



STATE OF MICHIGAN

GRETCHEN WHITMER  
GOVERNOR

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
LANSING

ORLENE HAWKS  
DIRECTOR

## RESIDENTIAL BUILDERS' AND MAINTENANCE AND ALTERATION CONTRACTORS' BOARD

Virtual Zoom Meeting Pursuant to Executive Order 2020-154

Web Link: <https://zoom.us/j/99654535487?pwd=YXg3T0JEZ1ljRHdwaWtFQVAwdEl0dz09>

Number: 877-873-8017 (US Toll Free)

Password/Conference Code: 109987

### MINUTES

September 1, 2020

10:00 a.m.

#### MEMBERS PRESENT

Mr. James Cowhy  
Mr. W. Doyle Goble  
Mr. H. Boyd Harris  
Mr. Keith Lambert -Nonvoting Ex Officio Member  
Mr. Damien Nelson  
Mr. Steven Swan

#### MEMBERS ABSENT

Mr. Kenneth Calverley  
Mr. William Tanasse  
Mr. Mark Wahl  
Mr. Hassan Zayat

#### DEPARTMENT PERSONNEL ATTENDING

Ms. Dianne Barmes, Manager, Licensing and Compliance Division, BCC  
Mr. Bill Wilhelm, Administrative Law Specialist, Licensing and Compliance Division, BCC  
Mr. Kevin Kalakay, Chief, Mechanical Division, BCC  
Ms. Hillary Millen, Departmental Analyst, Administrative Services Division, BCC  
Ms. Tracie Pack, Departmental Analyst, Administrative Services Division, BCC  
Ms. Alaysha Oviedo, Departmental Technician, Licensing and Compliance Division, BCC  
Ms. Sara Leiby, Secretary, Administrative Services Division, BCC  
Mr. Matthew Erickson, Public Information Officer, Communications Office, LARA  
Ms. M. Catherine Waskiewicz, Assistant Attorney General, Office of the Attorney General

#### 1. CALL TO ORDER AND DETERMINATION OF QUORUM

Chairperson Cowhy called the meeting to order at 10:33 a.m. A quorum was present at that time.

#### 2. COMMUNICATION PROCEDURES

Ms. Pack informed the meeting participants of the Communication Procedures.

#### 3. APPROVAL OF AGENDA

A **MOTION** was made by Board Member Goble and **SECONDED** by Vice Chairperson Swan to approve the agenda. (Aye: Board Members Cowhy, Goble, Harris, Nelson, and Swan; Nay: None) **MOTION CARRIED UNANIMOUSLY.**

**4. APPROVAL OF MINUTES**

A. August 18, 2020

A **MOTION** was made by Board Member Goble and **SECONDED** by Vice Chairperson Swan to approve the minutes of the August 18, 2020 meeting. (Aye: Board Members Cowhy, Goble, Harris, Nelson, and Swan; Nay: None) **MOTION CARRIED UNANIMOUSLY.**

**5. APPLICATION FOR REINSTATEMENT**

A. John James Layman, License No. 2101045741

Mr. John James Layman appeared before the Board to application for reinstatement of his license, License No. 2101045741.

Mr. Layman provided testimony for the Boards' review.

Following discussion, a **MOTION** was made by Board Member Goble and **SECONDED** by Board Member Nelson to recommend approval of Mr. Layman's application for reinstatement by the Department. (Aye: Board Members Cowhy, Goble, Harris, Nelson, and Swan; Nay: None) **MOTION CARRIED UNANIMOUSLY.**

**6. HEARING REPORTS**

A. All 1 Construction, L.L.C., License No. 2102192513

The Reports of the Administrative Law Judge, Docket Nos. 20-000087 and 20-000088, for the formal complaint filed against respondents All 1 Construction, L.L.C., License No. 2102192513, and Mr. Douglas Stewart, License No. 2101192512, were reviewed by the Board.

Following discussion, a **MOTION** was made by Board Member Harris and **SECONDED** by Board Member Goble to revoke the respondents' licenses, License Nos. 2102192513 and 2101192512, and assess a fine of ten thousand dollars (\$10,000) per license to be paid prior to reinstatement of the licenses. (Aye: Board Members Cowhy, Goble, Harris, Nelson, and Swan; Nay: None) **MOTION CARRIED UNANIMOUSLY.**

The decision was reconsidered following the review of item 6.C. Jerry's Concrete, License No. 2102201452, to only impose the ten thousand dollars (\$10,000) fine on respondent All 1 Construction, L.L.C., License No. 2102192513.

B. Douglas Stewart, License No. 2101192512

This matter was decided under item 6.A. All 1 Construction, L.L.C., License No. 2102192513.

C. Jerry's Concrete, License No. 2102201452

The Report of the Administrative Law Judge, Docket No. 19-019340, for the formal complaint filed against respondent Jerry's Concrete was reviewed by the Board.

Following discussion, a **MOTION** was made by Vice Chairperson Swan and **SECONDED** by Chairperson Cowhy to revoke the respondent's license, License No. 2102201452, and assess restitution of twenty-three thousand dollars (\$23,000) to be paid within ninety (90) days. (Aye: Board Members Cowhy, Goble, Harris, Nelson, and Swan; Nay: None) **MOTION CARRIED UNANIMOUSLY.**

The decision was reconsidered following the review of item 6.D. Gerald G. Wonsey, License No. 2101106683, to require that the restitution payment be joint and several with item 6.D. Gerald G. Wonsey, License No. 2101106683.

Following further discussion, a **MOTION** was made by Board Member Harris and **SECONDED** by Vice Chairperson Swan to reconsider items 6.A. All 1 Construction, L.L.C., License No. 2102192513 and 6.B. Douglas Stewart, License No. 2101192512 and only impose the ten thousand dollars (\$10,000) fine on respondent All 1 Construction, L.L.C., License No. 2102192513. (Aye: Board Members Cowhy, Goble, Harris, Nelson, and Swan; Nay: None) **MOTION CARRIED UNANIMOUSLY.**

D. Gerald G. Wonsey, License No. 2101106683

The Report of the Administrative Law Judge, Docket No. 19-019339, for the formal complaint filed against respondent Mr. Gerald G. Wonsey was reviewed by the Board.

Following discussion, a **MOTION** was made by Board Member Harris and **SECONDED** by Vice Chairperson Swan to revoke the respondent's license, License No. 2101106683, and assess restitution of twenty-three thousand dollars (\$23,000) to be paid within ninety (90) days. The restitution payment is joint and several with item 6.C. Jerry's Concrete, License No. 2102201452. (Aye: Board Members Cowhy, Goble, Harris, Nelson, and Swan; Nay: None) **MOTION CARRIED UNANIMOUSLY.**

Following further discussion, A **MOTION** was made by Board Member Harris and **SECONDED** by Vice Chairperson Swan to reconsider item 6.C. Jerry's Concrete, License No. 2102201452, and require that the restitution payment be joint and several with item 6.D. Gerald G. Wonsey, License No. 2101106683. (Aye: Board Members Cowhy, Goble, Harris, Nelson, and Swan; Nay: None) **MOTION CARRIED UNANIMOUSLY.**

E. Spartan Builders, License No. 2102083412

The Reports of the Administrative Law Judge, Docket Nos. 18-019073 and 18-018536, for the formal complaint filed against respondents Spartan Builders, License No. 2102083412, and Mr. Jeffrey Scott Suehr, License No. 2101194042, were reviewed by the Board.

Following discussion, a **MOTION** was made by Board Member Harris and **SECONDED** by Chairperson Cowhy to revoke the respondents' licenses, License Nos. 2102083412 and 2101194042. (Aye: Board Members Cowhy and Harris; Nay: Board Members Goble, Nelson, and Swan) **MOTION FAILED.**

Following further discussion, a **MOTION** was made by Chairperson Cowhy and **SECONDED** by Board Member Goble to suspend the respondents' licenses, License Nos. 2102083412 and 2101194042, for one (1) year and Mr. Suehr shall provide proof of completion of the sixty (60) hour course that is required for relicensure. (Aye: Board Members Cowhy, Goble, Nelson, and Swan; Nay: Board Member Harris) **MOTION CARRIED.**

F. Jeffrey Scott Suehr, License No. 2101194042

This matter was decided under item 6.E. Spartan Builders, License No. 2102083412.

G. Jeffrey Donius, License No. 2103156719

The Report of the Administrative Law Judge, Docket No. 20-006148, for the formal complaint filed against respondent Mr. Jeffrey Donius was reviewed by the Board.

Following discussion, a **MOTION** was made by Chairperson Cowhy and **SECONDED** by Board Member Harris to revoke the respondent's license, License No. 2103156719. (Aye: Board Members Cowhy, Goble, Harris, Nelson, and Swan; Nay: None) **MOTION CARRIED UNANIMOUSLY.**

H. Steven R. Gould, License No. 2101177784

The Report of the Administrative Law Judge, Docket No. 19-017396, for the formal complaint filed against respondent Mr. Steven R. Gould was reviewed by the Board.

Following discussion, a **MOTION** was made by Board Member Goble and **SECONDED** by Board Member Nelson to revoke the respondent's license, License No. 2101177784, and assess a fine of ten thousand dollars (\$10,000) to be paid within ninety (90) days. (Aye: Board Members Cowhy, Goble, Harris, Nelson, and Swan; Nay: None) **MOTION CARRIED UNANIMOUSLY.**

I. 4 Star Builder, Inc., License No. 2102153071

The Reports of the Administrative Law Judge, Docket Nos. 20-001426 and 20-001427, for the formal complaint filed against respondents 4 Star Builder, Inc., License No. 2102153071, and Mr. Joseph A. Ferrier, License No. 2101195115, were reviewed by the Board.

Following discussion, a **MOTION** was made by Chairperson Cowhy and **SECONDED** by Vice Chairperson Swan to revoke the respondents' licenses, License Nos. 2102153071 and 2101195115, for three (3) years. (Aye: Board Members Cowhy, Goble, Harris, Nelson, and Swan; Nay: None) **MOTION CARRIED UNANIMOUSLY.**

J. Joseph A. Ferrier, License No. 2101195115

This matter was decided under item 6.I. 4 Star Builder, Inc., License No. 2102153071.

K. Roger W. Neff, License No. 2101125219

The Report of the Administrative Law Judge, Docket No. 19-022520, for the formal complaint filed against respondent Mr. Roger W. Neff was reviewed by the Board.

Following discussion, a **MOTION** was made by Chairperson Cowhy and **SECONDED** by Board Member Nelson to revoke the respondent's license, License No. 2101125219, and assess the respondent restitution of two thousand nine hundred five dollars (\$2,905). (Aye: Board Members Cowhy, Goble, Harris, Nelson, and Swan; Nay: None) **MOTION CARRIED UNANIMOUSLY.**

**7. CONSENT ORDER AND STIPULATION**

A. Charles Edward Morris, License No. 2101214528

The Consent Order and Stipulation for the formal complaint, Complaint No. 21-18-335884, filed against respondent Mr. Charles Edward Morris was reviewed by the Board.

A **MOTION** was made by Board Member Goble and **SECONDED** by Vice Chairperson Swan to accept the Consent Order and Stipulation for the respondent as submitted. (Aye: Board Members Cowhy, Goble, Harris, Nelson, and Swan; Nay: None) **MOTION CARRIED UNANIMOUSLY.**

**8. UNFINISHED BUSINESS**

None.

**9. NEW BUSINESS**

A. Resolution for Authorization to Execute Board Consent Orders and Stipulations

Board Member Lambert explained that the Resolution would allow him to authorize Ms. Barmes as his designee to sign consent orders for the Board Chairperson.

Following discussion, a **MOTION** was made by Board Member Harris and **SECONDED** by Vice Chairperson Swan to accept the Resolution for Authorization to Execute Board Consent Orders and Stipulations as submitted. (Aye: Board Members Cowhy, Goble, Harris, Nelson, and Swan; Nay: None) **MOTION CARRIED UNANIMOUSLY.**

#### **10. BUREAU QUARTERLY REPORT**

Director Lambert reported that an email was sent to all board members, commissioners, and stakeholders to notify of subscription sign-up.

#### **11. PUBLIC COMMENT**

None.

#### **12. NEXT MEETING DATE – NOVEMBER 10, 2020**

The Board is scheduled to meet next at 10:00 a.m. at 611 West Ottawa Street, Lansing, MI 48933 in the Upper Level Conference Room #3 on November 10, 2020.

#### **13. ADJOURNMENT**

A **MOTION** was made by Board Member Harris and **SECONDED** by Vice Chairperson Swan to adjourn the meeting at 12:09 p.m. (Aye: Board Members Cowhy, Goble, Harris, Nelson, and Swan; Nay: None) **MOTION CARRIED UNANIMOUSLY.**