

BOARD FOR CONTRACTORS COMMITTEE MEETING MINUTES

The Board for Contractors Committee ("the Committee") met on Monday, January 23rd, 2012, at the Department of Professional and Occupational Regulation (DPOR), 9960 Mayland Drive, Richmond, Virginia. The following Committee members were present:

E. G. Middleton, III, Chairman
Bailey Dowdy, Vice-Chairman
Herbert Dyer, Jr.
Michael Gelardi
Doug Murrow
D. Todd Vander Pol

Chancey Walker was absent.

The following DPOR staff attended the meeting:

Gordon Dixon, Director
Eric L. Olson, Executive Director
Adrienne Mayo, Regulator Boards Administrator
Karen Bullock, Administrative Assistant
Chris Kunkel, Licensing and Education Specialist

Chairman Middleton called the meeting to order at 2:14p.m.

Call To Order

The Meeting Agenda was approved unanimously. Motion made by **Mr. Dowdy**, seconded by **Mr. Gelardi**.

Approval of Agenda

The Minutes from the December 5th, 2011, Committee meeting were adopted as drafted by unanimous vote. Motion made by **Mr. Dowdy**, seconded by **Mr. Gelardi**.

Minutes Adopted

There was no public comment.

Public Comment

Items requiring Board action are marked with an asterisk (*):

Education Provider Applicants:

Education Provider Applications*

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

After discussion, and a motion by **Mr. Gelardi**, seconded by **Mr. Dowdy**, the Committee unanimously recommended that the Board approve CEUOK.com HVAC, Electrical and GFC, continuing (online) education (2) courses.

CEUOK.com

After discussion, and a motion by **Mr. Dyer**, seconded by **Mr. Gelardi**, the Committee unanimously recommended that the Board approve Albermarle Regional Health Services continuing and vocational WWP (classroom) course.

Albermarle Regional Health Services

After discussion, and a motion by **Mr. Dyer**, seconded by **Mr. Gelardi**, the Committee unanimously recommended that the Board approve All Star Training, continuing and vocational education WWP (online) course.

All Star Training

After discussion, and a motion by **Mr. Gelardi**, seconded by **Mr. Murrow**, the Committee unanimously recommended that the Board approve @ 1st Attempt, continuing (online) – PLB, ELE and HVAC two (2) courses.

@ 1st Attempt

After discussion, and a motion by **Mr. Dyer**, seconded by **Mr. Dowdy**, the Committee unanimously recommended that the Board approve IEC Chesapeake, continuing education, Electrical (classroom) - fifteen (15) courses.

IEC Chesapeake

After discussion, and a motion by **Mr. Dyer**, seconded by **Mr. Dowdy**, the Committee unanimously recommended that the Board approve American Inspection Agency Inc, continuing education, Electrical (classroom) - eleven (11) courses.

American Inspection Agency Inc

Letter from Delegate Scott (WWP policy)*

The Committee reviewed a letter and information received from Delegate Edward Scott regarding the interpretation of the Board's regulations and statutes regarding plumbers performing work on water wells systems. The following individuals, which consisted of plumbers and Water Well System Providers appealed to the Committee with their concerns regarding this issue and how the regulations and statutes will affect their profession: Dale Carter (Carlson Plumbing), Laurie Crigler (PMPV), Alan Givens (Parrish Services), Tommy Newton (Rapidan Plumbing), Skip Harper (Louisa County – VPMIA), Robert Royall (VWWA/Royal Pump Wells Inc.) and Mike Hurt (FFX Public Schools). After discussion, and a motion by **Mr. Murrow**, seconded by **Mr. Gelardi**, the Committee unanimously recommended that the Board obtain interpretation of Section 54.1-1129 of the Code of Virginia from the Board's legal counsel. Additionally, the Committee recommended the Board rescind its policy restricting plumbers from breaking the seal of a water well while awaiting interpretation of the statute.

Old Business

The Committee took at break at 3:15 p.m. and resumed the meeting at 3:25 p.m.

Break

Piling and Below Ground Foundations – BLD Policy*

The Committee reviewed a memorandum from Eric L. Olson, Executive Director for the Board for Contractors regarding regulatory interpretation from inquiries received by the licensing staff regarding the licensing requirement to install pilings used for the foundation system of structures. After discussion, and a motion by **Mr. Dyer**, seconded by **Mr. Gelardi**, the Committee unanimously recommended that the Board include pilings as foundation work that may be performed by contractors with the Building (BLD) classification.

New Business

EAGLES/Trades Exam Issue

Eric L. Olson, Executive Director for the Board for Contractors shared with the Committee that during migration the updated computer system in error issued tradesman licenses to applicants that had been approved for but had not yet taken, the examination. Applicants will be given 120 days to pass the required tradesman examination administered by PSI. The trade specialty will be removed from the license if the applicant does not pass the examination within the time specified.

Exam Conduct Issue*

Board staff requested the Committee provide them guidance involving violations in conduct rules by examination. After discussion, and a motion by **Mr. Dyer**, seconded by **Mr. Gelardi**, the Committee unanimously recommended that the Board approve to void examination scores of candidates found in violation prior to issuance of a license. The Committee also recommended the licensing staff initiate a disciplinary case against candidates in the event a license has already been issued and a violation of examination conduct rules is reported.

Legislative Update

Gordon Dixon, Director of the Department of Professional and Occupational Regulation addressed the Committee by providing updates of bills presented for the 2012 session of the General Assembly that are specific to the agency boards.

Regulatory Update

Eric L. Olson, Executive Director for the Board for Contractors shared with the Committee that regulation submissions are still awaiting action from the Governor's office.

Board Policy Review*

After discussion, and a motion by **Mr. Gelardi**, seconded by **Mr. Vander Pol**, the Committee unanimously recommended that the Board approve the recommended interim changes.

The Committee's next scheduled meeting is Monday, April 2, 2012. Chairman Middleton entertained a motion to adjourn from **Mr. Gelardi**, seconded by **Mr. Dyer** and approved unanimously by the Committee. The meeting adjourned at 4:05 p.m.

Next Meeting
Adjourn



E.G. Middleton, III, Chairman

4-2-12

Date

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

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

1. Name: Bailey Dowdy
(Name of Board Member)
2. Title: Board Member
3. Agency: Board for Contractors Committee
(Name of Board)
4. Meeting/IFF Date: January 23, 2012
(Date)

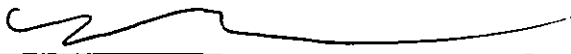
5. I have a personal interest in the following transaction:

(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

January 23, 2012
Date

STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

1. Name: Herbert "Jack" Dyer, Jr.
(Name of Board Member)
2. Title: Board Member
3. Agency: Board for Contractors Committee
(Name of Board)
4. Meeting/IFF Date: January 23, 2012
(Date)

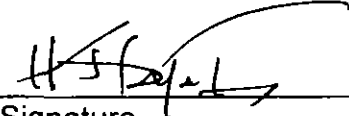
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Signature

January 23, 2012
Date

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

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

1. Name: Michael Gelardi
(Name of Board Member)
2. Title: Board Member
3. Agency: Board for Contractors Committee
(Name of Board)
4. Meeting/IFF Date: January 23, 2012
(Date)

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

(Agenda Item)

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

Michael S. Gelardi
Signature

January 23, 2012
Date

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

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

1. Name: Erby G. "Rudy" Middleton, III
(Name of Board Member)
2. Title: Board Member
3. Agency: Board for Contractors Committee
(Name of Board)
4. Meeting/IFF Date: January 23, 2012
(Date)

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

(Agenda Item)

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- I did not participate in the transaction.
6. I do not have a personal interested in any transactions taken at this meeting.

E. G. Middleton III
Signature

January 23, 2012
Date

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

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

1. Name: Doug Murrow
(Name of Board Member)
2. Title: Board Member
3. Agency: Board for Contractors Committee
(Name of Board)
4. Meeting/IFF Date: January 23, 2012
(Date)

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

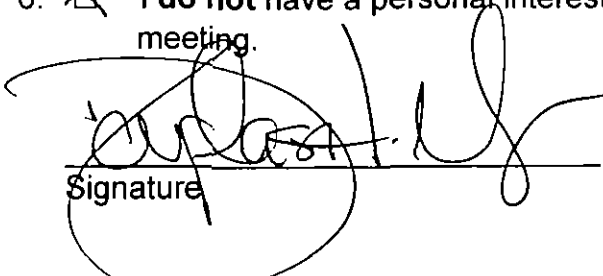
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 January 23, 2012
Date

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

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

1. Name: D. Todd Vander Pol
(Name of Board Member)
2. Title: Board Member
3. Agency: Board for Contractors Committee
(Name of Board)
4. Meeting/IFF Date: January 23, 2012
(Date)

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(Agenda Item)

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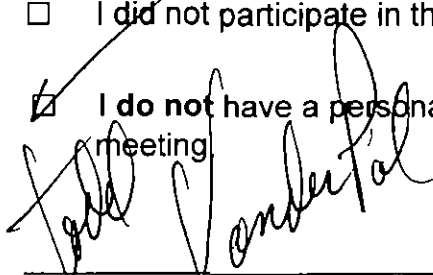
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Signature

January 23, 2012
Date