

**VIRGINIA BOARD FOR  
ASBESTOS, LEAD, AND HOME INSPECTORS  
MEETING MINUTES**

The Virginia Board for Asbestos, Lead, and Home Inspectors met on February 8, 2018, at the offices of the Department of Professional and Occupational Regulation (DPOR), Perimeter Center, 9960 Mayland Drive, 2<sup>nd</sup> Floor, Board Room 3, Richmond, Virginia 23233.

The following members of the Board were present:

Sandra Baynes	Gene E. Magruder, Vice-Chair
John E. Cranor	Frederick Molter, IV
Joe T. France	Walter C. Nixon
Erich Fritz	Peter D. Palmer, Chair
James E. Haltigan	David P. Rushton

Board members Chadwick Bowman and Rick Holtz were not present at the meeting.

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

Jay W. DeBoer, Director  
Trisha L. Henshaw, Executive Director  
Paul G. Saunders, III, Board Administrator  
Joseph C. Haughwout, Jr., Board and Regulatory Administrator  
Tanya M. Pettus, Administrative Assistant

Elizabeth Peay from the Office of the Attorney General was present.

Mr. Palmer, finding a quorum of the Board present, called the meeting to order at 9:01 a.m. **Call to Order**

Ms. Henshaw advised the Board of the emergency evacuation procedures. **Emergency Evacuation Procedures**

Ms. Henshaw advised the Board of amendments to the agenda. Mr. Magruder moved to approve the agenda as amended. Mr. Nixon seconded the motion which was unanimously approved by: Baynes, Cranor, France, Fritz, Haltigan, Magruder, Molter, Nixon, Palmer, and Rushton. **Approval of Agenda**

Mr. Fritz moved to approve the minutes of the November 9, 2017, Board meeting as presented. Mr. Magruder seconded the motion which was unanimously approved by: Baynes, Cranor, France, Fritz, Haltigan, Magruder, Molter, Nixon, Palmer, and Rushton. **Approval of Minutes**

There were no members of the public present to address the Board on matters other than the case files to be presented. **Public Comment Period**

In the matter of **File Number 2018-00621, Franklin Richard Moyer**, the Board members reviewed the record which consisted of the application file, transcript and exhibits from the Informal Fact-Finding Conference, and the Presiding Officer's Summary and Recommendation.

**File Number 2018-00621, Franklin Richard Moyer**

Mr. Moyer was present and stated he felt the Presiding Officer's Summary was accurate, and he was available to answer any questions from the Board.

Mr. Haltigan moved to accept the recommendation of the Presiding Officer and approve Mr. Moyer's application for a home inspector license. Mr. Fritz seconded the motion which was unanimously approved by: Baynes, Cranor, France, Fritz, Haltigan, Magruder, Molter, Nixon, Palmer, and Rushton.

In the matter of **File Number 2018-00704, Douglas Alan Clark**, the Board members reviewed the record which consisted of the application file, transcript and exhibits from the Informal Fact-Finding Conference, and the Presiding Officer's Summary and Recommendation.

**File Number 2018-00704, Douglas Alan Clark**

Mr. Clark was present to answer any questions from the Board.

Mr. Fritz moved to accept the recommendation of the Presiding Officer and approve Mr. Clark's application for a home inspector license. Mr. Nixon seconded the motion which was unanimously approved by: Baynes, Cranor, France, Fritz, Haltigan, Magruder, Molter, Nixon, Palmer, and Rushton.

In the matter of **File Number 2018-01108, Eduardo Rosas**, the Board members reviewed the record which consisted of the application file, transcript and exhibits from the Informal Fact-Finding Conference, and the Presiding Officer's Summary and Recommendation. After brief discussion, Mr. Molter moved to accept the recommendation of the Presiding Officer and deny Mr. Rosas' application for a home inspector license. Mr. Nixon seconded the motion which was unanimously approved by: Baynes, Cranor, France, Fritz, Haltigan, Magruder, Molter, Nixon, Palmer, and Rushton.

**File Number 2018-01108, Eduardo Rosas**

In the matter of **File Number 2018-00702, Debbie Saunders Wilson**, the Board members reviewed the record which consisted of the application file, transcript and exhibits from the Informal

**File Number 2018-00702, Debbie Saunders Wilson**

Fact-Finding Conference, and the Presiding Officer's Summary and Recommendation. After brief discussion, Mr. Magruder moved to accept the recommendation of the Presiding Officer and approve Ms. Wilson's application for an asbestos inspector license. Mr. Nixon seconded the motion which was unanimously approved by: Baynes, Cranor, France, Fritz, Haltigan, Magruder, Molter, Nixon, Palmer, and Rushton.

Mr. Haughwout provided an update on the current status of the regulatory review processes for the Board's regulatory packages.

**Update on  
Regulatory Review  
Processes**

Amendments providing for a temporary fee reduction in the Asbestos Licensing regulations, Lead-Based Paint Activities regulations, and Licensed Home Inspector regulations became effective on February 1, 2018.

A sixty-day public comment period on amendments to the Asbestos Analytical Laboratory and Project Monitor regulations ended on November 3, 2017. There were no public comments received. After adoption of the amended regulations, a final 30-day public comment period will commence. Mr. Haughwout advised the Board that the amended regulations will be presented to the Board for review and adoption later in the meeting.

The Board previously voted to file a notice of intended regulatory action (NOIRA) for the review of Asbestos Abatement Monitoring Requirements. The NOIRA is currently in development.

The proposed Lead-Based Paint Renovation, Repair, and Painting Program regulations (Initial Promulgation) are currently undergoing review by the Governor's office. If approved, the regulations will be posted to the Virginia Register and a 60-day public comment period will commence, to include a public hearing.

Mr. Haughwout presented the Board with suggested edits to the proposed text of the Asbestos Analytical Laboratory and Project Monitor regulations received from former Board member Colleen Becker. After review and discussion of the proposed text and suggested edits, Mr. Magruder moved to adopt the proposed text of the Asbestos Analytical Laboratory and Project Monitor regulations as amended and to authorize staff to file the adopted regulations as final. Mr. Rushton seconded the motion which was approved by: Baynes, Cranor, France, Fritz, Haltigan, Magruder, Molter, Palmer, and Rushton. Mr. Nixon opposed. The motion passed by majority vote.

**Consider Final  
Adoption of  
Asbestos  
Analytical  
Laboratory and  
Project Monitor  
Amendments**

Mr. Saunders advised the Board of upcoming asbestos and lead training courses to be audited beginning February 12, 2018.

**Asbestos and  
Lead Training  
Course Audits**

Ms. Henshaw advised the Board that the 2018 General Assembly session began on January 10, 2018, and provided an update of legislation affecting the Board. Ms. Henshaw reminded the Board that staff actively monitors legislation throughout the General Assembly session and provides data and information regarding the Board and Department relevant to legislative proposals affecting the Board.

**2018 Legislative  
Update**

Ms. Henshaw advised the Board of Senate Bill 627 for informational purposes. The Bill would prohibit limiting the liability of home inspectors in home inspector contracts for damages.

Ms. Henshaw and Mr. DeBoer advised the Board of House Bill 883 for informational purposes. The Bill would establish a regulatory reform pilot program to reduce regulatory requirements by 25% over the next three years. The pilot program will focus, in part, on DPOR.

Ms. Henshaw advised the Board that Colleen Becker has resigned from the Board in conjunction with her retirement from employment. Board members considered the following resolution for Colleen Becker:

**Consideration of  
Resolution for  
Service**

**Colleen Becker**

WHEREAS, **Colleen Becker**, did faithfully and diligently serve as a member of the Virginia Board for Asbestos, Lead, and Home Inspectors from 2009 to 2018;

WHEREAS, **Colleen Becker**, did devote generously of her time, talent and leadership to the Board;

WHEREAS, **Colleen Becker**, did endeavor at all times to render decisions with fairness and good judgement in the best interest of the citizens of the Commonwealth and these professions; and

WHEREAS, the Virginia Board for Asbestos, Lead, and Home Inspectors wishes to acknowledge its gratitude for devoted service of a person who is held in high esteem by the members of the Board and the citizens of the Commonwealth;

NOW THEREFORE BE IT RESOLVED, by the Virginia Board for Asbestos, Lead, and Home Inspectors this eighth day of February 2018, that **Colleen Becker** be given all honors and respect due her for her outstanding service to the Commonwealth and its citizens; and

BE IT FURTHER RESOLVED, that this Resolution be presented to her and be made a part of the official minutes of the Board so that all may know of the high regard in which she is held by this Board.

Mr. Magruder moved to adopt the resolution as presented. Ms. Baynes seconded the motion which was unanimously approved by: Baynes, Cranor, France, Fritz, Haltigan, Magruder, Molter, Nixon, Palmer, and Rushton.

Ms. Henshaw updated the Board on recent and upcoming outreach opportunities.

#### **Outreach Update**

Ms. Henshaw advised Board members of upcoming changes to the way in which they receive copies of agendas in advance of Board meetings.

#### **Other Business**

Ms. Henshaw advised the Board that Ms. Pettus will be out of the office for the month of March 2018.

Ms. Henshaw advised the Board that the Joint Legislative Audit and Review Commission (JLARC) is currently reviewing DPOR's operations, and asked that all Board members cooperate with JLARC representatives should they be contacted as part of the review.

Ms. Henshaw reminded Board members to complete their financial disclosure statements.

Ms. Henshaw advised the Board that federal funding for the lead grant is expected to end in October 2018. It is not anticipated that the ending of the lead grant will affect the Board's financial position.

Ms. Henshaw advised the Board members of the current vacancies on the Board.

The following meeting dates have been scheduled:

- May 17, 2018
- August 16, 2018

#### **Future Meeting Dates**

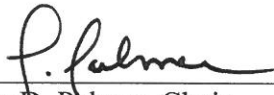
- November 8, 2018

Mr. Palmer reminded Board members to complete their conflict of interest forms and travel vouchers.

**Conflict of Interest  
Forms and Travel  
Vouchers**

There being no further business, the meeting adjourned at 10:13 a.m.

**Adjourn**



\_\_\_\_\_  
Peter D. Palmer, Chair



\_\_\_\_\_  
Jay W. DeBoer, Secretary

STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT

TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government

1. Name: Sandra Baynes
2. Title: Board Member
3. Agency: Board for Asbestos, Lead, & Home Inspectors
4. Meeting/IFF Date: February 8, 2018
5. I have a personal interest in the following transaction:

\_\_\_\_\_  
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.

Sandra Baynes  
Signature

2. 8. 2018  
Date

STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT

TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government

1. Name: John E. Cranor
2. Title: Board Member
3. Agency: Board for Asbestos, Lead, & Home Inspectors
4. Meeting/IFF Date: February 8, 2018
5. I have a personal interest in the following transaction:

\_\_\_\_\_  
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

2-8-18  
Date



STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT

TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government

1. Name: Joe T. France  
2. Title: Board Member  
3. Agency: Board for Asbestos, Lead, & Home Inspectors  
4. Meeting/IFF Date: February 8, 2018  
5. I have a personal interest in the following transaction:

\_\_\_\_\_ N/A  
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:  
\_\_\_\_\_ N/A

- 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 Joe T. France

Date 2-8-18

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

TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government

1. Name: Erich Fritz
2. Title: Board Member
3. Agency: Board for Asbestos, Lead, & Home Inspectors
4. Meeting/IFF Date: February 8, 2018

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

\_\_\_\_\_

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

2/8/18  
\_\_\_\_\_  
Date

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

TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government

1. Name: James Haltigan
2. Title: Board Member
3. Agency: Board for Asbestos, Lead, & Home Inspectors
4. Meeting/IFF Date: February 8, 2018
5. I have a personal interest in the following transaction:

\_\_\_\_\_

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



Date

2/8/2018

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

TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government

1. Name: Gene Magruder
2. Title: Board Member
3. Agency: Board for Asbestos, Lead, & Home Inspectors
4. Meeting/IFF Date: February 8, 2018
5. I have a personal interest in the following transaction:

\_\_\_\_\_

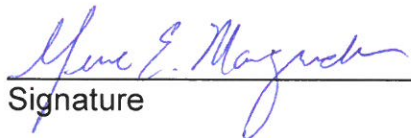
Nature of Personal Interest Affected by Transaction: \_\_\_\_\_

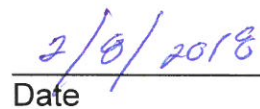
\_\_\_\_\_

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

  
\_\_\_\_\_  
Date

STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT

TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government

1. Name: Frederick Molter IV
2. Title: Board Member
3. Agency: Board for Asbestos, Lead, & Home Inspectors
4. Meeting/IFF Date: February 8, 2018
5. I have a personal interest in the following transaction:

N/A

Nature of Personal Interest Affected by Transaction: \_\_\_\_\_

N/A

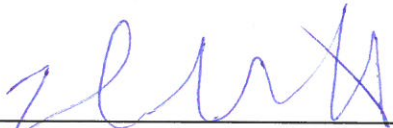
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

N/A

- 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

Date



2/8/18

STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT

TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government

1. Name: Walter C. Nixon
2. Title: Board Member
3. Agency: Board for Asbestos, Lead, & Home Inspectors
4. Meeting/IFF Date: February 8, 2018
5. I have a personal interest in the following transaction:

\_\_\_\_\_

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.

Walter C. Nixon  
Signature

2/8/18  
Date

STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT

TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government

1. Name: Peter D. Palmer
2. Title: Board Member
3. Agency: Board for Asbestos, Lead, & Home Inspectors
4. Meeting/IFF Date: February 8, 2018
5. I have a personal interest in the following transaction:

\_\_\_\_\_

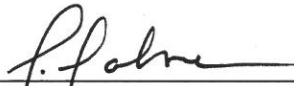
Nature of Personal Interest Affected by Transaction: \_\_\_\_\_

\_\_\_\_\_

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

2/8/2018  
\_\_\_\_\_  
Date

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

TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government

1. Name: David P. Rushton
2. Title: Board Member
3. Agency: Board for Asbestos, Lead, & Home Inspectors
4. Meeting/IFF Date: February 8, 2018
5. I have a personal interest in the following transaction:

\_\_\_\_\_

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

  
Date