

**BOARD FOR CONTRACTORS COMMITTEE
MEETING MINUTES**

The Board for Contractors Committee met on Wednesday, August 10, 2005, at the Department of Professional and Occupational Regulation (DPOR), 3600 West Broad Street, Richmond, Virginia. The following Committee members were present:

Robert M. Kirby, Chairman
Michael D. Redifer, Vice Chairman
James A. Hollar
Ann Rackas Pate
Charles W. Falwell

Committee Member Anthony Orange did not attend the meeting.

The following DPOR staff attended the meeting:

Karen O'Neal, Deputy Director
Eric L. Olson, Executive Director
Kevin Hoeft, Regulatory Boards Administrator
Karen Kenney, Administrative Assistant

Chairman Robert Kirby called the meeting to order at 1:00 p.m.

Call To Order

The Minutes from the May 25, 2005, Committee meeting were adopted as drafted by unanimous vote. Motion made by Mr. Hollar, seconded by Mr. Falwell.

**Minutes
Adopted**

There was no Public Comment.

**Public
Comment**

President Robert D. Gregory of Contractors Institute, Inc. submitted a letter requesting that the Board authorize his firm to provide formal vocational training in the electrical trade via the Internet pursuant to 18 VAC 50-30-40 of the Board for Contractors Tradesman Regulations. The Board approved Contractors Institute Inc.'s electrical training program in 2001. At its May 25, 2005, meeting, the Committee expressed concerns regarding course work and examination security for participating students, and tabled this item until the August 10, 2005, Committee meeting. Mr. Gregory addressed the Committee's concerns, and, on a motion by Mr. Redifer, seconded by Mr. Falwell, a unanimous recommendation was made that the Board approve Contractors Institute, Inc., to provide formal vocational training in the electrical trade via the internet. Bill Butler, Neville Derflinger, Paul Naylor, Allison Camacho and Axel Camacho of Contractors Institute, Inc. also were in attendance.

**Contractors
Institute, Inc.'s
Request to
Provide
Formal
Vocational
Electrical
Training by
Internet**

Board for Contractors' staff often encounters situations where the business name of a licensed contractor contains a license classification or specialty service which the licensed contractor does not have attached to its license. After discussion, on a motion by Mr. Redifer, seconded by Mr. Falwell, a unanimous recommendation was made that the Board clarify that the business name of a licensed contractor cannot reflect work that the contractor is not qualified to perform.

**Business Name
Containing
Specialty or
Classification
Question**

Board for Contractors' staff received a Master Electrical Tradesman application from a West Virginia applicant based on the Board's reciprocal examination agreement with the West Virginia State Fire Marshal's office. The applicant was issued a Master Electrician License by the West Virginia State Fire Marshal (WVSFM) through a reciprocal agreement that the WVSFM has with the West Virginia Contractor Licensing Board (WVCLB) of the West Virginia Division of Labor. The applicant qualified for this reciprocal license by passing the WVCLB's West Virginia Electrical Contractor examination, administered by Experior testing service.

**West Virginia
Electrical
Contractor
and Master
Tradesman
Examination**

WVSFM confirmed that the Technical portion of the West Virginia Electrical Contractor examination administered by the WVCLB is substantially equivalent to the West Virginia Master Electrical Tradesman examination

administered by the WVSFM. The difference between these two examinations is that, in addition to the Technical Electrical portion, the WVCLB examination includes questions concerning contracting business practices and contracting law, while the WVSFM examination only includes Technical Electrical questions. The WVCLB examination has 100 questions, and the WVSFM examination has 50 questions. After discussion, on a motion by Mr. Redifer, seconded by Mr. Hollar, a unanimous recommendation was made that the Board accept such applicants as qualifying for the Board's reciprocal tradesman examination agreement with the West Virginia Fire Marshall's Office.

Board for Contractors' staff received a question from a Virginia Master Tradesman License applicant, who already has a Virginia Journeyman Tradesman License, and, who, as a condition of receiving that Journeyman Tradesman License, passed both the Technical and Regulatory portions of the particular Tradesman examination that was taken.

**Tradesman
Regulatory
Examination
Portion
Question**

The Committee discussed whether the Master Tradesman applicant would have to take and pass again the Regulatory portion of the Tradesman examination to receive his/her Master license.

After discussion, on a motion by Mr. Redifer, seconded by Mr. Hollar, a unanimous recommendation was made that the Board clarify that a licensed Tradesman need pass the Regulatory portion of the Tradesman examination only one time. If, however, the Tradesman Regulations are significantly amended, then the Board may consider amending this policy.

This recommendation was made in consideration of the Board's May 2001 policy, which requires that "An individual is required to pass all parts of an exam series (i.e., Class A, Class B, Master Tradesman, etc.) within one year of sitting for the exam for the first time."

Kevin Hoeft updated the Committee on the status of its four pending proposed examination reciprocity agreements, which have already received tentative Board approval.

**Reciprocity
Update**

The Board is seeking examination reciprocity for the Journeyman and Master Electrical licenses with the Kentucky Board of Housing. The proposed agreement was considered by the Kentucky Electrical Advisory Committee (KEAC) on July 19, 2005. KEAC is willing to recommend agreement approval to the Kentucky Board of Housing when it meets on August 18, 2005, but KEAC requested additional information concerning the possibility of establishing examination reciprocity with the Board for the electrical contracting license. After discussion, the Committee recommends moving

**Kentucky
Electrical
Licensing**

forward only with the tradesman examination waiver reciprocal agreement.

The Board for Contractors, on August 10, 2005, approved the examination waiver reciprocal agreement with the Alabama Electrical Contractors Board. This agreement was approved by the Alabama Electrical Contractors Board on August 1, 2005. The Board directed staff to secure signatures to finalize an original agreement document.

**Alabama
Board of
Electrical
Contractors**

The Board authorized examination reciprocity for Washington Suburban Sanitary Commission (WSSC) Journeyman and Master Plumbing and gas Fitter licensees who apply for the same type of Virginia licenses, effective June 23, 2005. Michael Armorer of the WSSC informed staff that he consulted with WSSC counsel to determine if the WSSC would authorize the same type of examination reciprocity for Virginia Plumbing and Gas Fitter tradesman licensees who apply for the same type of WSSC license(s). WSSC counsel advised that the WSSC can only reciprocate with Virginia on the condition that the Maryland State Board of Plumbing also reciprocates with Virginia.

**Washington
Suburban
Sanitary
Commission**

The Board is seeking examination reciprocity for the Virginia Journeyman and Master Plumbing licenses with the Maryland Board of Plumbing for that state's Journey and Master Plumber/Gas Fitter licenses. The Maryland State Board of Plumbing examinations for these licenses are based on the *National Standard Plumbing Code*. The Virginia Board for Contractors examinations for its plumbing licenses are based on the *International Plumbing Code*. Maryland State Board of Plumbing Executive Director John Lesho informed staff that he is willing to bring a proposed examination reciprocal agreement with the Board before the Maryland State Board of Plumbing. After discussion, the Committee advised that the examinations are likely based on similar material and that staff should continue to work with Maryland toward this agreement.

**Maryland
Board of
Plumbing**

The Board for Contractors received a number of public comments requesting that a Weatherization Contracting Specialty be included in 18 VAC 50-22-30 of the Board for Contractors Regulations. After discussion, on a motion by Mr. Falwell, seconded by Redifer, the Committee agreed by a 3-2 vote (Mr. Hollar and Ms. Pate dissenting) to study and then revisit this request at its next meeting on November 16, 2005. The Committee also requested that staff invite advocates of this request to attend the November 16, 2005, meeting to answer Committee questions.

**Weatherization
Contracting
Specialty
Request**

The Committee conducted a preliminary review of proposed Certified Water Well Systems Provider draft regulations. The 2005 General Assembly approved the certification of Water Well Systems Providers as a Board for Contractors Tradesman Program, effective July 1, 2007. After reviewing the applicable statutes, the regulatory review process, and hearing from subject

**Water Well
Systems
Provider Draft
Regulations**

matter experts Executive Director Jane Cain of the Virginia Water Well Association and Board Member Eric Rorrer of the Virginia Water Well Association, the Committee determined to review further the proposed regulations at its November 16, 2005, meeting.

There was no Old Business.

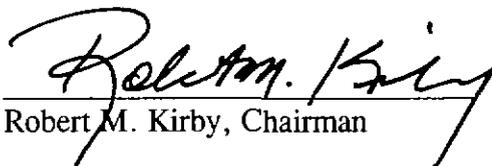
Old Business

There was no New Business.

New Business

Chairman Kirby entertained a motion to adjourn the meeting that was approved unanimously by the Committee. The meeting adjourned at approximately 3:10 p.m.

Adjourn



Robert M. Kirby, Chairman

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Custodian of the Record

STATE AND LOCAL GOVERNMENT

CONFLICT OF INTEREST ACT

1. Name: Robert M. Kirby
2. Title: Member - Board for Contractors
3. Agency: Department of Professional & Occupational Regulation
4. Transaction: Tradesman BOARD MEETING
5. Nature of Personal Interest Affected by Transaction:

Employment at DE Kirby, Inc.

6. I declare that:

- (a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

DE Kirby Inc., Builders & Contractors Exchange, AEC of VA

- (b) I am able to participate in this transaction fairly, objectively, and in the public interest.



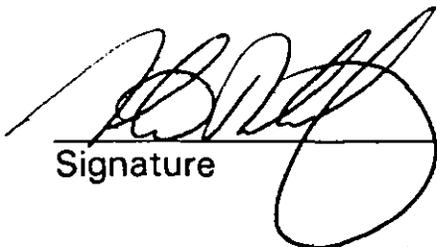
Signature

August 10, 2005
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTEREST ACT**

1. Name: Michael D. Redifer
2. Title: Member - Board for Contractors
3. Agency: Department of Professional & Occupational Regulation
4. Transaction: **TRADESMAN BOARD MEETING**
5. Nature of Personal Interest Affected by Transaction:

6. I declare that:
- (a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:
- UBLOA UPMIA ILL IAEI NFPA
- _____
- (b) I am able to participate in this transaction fairly, objectively, and in the public interest.



Signature

August 10, 2005
Date

STATE AND LOCAL GOVERNMENT

CONFLICT OF INTEREST ACT

1. Name: James A. Hollar
2. Title: Member - Board for Contractors
3. Agency: Department of Professional & Occupational Regulation
4. Transaction: TRADESMAN BOARD MEETING
5. Nature of Personal Interest Affected by Transaction:

HVAC, PLG, Elect. Tradesmen *JH*

6. I declare that:

- (a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

C.M.H.Inc, PHCC, ACCA *JH*

- (b) I am able to participate in this transaction fairly, objectively, and in the public interest.

James A. Hollar
Signature

August 10, 2005
Date

STATE AND LOCAL GOVERNMENT

CONFLICT OF INTEREST ACT

1. Name: Ann Rackas Pate
2. Title: Member - Board for Contractors
3. Agency: Department of Professional & Occupational Regulation
4. Transaction: TRADESMAN BOARD MEETING
5. Nature of Personal Interest Affected by Transaction:

6. I declare that:

- (a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

- (b) I am able to participate in this transaction fairly, objectively, and in the public interest.



Signature

August 10, 2005
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTEREST ACT**

1. Name: Charles W. Falwell
2. Title: Member – Tradesman Committee
3. Agency: Department of Professional & Occupational Regulation

4. Transaction: CONTRACTORS BOARD MEETING

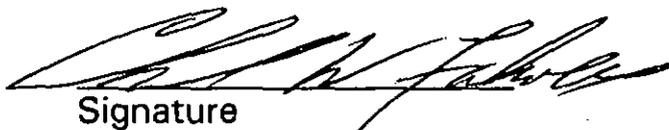
5. Nature of Personal Interest Affected by Transaction:

NA

6. I declare that:

(a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

(b) I am able to participate in this transaction fairly, objectively, and in the public interest.


Signature

August 10, 2005
Date