wahl, Residential Builder  
Bradley Laackman, Public Member

***Staff:*** Virginia Abdo, Manager, Compliance Section  
Janielle Houston, Secretary, Boards and Committees Section  
Elaine Barr, Analyst, Boards and Committees Section  
Kelly Dent, Analyst, Compliance Section  
Jennifer Fitzgerald, Assistant Attorney General

**APPROVAL OF AGENDA**

MOTION by Browne, seconded by Adcock, to approve the agenda with the deletion of 5A(1), 5A(2), 5B(2) and 5B(3).

MOTION PREVAILED

## **APPROVAL OF MINUTES**

MOTION by Browne, seconded by Agnew, to approve the minutes from August 11, 2015 as presented.

MOTION PREVAILED

## **REGULATORY CONSIDERATIONS**

### **Hearing Reports**

MOTION by Agnew, seconded by Powell, to receive all hearing reports on the agenda

#### **Kevin Adam Holmes, D/B/A AVS Construction**

MOTION by Browne, seconded by Adcock, that the following penalty be assessed: A civil fine in the amount of \$1,000.00 made payable to the State of Michigan and payment of restitution to Shiloh Clement in the amount of \$7,000.00. The civil fine and payment of restitution shall be paid within sixty (60) days from the date of mailing of the Final Order for Complaint No. 324216. If the civil fine and payment of restitution have not been paid within sixty (60) days from the date of mailing of the Final Order, the Respondent's license shall be revoked.

Discussion was held.

MOTION PREVAILED

#### **Charles William Riggie**

MOTION by Browne, seconded by Agnew, that the following penalty be assessed: Immediate revocation of Respondent's license; a civil fine in the amount of \$5,000.00 made payable to the State of Michigan; and satisfaction of the judgment entered on March 25, 2013 from the 75<sup>th</sup> Judicial District in the amount of \$18,872.28.

Discussion was held.

MOTION PREVAILED

**Craig A. Steimel**

MOTION by Browne, seconded by Powell, that the following penalty be assessed: A civil fine in the amount of \$100.00 made payable to the State of Michigan within sixty (60) days from the date of mailing of the Final Order for Complaint No. 323886.

Discussion was held.

MOTION PREVAILED

**Jerry Lee Fulcher, Jr.**

MOTION by Agnew, seconded by Browne, that the following penalty be assessed: A civil fine in the amount of \$500.00 made payable to the State of Michigan within ninety (90) days from the date of mailing of the Final Order for Complaint No. 324159. If the civil fine is not paid within ninety (90) days from the date of mailing of the Final Order, the Respondent's license shall be suspended.

Discussion was held.

MOTION PREVAILED

**George Atlas, D/B/A Atlas Concrete**

MOTION by Adcock, seconded by Browne, that the following penalty be assessed: A civil fine in the amount of \$1,000.00 made payable to the State of Michigan and payment of the small claims judgment entered on October 6, 2014 from the 8<sup>th</sup> District Court, Kalamazoo County, in the amount of \$3,644.99. The civil fine and small claims judgment shall be paid within ninety (90) days from the date of mailing of the Final Order for Complaint No. 325362. If the civil fine and small claims judgment are not paid within ninety (90) days from the date of mailing of the Final Order, the Respondent's license shall be suspended.

Discussion was held.

MOTION PREVAILED

**Joseph Ohseok Park**

MOTION by Adcock, seconded by Browne, that the following penalty be assessed: Immediate suspension of Respondent's license until proof of compliance of MCL 339.2404(6) is submitted to the Department.

Discussion was held.

MOTION PREVAILED

**John D. Ayotte**

MOTION by Agnew, seconded by Powell, that the following penalty be assessed: Immediate suspension of Respondent's license until proof of compliance of MCL 339.2404(6) is submitted to the Department.

Discussion was held.

MOTION PREVAILED

**Joseph C. Battaqlia**

MOTION by Browne, seconded by Agnew, that the following penalty be assessed: Immediate suspension of Respondent's license; a civil fine in the amount of \$5,000.00 made payable to the State of Michigan; and satisfaction of the civil judgment entered on September 18, 2014 by the Macomb County Circuit Court in the amount of \$142,967.00. The civil fine and civil judgment shall be paid within sixty (60) days from the date of mailing of the Final Order for Complaint No. 318181. If the civil fine and civil judgment are not paid within sixty (60) days from the date of mailing of the Final Order, the Respondent's license shall be revoked. It is the intent of the Board that the payment of the civil fine and proof of payment of the judgment will satisfy both Final Orders issued for Complaint Nos. 318181 and 318180.

Discussion was held.

MOTION PREVAILED

**Battaglia Builders, Inc.**

MOTION by Browne, seconded by Agnew, that the following penalty be assessed: Immediate suspension of Respondent's license; a civil fine in the amount of \$5,000.00 made payable to the State of Michigan, and satisfaction of civil judgment entered on September 18, 2014 by the Macomb County Circuit Court in the amount of \$142,967.00. The civil fine and civil judgment shall be paid within sixty (60) days from the date of mailing of the Final Order for Complaint No. 318180. If the civil fine and judgment are not paid within sixty (60) days from the date of mailing of the Final Order, then the Respondent's license shall be revoked. It is the intent of the Board that the payment of the civil fine and proof of payment of the judgment will satisfy both Final Orders issued for Complaint Nos. 318180 and 318181.

MOTION PREVAILED

**Donald Loran Visel, D/B/A Rodeo Remodeling**

MOTION by Browne, seconded by Agnew, that the following penalty be assessed: Immediate revocation of Respondent's license and a civil fine in the amount of \$5,000.00 made payable to the State of Michigan within sixty (60) days from the date of mailing of the Final Order for Complaint No. 322963.

Discussion was held.

MOTION PREVAILED

**GreenHome Energy Specialists, LLC, Timothy Herman Duncan, Jr., Q.O.**

MOTION by Agnew, seconded by Adcock, that the following penalty be assessed: Immediate revocation of Respondent's license; a civil fine in the amount of \$5,000.00 made payable to the State of Michigan; and payment of restitution in the amount of \$7,000.00 made payable to Gwendolyn Johnson. The civil fine and restitution shall be paid within ninety (90) days from the date of mailing of the Final Order for Complaint No. 325314.

Discussion was held

MOTION PREVAILED

**James Allen**

MOTION by Browne, seconded by Agnew, that the following penalty be assessed: A civil fine in the amount of \$5,000.00 made payable to the State of Michigan within sixty (60) days from the date of mailing of the Final Order for Complaint No. 322540. If the civil fine is not paid within sixty (60) days from the date of mailing of the Final Order, the Respondent's license shall be suspended.

Discussion was held.

MOTION PREVAILED

**Concierge Contractors, Inc., James Barry Abramson, Q.O.**

MOTION by Adcock, seconded by Powell, that the following penalty be assessed: A civil fine in the amount of \$5,000.00 made payable to the State of Michigan within ninety (90) days from the date of mailing of the Final Order for Complaint No. 325499. If the civil fine is not paid within ninety (90) days from the date of mailing of the Final Order, the Respondent's license shall be suspended. It is the intent of the Board that payment of the civil fine will satisfy both Final Orders issued for Complaint Nos. 325499 and 325500.

Discussion was held.

MOTION PREVAILED

**James Barry Abramson**

MOTION by Adcock, seconded by Powell, that the following penalty be assessed: A civil fine in the amount of \$5,000.00 made payable to the State of Michigan within ninety (90) days from the date of mailing of the Final Order for Complaint No. 325500. If the civil fine is not paid within ninety (90) days from the date of mailing of the Final Order, the Respondent's license shall be suspended. It is the intent of the Board that payment of the civil fine will satisfy both Final Orders issued for Complaint Nos. 325500 and 325499.

Discussion was held.

MOTION PREVAILED

**Oscar Harold Frisch**

MOTION by Browne, seconded by Powell, that the following penalty be assessed: Immediate revocation of Respondent's license; a civil fine in the amount of \$5,000.00 made payable to the State of Michigan; and payment of restitution in the amount of \$5,500.00 made payable to Scott Kustarz. The civil fine and restitution shall be paid within sixty (60) days from the date of mailing of the Final Order for Complaint No. 321562.

Discussion was held.

MOTION PREVAILED

**Stipulations**

**Phillip R. Moore**

MOTION by Agnew, seconded by Powell, to accept the Stipulation as prepared for Complaint No. 324435.

MOTION PREVAILED

**Initial Investments Incorporated, Carletta Denise Flowers, Q.O., and Carletta Denise Flowers**

MOTION by Agnew, seconded by Powell, to accept the Stipulation as prepared for Complaint Nos. 321424 and 321425.

MOTION PREVAILED

**DW Williams, LLC, Douglas W. Williams, Q.O.**

MOTION by Agnew, seconded by Powell, to accept the Stipulation as prepared for Complaint No. 324535.

MOTION PREVAILED

**Douglas W. Williams**

MOTION by Agnew, seconded by Powell, to accept the Stipulation as prepared for Complaint No. 322806.

MOTION PREVAILED

## **NEW BUSINESS**

### **Approval of 2016 Meeting Schedule**

Tuesday, March 8, 2016  
Tuesday, June 7, 2016  
Tuesday, September 13, 2016  
Tuesday, December 6, 2016

MOTION by Browne, seconded by Agnew, to approve the 2016 meeting schedule.

MOTION PREVAILED

### **Election of 2016 Officers**

#### **Chairperson**

Barr ran the election.

MOTION by Agnew, seconded by Browne, to elect Gary August as Chairperson.

MOTION PREVAILED

#### **Vice Chairperson**

Barr ran the election.

MOTION by Adcock, seconded by August, to elect Sidney J. Browne, Jr. as Vice Chairperson.

MOTION PREVAILED

## **PUBLIC COMMENT**

None

## **ANNOUNCEMENTS**

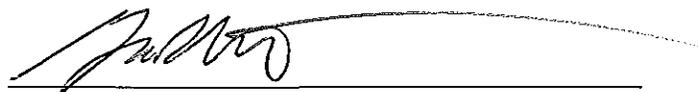
The next regularly scheduled meeting will be held March 8, 2016 at 9:00 a.m. at the Ottawa Building, 611 West Ottawa Street, Upper Level Conference Center, Conference Room 4, Lansing, Michigan

**ADJOURNMENT**

MOTION by Browne, seconded by Agnew to adjourn the meeting.

MOTION PREVAILED

August adjourned the meeting at 10:32 a.m.



\_\_\_\_\_  
Gary August, Chairperson

\_\_\_\_\_  
Date Minutes Approved

Janielle Houston, Board Secretary

Date Minutes Prepared: 11-17-15