

September 21, 2005

Attacks on construction firm lack merit, Whittaker says

By Scott Finn

Staff writer

Powerball winner Jack Whittaker says his construction company does quality work and that union leaders and the state Division of Labor are conspiring against him.

"You can write anything about me, but I become very angry when someone questions my integrity as a contractor or my family," Whittaker said. "I do nothing but good work, absolutely."

Virginia Peters would disagree. The 82-year-old widow from Alum Creek says a Diversified Enterprise crew "tore my yard to pieces" a year ago and refuses to fix it.

"I thought they were a nice bunch of men. But I didn't know they would tear up everything I have and leave it," she said.

Diversified Enterprise is the target of a union campaign alleging shoddy work at several water and sewer projects. More than 1,500 complaints were filed against the company regarding one Wood County sewer project.

Whittaker said the attacks lack merit. He said union officials are coming after him because his nonunion company has won three-quarters of the water and sewer projects in the state. About 400 people now work for Diversified.

"The unions are upset because they don't have any jobs," he said.

He said he is preparing a \$100 million lawsuit against the labor unions and the Affiliated Construction Trades Foundation for interfering with his business.

He compared himself to Massey Energy CEO Don Blankenship, another wealthy man who's been targeted by unions.

"I guess I've turned into the Massey of the utility construction industry," Whittaker said.

On that point, the labor unions agree with Whittaker, said Steve White, executive director of the Affiliated Construction Trades Foundation.

"Like Don Blankenship, he likes to sue people he disagrees with," White said. "He should spend more effort trying to complete these projects properly and on time than threatening to sue people who point out the obvious problems."

Whittaker accused the Division of Labor of collaborating with labor unions against him, in part because Labor Commissioner Jim Lewis used to work for the Affiliated Construction Trades Foundation.

Whittaker also said he is not responsible for the \$1.3 million workers' comp debt of Holley Brothers Construction Co.

Whittaker received up to 30 percent of the profits from Holley's work in West Virginia, according to court records. He signed his title as "V.P." of the company on a 1997 Lincoln County Commission document.

On Tuesday, Whittaker said he was a consultant to Holley Brothers through his company, Whittaker Equipment, not a vice president.

As a consultant, he bid and managed all of Holley Brothers' West Virginia projects, he said.

Whittaker said he ended his relationship with Holley Brothers in October 2000. A year later, they sued each other in Gallia County, Ohio, over alleged fraud and unpaid bills. Both sides dismissed the lawsuit in December 2002, according to court records.

Several people, including Peters, contacted the Gazette on Tuesday to complain about work done by Diversified.

John Beitz of Williamstown blamed a 15-foot-long, 6-foot-wide crack on his street on Whittaker's crew.

The hole in Kittle Street has been there more than a year, he said, and he's complained several times to the Union Williams Public Service District.

Three months ago, a work crew marked off the area with white paint, he said. That's the extent of work so far.

Peters said she liked the young men from Diversified at first. At lunchtime, she talked with them and brought them apples from her tree.

Then, she said, they ripped into her property, tearing into her steps, cutting down a 100-year-old rose bush, and leaving a muddy mess in the yard. Her drains became clogged with mud and now water floods the yard, she said.

"I did get one of the men back here to check damages," she said. "He said there was nothing they could do; the water company already released them from their contract."

In the past, Peters would get out her shovel and repair it herself. At 82, she finds that more difficult to do.

"They've done too much damage for me to fix," she said.

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