

BOARD FOR CONTRACTORS COMMITTEE MEETING MINUTES

The Board for Contractors Committee ("the Committee") met on Monday, **September 30th, 2013**, at the Department of Professional and Occupational Regulation (DPOR), 9960 Mayland Drive, Richmond, Virginia. The following Committee members were present:

Herbert J. Dyer, Jr., Chairman
Bailey Dowdy
E. G. Middleton, III
Chancey Walker
D. Todd Vander Pol
Michael Gelardi

Mr. Doug Murrow was not present.

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

Eric L. Olson, Executive Director
Mindy Sprull, Regulatory Boards Administrator
Karen Bullock, Administrative Assistant
Marcie Hyman, Licensing and Education Specialist
Adrienne Mayo, Regulatory Boards Administrator
Mark Courtney, Senior Director of Regulatory & Public Affairs

Chairman Dyer called the meeting to order at 2:04 P.M.

Call To Order

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

Approval of Agenda

The Minutes from the July 29th, 2013 Committee meeting were adopted as drafted by unanimous vote. Motion made by **Mr. Gelardi**, seconded by **Mr. Walker**.

Minutes Adopted

There was no public comment.

Public Comment

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

Education Provider Applications*

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

Education Provider Applications

After discussion, and a motion by **Mr. Gelardi**, seconded by **Mr. Middleton**, the Committee unanimously recommended the Board approve IEC Chesapeake (ELE) continuing education classroom course.

IEC Chesapeake

After discussion, and a motion by **Mr. Gelardi**, seconded by **Mr. Walker**, the Committee unanimously recommended the Board approve Lee Rigby Elevator Safety & Technical Services (ELE) continuing education classroom course.

Lee Rigby Elevator Safety & Technical Services

After discussion, and a motion by **Mr. Walker**, seconded by **Mr. Gelardi**, the Committee unanimously recommended the Board approve Big Step Training Pre-license online course.

Big Step Training

After discussion, and a motion by **Mr. Middleton**, seconded by **Mr. Gelardi**, the Committee unanimously recommended the Board approve Viega LLC (HVAC and PLB) continuing education classroom course.

Viega LLC

After discussion, and a motion by **Mr. Gelardi**, seconded by **Mr. Dowdy Pol**, the Committee unanimously recommended the Board approve NAESA International (ELE) continuing education classroom and online course.

NAESA International

After discussion, and a motion by **Mr. Middleton**, seconded by **Mr. Walker**, the Committee unanimously recommended the Board approve Elevator World (ELE) continuing education online course.

Elevator World

After discussion, and a motion by **Mr. Walker**, seconded by **Mr. Gelardi**, the Committee unanimously recommended the Board approve Sustainable Technology Institute Energy Auditor Certification classroom course.

Sustainable
Technology Institute

There was no old business.

Old Business

Remedial Education Proposal*

Executive Director, Eric Olson updated the Committee on the proposed remedial education changes. Effective in January 2014, the Board for Contractors will be holding one remedial education course, per month, at its offices. This course will be taught by one of two certified staff members. There will be no charge for the class and those individuals assigned to remedial education will be required to attend the class in person. After discussion, and a motion by **Mr. Gelardi**, seconded by **Mr. Walker**, the Committee unanimously recommended the Board approve the remedial education proposal.

New Business

Policy Interpretation-Wooden Sun Letter*

Staff presented a letter from Wooden Sun to review. Wooden Sun requested an informal finding of fact to discuss a waiver of the requirement for installers of wood and gas fireplace systems not be required to hold a HVAC license. There was no pending application from Wooden Sun and the question was reviewed from a standpoint of current Board policy. After discussion, and a motion by **Mr. Walker**, seconded by **Mr. Gelardi**, the Committee by majority vote recommended the Board deny the request for the informal fact finding conference and keep the current policy with regards to restricting the installation of wood and gas fireplace systems to contractors holding the HVAC specialty. **Mr. Vander Pol** disagreed with the recommendation.

Regulatory Review*

The Committee reviewed Project 3648-NOIRA (Contractors addition of Commercial Building Classification proposed regulations). After discussion, and a motion by **Mr. Vander Pol**, seconded by **Mr. Gelardi**, the Committee unanimously recommended the Board approve the addition of Commercial Building Classification.

The Committee reviewed Project 2739 – Emergency/NORIA (Residential Building Energy Analysts - Individuals). After discussion, and a motion by **Mr. Middleton**, seconded by **Mr. Gelardi**, the

Committee unanimously recommended the Board adopt the proposed regulations for Individuals.

The Committee reviewed Project 2849 – Emergency/NORIA (Residential Building Energy Analysts - Firms). After discussion, and a motion by **Mr. Gelardi**, seconded by **Mr. Middleton**, the Committee unanimously recommended the Board adopt the proposed regulations for Firms.

D.O.T Codes*

Regulatory Boards Administrator, Mindy Spruill presented to the Committee handouts regarding D.O.T. Codes. The Committee reviewed the handouts. After discussion, and a motion by **Mr. Vander Pol**, seconded by **Mr. Gelardi**, the Committee unanimously recommended the Board adopt the D.O.T. codes and authorize staff to use them when processing Tradesman applications. The Committee also recommended the Board for Contractors recognize the addition of the following programs to meet the educational and experience requirements to sit for the journeyman tradesman exam if the apprenticeship program is complete for; Elevator Installers and Repairers – 47-4021.00, 825.361.010, Elevator Mechanic and Pipe Fitters and Steamfitters – 47-2152.01, 862.281.026 Pipe Fitter Apprentice; Backflow Certificate – (Not exam exempt) as the two new codes to be included on the D.O.T. Codes list approved by the Board.

Non Routine Application Review Matrix (Financial and Criminal)*

Regulatory Boards Administrator, Mindy Spruill presented the Committee copies of the changes (resulting from the Board's discussion at its July meeting) to the Financial History and Criminal History Application Matrices. After discussion, and a motion by **Mr. Middleton**, seconded by **Mr. Gelardi**, the Committee recommended the Board make no changes for IRS and Virginia Department of Taxation debts and bankruptcy creditors, that are industry credit cards where the amount to be discharged is less than \$5,000.00 instead of \$1,000.00. Also, for Residential Building Energy Analysts, only treat Firms like contractors.

After discussion, and a motion by **Mr. Walker**, seconded by **Mr. Gelardi**, the Committee recommended the Board approve the changes to the Criminal History matrix as presented.

Education Audit Report

On September 20, 2013, Regulatory Boards Administrator Adrienne Mayo attempted to conduct an anonymous audit of several code update courses. However, upon Ms. Mayo's arrival the courses scheduled for that day were not in session and there was no information within the database. Finding no other classes in session, Ms. Mayo conducted and

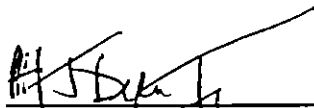
audit of a pre-licensed contractor course. The classroom appeared to be adequate and the course content appeared to be in accordance with the information contained in the Board-approved application. The report for this class was submitted within the required timeframe and contained all attendees on the sign-in sheet. However the report, when loaded contained the wrong provider number. After the provider number was corrected, the report loaded with the correct provider number. Board staff recommends the provider take steps to ensure the person who is registered for the course is the same individual in attendance on course day.

The next Committee Meeting will be held on December 16, 2013.

Next Meeting

Mr. Dowdy offered a motion seconded by **Mr. Gerlardi**, the Committee unanimously voted to adjourn the meeting at 4:01p.m.

Adjourn



Herbert J. Dyer, Jr., Chairman

12/16/13

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: September 30, 2013
(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 interested in any transactions taken at this meeting.



Signature

September 30th, 2013
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: September 30, 2013
(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 interested in any transactions taken at this meeting.

Michael J. Gelardi
Signature

September 30, 2013
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: September 30, 2013
(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 interested in any transactions taken at this meeting.



Signature

September 30, 2013
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: September 30, 2013
(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 interested in any transactions taken at this meeting.

Erby G. Middleton III
Signature

September 30, 2013
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: September 30, 2013
(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.

D. Todd Vander Pol
Signature

September 30, 2013
Date

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

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

1. Name: Chancey Walker
(Name of Board Member)
2. Title: Board Member
3. Agency: Board for Contractors Committee
(Name of Board)
4. Meeting/IFF Date: September 30, 2013
(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 interested in any transactions taken at this meeting.

Chancey Walker
Signature

September 30, 2013
Date