

**BOARD FOR CONTRACTORS COMMITTEE  
MEETING MINUTES**

The Board for Contractors Committee ("the Committee") met on Monday, April 8<sup>th</sup>, 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  
Michael Gelardi  
E. G. Middleton, III  
D. Todd Vander Pol

Mr. Walker and Mr. Murrow were absent.

The following DPOR staff attended the meeting:

Eric L. Olson, Executive Director  
Adrienne Mayo, Regulatory Boards Administrator  
Karen Bullock, Administrative Assistant  
Marcie Hyman, Licensing and Education Specialist  
Mindy Sprull, Regulatory Boards Administrator

Chairman Dyer called the meeting to order at 2:06 P.M.

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

The Minutes from the January 28<sup>th</sup>, 2013 Committee meeting were adopted as drafted by unanimous vote. Motion made by **Mr. Gelardi**, seconded by **Mr. Vander Pol**.

There was no 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 recommendation is as follows:

After discussion, and a motion by **Mr. Gelardi**, seconded by **Mr. Middleton**, the Committee unanimously recommended the Board approve 1 A Contractor School Pre -License Basic and Remedial Education classroom course.

After discussion, and a motion by **Mr. Gelardi**, seconded by **Mr. Middleton**, the Committee unanimously recommended the Board approve CO-Train LLC Continuing Education (Electrical) classroom course.

After discussion, and a motion by **Mr. Gelardi**, seconded by **Mr. Middleton**, the Committee unanimously recommended the Board approve County of Spotsylvania Continuing Education (HVAC) classroom course.

After discussion, and a motion by **Mr. Middleton**, seconded by **Mr. Gelardi**, the Committee unanimously recommended the Board approve Code Instruction Services, Inc. Continuing Education (Electrical) classroom course.

After discussion, and a motion by **Mr. Vander Pol**, seconded by **Mr. Gelardi**, the Committee unanimously recommended the Board approve JCR Productions, Inc. Continuing Education and Vocational Training (Electrical) classroom course.

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

**Call To Order**

**Approval of Agenda**

**Minutes Adopted**

**Public Comment**

**Education Provider Applicants:**

**1 A Contractor School**

**CO-Train LLC**

**County of Spotsylvania**

**Code Instruction Services, Inc.**

**JCR Productions, Inc.**

**M.S. Electrical Training**

M.S. Electrical Training Continuing Education and Vocational Training (Electrical) classroom course.

After discussion, and a motion by **Mr. Gelardi**, seconded by **Mr. Vander Pol**, the Committee unanimously recommended the Board approve National Comfort Institute Continuing Education and Vocational Training (Electrical) classroom course.

**National Comfort Institute**

After discussion, and a motion by **Mr. Vander Pol**, seconded by **Mr. Gelardi**, the Committee unanimously recommended the Board approve Walter W. Grander, Jr., Inc. Continuing Education (Electrical) classroom course.

**Walter W. Grander, Jr., Inc.**

After discussion, and a motion by **Mr. Vander Pol**, seconded by **Mr. Gelardi**, the Committee unanimously recommended the Board approve Virginia Water Well Association Continuing Education (WWP) classroom course.

**Virginia Water Well Association**

After discussion, and a motion by **Mr. Gelardi**, seconded by **Mr. Vander Pol**, the Committee unanimously recommended the Board approve Vocational Training (Backflow) classroom course.

**Professional Code Training, Inc.**

There was no old business.

**Old Business**

#### **Reporting of Education Courses\***

**New Business**

Privacy laws, policies and procedures prohibit the sending and receiving of Social Security Numbers and DMV Control numbers over an unsecure circuit. After discussion, and a motion by **Mr. Middleton**, seconded by **Mr. Dowdy**, the Committee unanimously recommended the Board adopt a cut-off of July 31, 2013 as the last date that rosters will be accepted on the current server. After this date all education providers must transmit student rosters in an electronic format to the secure server. In addition, course completion certificates will not be accepted from students for course rosters that were not transmitted properly.

#### **Interpretation of Regulations – Necessity of Contract\***

Executive Director, Eric Olson and Department Investigators shared with the Committee that recently there have been several instances where the interpretation for "routine maintenance" has been questioned and presented in a manner that warrants additional clarification of the previous interpretation by the Board. After discussion and a motion by **Mr. Middleton**, seconded by **Mr. Dowdy**, the Committee agreed to address this issue through regulatory review. Therefore, the Committee unanimously recommended the Board adopt a Notice of Intended

**Regulatory Action.**

Executive Director, Eric Olson introduced Dale Dodson of the North Carolina State Board of Examiners of Plumbing, Heating & Fires Sprinkler Contractors. Mr. Dodson gave an overview of North Carolina's elimination of the continuing education requirement for trade-related licenses.

**Dale Dodson**

**Legislative Update\***

Board staff presented an update regarding the regulatory reform package submission for the Individual License and Certification regulations and copies of the public comments received. Board staff also presented to the Committee as statistical data a Continuing Education Fact Sheet.

**Continuing Education**

After review and discussion a motion, by **Mr. Gelardi**, seconded by **Mr. Vander Pol**, the Committee recommended the Board adopt as proposed the regulatory revisions for the Individual License and Certification which includes the elimination of the continuing education requirements for tradesman.

**Mr. Middleton** and **Mr. Dowdy** opposed the elimination of continuing education requirements.

Board staff presented an update regarding five other regulatory packages submissions and copies of the public comments received.

After discussion and a motion by **Mr. Dowdy**, seconded by **Mr. Middleton**, the Committee unanimously voted to present the following for Board approval:

Adopting as final the regulatory revisions amending the contractor regulations to add/modify specialties to include accessibility services contracting.

**Accessibility Services Contracting**

Adopting as final temporary license revisions for the contractor Regulations.

**Temporary Licenses**

Adopting as final the regulation revisions amending the Individual License and Certification Regulations to add/modify specialties to include certified accessibility mechanics and the limited use/limited application (LULA) endorsement.

**Certified accessibility mechanics**

Adopting as proposed the contractor regulatory reform packet submission.

**Regulatory Reform**

Adopting as proposed the contract provisions regulatory revisions for the Contractor Regulations.

**Contract Provisions**

**Examination Exemption Agreement\***

The Committee reviewed the suggested language revisions for the examination agreement presented by the Maryland Board for HVACR Contractors Board (Maryland Board). The revisions specify Virginia tradesmen who receive their license by card exchange will not be exempted from the Maryland HVAC examination. Further, disclosure of disciplinary action must be provided within the verification of licensure documents. After discussion and a motion, by **Mr. Gelardi**, seconded by **Mr. Vander Pol**, the Committee unanimously recommended the Board adopt the agreement revisions.

The Committee's next scheduled meeting is Monday, June 3<sup>rd</sup>, 2013 at 2:00 p.m.

**Next Meeting**

Chairman Dyer entertained a motion to adjourn from **Mr. Dowdy**, seconded by **Mr. Gelardi** and approved unanimously by the Committee. The meeting adjourned at 4:19 p.m.

**Adjourn**

  
\_\_\_\_\_  
Herbert J. Dyer, Jr., Chairman

4/3/13  
\_\_\_\_\_  
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: April 8, 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.

  
Signature

April 8, 2013  
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: April 8, 2013  
(Date)

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

\_\_\_\_\_

(Agenda Item)

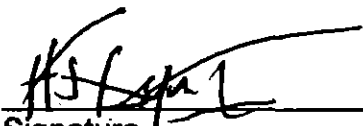
Nature of Personal Interest Affected by Transaction: \_\_\_\_\_

\_\_\_\_\_

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.

  
\_\_\_\_\_  
Signature

April 8, 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: April 8, 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.

E. G. Middleton III  
Signature

April 8, 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: April 8, 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:

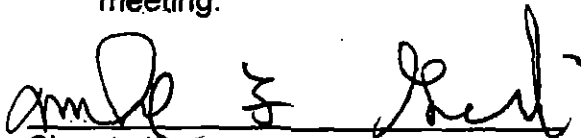
\_\_\_\_\_

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.

  
Signature

April 8, 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: April 8, 2013  
(Date)

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

\_\_\_\_\_  
(Agenda Item)

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

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\_\_\_\_\_

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

April 8, 2013  
Date