

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

The Virginia Board for Asbestos, Lead, and Home Inspectors met on December 17, 2002 in Conference Room 4 West at the offices of the Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia.

The following members of the Board were present:

Pamela M. Mentz, Chairperson
Jack A. Geller, Vice Chairman
Joseph W. Crockett
P. Bradley Nott, Jr.
John C. Bouldin
Frederick Heppner
John J. Gerow
Richard L. Honeycutt
Vickie Harlow

The following members of DPOR staff were present during some or all of the meeting:

Louise Fontaine Ware, Director
Sandra Whitley Ryals, Chief Deputy Director
Karen O'Neal, Deputy Director for RPD
Bonnie Rhea Adams, Assistant Director of Enforcement
David E. Dick, Assistant Director
Joseph Kossan, Regulatory Boards Administrator
Thomas K. Perry, Regulatory Boards Administrator
Adrienne Mayo, Office Manager
Cynthia Platt, Legal Assistant

Others who attended the meeting included:

Ed Wallingford, VDOT
Thomas B. Kelly, Bowman Green & Kelly PLLC
Jasper Mersereau, J. A. Mersereau & Associates, Inc.
Mercy Ruth Mendez, Respondent
Teresa Slaw, The Language Connection

Chairperson Mentz, finding a quorum of the Board present, called **Call to Order**

the meeting to order at 9:10 AM.

Mr. Heppner moved that the Board approve the agenda as prepared and amended by staff. Mr. Nott seconded the motion, which was carried unanimously by six aye votes (Messrs. Bouldin, Nott, Heppner, Honeycutt, and Gerow; and Ms. Harlow). As Chairperson, Ms. Mentz did not vote. The agenda was as follows: **Adopt Agenda**

I. CALL TO ORDER

II. APPROVAL OF AGENDA

1. Board Agenda, December 17, 2002

III. APPROVAL OF MINUTES

2. Board Minutes, October 29, 2002

IV. PUBLIC COMMENT PERIOD – Five minute public comment, per person, on those items not included on the agenda with the exception of any open disciplinary files.

V. ENFORCEMENT CASES

3. File Number 2002-01385 - Thomas Lee Smith
IFF by Crockett – Disciplinary
Continued from last Board meeting
4. File Number 2002-00883 - Melvin W. Edwards
IFF by Crockett – Disciplinary
Continued from last Board meeting
5. File Number 2002-01353 - Jeffrey T. Lipps
IFF by Crockett – Disciplinary
Continued from last Board meeting
6. File Number 2002-01360 - Kelvin Jerome Mackey
IFF by Crockett – Disciplinary
Continued from last Board meeting
7. File Number 2002-01388 - Eric T. Smith
IFF by Crockett – Disciplinary
Continued from last Board meeting

8. File Number 2002-01338 - Mercy Ruth Mendez
IFF by Crockett - Disciplinary
9. File Number 2003-00772 - Santos Solano
IFF by Crockett - Renewal Application
10. File Number 2002-01321 - Avram Gold
Consent Order
11. File Number 2002-03448 - Charles Sledge, Jr.
IFF by Crockett - Disciplinary
12. File Number 2002-03408 - Charles Sledge, Jr.
IFF by Crockett - Disciplinary
13. File Number 2002-03511 - Charles Sledge, Jr.
IFF by Crockett - Disciplinary
14. File Number 2002-03351 - Charles Sledge, Jr.
IFF by Crockett - Disciplinary
15. File Number 2002-03446 - Charles Sledge, Jr.
IFF by Crockett - Disciplinary
16. File Number 2002-03447 - Charles Sledge, Jr.
IFF by Crockett - Disciplinary

VI. HOME INSPECTORS REGULATIONS UPDATE

**VII. ACTION ON PROPOSED LEAD-BASED PAINT
REGULATION AMENDMENTS**

17. Public Comments
18. Public Hearing Transcript
19. Staff Changes
20. Housekeeping Changes
21. Summary of Public Comments and Agency Response
22. Proposed Regulations

VIII. RESOLUTIONS FOR FORMER BOARD MEMBERS

23. Colleen Becker
24. James A. Calpin
25. Michael F. Griffin

26. R. Leonard Vance

27. James E. Early

IX. STAFF UPDATES

X. SET NEXT MEETING DATE

XI. COMPLETE CONFLICT OF INTEREST FORMS AND TRAVEL VOUCHERS

XII. ADJOURN

Ms. Harlow moved that the Board approve the minutes of its October 29, 2002 meeting as prepared by staff. Mr. Heppner seconded the motion, which was carried unanimously by six aye votes (Messrs. Bouldin, Nott, Heppner, Honeycutt, and Gerow; and Ms. Harlow). As Chairperson, Ms. Mentz did not vote.

Approval of Board Minutes

Chairperson Mentz opened the floor for public comment. No member of the public present expressed a desire to address the Board.

Public Comment Period

In the matter of File Number 2002-00883, Board v. Melvin W. Edwards, the Board reviewed the record, which consisted of the investigation file, transcript and exhibits from the IFF, and the presiding Board member's summary and recommendation. Melvin W. Edwards (Respondent) was not present, but was represented by his attorney, Thomas B. Kelly. Upon a motion by Mr. Nott and seconded by Ms. Harlow, the Board adopted the summary and recommendation, and revoked Melvin W. Edwards' Asbestos Worker license and imposed a monetary penalty of \$250.00. The motion passed. Members voting "YES" were Mr. Honeycutt; Mr. Nott; Ms. Harlow; and Ms. Mentz. Mr. Gerow voted "NO." The presiding Board member, Mr. Crockett, was not present and did not participate in the discussion or vote. Mr. Bouldin and Mr. Heppner were present, but did not vote since by statute they are ineligible to vote on matters unrelated to home inspectors until July 1, 2003.

File Number 2002-00883

Board member Jack Geller arrived at 9:51 AM.

Upon discussion, Mr. Nott made a motion, which was seconded by Mr. Honeycutt, that the Board reconsider its previous vote on File

Number 2002-00883, Board v. Melvin W. Edwards. The motion passed. Members voting "YES" were Mr. Gerow; Mr. Nott; Mr. Honeycutt; and Ms. Mentz. Ms. Harlow voted "NO" and Mr. Geller "ABSTAINED." The presiding Board member, Mr. Crockett, was not present and did not participate in the discussion or vote. Mr. Bouldin and Mr. Heppner were present, but did not vote since by statute they are ineligible to vote on matters unrelated to home inspectors until July 1, 2003.

Upon a motion by Mr. Gerow and seconded by Mr. Heppner, the Board remanded this case to an IFF to give the respondent the opportunity to present evidence that he had received adequate and appropriate training and have his attorney present. The motion passed. Members voting "YES" were Mr. Gerow; Mr. Honeycutt; Mr. Nott; Mr. Geller; and Ms. Mentz. Ms. Harlow voted "NO." The presiding Board member, Mr. Crockett, was not present and did not participate in the discussion or vote. Mr. Bouldin and Mr. Heppner were present, but did not vote since by statute they are ineligible to vote on matters unrelated to home inspectors until July 1, 2003.

In the matter of **File Number 2002-01353, Board v. Jeffrey T. Lipps**, the Board reviewed the record, which consisted of the investigation file, transcript and exhibits from the IFF, and the presiding Board member's summary and recommendation. **File Number 2002-01353** Jeffrey T. Lipps (Respondent) was not present, but was represented by his attorney, Thomas B. Kelly. Upon a motion by Mr. Heppner and seconded by Mr. Gerow, the Board rejected the summary and recommendation, and suspended Jeffrey T. Lipps' Asbestos Supervisor license until he has completed another approved 40-hour asbestos supervisor training course. The motion failed. Members voting "NO" were Mr. Honeycutt; Mr. Nott; Ms. Harlow; and Mr. Geller. Mr. Gerow votes "YES." As Chairperson, Ms. Mentz did not vote. The presiding Board member, Mr. Crockett, was not present and did not participate in the discussion or vote. Mr. Bouldin and Mr. Heppner were present, but did not vote since by statute they are ineligible to vote on matters unrelated to home inspectors until July 1, 2003.

Upon a motion by Mr. Gerow and seconded by Mr. Heppner, the Board remanded this case to an IFF to give the respondent the opportunity to present evidence that he had received adequate and appropriate training and have his attorney present. The motion

passed. Members voting "YES" were Mr. Gerow; Mr. Honeycutt; Mr. Nott; Mr. Geller; and Ms. Mentz. Ms. Harlow voted "NO." The presiding Board member, Mr. Crockett, was not present and did not participate in the discussion or vote. Mr. Bouldin and Mr. Heppner were present, but did not vote since by statute they are ineligible to vote on matters unrelated to home inspectors until July 1, 2003.

In the matter of **File Number 2002-01360, Board v. Kelvin Jerome Mackey**, the Board reviewed the record, which consisted of the investigation file, transcript and exhibits from the IFF, and the presiding Board member's summary and recommendation. Kelvin Jerome Mackey (Respondent) was not present, but was represented by his attorney, Thomas B. Kelly. Upon a motion by Mr. Gerow and seconded by Mr. Heppner, the Board remanded this case to an IFF to give the respondent the opportunity to present evidence that he had received adequate and appropriate training and have his attorney present. The motion passed. Members voting "YES" were Mr. Gerow; Mr. Honeycutt; Mr. Nott; Mr. Geller; and Ms. Mentz. Ms. Harlow voted "NO." The presiding Board member, Mr. Crockett, was not present and did not participate in the discussion or vote. Mr. Bouldin and Mr. Heppner were present, but did not vote since by statute they are ineligible to vote on matters unrelated to home inspectors until July 1, 2003. **File Number 2002-01360**

In the matter of **File Number 2002-01388, Board v. Eric T. Smith**, the Board reviewed the record, which consisted of the investigation file, transcript and exhibits from the IFF, and the presiding Board member's summary and recommendation. Eric T. Smith (Respondent) was not present, but was represented by his attorney, Thomas B. Kelly. Upon a motion by Mr. Gerow and seconded by Mr. Heppner, the Board remanded this case to an IFF to give the respondent the opportunity to present evidence that he had received adequate and appropriate training and have his attorney present. The motion passed. Members voting "YES" were Mr. Gerow; Mr. Honeycutt; Mr. Nott; Mr. Geller; and Ms. Mentz. Ms. Harlow voted "NO." The presiding Board member, Mr. Crockett, was not present and did not participate in the discussion or vote. Mr. Bouldin and Mr. Heppner were present, but did not vote since by statute they are ineligible to vote on matters unrelated to home inspectors until July 1, 2003. **File Number 2002-01388**

In the matter of **File Number 2002-01385, Board v. Thomas Lee** **File Number**

Smith, the Board reviewed the record, which consisted of the investigation file, transcript and exhibits from the IFF, and the presiding Board member's summary and recommendation. **Thomas Lee Smith (Respondent)** was not present. Upon a motion by Mr. Gerow and seconded by Mr. Heppner, the Board remanded this case to an IFF to give the respondent the opportunity to present evidence that he had received adequate and appropriate training and have his attorney present. The motion passed. Members voting "YES" were Mr. Gerow; Mr. Honeycutt; Mr. Nott; Mr. Geller; and Ms. Mentz. Ms. Harlow voted "NO." The presiding Board member, Mr. Crockett, was not present and did not participate in the discussion or vote. Mr. Bouldin and Mr. Heppner were present, but did not vote since by statute they are ineligible to vote on matters unrelated to home inspectors until July 1, 2003. **2002-01385**

In the matter of **File Number 2002-01338, Board v. Mercy Ruth Mendez**, the Board reviewed the record, which consisted of the investigation file, transcript and exhibits from the IFF, and the presiding Board member's summary and recommendation. **Mercy Ruth Mendez (Respondent)** was present and communicated with the Board through an interpreter. Upon a motion by Mr. Gerow and seconded by Ms. Harlow, the Board adopted the summary and recommendation, and revoked **Mercy Ruth Mendez's** Asbestos Supervisor license and imposed monetary penalties totaling \$500.00. The motion passed unanimously. Members voting "YES" were Mr. Gerow; Mr. Honeycutt; Mr. Nott; Ms. Harlow; Mr. Geller; and Ms. Mentz. The presiding Board member, Mr. Crockett, was not present and did not participate in the discussion or vote. Mr. Bouldin and Mr. Heppner were present, but did not vote since by statute they are ineligible to vote on matters unrelated to home inspectors until July 1, 2003. **File Number 2002-01338**

In the matter of **File Number 2003-00772, Board v. Santos Solano**, the Board reviewed the record, which consisted of the application file, transcript and exhibits from the IFF, and the presiding Board member's summary and recommendation. **Santos Solano (Respondent)** was not present. Upon a motion by Mr. Heppner and seconded by Mr. Nott, the Board adopted the summary and recommendation, and denied the Respondent's renewal application for Asbestos Worker based on the submission of a false social security number. The motion passed unanimously. Members voting "YES" were Mr. Gerow; Mr. Honeycutt; Mr. Nott; Ms. Harlow; Mr. Geller; and Ms. Mentz. The presiding **File Number 2003-00772**

Board member, Mr. Crockett, was not present and did not participate in the discussion or vote. Mr. Bouldin and Mr. Heppner were present, but did not vote since by statute they are ineligible to vote on matters unrelated to home inspectors until July 1, 2003.

In the matter of **File Number 2002-01321, Board v. Avram Gold,** the Board reviewed Consent Order Number 2003-0065, which was offered to and signed by Avram Gold (Respondent). Upon a motion by Ms. Harlow and seconded by Mr. Heppner, the Board rejected the consent order. The motion passed unanimously. Members voting "YES" were Mr. Gerow; Mr. Honeycutt; Mr. Nott; Ms. Harlow; Mr. Geller; and Ms. Mentz. Mr. Bouldin and Mr. Heppner were present, but did not vote since by statute they are ineligible to vote on matters unrelated to home inspectors until July 1, 2003. **File Number 2002-01321**

Upon a motion by Ms. Harlow and seconded by Mr. Gerow, the Board made a counter offer to revoke Avram Gold's licenses for Asbestos Supervisor, Asbestos Inspector, Asbestos Management Planner, and Asbestos Project Designer and impose a monetary penalty of \$1,500 per license, totaling \$6,000. The Board gave the respondent 30 days to respond. The motion passed unanimously. Members voting "YES" were Mr. Gerow; Mr. Honeycutt; Mr. Nott; Ms. Harlow; Mr. Geller; and Ms. Mentz. Mr. Bouldin and Mr. Heppner were present, but did not vote since by statute they are ineligible to vote on matters unrelated to home inspectors until July 1, 2003.

In the matter of **File Numbers 2002-03448, 2002-03408, 2002-03511, 2002-03351, 2002-03446, and 2002-03447, Board v. Charles Sledge, Jr.,** the Board reviewed the records, which consisted of the investigation file, transcript and exhibits from the IFF, and the presiding Board member's summaries and recommendations. Charles Sledge, Jr. (Respondent) was not present. Upon a motion by Ms. Harlow and seconded by Mr. Heppner, the Board adopted the summaries and amended the recommendations, and revoked Charles Sledge, Jr.'s licenses for Asbestos Supervisor, Asbestos Inspector, Asbestos Management Planner, Asbestos Project Designer, Asbestos Project Monitor, and Lead Inspector/Risk Assessor; and imposed monetary penalties of \$1,500.00 per license totaling \$9,000.00. The motion passed unanimously. Members voting "YES" were Mr. Gerow; Mr. **File Numbers 2002-03448, 2002-03408, 2002-03511, 2002-03351, 2002-03446, and 2002-03447**

Honeycutt; Mr. Nott; Ms. Harlow; Mr. Geller; and Ms. Mentz. The presiding Board member, Mr. Crockett, was not present and did not participate in the discussion or vote. Mr. Bouldin and Mr. Heppner were present, but did not vote since by statute they are ineligible to vote on matters unrelated to home inspectors until July 1, 2003.

Board member Joseph Crockett arrived at 11:15 AM.

The Board recessed from 11:15 AM until 11:30 AM.

Mr. Dick informed the Board that Ellen Coates, Board Counsel, had completed her review of the Home Inspectors regulations and had recommended several non-substantive changes. **Update on Home Inspectors Regulations**

Mr. Heppner moved that the Board authorize staff to amend the Home Inspectors regulations adopted by the Board at its October 29, 2002 meeting to reflect the recommendations suggested by Board Counsel in item numbers 1, 3, 4, 5, 6, and 7 of her December 16, 2002 memorandum. Mr. Gerow seconded the motion, which was carried unanimously by eight aye votes (Messrs. Bouldin, Geller, Crockett, Nott, Heppner, Honeycutt, and Gerow; and Ms. Harlow). As Chairperson, Ms. Mentz did not vote.

Mr. Crockett moved that the Board present the following resolutions to former Board members Colleen Becker, James Calpin, Michael Griffin, Leonard Vance, and James Early: **Resolutions**

**Department of Professional and
Occupational Regulation**

**Board for Asbestos, Lead, and
Home Inspectors**

Resolution To

Colleen Becker

WHEREAS, Colleen Becker, has faithfully and diligently served as a member of the Board for Asbestos, Lead, and Home Inspectors from 1993 until December 13, 2001; and

WHEREAS, Colleen Becker, has devoted generously of her time, talent and leadership to the Board; and

WHEREAS, Colleen Becker, has endeavored at all times to render decisions with fairness, good judgment, and in the best interest of the Board; and

WHEREAS, the Board for Asbestos, Lead, and Home Inspectors wishes to acknowledge its gratitude and deepest appreciation 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 Board for Asbestos, Lead, and Home Inspectors this seventeenth day of December, 2002 that Colleen Becker be given all honors and respect due her for her outstanding service to the Commonwealth and its citizens and the Board for Asbestos, Lead, and Home Inspectors; 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.

**Department of Professional and
Occupational Regulation**

**Board for Asbestos, Lead, and
Home Inspectors**

Resolution To

James A. Calpin

WHEREAS, James A. Calpin, has faithfully and diligently served as a member of the Board for Asbestos, Lead, and Home Inspectors from November 7, 1994 until December 13, 2001; and

WHEREAS, James A. Calpin, has devoted generously of his time, talent and leadership to the Board; and

WHEREAS, James A. Calpin, has endeavored at all times to

render decisions with fairness, good judgment, and in the best interest of the Board; and

WHEREAS, the Board for Asbestos, Lead, and Home Inspectors wishes to acknowledge its gratitude and deepest appreciation 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 Board for Asbestos, Lead, and Home Inspectors this seventeenth day of December, 2002 that James A. Calpin be given all honors and respect due him for his outstanding service to the Commonwealth and its citizens and the Board for Asbestos, Lead, and Home Inspectors; and

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

**Department of Professional and
Occupational Regulation**

**Board for Asbestos, Lead, and
Home Inspectors**

Resolution To

Michael F. Griffin

WHEREAS, Michael F. Griffin, has faithfully and diligently served as a member of the Board for Asbestos, Lead, and Home Inspectors from December 13, 2001 until October, 2002; and

WHEREAS, Michael F. Griffin, has devoted generously of his time, talent and leadership to the Board; and

WHEREAS, Michael F. Griffin, has endeavored at all times to render decisions with fairness, good judgment, and in the best interest of the Board; and

WHEREAS, the Board for Asbestos, Lead, and Home Inspectors wishes to acknowledge its gratitude and deepest appreciation 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 Board for Asbestos, Lead, and Home Inspectors this seventeenth day of December, 2002 that Michael F. Griffin be given all honors and respect due him for his outstanding service to the Commonwealth and its citizens and the Board for Asbestos, Lead, and Home Inspectors; and

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

**Department of Professional and
Occupational Regulation**

**Board for Asbestos, Lead, and
Home Inspectors**

Resolution To

R. Leonard Vance, Ph.D.

WHEREAS, R. Leonard Vance, has faithfully and diligently served as a member of the Board for Asbestos, Lead, and Home Inspectors from July 1, 1996 until December 13, 2001; and

WHEREAS, R. Leonard Vance, has devoted generously of his time, talent and leadership to the Board; and

WHEREAS, R. Leonard Vance, has endeavored at all times to render decisions with fairness, good judgment, and in the best interest of the Board; and

WHEREAS, the Board for Asbestos, Lead, and Home Inspectors wishes to acknowledge its gratitude and deepest appreciation 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 Board for Asbestos, Lead, and Home Inspectors this seventeenth day of

December, 2002 that R. Leonard Vance be given all honors and respect due him for his outstanding service to the Commonwealth and its citizens and the Board for Asbestos, Lead, and Home Inspectors; and

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

**Department of Professional and
Occupational Regulation**

**Board for Asbestos, Lead, and
Home Inspectors**

Resolution To

James E. Early

WHEREAS, James E. Early, has faithfully and diligently served as a member of the Board for Asbestos, Lead, and Home Inspectors from October 15, 1998 until July 29, 2002; and

WHEREAS, James E. Early, has devoted generously of his time, talent and leadership to the Board; and

WHEREAS, James E. Early, has endeavored at all times to render decisions with fairness, good judgment, and in the best interest of the Board; and

WHEREAS, the Board for Asbestos, Lead, and Home Inspectors wishes to acknowledge its gratitude and deepest appreciation 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 Board for Asbestos, Lead, and Home Inspectors this seventeenth day of December, 2002 that James E. Early be given all honors and respect due him for his outstanding service to the Commonwealth and its citizens and the Board for Asbestos, Lead, and Home Inspectors; and

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

Mr. Heppner seconded the motion, which was carried unanimously by eight aye votes (Messrs. Crockett, Bouldin, Heppner, Geller, Nott, Honeycutt, and Gerow; and Ms. Harlow). As Chairperson, Ms. Mentz did not vote.

David Dick informed the Board that the 2003 MAREC meeting, which will be hosted by Virginia, has been moved from January to March due to budgetary delays from EPA.

Staff Updates

Joe Kossan told the Board that he has recently audited four new asbestos training courses offered by American Electric Power in Cleveland, Virginia.

Tom Perry informed the Board that on November 19 he reviewed the lead exam questions for all three disciplines as well as the state regulation section of the lead exam administered by Experior. Several questions were either corrected or deleted entirely. Experior will be holding a lead exam review workshop on March 19, 2003 and will need the assistance of several subject matter experts. Mr. Perry has recently audited two new lead training courses offered by Connor Environmental Services in Baltimore, Maryland. In January, he plans to audit two new lead training courses offered by Michael Baker Jr. Inc. in Virginia Beach.

Mr. Perry said that Kevin Hoeft from DPOR's enforcement division attended an EPA lead enforcement and compliance meeting in Arlington, Virginia on December 3-5. The meeting offered no new information or revelations from EPA.

The Board established its next meeting date to be March 25, 2003 at 9:00 AM in conference room 4W at DPOR.

Next Meeting Date

The Board recessed for lunch from 12:02 PM until 12:31 PM.

Ms. Harlow moved that the Board send the Proposed Lead-Based Paint Regulations to a regulation review committee for further revision and re-proposal. The motion failed since there was no second.

**Action on Proposed
Lead-Based Paint
Regulation
Amendments**

Mr. Crockett moved that the Board review the material from the public comment period on the Proposed Lead-Based Paint Regulations as per the agenda. Mr. Gerow seconded the motion, which was carried by five aye votes (Messrs. Crockett, Geller, Nott, and Gerow; and Ms. Mentz). Mr. Honeycutt and Ms. Harlow voted against the motion. Mr. Bouldin and Mr. Heppner were present, but did not vote since by statute they are ineligible to vote on matters unrelated to home inspectors until July 1, 2003.

Mr. Gerow moved that the Board adopt the Summary of Public Comment and Agency Response concerning the Proposed Lead-Based Paint Regulations. Mr. Nott seconded the motion, which was carried by four aye votes (Messrs. Crockett, Nott, Honeycutt, and Gerow). Mr. Geller and Ms. Harlow voted against the motion. As Chairperson, Ms. Mentz did not vote. Mr. Bouldin and Mr. Heppner were present, but did not vote since by statute they are ineligible to vote on matters unrelated to home inspectors until July 1, 2003.

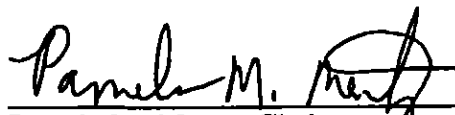
Mr. Crockett moved that the Board adopt Final Lead-Based Paint Regulations as amended by the Board as a result of public comment. Mr. Gerow seconded the motion, which was carried by four aye votes (Messrs. Crockett, Geller, Nott, and Gerow). Ms. Harlow and Mr. Honeycutt voted against the motion. As Chairperson, Ms. Mentz did not vote. Mr. Bouldin and Mr. Heppner were present, but did not vote since by statute they are ineligible to vote on matters unrelated to home inspectors until July 1, 2003.

Chairperson Mentz asked the Board members to complete their conflict of interest forms and travel vouchers.

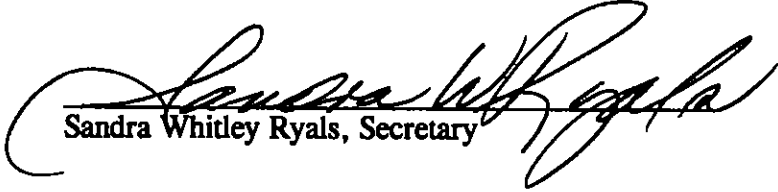
**Conflict of Interest
Forms and Travel
Vouchers**

Chairperson Mentz, finding no further business to conduct, adjourned the meeting at 2:15 PM.

Adjournment



Pamela M. Mentz, Chairperson



Sandra Whitley Ryals, Secretary

COPY TESTE:

Custodian of the Records