

**THE VIRGINIA BOARD FOR
ASBESTOS, LEAD AND HOME INSPECTORS**

MEETING MINUTES

The Virginia Board for Asbestos, Lead and Home Inspectors met on August 22, 2007 in Board Room 1 at the offices of the Department of Professional and Occupational Regulation, Perimeter Center, 9960 Mayland Drive, Richmond, Virginia.

The following members of the Board were present:

Frederick Heppner, Chairperson
Dolores Daniels
Howard D. Varner
Thomas Joel Loving
David Bowen Hyatt
Keith F. Cronan

Board members John C. Bouldin, Dr. Clayton S. Sinyai, Vicki Harlow and Wendy Hill were unable to attend the meeting.

The following members of DPOR staff were present during some or all of the meeting:

Jay W. DeBoer, Director
Karen O'Neal, Deputy Director for LRD
David Dick, Executive Director
Earlyne Perkins, Legal Analyst
Marilyn Cohn, Administrative Assistant

No legal counsel from the Office of the Attorney General was present.

Others who attended the meeting included:

Floris Weston, Representing the Virginia Department of Housing
& Community Development
David M. Wingfield, Applicant
Dennis R. Willis, Applicant

Chairperson Heppner, finding a quorum of the Board present, **Call to Order** called the meeting to order at 9:15 am.

Mr. Cronan moved that the Board approve the agenda. Mr. **Adopt Agenda** Varner seconded the motion, which was unanimously approved by the following members: Heppner, Daniels, Varner, Loving, Hyatt and Cronan. Mr. Bouldin, Dr. Sinyai, Ms. Harlow and Ms. Hill were not present for the vote.

Ms. Daniels moved that the Board approve the minutes of its May 9, 2007 meeting and the IFF minutes of May 24, 2007. Mr. Cronan seconded the motion which was unanimously approved by the following members: Heppner, Daniels, Varner, Loving, Hyatt and Cronan. Mr. Bouldin, Dr. Sinyai, Ms. Harlow and Ms. Hill were not present for the vote.

Approval of Board Minutes

Chairperson Heppner opened the floor for public comment. No person present asked to address the Board.

Public Comment Period

In the matter of **File Number 2007-04069, Dennis R. Willis**, the Board reviewed the record which consisted of the application file, transcript and exhibits from the IFF and the presiding officer's summary and recommendation. Dennis R. Willis (Respondent) was present and addressed the Board.

File Number 2007-04069

Upon a motion by Mr. Cronan and seconded by Ms. Daniels, the Board adopted the summary and recommendation and approved the application for Lead Supervisor license for Dennis R. Willis under the provisions of 18 VAC 15-30-41 of the Board's regulations. The motion was approved by the following members: Heppner, Daniels, Varner, Loving, Hyatt and Cronan. Mr. Bouldin, Dr. Sinyai, Ms. Harlow and Ms. Hill were not present for the vote.

In the matter of **File Number 2007-04071, David M. Wingfield**, the Board reviewed the record which consisted of the application file, transcript and exhibits from the IFF and the presiding officer's summary and recommendation. David M. Wingfield (Respondent) was present and addressed the Board.

File Number 2007-04071

Upon a motion by Mr. Cronan and seconded by Mr. Loving, the Board adopted the summary and recommendation and approved the application for Lead Inspector license for David M. Wingfield under the provisions of 18 VAC 15-30-41 of the Board's regulations. The motion was approved by the following members: Heppner, Daniels, Varner, Loving, Hyatt and Cronan. Mr. Bouldin, Dr. Sinyai, Ms. Harlow and Ms. Hill were not present for the vote.

In the matter of **File Number 2007-04073, Eric Allen Seavey**, the Board reviewed the record which consisted of the application file, transcript and exhibits from the IFF and the presiding officer's summary and recommendation.

File Number 2007-04073

Upon a motion by Mr. Hyatt and seconded by Ms. Daniels, the Board adopted the summary and recommendation and approved the application for Lead Inspector license for Eric Allen Seavey under the provisions of 18 VAC 15-30-41 of the Board's regulations. The motion was approved by the following members: Heppner, Daniels, Varner, Loving, Hyatt and Cronan. Mr. Bouldin, Dr. Sinyai, Ms. Harlow and Ms. Hill were not present for the vote.

In the matter of **File Number 2007-04070, Tracey Dunn**, the Board reviewed the record which consisted of the application file, transcript and exhibits from the IFF and the presiding officer's summary and recommendation.

File Number
2007-04070

Upon a motion by Mr. Cronan and seconded by Mr. Hyatt, the Board adopted the summary and approved the application for Lead Risk Assessor license for Tracey Dunn under the provisions of 18 VAC 15-30-41 of the Board's regulations. The motion was approved by the following members: Heppner, Daniels, Varner, Loving, Hyatt and Cronan. Mr. Bouldin, Dr. Sinyai, Ms. Harlow and Ms. Hill were not present for the vote.

David Dick provided the Board with an update on the training program audit activity. The Board took no action.

Other Business

Mr. Dick advised the board that the Home Inspector Regulations were now four years old and, therefore, due for review. Upon a motion by Mr. Varner and seconded by Mr. Cronan, the Board approved a Notice of Intended Regulatory Action (NOIRA) to conduct a general review, a review of the definitions, a review of the qualifications for certification and a review of the standards of conduct and practice provisions of the current Certified Home Inspectors Certification Regulations. And, if the Board's counsel determines the Board has the statutory authority, consider adopting continuing professional education as a certification renewal standard in the Certified Home Inspectors Regulations. The motion was approved by the following members: Heppner, Daniels, Varner, Loving, Hyatt and Cronan. Mr. Bouldin, Dr. Sinyai, Ms. Harlow and Ms. Hill were not present for the vote.

Mr. Dick suggested a request for proposal (RFP) to locate a vendor to develop educational services to increase industry compliance with the Board's regulations. Upon a motion by Mr.

Varner and seconded by Mr. Loving, the board approved issuance of a RFP. The motion was approved by the following members: Heppner, Daniels, Varner, Loving, Hyatt and Cronan. Mr. Boulding, Dr. Sinyai, Ms. Harlow and Ms. Hill were not present for the vote.

The Board discussed the Asbestos Licensing Regulations for Project Monitor and upon motion by Mr. Loving and seconded by Mr. Varner, authorized a fast track regulation revision to clarify project monitor requirements in the Virginia Asbestos Licensing Regulations. The motion was approved by the following members: Heppner, Daniels, Varner, Loving, Hyatt and Cronan. Mr. Boulding, Dr. Sinyai, Ms. Harlow and Ms. Hill were not present for the vote.

Upon motion by Mr. Loving and seconded by Mr. Cronan, staff was directed to determine from the Office of the Attorney General whether the Board is empowered to delegate to staff non-discretionary authority pursuant to 18 VAC 15-30-41 to waive the refresher training requirement when refresher training was completed within a specific time period after the date established in 18 VAC 15-30-146. The motion was approved by the following members: Heppner, Daniels, Varner, Loving, Hyatt and Cronan. Mr. Boulding, Dr. Sinyai, Ms. Harlow and Ms. Hill were not present for the vote.

The following meeting dates have been scheduled.

- November 7, 2007
- February 6, 2008
- May 7, 2008
- August 13, 2008
- November 5, 2008

Mr. Heppner asked the Board members to complete their conflict of interest forms and travel vouchers.

Future Meeting Dates

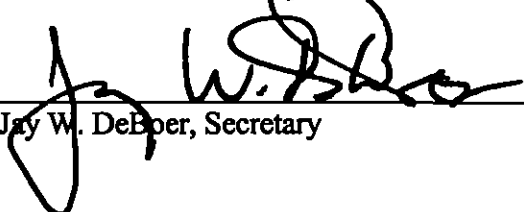
Conflict of Interest Forms and Travel Vouchers

Chairperson Heppner, finding no further business to conduct, adjourned the meeting at 11:10 A.M.

Adjournment



Frederick Heppner, Chairperson



Jay W. DeBoer, Secretary

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

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Frederick Heppner
(Name of Board Member)
2. Title: Board Member
3. Agency: Board for Asbestos, Lead and Home Inspectors
(Name of Board)
4. Meeting/IFF Date: _____
(Date)

5. I have a personal interest in the following transaction:

(Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

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

Home Inspector

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

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.

Frederick Heppner
Signature

11/7/07
Date

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

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Thomas Joel Loving
(Name of Board Member)
2. Title: Board Member
3. Agency: Board for Asbestos, Lead and Home Inspectors
(Name of Board)
4. Meeting/IFF Date: 11-7-07
(Date)

5. I have a personal interest in the following transaction:

(Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

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

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

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.


Signature

11-7-07
Date

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

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Keith F. Cronan
(Name of Board Member)
2. Title: Board Member
3. Agency: Board for Asbestos, Lead and Home Inspectors
(Name of Board)
4. Meeting/IFF Date: 11/7/07
(Date)

5. I have a personal interest in the following transaction:

(Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

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

ASBESTOS AND LEAD CONTRACTOR

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

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.


Signature

11/7/07
Date

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

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: David Bowen Hyatt
(Name of Board Member)

2. Title: Board Member

3. Agency: Board for Asbestos, Lead and Home Inspectors
(Name of Board)

4. Meeting/IFF Date: 11/7/07
(Date)

5. I have a personal interest in the following transaction:

N/A

(Agenda Item)

Nature of Personal Interest Affected by Transaction: N/A

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

~~Asbestos~~ Asbestos & Lead Contractor

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

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.

David Bowen Hyatt
Signature

11/7/07
Date

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

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Howard D. Varner
(Name of Board Member)
2. Title: Board Member
3. Agency: Board for Asbestos, Lead and Home Inspectors
(Name of Board)
4. Meeting/IFF Date: Nov. 7, 2007
(Date)

5. I have a personal interest in the following transaction:

(Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

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

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

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.


Signature

Nov. 7, 2007
Date

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

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Clayton S. Sinyai
(Name of Board Member)
2. Title: Board Member
3. Agency: Board for Asbestos, Lead and Home Inspectors
(Name of Board)
4. Meeting/IFF Date: 7 Nov 2007
(Date)

5. I have a personal interest in the following transaction:


(Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

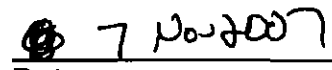
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

- I am able to participate in this transaction fairly, objectively, and in the public interest.
- or
- I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.



Signature



Date

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

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Dolores C. Daniels
(Name of Board Member)
2. Title: Board Member
3. Agency: Board for Asbestos, Lead and Home Inspectors
(Name of Board)
4. Meeting/IFF Date: _____
(Date)

5. I have a personal interest in the following transaction:

(Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

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

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

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.

Dolores C. Daniels
Signature

Nov 7, 2007
Date