

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

MEETING MINUTES

The Virginia Board for Asbestos, Lead and Home Inspectors met on February 6, 2008 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
Wendy G. Hill
David Bowen Hyatt
Keith F. Cronan
Dr. Clayton S. Sinyai – Arrived 9:55 A.M.

Board members John C. Bouldin and Vicki Harlow 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
Saba Shami, Chief Deputy
Karen O'Neal, Deputy Director for LRD
David Dick, Executive Director
Earlyne Perkins, Legal Analyst
Anna Badgley, Administrative Assistant

Tom Nesbitt from the Office of the Attorney General was present.

Others who attended the meeting included:

Raymond White, Applicant
Joe Crockett, Mr. White's Employer
Andre Warden, Applicant

Chairperson Heppner, finding a quorum of the Board present, **Call to Order** called the meeting to order at 9:05 am.

Adopt Agenda

Mr. Cronan moved that the Board approve the agenda. Mr. Varner seconded the motion, which was unanimously approved by the following members: Mr. Heppner, Ms. Daniels, Mr. Varner, Mr. Loving, Mr. Hyatt, Ms. Hill and Mr. Cronan. Mr.

Bouldin, Ms. Harlow and Mr. Sinyai were not present for the vote.

Approval of Board Minutes

Mr. Cronan moved that the Board approve the minutes of its November 7, 2007 meeting and the IFF minutes of November 8, 2007, December 13, 2007 and the IFF minutes from January 10, 2008 as a block. Ms. Daniels seconded the motion. Mr. Heppner, Mr. Varner, Mr. Loving, Ms. Daniels, Mr. Hyatt, Ms. Hill and Mr. Cronan. Mr. Bouldin, Ms. Harlow and Mr. Sinyai were not present for the vote.

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 2008-02214, Raymond V. White**, the Board reviewed the record which consisted of the complaint file, transcript and exhibits from the IFF and the presiding officer's summary and recommendation. Raymond V. White (Respondent) was present and addressed the board. Mr. White's employer, Joseph Crockett, was present and addressed the board.

File Number 2008-02214

Upon a motion by Mr. Cronan and seconded by Mr. Varner, the Board rejected the presiding officers recommendation and approved and adopted the summary and recommendation and approved the application for Asbestos Supervisor license for Mr. Raymond V. White. The motion was unanimously approved by the following members: Mr. Heppner, Mr. Varner, Mr. Loving, Ms. Daniels, Mr. Hyatt, Ms. Hill and Mr. Cronan. Mr. Bouldin, Ms. Harlow and Mr. Sinyai were not present for the vote.

In the matter of **File Number 2008-01646, Andre Warden, II**, 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. Mr. Andre Warden, II (Respondent) was present and addressed the Board.

File Number 2008-01646

Upon a motion by Mr. Varner and seconded by Ms. Hill, the Board approved the application for Asbestos Worker license for Andre Warden, II. The motion was unanimously approved by the following members: Mr. Heppner, Mr. Varner, Mr. Loving, Ms. Daniels, Mr. Hyatt, Ms. Hill and Mr. Cronan. Mr. Bouldin, Ms. Harlow and Mr. Sinyai were not present for the vote.

In the matter of **File Number 2008-02234, Frank Keeler**, the **File Number 2008-02234** Board reviewed the record which consisted of the application file, transcript and exhibits from the IFF and the presiding officer's summary and recommendation. Mr. Keeler (Respondent) was not present.

Upon a motion by Ms. Hill and seconded by Mr. Cronan, the Board adopted the summary and recommendation and approved the application for Asbestos Supervisor license for Frank Keeler. The motion was unanimously approved by the following members: Mr. Heppner, Mr. Varner, Mr. Loving, Ms. Daniels, Mr. Hyatt, Ms. Hill and Mr. Cronan. Mr. Bouldin, Ms. Harlow and Mr. Sinyai were not present for the vote.

David Dick presented to the Board a letter received from Ms. Tana W. Thomas regarding Case No. 2007-02491 David L. Perrin. The Board acted on this case at its last meeting on November 7, 2007 and no action can be taken in reference to the letter. Mr. Dick will respond and notify Ms. Thomas. **Other Business**

David Dick reported to the Board that the Fast Track Amendments – Asbestos Contractor Responsibilities are currently approved to be promulgated by the fast-track procedure and are undergoing review by the Department of Planning and Budget.

David Dick advised the board the Notice of Intended Regulatory Action (NOIRA) on Certified Home Inspectors Regulations has been mailed to all state certified Home Inspectors and citizens who are on our Public Participation Guidelines mailing list. The NOIRA public comment period closes on February 22, 2008.

Chairman Heppner announced that John Bouldin has asked to be Chair of a committee to evaluate the public comments received in response to the Home Inspectors Regulation NOIRA and develop proposed regulation amendments.. Mr. Hyatt and Mr. Cronan volunteered to serve on the committee as well.

David Dick informed the Board that the RFP for Educational Programs is being developed by staff.

David Dick provided the Board with an update on the training program audit activity.

David Dick presented the Board with a draft of the Home Inspector Renewal Flyer. Corrections and recommendations were made. A copy will be enclosed with each Renewal Home Inspector Certification.

The following meeting dates have been scheduled.

- May 7, 2008
- August 13, 2008
- November 5, 2008

Future Meeting Dates

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

Conflict of Interest Forms and Travel Vouchers

Chairperson Heppner, finding no further business to conduct, adjourned the meeting at 10:00 A.M.

Adjournment

DRAFT

Frederick Heppner, Chairperson

Jay W. DeBoer, Secretary