

**STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
CORPORATIONS, SECURITIES & COMMERCIAL LICENSING BUREAU**

**RESIDENTIAL BUILDERS AND MAINTENANCE AND ALTERATION
CONTRACTORS**

APPROVED MEETING MINUTES

MAY 12, 2015

In accordance with the Open Meetings Act, Public Act No. 267 of 1976, as amended, the Residential Builders' and Maintenance and Alteration Contractors' Board met on May 12, 2015 at the Department of Licensing and Regulatory Affairs, Corporations, Securities & Commercial Licensing Bureau, 2501 Woodlake Circle, Second Floor, Room 1, Okemos, Michigan. The Board meeting was called to order by Chairperson Gary August at 10:00 a.m.

ROLL CALL

Present:	Gary August, Chair	Public Member
	Sidney Browne Jr., Vice Chair	Building Inspector, Public Member
	Jeff Agnew	Professional Member
	William Adcock	Professional Member
	John F. Kelly	Professional Member
	Gregory Powell	Professional Member
	Thomas Thelen	Professional Member
	Mark Wahl	Professional Member
Absent:	Colleen Shannon	Public Member
Staff:	Andrew Brisbo	Licensing Director
	Belinda Wright	Licensing Manager
	Janielle Houston	Recording Secretary
	Ann Paruk	Administrative Law Specialist
	Thomas Clement	Assistant Attorney General Representative

ADDITIONS TO OR DELETIONS FROM AGENDA

NONE

APPROVAL OF MINUTES FROM FEBRUARY 10, 2015

MOTION: It was moved by Mr. Adcock and supported by Mr. Agnew to approve the minutes as written from the meeting held February 10, 2015. The motion carried by unanimous vote.

PETITIONS

RICHARD JASON SCHWARK

MOTION: It was moved by Mr. Wahl and supported by Mr. Powell that, after careful consideration of the written petition for review, and the oral presentation of Mr. Richard Jason Schwark, the Board recommended that the Department approve the reinstatement of Mr. Schwark's Individual Residential Builder license. The motion carried by majority vote.

MICHAEL ANTHONY RICHMAN

MOTION: It was moved by Mr. Wahl and supported by Mr. Thelen that, after careful consideration of the written petition for review, and the oral presentation of Mr. Michael Anthony Richman, the Board recommended that the Department approve the reinstatement Mr. Richman's Individual Builder license. The motion carried by majority vote.

J. JOSEPH JOSEPH

MOTION: It was moved by Mr. Kelly and supported by Mr. Powell that, after careful consideration of the written petition for review, the Board recommended to uphold the Department's denial of Mr. J. Joseph Joseph's Individual Residential Builder application for relicensure. The motion carried by unanimous vote.

MIKE GRAY CONSTRUCTION, INC. AND MICHAEL PAUL GRAY, JR.

MOTION: It was moved Mr. Browne by and supported by Mr. Kelly that, after careful consideration of the written petition for review, and the oral presentation of Mr. Michael Paul Gray, Jr., the Board recommended that the Department approve the reinstatement of Mr. Gray's Individual Builder license and for Mike Gray Construction, Inc.'s Builder Company license, with a limitation pursuant to MCL 339.105(3)(e), and (g) for a period of 3 years. The motion carried by unanimous vote.

DARRYL ANTHONY PETERSON, JR.

MOTION: It was moved by Mr. Browne and supported by Mr. Powell that, after careful consideration of the written petition for review, and the oral presentation of Mr. Darryl Anthony Peterson, Jr., the Board recommended to overturn the Department's denial and approve Mr. Peterson's Maintenance and Alteration license application. The motion carried by unanimous vote.

ADRIAN CALIN FAZECAS

MOTION: It was moved by Mr. Kelly and supported by Mr. Agnew that the Board recommends postponing the petition of Mr. Adrian Calin Fazecas until the next scheduled board meeting. The motion carried by unanimous vote.

M&A ROOFING SIDING GUTTERS AND WINDOWS, LLC

MOTION: It was moved by Mr. Adcock and supported by Mr. Agnew that, after careful consideration of the written petition for review, and the oral presentation of representatives of M&A Roofing Siding Gutters and Windows, LLC, the Board recommended to lift the suspension on M&A Roofing Siding Gutters and Windows, LLC's Builder Company license. The motion carried by majority vote. Mr. Browne abstained from the vote.

GLEN EDWARD LACROIX

MOTION: It was moved by Mr. Browne and supported by Mr. Powell that, after careful consideration of the written petition for review, the Board recommended to lift the suspension from Mr. Lacroix's Individual Builder license. The motion carried by unanimous vote.

RUSSELL ORVILLE LICHNER, D/B/A PRECISION BUILDERS

MOTION: It was moved by Mr. Agnew and supported by Mr. Wahl that, after careful consideration of the written petition for review, the Board recommended to lift the suspension from Mr. Lichner's Individual Builder license. The motion carried by unanimous vote.

STIPULATIONS

MATTHEW JOSEPH PENNY, LICENSE NO. 21-01-187907, EXPIRES 5-31-2017, COMSTOCK PARK, MICHIGAN: COMPLAINT NO. 322798

MOTION: It was moved by Mr. Kelly and supported by Mr. Wahl to accept the Stipulation as prepared for Complaint No. 322798. The motion carried by unanimous vote.

PIONEER POLE BUILDINGS, INC., ROBERT JAMES GIFFOR, II, Q.O., LICENSE NO. 21-02-182736, EXPIRES 5-31-2017, CLARE, MICHIGAN: COMPLAINT NO. 320570 AND ROBERT JAMES GIFFOR, II, LICENSE NO. 21-01-081244, EXPIRES 5-31-2017, HARRISON, MICHIGAN: COMPLAINT NO. 320571

MOTION: It was moved by Mr. Kelly and supported by Mr. Agnew to accept the Stipulation as prepared for Complaint Nos. 320570 and 320571. The motion carried by majority vote. Mr. Browne abstained from the vote.

JOSEPH DANIEL RADLICK, LICENSE NO. 21-01-170519, EXPIRED 5-31-2014, CHESTERFIELD, MICHIGAN: COMPLAINT NO. 322369

MOTION: It was moved by Mr. Kelly and supported by Mr. Wahl to accept the Stipulation as prepared for Complaint No. 322369. The motion carried by unanimous vote.

JOSEPH DANIEL RADLICK, LICENSE NO. 21-01-170519, EXPIRED 5-31-2014, CHESTERFIELD, MICHIGAN: COMPLAINT NO. 322219

MOTION: It was moved by Mr. Kelly and supported by Mr. Wahl to accept the Stipulation as prepared for Complaint No. 322219. The motion carried by unanimous vote.

KENNER EDWARD MCKIE, D/B/A BIG K CONSTRUCTION, LICENSE NO. 21-01-132907, EXPIRES 5-31-2017, LUDINGTON, MICHIGAN: COMPLAINT NO. 322816

MOTION: It was moved by Mr. Kelly and supported by Mr. Wahl to accept the Stipulation as prepared for Complaint No. 322816. The motion carried by unanimous vote.

MICHIGAN GUTTER CAP, LLC, D/B/A UNITY HOME IMPROVEMENT, JASON RODERICK LAMORE, Q.O., LICENSE NO. 21-02-200530, EXPIRES 5-31-2017, COMSTOCK PARK, MICHIGAN: COMPLAINT NO. 321228 AND JASON RODERICK LAMORE, LICENSE NO. 21-01-199137, EXPIRES 5-31-2016, BELMONT, MICHIGAN: COMPLAINT NO. 321229

MOTION: It was moved by Mr. Kelly and supported by Mr. Wahl to accept the Stipulation as prepared for Complaint Nos. 321228 and 321229. The motion carried by unanimous vote.

ALFRED R. WRATE, D/B/A MODERNIZING CONSTRUCTION, LICENSE NO. 21-01-061933, EXPIRES 5-31-2017, LITTLE LAKE, MICHIGAN: COMPLAINT NO. 323153

MOTION: It was moved by Mr. Kelly and supported by Mr. Wahl to accept the Stipulation as prepared for Complaint No. 323153. The motion carried by unanimous vote.

FATHER & SON CONSTRUCTION CO., MATHEW M. VIVONA, Q.O., LICENSE NO. 21-02-052201, EXPIRES 5-31-2017, TROY, MICHIGAN: COMPLAINT NO. 320997 AND MATHEW M. VIVONA, LICENSE NO. 21-01-127244, EXPIRES 5-31-2017, ROCHESTER, MICHIGAN: COMPLAINT NO. 320998

MOTION: It was moved by Mr. Kelly and supported by Mr. Wahl to accept the Stipulation as prepared for Complaint Nos. 320997 and 320998. The motion carried by majority vote. Mr. Browne abstained from the vote.

OLD SCHOOL CONSTRUCTION, INC., BENJAMIN EMIL LUTZEIER, Q.O., LICENSE NO. 21-02-105548, EXPIRES 5-31-2017, ANN ARBOR, MICHIGAN: COMPLAINT NO. 321123 AND BENJAMIN EMIL LUTZEIER, LICENSE NO. 21-01-188504, EXPIRES 5-31-2017, WHITMORE LAKE, MICHIGAN: COMPLAINT NO. 321124

MOTION: It was moved by Mr. Kelly and supported by Mr. Wahl to accept the Stipulation as prepared for Complaint Nos. 321123 and 321124. The motion carried by unanimous vote.

DAVID L. SLEIGHT, D/B/A SLEIGHT CONSTRUCTION CO., LICENSE NO. 21-01-057447, EXPIRES 5-31-2015, HARRISON, MICHIGAN: COMPLAINT NO. 322519

MOTION: It was moved by Mr. Kelly and supported by Mr. Wahl to accept the Stipulation as prepared for Complaint No. 322519. The motion carried by unanimous vote.

SPECTRUM CONSTRUCTION CO, LLC, JAMES GERARD RASHID, Q.O., LICENSE NO. 21-02-200793, EXPIRES 5-31-2017, MILFORD, MICHIGAN: COMPLAINT NO. 322518 AND JAMES GERARD RASHID, LICENSE NO. 21-01-056046, EXPIRES 5-31-2017, MILFORD, MICHIGAN: COMPLAINT NO. 322517

MOTION: It was moved by Mr. Kelly and supported by Mr. Wahl to accept the Stipulation as prepared for Complaint Nos. 322518 and 322517. The motion carried by unanimous vote.

JOHN R. KROGER, LICENSE NO. 21-01-195203, EXPIRES 5-31-2017, LINCOLN PARK, MICHIGAN: COMPLAINT NO. 324128

MOTION: It was moved by Mr. Kelly and supported by Mr. Wahl to accept the Stipulation as prepared for Complaint No. 324128. The motion carried by unanimous vote.

VANCE DUANE MCCANN, LICENSE NO. 21-01-100557, EXPIRED 5-31-2008,
MARLETTE, MICHIGAN: COMPLAINT NO. 321121

MOTION: It was moved by Mr. Kelly and supported by Mr. Wahl to accept the Stipulation as prepared for Complaint No. 321121. The motion carried by unanimous vote.

MATTHEW JOHN JACK, D/B/A JACK CONSTRUCTION, LICENSE NO. 21-01-
118713, EXPIRES 5-31-2016, OSCODA, MICHIGAN: COMPLAINT NO. 322111

MOTION: It was moved by Mr. Kelly and supported by Mr. Wahl to accept the Stipulation as prepared for Complaint No. 322111. The motion carried by unanimous vote.

STEVEN PATRICK MCINTYRE, LICENSE NO. 21-01-131467, EXPIRES 5-31-2017,
MICHIGAN CENTER, MICHIGAN: COMPLAINT NO. 319554

MOTION: It was moved by Mr. Kelly and supported by Mr. Wahl to accept the Stipulation as prepared for Complaint No. 319554. The motion carried by unanimous vote.

WILSON CONSTRUCTION COMPANY, DAVID J. WILSON, Q.O., LICENSE NO. 21-
02-087596, EXPIRES 5-31-2017, MUSKEGON, MICHIGAN: COMPLAINT NO. 324256
AND DAVID J. WILSON, LICENSE NO. 21-01-078928, EXPIRES 5-31-2017,
MUSKEGON, MICHIGAN: COMPLAINT NO. 324257

MOTION: It was moved by Mr. Kelly and supported by Mr. Wahl to accept the Stipulation as prepared for Complaint Nos. 324256 and 324257. The motion carried by unanimous vote.

JAMES RANDALL DAVIS, LICENSE NO. 21-01-180577, EXPIRES 5-31-2017,
MUSKEGON, MICHIGAN: COMPLAINT NO. 322572

MOTION: It was moved by Mr. Kelly and supported by Mr. Wahl to accept the Stipulation as prepared for Complaint No. 322572. The motion carried by unanimous vote.

C-A CONSTRUCTION, INC, CHARLES ORLANDO ADAMS, Q.O., LICENSE NO. 21-
02-105075, EXPIRES 5-31-2017, JACKSON, MICHIGAN: COMPLAINT NO. 322839
AND CHARLES ORLANDO ADAMS, LICENSE NO. 21-01-093504, EXPIRES 5-31-
2017, JACKSON, MICHIGAN: COMPLAINT NO. 322840

MOTION: It was moved by Mr. Kelly and supported by Mr. Wahl to accept the Stipulation as prepared for Complaint Nos. 322839 and 322840. The motion carried by unanimous vote.

BARRY LONDON, LICENSE NO. 21-01-186911, EXPIRES 5-31-2017, NEW BUFFALO, MICHIGAN: COMPLAINT NO. 322830

MOTION: It was moved by Mr. Kelly and supported by Mr. Wahl to accept the Stipulation as prepared for Complaint No. 322830. The motion carried by unanimous vote.

HEARING REPORTS

MOTION: It was moved by Mr. Browne and supported by Mr. Adcock that the Board receive all hearing reports on the agenda. The motion carried by unanimous vote.

RICHARD JEFFERSON HAZEL, LICENSE NO. 21-01-204672, EXPIRES 5-31-2016, CHESTERFIELD TOWNSHIP, MICHIGAN: COMPLAINT NO. 323341

MOTION: It was moved by Mr. Browne and supported by Mr. Agnew that, based on the severity of the offense, the following penalty be assessed: Immediate revocation; 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 \$6,567.00. The civil fine and restitution shall be paid within thirty (30) days of the date of mailing of the Final Order for Complaint No. 323341. The motion carried by unanimous vote.

THOMAS LEE EARL, D/B/A EARL'S EXTERIORS PLUS, LICENSE NO. 21-01-180806, EXPIRES 5-31-2017, CHARLOTTE, MICHIGAN: COMPLAINT NO. 323315

MOTION: It was moved by Mr. Browne and supported by Mr. Agnew that the following penalty be assessed: Respondent's license shall be held on limitation for 2 years. Respondent shall also submit a Certified Public Accountant Attestation Report every six (6) months, beginning December 15, 2015, until the license renewal. If the report is not satisfactory to the Department, then Respondent's license shall be suspended. The motion carried by unanimous vote.

ITEMS FOR CONSIDERATION FROM BOARD MEMBERS OR DEPARTMENT

RESOLUTION

MOTION: It was moved by Mr. Agnew and supported by Mr. Browne to approve the resolution presented from the Department honoring Mr. James Haeussler for his exemplary service to the Board. The motion carried by unanimous vote.

PUBLIC COMMENT

No members of the public addressed the Board.

NEXT MEETING DATE

The next regularly scheduled meeting of the Residential Builders' and Maintenance and Alteration Contractors' Board will be held on August 11, 2015, Room 1, at 9:00 a.m.

ADJOURNMENT

There being no further business to be brought before the Board at this time, the meeting was adjourned at 11:50 a.m.

/S/ _____
Chairperson
Gary August

/S/ _____
Recording Secretary
Janielle Houston

8-11-2015 _____
Date