

**BOARD FOR CONTRACTORS COMMITTEE  
MEETING MINUTES**

The Board for Contractors Committee met on Tuesday, December 15, 2020 at the Department of Professional and Occupational Regulation (DPOR), 9960 Mayland Drive, Richmond, Virginia.

Michael Redifer  
Donald Groh  
E.G. Rudy Middleton  
Jeffrey Hux  
Shawn Mitchell

John O'Dell and Deborah Tomlin were absent.

The following DPOR staff members were present for all or part of the meeting:

Eric Olson, Executive Director  
Adrienne Mayo, Board Administrator  
Marjorie King, Board Administrator  
Mary Charity, Licensing Supervisor  
Stephanie Keuther, Administrative Assistant

**Chairman, Redifer** called the December 15, 2020 Board for Contractors Committee Meeting to order at 8:05A.M.

**Call To Order**

**Mr. Middleton** made a motion seconded by Mr. Mitchell to adopt the Agenda of December 15, 2020.

**Approval of Agenda**

**The motion was approved with a vote of 5-0-0. Ayes:** Hux, Redifer, Mitchell, Groh, and Middleton.  
**Nays:** None **Abstain:** None **Absent:** O'Dell, and Tomlin.

**Mr. Middleton made a motion seconded by Mr. Hux** to approve the Minutes of October 26, 2020 Board for Contractors Committee Meeting as presented.

**Minutes**

**The motion was approved with a vote of 5-0-0. Ayes:** Hux, Redifer, Mitchell, Groh, and Middleton.  
**Nays:** None **Abstain:** None **Absent:** O'Dell, and Tomlin

**Chairman, Redifer** opened the Public Comment section of the meeting. With no one wishing to come forward Chairman, Redifer closed the Public Comment section of the meeting.

**Public Comment**

**New Business**

**New Business**

**Backflow Prevention Device Workers**

Eric Olson, Executive Director, updated the Board on the NOIRA that was submitted regarding the reduction of the required vocational training hours for candidates with less than seven years of experience in water distribution systems from 40 hours to 32 hours. Public comment received was actually meant for the BPOR study on regulatory reduction and were not related to the NOIRA. Staff recommends that the Committee recommend that the Board adopt the proposed regulations as drafted.

**Backflow Prevention Device Workers Proposed Regulations**

**After discussion, Mr. Middleton made a motion seconded by Mr. Mitchell** to adopt the regulations as proposed and proceed with the regulatory review process.

**The motion was approved with a vote of 5-0-0. Ayes:** Hux, Redifer, Mitchell, Groh, and Middleton.  
**Nays:** None **Abstain:** None **Absent:** O'Dell, and Tomlin

Adrienne Mayo, Regulatory Board Administrator addressed the Board:

**Education Provider Applications**

Applications for proposed education providers and courses were reviewed and the Committee's recommendations are as follows:

**Education Provider Applications**

Mrs. Mayo shared that staff recommends approval for **Associated Builders & Contractors – Virginia Chapter:** one classroom LP Gas Fitter vocational course and one classroom Natural Gas Fitter Vocational course.

**Associated Builders & Contractors**

**Mr. Hux made a motion seconded by Mr. Mitchell** for approval.

**The motion was approved with a vote of 5-0-0. Ayes:** Hux, Redifer, Mitchell, Groh, and Middleton.  
**Nays:** None **Abstain:** None **Absent:** O'Dell, and Tomlin

Mrs. Mayo shared that staff recommends retroactive approval as of September 1, 2020 for **Central Virginia Electrical Contractors Association** – four vocational Electrical Education classes (Classroom with Zoom)

Central Virginia  
Electrical  
Contractors  
Association

**Mr. Middleton made a motion seconded by Mr. Mitchell** for approval.

**The motion was approved with a vote of 5-0-0. Ayes:** Hux, Redifer, Mitchell, Groh, and Middleton.  
**Nays:** None **Abstain:** None **Absent:** O'Dell, and Tomlin

Mrs. Mayo shared that staff recommends retroactive approval as of November 12, 2020 for **Milby Company** – one online Certified Water Well Systems Provider continuing education class.

Milby Company

**Mr. Hux made a motion seconded by Mr. Middleton** for approval.

**The motion was approved with a vote of 5-0-0. Ayes:** Hux, Redifer, Mitchell, Groh, and Middleton.  
**Nays:** None **Abstain:** None **Absent:** O'Dell, and Tomlin

Mrs. Mayo shared that staff recommends approval for **Virginia Water Well Association** – Certified Water Well Systems provider: one classroom vocational education class, one classroom continuing education class, one Zoom vocational education class, one Zoom continuing education class.

Virginia Water Well  
Association –  
Certified Water Well  
Systems provider

**Mr. Middleton made a motion seconded by Mr. Groh** for approval.

**The motion was approved with a vote of 5-0-0. Ayes:** Hux, Redifer, Mitchell, Groh, and Middleton.  
**Nays:** None **Abstain:** None **Absent:** O'Dell, and Tomlin

#### **SDS Sewage Disposal**

Eric Olson, Executive Director, updated the Board on the NOIRA that was submitted regarding the separation of the SDS specialty into two separate specialties (conventional and alternative) per the request made by the WWWOSSP Board earlier this year. No public comment was received and staff recommends that the Committee recommend that the Board adopt the proposed regulations as drafted.

Proposed  
SDS Regulations

**Mr. Mitchell made a motion seconded by Mr. Groh** to adopt the regulations as proposed and proceed with the regulatory review process.

**The motion was approved with a vote of 5-0-0. Ayes:** Hux, Redifer, Mitchell, Groh, and Middleton.  
**Nays:** None **Abstain:** None **Absent:** O'Dell, and Tomlin

#### **Fireplace Inserts**

Eric Olson Executive Director informed the Committee staff is currently receiving a number of inquiries from building officials and contractors regarding the installation of fireplace inserts (including gas) and other heating appliances that must be vented. The primary question revolves around the license specialty that is required if the contractor is installing the appliance according to manufacturer's instructions and if any gas-related work is sub-contractor to a properly licensed contractor/ tradesman.

Fireplace Inserts

Questions involving actual fireplace inserts indicate that, in most cases, the venting is done according to manufacturer's instructions and most of the appliances are engineered with all vents already calculated and sized for the product. Some localities are requiring that an HVAC contractor be responsible for the

entire installation of a vented fireplace insert, while others allow a non-tradesman (RBC, HIC, etc.) to perform the installation and mount the vents, provided that they are done to manufacturer's instructions.

**After discussion, Mr. Groh made a motion seconded by Mr. Middleton** to revise the Guidance Document to add that contractors holding the Home Improvement Contracting specialty (HIC) may install vented and non-vented fireplace inserts provided that it is done according to manufacturer's instructions and that all gas related work is subcontracted to a properly licensed contractor/tradesman.

### **Solar Farms**

Eric Olson Executive Director informed the Committee that over the past several months the licensing staff of the Board for Contractors has received applications for licensure from contractors that install solar farms. Currently, contractors that provide services for the construction, removal, repair, or improvement of alternative energy systems, such as photovoltaic arrays, wind turbines or micro-hydro power systems, are required to hold a license with the Alternative Energy Systems (AES) specialty. Generally, these contractors have been installing systems for single-family homes, small multi-family complexes and small businesses. Recently, however, there has been an influx of projects that involve the construction of alternative energy projects that may be considered power generating systems. These systems can generate as little as 2 megawatts for a small community system to more than 100 megawatts. The construction of these facilities are more complex and contain more elements than a typical residential alternative energy system. The regulations, however, provide that only a contractor holding the AES specialty is permitted to install alternative system and that no other specialty may perform the work. This tends to be problematic with larger systems as the definition of the scope of practice for highway/ heavy contractors permits the construction of power generating systems. For the purposes of these larger systems staff is receiving calls and correspondence from out of state companies that only have AES and want to be the prime contractor for the project and from highway/ heavy contractors who are concerned that they are not being permitted to complete such projects.

### **Solar Farms**

**After discussion, Mr. Middleton made a motion seconded by Mr. Mitchell** to adopt a policy that allows AES contractors to install alternative energy systems that do not exceed 100 KW. In order to install alternative energy systems that generate more than 100KW would require that the contractor hold a license with the H/H classification.

**The motion was approved with a vote of 5-0-0. Ayes:** Hux, Redifer, Mitchell, Groh, and Middleton.  
**Nays:** None **Abstain:** None **Absent:** O'Dell, and Tomlin.

### **Gas Fitter Training, Non-Apprenticeship Candidates**

Eric Olson Executive Director informed the Committee at its June meeting of the Board for Contractors a determination was made to allow candidates for licensure who had completed a plumbing or HVAC apprenticeship program to use that training to meet the educational requirements to sit for any of the gas-fitter specialties. Staff is now receiving inquiries from individuals that did not complete an apprenticeship program, but who did receive a minimum of 240 hours of training from an approved provider. Many of these individuals took their vocational training from the same provider that is utilized by apprenticeship candidates. Staff is requesting that the Board consider expanding the acceptance of training only for those HVAC and plumbing candidates that have completed a minimum of 240 hours of vocational training in their trade and who hold the requisite years of experience in the trade.

### **Gas Fitter Training, Non-Apprenticeship Candidates**

**After discussion, Mr. Hux made a motion seconded by Mr. Groh** to expand the acceptance of training only for those HVAC and plumbing candidates that have completed a minimum of 240 hours of

vocational training in their trade and who hold the requisite years of experience in the trade.

**The motion was approved with a vote of 5-0-0. Ayes:** Hux, Redifer, Mitchell, Groh, and Middleton.  
**Nays:** None **Abstain:** None **Absent:** O'Dell, and Tomlin.

**Informational**

Eric Olson Executive Director provided the Committee with an informational piece regarding the roadmap for successful interstate practice reform. This information recognized the mobility and reciprocity systems, developing equivalent requirements for education, examination, and experience and how to provide adequate public protection.

**Adjournment**

**Adjournment**

**Chairman, Redifer** thanked the Committee and Staff and adjourned the Committee Meeting at 8:55 A.M.

The next Committee Meeting will be **March 9, 2021**

  
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Michael Redifer, Chairman

3-9-21  
\_\_\_\_\_  
Date

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