

**BOARD FOR CONTRACTORS COMMITTEE
MEETING Final MINUTES**

The Board for Contractors Committee (“the Committee”) met on **Monday, October 19, 2015**, at the Department of Professional and Occupational Regulation (DPOR), 9960 Mayland Drive, Richmond, Virginia. The following Committee members were present:

Bailey Dowdy
Jeffery Hux
Jeffrey Mitchell
E. G. Middleton, III
Michael Redifer

Herbert J. Dyer, Jr., and John O’Dell were absent.

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

Eric Olson, Executive Director
Jay DeBoer, Director
Mark Courtney, Sr. Director for Regulatory & Public Affairs
Mindy Garofalo, Regulatory Boards Administrator
Adrienne Mayo, Regulatory Boards Administrator
Wendy Duncan, Education Specialist
Sheila Watkins, Administrative Assistant, Compliance Specialist

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

Call To Order

The Meeting Agenda was approved unanimously. Motion made by **Mr. Redifer**, seconded by **Mr. Middleton**. Members voting "yes" were: **Mitchell, Dowdy, Hux, Middleton, and Redifer**. **Dyer and O'Dell** were absent.

Approval of Agenda

Mr. Redifer offered a motion seconded by Mr. Middleton to approve the July 19, 2015 draft minutes as Final. The motion was adopted unanimously. Members voting "yes" were: **Mitchell, Dowdy, Hux, Middleton, and Redifer**. **Dyer and O'Dell** were absent.

Meeting Minutes

There was no public comment.

Public Comment

Wendy Duncan Education Specialist addressed the Board.

Education Provider Applications

Education Provider Applications*

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

Education Provider Applications

Mrs. Duncan shared that staff recommends retroactive approval to June 27, 2015 for **Contracting Classes, LLC**– Vocational Electrical, Classroom Continuing Education course. After discussion, and a motion by **Mr. Middleton**, seconded by **Mr. Hux**, to unanimously approve Contracting Classes LLC Electrical, Continuing Education classroom course. Motion approved by unanimous vote. Members voting "yes" were: **Mitchell, Dowdy, Hux, Middleton, and Redifer**. **Dyer and O'Dell** were absent

Contracting Classes, LLC

Mrs. Duncan shared that staff recommends approval for **–ACR Construction Education- Continuing and Vocational Contractor Pre-License for PLB, ELE, HVA, GFC - Continuing Education classroom course.** After discussion and a motion by **Mr. Middleton**, seconded by **Mr. Hux**, to unanimously approve ACR Construction Education Continuing Education classroom courses. Motion approved by unanimous vote. Members voting “yes” were: **Mitchell, Dowdy, Hux, Middleton, and Redifer.** **Dyer and O’Dell** were absent.

ACR Construction Education

Mrs. Duncan shared that staff recommends approval for **E Pendleton Construction Inc, Contractor Pre-License Classroom course.** After discussion and a motion by **Mr. Redifer**, seconded by **Mr. Hux** to unanimously approve E Pendleton Construction Inc, Contractor Pre-License Classroom course. Motion approved by unanimous vote. Members voting “yes” were: **Mitchell, Dowdy, Hux, Middleton, and Redifer.** **Dyer and O’Dell** were absent.

E Pendleton Construction Inc.

Mrs. Duncan shared that staff recommends approval for **–Generac Power Systems, Inc- Continuing Classroom education for PLB, ELE, and HVA (Continuing Education classroom course).** After discussion and a motion by **Mr. Mitchell**, seconded by **Mr. Middleton**, to unanimously approve ACR Construction Education Continuing Education classroom courses. Motion approved by unanimous vote. Members voting “yes” were: **Mitchell, Dowdy, Hux, Middleton, and Redifer.** **Dyer and O’Dell** were absent

Generac Power Systems, Inc

Mrs. Duncan shared that staff recommends approval for **–National Technology Transfer Inc- for ELE - Continuing Education classroom course.** After discussion and a motion by **Mr. Redifer**, seconded by **Mr. Mitchell**, to unanimously approve National Technology Transfer Inc Continuing Education classroom course. Motion approved by unanimous vote. Members voting “yes” were: **Mitchell, Dowdy, Hux, Middleton, and Redifer.** **Dyer and O’Dell** were absent

National Technology Transfer Inc

Mrs. Duncan shared that staff recommends approval for **–NC Association of Electrical Contractors- ELE- Continuing Education classroom course.** After discussion and a motion by **Mr. Hux**, seconded by **Mr. Redifer**, to unanimously approve NC Association Of Electrical Contractors Continuing Education classroom course. Motion approved by unanimous vote. Members voting “yes” were: **Mitchell, Dowdy, Hux, Middleton, and Redifer.** **Dyer and O’Dell** were absent.

NC Association of Electrical Contractors

Mrs. Duncan shared that staff recommends approval for **–Richard L Turner-**

Richard L Turner-

Len's Electric- ELE - Continuing Education classroom course. After discussion and a motion by **Mr. Redifer**, seconded by **Mr. Hux**, to unanimously approve Richard L Turner Len's Electric Continuing Education classroom courses. Motion approved by unanimous vote. Members voting "yes" were: **Mitchell, Dowdy, Hux, Middleton, and Redifer.** **Dyer and O'Dell** were absent

Len's Electric

Mrs. Duncan shared that staff recommends approval for **–Sharper Tradesmen's Training for PLB, HVA, GFC - Continuing Education classroom course.** After discussion and a motion by **Mr. Middleton**, seconded by **Mr. Hux**, to unanimously approve Sharper Tradesmen's Training Continuing Education classroom courses. Motion approved by unanimous vote. Members voting "yes" were: **Mitchell, Dowdy, Hux, Middleton, and Redifer.** **Dyer and O'Dell** were absent

Sharper Tradesmen's Training

Mrs. Duncan shared that staff recommends approval for **–Smiths Power Professional Services-RO Associates for ELE - Continuing Education classroom course.** After discussion and a motion by **Mr. Redifer**, seconded by **Mr. Middleton**, to unanimously approve Smiths Power Professional Services – RO Associates Continuing Education classroom course. Motion approved by unanimous vote. Members voting "yes" were: **Mitchell, Dowdy, Hux, Middleton, and Redifer.** **Dyer and O'Dell** were absent

Smiths Power Professional Services-RO Associates

Mrs. Duncan shared that staff recommends approval for **–Thomas Nelson Community College for HVA, Vocational classroom course.** After discussion and a motion by **Mr. Hux**, seconded by **Mr. Mitchell**, to unanimously approve Thomas Nelson Community College for a classroom course. Motion approved by unanimous vote. Members voting "yes" were: **Mitchell, Dowdy, Hux, Middleton, and Redifer.** **Dyer and O'Dell** were absent

Thomas Nelson Community College

Mrs. Duncan shared that staff recommends approval for **–Workplace Management Group LTD dba Hispanos Sin Fronteras Contractor Pre-License classroom course.** After discussion and a motion by **Mr. Hux**, seconded by **Mr. Redifer**, to unanimously approve Workplace Management Group LTD dba Hispanos Sin Fronteras Contractor Pre-License classroom course. Motion approved by unanimous vote. Members voting "yes" were: **Mitchell, Dowdy, Hux, Middleton, and Redifer.** **Dyer and O'Dell** were absent

Workplace Management Group LTD dba Hispanos Sin Fronteras

Mrs. Duncan shared that staff recommends approval for **–Zenith Education Group, Inc. dba Everest College- Chesapeake, Vocational ELE and HVA**

Zenith Education Group, Inc. dba

classroom course. After discussion and a motion by **Mr. Middleton**, seconded by **Mr. Mitchell**, to unanimously approve Zenith Education Group, Inc. dba Everst College-Chesapeake classroom courses. Motion approved by unanimous vote. Members voting "yes" were: **Mitchell, Dowdy, Hux, Middleton, and Redifer. Dyer and O'Dell** were absent

**Everest College-
Chesapeake**

Mindy Garofalo Regulatory Board Administrator shared a Regulatory Update with the Committee. Effective January 2016 our building specialty classification will split into two specialties: commercial and residential. New applicants will be able to choose either Residential or Commercial. This has been approved and we are now in the 30 day public comment period. No vote was needed.

**Old Business
Regulatory Update**

We are preparing the final Contractor Specialties for your review and/or adoption at our November or December 2015 meeting.

The proposed language for Integrity (Individual and Contractor) is being prepared for adoption at the November 2015 meeting.

The Continuing Education NOIRA is with the Governor.

RBEA Firms regulations become effective January 1, 2016. Current emergency regulations are in effect and there was a one word change to the final.

RBEA Individuals regulations effective November 1, 2015.

We will discuss Application Integrity at the November meeting. No vote was needed on the updates.

New Business

Eric Olson Request for Spanish Exam (Gidley email). Committee members were given a copy of the Gidley email for review and discussion. There was discussion concerning Examinations and the Statue. Mr. Redifer offered a motion seconded by Mr. Middleton to recommend to the Board that we wish to comply with statue and continue to (administer exams) and conduct Board business in English as required. The motion passed by unanimous vote. Members voting "yes" were: **Mitchell, Redifer, Dowdy, Middleton and Hux. Mr. Dyer and Mr. O'Dell** were absent.

**Licensing
Requirements-Request
for Spanish Exam**

Board staff presented a request for the Committee's consideration to assist the Board with developing a definition of Routine Maintenance. After discussion Mr. Middleton offered a motion seconded by Mr. Redifer to recommend that staff develop a policy for routine maintenance and provide it to the Board for consideration at an upcoming meeting. Members voting "yes" were: **Mitchell,**

**Definition of Routine
Maintenance**

Dowdy, Hux, Middleton, and Redifer. Dyer and O'Dell were absent

NASCLA Commercial Examination for CBC license

The Committee reviewed a handout in memo form (and an informational brochure provided for their consideration). Mr. Olson shared that effective January 1, 2016, the building classification will be split into two separate license tracks; commercial and residential. PSI is currently developing an examination for implementation as the technical exam requirement for Qualified Individuals making application for the commercial building license (CBC). The National Association of State Contractor Licensing Agencies (NASCLA), of which Virginia is a member, currently has a standard commercial building examination that is currently accepted by 13 other states. Staff recommends that the Board for Contractors accept the NASCLA Commercial Building Examination as substantially equivalent to the technical examination that will soon be offered by PSI.

Mr. Redifer offered a motion seconded by **Mr. Middleton** to recommend to the Board to accept the NASCLA Commercial Building Examination as substantially equivalent to the soon to be offered PSI Virginia technical examination. The motion passed with a unanimous "yes" vote. Members voting "yes" were: **Dyer, Dowdy, Hux, Middleton, and Redifer. Mitchell and O'Dell** were absent.

Application Integrity Update

Mr. Olson introduced two staff members to the Committee. Marjorie King and Nicole Jeffress. They are Licensing Analyst for the Board. These staff members shared some of the "work" they've been doing. Their detailed work and application discrepancy investigations have uncovered some unusual circumstances. They have been able to zone in on "lack of financial qualifications" resulting in applicants needing to change their job class request; identified numerous License applicants using the same address on their Contractor applications. As a direct result of some of the analysts' findings we will be requiring everyone to sign the new applications. The Committee thanked Marjorie and Nicole for their detailed work and asked them to keep up the good work.

Outreach/Road Trips Update

Ms. Garofalo gave an update on outreach visits. She shared that she, Eric and Marjorie have visited several places. To name a few: Subpoena's in Suffolk, Virginia. Permit classes in Wytheville and Williamsburg, Virginia. They have

NASCLA Commercial Exam for CBC

Application Integrity Update

Outreach Update

also visited Bristol in Region I and Winchester. The Better Business Bureau and Habitat for Humanity is also on the calendar.

Development of Memorandum of Understanding

Adrienne Mayo shared with the Committee that the Maryland Elevator Safety Review Board for Elevator Mechanics, Accessibility Mechanics, and Elevator Contractors would like to have Virginia and Maryland experience comparable. No reference to required hours were mentioned. CET and CAT are recognized. Maryland would like to have this Committee enter into exam exemption. The Committee decided to table this.

Mrs. Tomlin

She shared with the Committee that she attended the conference for trainers and felt it was good. She wants to know if the Committee has made any recommendation to the Board for the future of online classes and if the Committee is developing/designing any changes for the class format. The Committee thanked her for coming and shared when this is ironed out and the Board's Regs go into the review stage, she will have the opportunity to comment. Mrs. Garofalo shared we will notify Mrs. Tomlin when the public comment period is open.

The next Committee Meeting will be held on Monday, November 9, 2015.

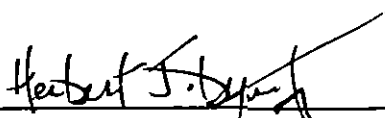
Mr. Hux offered a motion seconded by **Mr. Middleton**, the Committee unanimously voted to adjourn the meeting at 4:00 p.m.

Development of Memorandum of Understanding

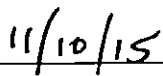
Mrs. Tomlin

Next Meeting

Meeting adjourned



Herbert J. Dyer, Jr., Chairman



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 – Vice Chair
3. Agency: Board for Contractors Committee
(Name of Board)
4. Meeting/IFF Date: October 19, 2015
(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

October 19, 2015
Date

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

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

1. Name: Jeffery W Hux
(Name of Board Member)
2. Title: Board Member
3. Agency: Board for Contractors Committee
(Name of Board)
4. Meeting/IFF Date: October 19, 2015
(Date)

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

(Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

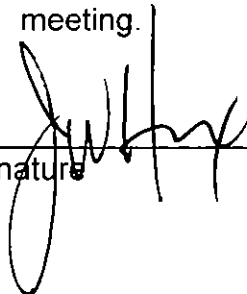
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

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

October 19, 2015
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: October 19, 2015
(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.

E. G. Middleton III
Signature

October 19, 2015
Date

STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

1. Name: Michael D. Redifer
(Name of Board Member)
2. Title: Board Member
3. Agency: Board for Contractors Committee
(Name of Board)
4. Meeting/IFF Date: October 19, 2015
(Date)

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

(Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

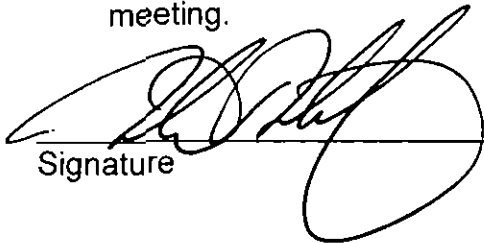
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

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

October 19, 2015
Date

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

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

1. Name: Jeffrey Shawn Mitchell
(Name of Board Member)
2. Title: Board Member
3. Agency: Board for Contractors Committee
(Name of Board)
4. Meeting/IFF Date: October 19, 2015
(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. SM I do not have a personal interest in any transactions taken at this meeting.


Signature

October 19, 2015
Date