

**BOARD FOR CONTRACTORS COMMITTEE  
MEETING MINUTES**

The Board for Contractors Committee met on **Tuesday, December 10, 2024**, at the Department of Professional and Occupational Regulation (DPOR), 9960 Mayland Drive, Richmond, Virginia.

Board member(s) present for the meeting:

Donald Groh, Chair  
Nathan Trice, Vice Chair  
James Spencer  
Francis McGonegal  
Doug Lowe  
Ralph “Tripp” Costen

Board member(s) absent from the meeting:

Taylor Brannan  
Jerry Heinline

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

Marjorie King, Executive Director  
Stephanie Keuther, Assistant Executive Director  
Mary Charity, Licensing Operations Administrator  
Cameron Parris, Regulatory Operations Administrator  
Joe Haughwout, Regulatory Affairs Manager

**Mr. Groh** called the December 10, 2024, Board for Contractors Committee Meeting to order at 8:02 A.M. **Call To Order**

**Mr. Spencer made a motion, seconded by Mr. McGonegal**, to adopt the Draft Agenda of December 10, 2024.

**Approval of Agenda**

**The motion was approved with a vote of 6-0-0. Ayes:** Groh, Trice, Spencer, Lowe, Costen, and McGonegal. **Nays:** None. **Abstain:** None. **Absent:** Brannan and Heinline.

**Emergency Egress**

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**Marjorie King, Executive Director**, reviewed the Emergency Egress procedures with the Committee and members of the public.

**Mr. Groh** opened the Public Comment section of the meeting.

**Public Comment**

Jason Ascher with Mid Atlantic Pipe Trades informed the Committee they are in support of the fee increase and hopes a portion of the funds will be allocated to enforcement efforts.

Paige Pruett addressed the Committee.

Hi

My name is Paige Pruett.

I am here today to request you reinstate case #2024-01137 and thoroughly investigate.

I realize this may not seem like the proper way to make this request or raise a concern. And, I realize from your position, you have to believe that there is a process and staff, so it is tempting to dismiss people like me who come here and make public comments. But PLEASE do not.

I thought about portraying this as a timing issue that was not anyone's fault thinking you might be more open to that. While there is some element of that—I would be lying if I told you that I believed all this was just a series of independent, innocent mistakes from an awkward timing and sequence. There are numerous problems that can only be addressed at your level, really in connection with the APELSCIDA Board.

If you ever worried that there are two tiers of justice within DPOR, this case proves that there is.—unless you put a stop to it.

So, the Board is the last stop, at least within DPOR, so I am here today to give this Board the opportunity to intervene. And I know it is hard because you don't know me...and I only have 5 minutes in this meeting, so I first have to convince you that I am worth listening to and to give you some examples that will keep you up at night.

So let me start with the first part because the second part is easy. I truly appreciate what a massive undertaking this board has. Far tougher and more volume than other boards. At the same time, if this Board cannot act in this case, then there is no point.

I want you to understand that I went through the process—

--I filed complaints—actually three because the builder, in coordination with at least two other professionals, built a garage so as to encroach by two FEET (and that is two feet at a back corner where it was obvious). There were other code and zoning violations as well.

--in fact, the screw up was of such a nature that the City staff could not fix it --- it took an SUP from City Council, which is evidence of per se negligence.

--DPOR Staff found a way to ignore all the evidence. And on one claim where the evidence of fire code

violations and admissions were too overwhelming to ignore, Staff just changed my claim to be that the fire code violations were not abated ....and then said they were abated. Problem---it was not fully abated ---but DPOR never asked.

--investigator calls to tell me DPOR made an insufficient evidence finding; stunned silence when I ask how given the SUP is per se evidence of negligence; stutters to try to defend the decision; and then goes on to tell me that DPOR will intentionally withhold the Board information from the file-----improper but I knew why---because they knew I would FOIA it...and I contacted the Board member on the engineer's case—politely, professionally, because he missed something critical; mind you, this is the case, that is going to a Consent Order at the next APELSCIDA Board meeting in which I can hand you right now undisputable proof that a sealed report was backdated and false ---and that is just one issue—so staff was mad....maybe the Board member was mad...but literally, the screening processed missed an egregious situation

--so I FOIA the file ---except DPOR intentionally withheld at least one document collected and relied on through the investigation --- -so good news, I got some info, bad news was weeks more fighting with Staff and referring the issue to FOIA Council

---let's get back to the timeline issue.

--DPOR drops the builder case, but the surveyor case continues (and the engineer case has not been revived yet)

--months later, well after the builder case is closed and without my knowledge, DPOR enters into a Consent Order with the surveyor who admits things like

----he altered the as built to remove the garage entirely at the direction of the builder--that is one way to fix a zoning violation---

--we also learn that the encroachment was planned by the builder from the beginning---this was BIG news—and contrary to what was told to the neighbors, public, planning commission and city council to get the SUP

--I was reaching out to the Exec Director—not in an attempt to bypass Ms. King, but because I did not appreciate her role until later

--So, by this point, this Board had dropped the builder case, and APELSCIDA had given the surveyor a slap on the wrist (and missed or ignored several additional infractions), so I FOIA everything and go through it all

--I submit an appeal of the original insufficient evidence finding for the builder and the surveyor consent order for various mistakes in each of those

--I separately submit a new case for each the builder and surveyor --- new allegations and new information on the original allegations

-- DPOR defies its normal intake process, intercepts the new cases, and in the dark of night in a meeting that did not apparently include either Board-- denies both appeals and rejects out of hand both new cases

---but doesn't provide evidence of who made that decision

--I reach out to Ms. King and she refuses to engage

--So, I am here.

So I tried to mention some egregious things along the way, but it hard to pick the worst. Is directing the surveyor to alter the as built more offensive than knowingly using the false as built? Does it matter to you that the builder continuously – both directly and through consultants---claimed this was all a mistake when it actually planned the encroachment and directed the staking ? or submitted multiple false filings with the city to get permits, CO, and final inspection so that literally you as professionals have to admit it is possible for two structures that have both zoning and code violations could get all the way through and be approved despite the involvement of at least 3 licensed professionals? Does it matter to you, that to this day, we still don't know where the house actually sits because the front setback ---yet another potential violation itself, but astounding to say out loud. Or do you understand the importance of drainage in the City such that you are bothered by the flagrant land disturbance violations. Take your pick. But please help.

With no one else wishing to come forward, Mr. Groh closed the public comment section of the meeting.

**Education Provider Applications**

**Education Provider Applications**

Mary Charity, Licensing Operations Administrator, addressed the Committee:

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

**Mrs. Charity shared that staff recommends approval for:**

**Southern Virginia Higher Education Center**– Four (4) Classroom Vocational Education courses for Electrical Tradesmen.

**Southern Virginia Higher Education Center**

**Mr. Spencer made a motion, seconded by Mr. Trice,** for approval.

**The motion was approved with a vote of 6-0-0. Ayes:** Groh, Trice, Spencer, Lowe, Costen, and McGonegal. **Nays:** None. **Abstain:** None. **Absent:** Brannan, and Heinline.

**Mrs. Charity shared that staff recommends approval for:**

**Central Virginia Electrical Contractors Association** – Four(4) Classroom Vocational Education courses for Electrical Tradesmen.

**Central Virginia Electrical Contractors Association**

**Mr. Spencer made a motion, seconded by Mr. Trice,** for approval.

**The motion was approved with a vote of 6-0-0. Ayes:** Groh, Trice, Spencer, Lowe, Costen, and McGonegal. **Nays:** None. **Abstain:** None. **Absent:** Brannan, and Heinline.

**Mrs. Charity shared that staff recommends approval for:**

**Milby Company** - Seeking retroactive approval to November 12, 2024, for one (1) Classroom Continuing Education course for Water Well System Providers.

**Milby Company**

**Mr. Spencer made a motion, seconded by Mr. Trice,** for approval.

**The motion was approved with a vote of 6-0-0. Ayes:** Groh, Trice, Spencer, Lowe, Costen, and McGonegal. **Nays:** None. **Abstain:** None. **Absent:** Brannan, and Heinline.

**Mrs. Charity shared that staff recommends approval for:**

**Maryland Delaware  
Water Well  
Association**

**Maryland Delaware Water Well Association** – One (1) Classroom Continuing Education course for Water Well System Providers.

**Mr. Spencer made a motion, seconded by Mr. Trice, for approval.**

**The motion was approved with a vote of 6-0-0. Ayes:** Groh, Trice, Spencer, Lowe, Costen, and McGonegal. **Nays:** None. **Abstain:** None. **Absent:** Brannan, and Heinline.

**Mrs. Charity shared that staff recommends approval for:**

**American Ground  
Water Trust**

**American Ground Water Trust** – One (1) Classroom Continuing Education course for Water Well System Providers.

**Mr. Spencer made a motion, seconded by Mr. Trice, for approval.**

**The motion was approved with a vote of 6-0-0. Ayes:** Groh, Trice, Spencer, Lowe, Costen, and McGonegal. **Nays:** None. **Abstain:** None. **Absent:** Brannan and Heinline.

**Mrs. Charity shared that staff recommends approval for:**

**National Technology  
Transfer Inc.**

**National Technology Transfer Inc.** – Three (3) Classroom Continuing Education courses, and three Virtual Continuing Education courses for Electrical Tradesmen.

**Mr. Spencer made a motion, seconded by Mr. Trice, for approval.**

**The motion was approved with a vote of 6-0-0. Ayes:** Groh, Trice, Spencer, Lowe, Costen, and McGonegal. **Nays:** None. **Abstain:** None. **Absent:** Brannan and Heinline.

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**Mr. Spencer made a motion, seconded by Mr. Trice, for approval.**

**The motion was approved with a vote of 6-0-0. Ayes:** Groh, Trice, Spencer, Lowe, Costen, and McGonegal. **Nays:** None. **Abstain:** None. **Absent:** Brannan and Heinline.

**Mrs. Charity shared that staff recommends approval for:**

**National Technology Transfer Inc.** – Two (2) Classroom Continuing Education courses for Electrical Tradesmen.

**National Technology Transfer Inc.**

**Mr. Spencer made a motion, seconded by Mr. Trice, for approval.**

**The motion was approved with a vote of 6-0-0. Ayes:** Groh, Trice, Spencer, Lowe, Costen, and McGonegal. **Nays:** None. **Abstain:** None. **Absent:** Brannan, and Heinline.

**Mrs. Charity shared that staff recommends approval for:**

**National Technology Transfer Inc** – Two (2) Classroom Continuing Education courses and two Virtual Continuing Education courses for Electrical Tradesmen.

**National Technology Transfer Inc.**

**Mr. Spencer made a motion, seconded by Mr. Trice, for approval.**

**The motion was approved with a vote of 6-0-0. Ayes:** Groh, Trice, Spencer, Lowe, Costen, and McGonegal. **Nays:** None. **Abstain:** None. **Absent:** Brannan, and Heinline.

**New Business**

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**Regulatory Review update**

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18VAC50-22	General Regulatory Reduction Initiative	Board will review any comments received and consider adoption of final regulation at 3/11/2025 meeting.
18VAC50-22	Eligibility Requirement Amendment	Board will review any comments received and consider adoption of final regulation at 3/11/2025 meeting.
18VAC50-30	Eligibility Requirement Amendment	Executive Branch completed review on 12/6/2024.
18VAC50-30	Temporary Elevator Mechanic Certifications	Executive Branch to complete review. If approved, the regulatory package will be submitted for publication in the Register, followed by a 30-day public comment period.
18VAC50-22 18VAC50-30	Fee Adjustment	Board staff to file for Executive Branch Review.
18VAC50-22 18VAC50-30	Change in Examination Fees	Board staff to file Proposed, followed by Executive Branch review.

## Regulatory Fee amendment

**Cameron Parris, Regulatory Operations Administrator**, informed the Committee, at its last meeting, the Board adopted proposed fee increases for both contractors and individual licenses and certifications. In speaking with Agency staff, it was discovered that Liquefied Petroleum Gas Fitter, and Natural Gas Fitter needed to be included as a single fee, with the proposed fee amounts, for individual tradesmen licenses as they were presented.

## Regulatory Fee amendment

**Mr. Spencer made a motion, seconded by Mr. Trice**, to adopt the proposed adjusted fee amounts as amended and authorized staff to file a fast-track regulatory action.

**The motion was approved with a vote of 6-0-0. Ayes:** Groh, Trice, Spencer, Lowe, Costen, and McGonegal. **Nays:** None. **Abstain:** None. **Absent:** Brannan and Heinline.

## Examination Reciprocity

### North Carolina

Board staff has been collaborating with the North Carolina Licensing Board for General Contractors to establish a reciprocal agreement for various examinations.

Upon review of the data provided, staff determined that there is equivalency between the referenced examinations. Establishing an examination reciprocity agreement between North Carolina and Virginia will ease licensure portability between the two states. Should the Board also find equivalency between the examinations, staff recommends establishing an exam reciprocity agreement with North Carolina.

## Examination Reciprocity

**Mr. Spencer made a motion, seconded by Mr. McGonegal**, to authorize staff to draft a reciprocity agreement establishing waiver of the requirement that an applicant pass the Virginia Commercial Building examination when the applicant has passed the North Carolina Building Contractor examination and waiver of the requirement that an applicant pass the Virginia Residential Building examination when the applicant has passed the North Carolina Residential Contractor examination.

**The motion was approved with a vote of 6-0-0. Ayes:** Groh, Trice, Spencer, Lowe, Costen, and McGonegal. **Nays:** None. **Abstain:** None. **Absent:** Brannan and Heinline.

### Louisiana

On October 23, 2024, Board Staff received the following statement from Louisiana.

“This letter serves as notice of the change in requirements for examination reciprocity with the Louisiana State Licensing Board for Contractors effective immediately.

Going forward, if an applicant/licensee/registrant holds a classification that requires a test in any other state, and they have passed that test - with no waivers, exemptions, or grandfathering in effect - the LSLBC will accept that passing exam for reciprocity. The exam will be accepted for the classification chosen by the LSLBC and will be equivalent in nature. All other requirements for licensure must be met, including the investigation of all violations or pending violations.

This change in procedure renders any previous agreements null and void. We believe this new method is less restrictive and will be beneficial to all licensees.”

No action was taken at this time.

### **Executive Director Report**

**Marjorie King, Executive Director**, informed the Committee of current and past statistical data related to Board cases, licensing applications, emails and phone calls. Ms. King informed the Committee that the remedial education class continues to be well received by participants.

**Executive Director  
Report**

### **Adjournment**

**Mr. Groh** thanked the Committee and Staff and adjourned the Committee Meeting at 9:00 A.M.

The next Committee Meeting will be **March 11, 2025**.

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Donald Groh, Chair

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Date