

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

The Virginia Board for Asbestos, Lead, and Home Inspectors met on November 4, 2003 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 Chairperson
Joseph W. Crockett
P. Bradley Nott, Jr.
John Gerow
Frederick Heppner (arrived at 9:15)
Richard L. Honeycutt

Board Members Vickie Harlow and John Bouldin were unable to attend the meeting.

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

Karen O'Neal, Deputy Director for RPD
Joseph Kossan, Regulatory Boards Administrator
Thomas K. Perry, Regulatory Boards Administrator
Earlyne Perkins, Legal Assistant
Chris Olson, Licensing Specialist

Others who attended the meeting included:

Jose Roberto Platero, Respondent
Larry Pinkney, Respondent

No representative of the Office of the Attorney General was present.

Chairperson Mentz, finding a quorum of the Board present, called **Call to Order** the meeting to order at 9:02 AM.

Mr. Nott moved that the Board approve the agenda as prepared by staff. Mr. Geller seconded the motion, which was carried **Adopt Agenda** unanimously by six aye votes (Messrs. Crockett, Geller, Gerow, Nott, and Honeycutt; and Ms. Mentz). The agenda is attached.

Mr. Geller moved that the Board approve the minutes of its August 27, 2003 meeting. Mr. Nott seconded the motion, which was carried unanimously by six aye votes (Messrs. Crockett, Geller, Gerow, Nott, and Honeycutt; and Ms. Mentz).

Approval of Board Minutes

Mr. Geller moved that the Board approve the minutes of the September 11, 2003 IFF. Mr. Crockett seconded the motion, which was carried unanimously by six aye votes (Messrs. Crockett, Geller, Gerow, Nott, and Honeycutt; and Ms. Mentz).

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 2004-00160, Board v. Joseph ReZel Blackley**, 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. Joseph ReZel Blackley (Respondent) was not present. Upon a motion by Mr. Crockett and seconded by Mr. Nott, the Board adopted the summary and recommendation, and approved the application for Asbestos Supervisor license for Joseph ReZel Blackley. The motion passed unanimously. Members voting "YES" were Messrs. Crockett, Gerow, Nott, and Honeycutt; and Ms. Mentz. The presiding Board member, Mr. Geller, left the room and did not participate in the discussion or vote.

File Number 2004-00160

Mr. Heppner arrived at 9:15 AM

Arrival of Board Member

In the matter of **File Number 2004-00166, Board v. Jose Roberto Platero Delgado**, 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. Jose Roberto Platero Delgado (Respondent) addressed the Board. Upon a motion by Mr. Nott and seconded by Mr. Gerow, the Board adopted the summary but rejected the recommendation. The motion passed unanimously. Members voting "YES" were Messrs. Crockett, Gerow, Nott, Heppner, and Honeycutt; and Ms. Mentz. The presiding Board member, Mr. Geller, left the room and did not participate in the discussion or vote.

File Number 2004-00166

Upon a motion by Mr. Nott and seconded by Mr. Gerow, the Board recommended approving Mr. Delgado for an Asbestos Supervisor license. The motion passed unanimously. Members

voting "YES" were Messrs. Crockett, Gerow, Nott, Heppner, and Honeycutt; and Ms. Mentz. The presiding Board member, Mr. Geller, left the room and did not participate in the discussion or vote.

The Board agreed without dissent to request that staff make a recommendation at its February meeting on how the Board through staff should address training providers with regards to English-only training courses. They stressed that Supervisor courses must be taught in English only with no assistance given with the end-of-class exam and no translation assistance be given.

In the matter of **File Number 2004-00898**, **Board v. Fredy Rolando Iboy**, 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. Fredy Rolando Iboy (Respondent) was not present. Upon a motion by Mr. Crockett and seconded by Mr. Nott, the Board adopted the summary and recommendation, and approved the application for Asbestos Worker license for Fredy Rolando Iboy. The motion passed unanimously. Members voting "YES" were Messrs. Crockett, Gerow, Nott, Heppner, and Honeycutt; and Ms. Mentz. The presiding Board member, Mr. Geller, left the room and did not participate in the discussion or vote.

**File Number
2004-00898**

In the matter of **File Number 2004-00899**, **Board v. Larry Calvin Pinkney**, 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. Larry Calvin Pinkney (Respondent) addressed the Board. Upon a motion by Mr. Heppner and seconded by Mr. Gerow, the Board adopted the summary and recommendation, and approved the application for Asbestos Worker license for Larry Calvin Pinkney. The motion passed unanimously. Members voting "YES" were Messrs. Crockett, Gerow, Nott, Heppner, and Honeycutt; and Ms. Mentz. The presiding Board member, Mr. Geller, left the room and did not participate in the discussion or vote.

**File Number
2004-00899**

Sharon Sweet updated the Board on the new Lead Examination developed by Professional Credential Services, Inc. (PCS). The new Lead Examination will be implemented on January 1, 2004. PCS will administer the exam daily by computer at 11 examination sites throughout the state. Ms. Sweet expressed thanks to Mr. Perry and Mr. Gerow for their help in reviewing

**Lead Examination
Update**

300 questions that were added to the examination item bank.

Sharon Sweet discussed three different groups that requested to have their examinations approved by the Board. Mr. Crockett moved that the Board not approve The National Association of Certified Home Inspectors examination, the Pillar to Post Professional Home Inspection examination, and the Housing Inspection Foundation examination at this time since they are not substantially equivalent to the currently approved examinations. Mr. Heppner seconded the motion which was carried unanimously by seven aye votes (Messrs. Crockett, Geller, Gerow, Nott, Heppner, and Honeycutt; and Ms. Mentz).

**Home Inspector
Examination
Equivalency**

Mr. Kossan updated the Board on the National Asbestos Conference which was hosted by Virginia on October 28-30, 2003 in Virginia Beach. Topics of concern discussed at the conference included: the use of fraudulent training certificates and invalid Social Security numbers; asbestos-related diseases from a mine in Libby, Montana where vermiculite was mined which contained tremolite; and a congressional bill sponsored by Senator Murray which would eliminate asbestos by ceasing the manufacturing of asbestos products and removing existing asbestos from the environment.

Other Business

Concern was expressed at the Conference that Charter Schools were not following AHERA requirements to have in place an Inspection and Management Plan.

Mr. Kossan said that MAREC held its annual meeting of EPA Region III states on the evening before the National Conference. There was a discussion concerning the continued use of fraudulent training certificates and invalid Social Security numbers.

The following meeting dates have been scheduled.

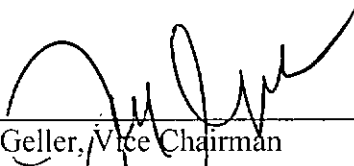
Next Meeting Date

- February 18, 2004
- May 19, 2004
- August 19, 2004
- November 3, 2004

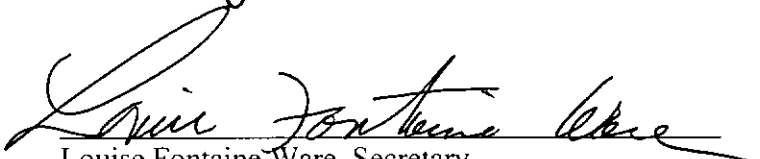
Chairperson Mentz asked the Board members to complete their conflict of interest forms and travel vouchers.

**Conflict of Interest
Forms and Travel
Vouchers**

Chairperson Mentz, finding no further business to conduct, **Adjournment**
adjourned the meeting at 10:48 AM.



Jack Geller, Vice Chairman



Louise Fontaine Ware, Secretary

COPY TESTE:

Custodian of the Records

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

TENTATIVE AGENDA

BOARD MEETING

TUESDAY, NOVEMBER 4, 2003

9:00 A.M., CONFERENCE ROOM 4 WEST

**DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION
3600 WEST BROAD STREET
RICHMOND, VIRGINIA 23230**

I. CALL TO ORDER

II. APPROVAL OF AGENDA

1. Board Agenda, November 4, 2003

III. APPROVAL OF MINUTES

2. Board Minutes, August 27, 2003
3. IFF Minutes, September 11, 2003

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 or application files.

V. ENFORCEMENT CASES

4. File Number 2004-00160 – Joseph ReZel Blackley
IFF by Geller- Licensing
5. File Number 2004-00166 – Jose Roberto Platero
IFF by Geller- Licensing
6. File Number 2004-00898 – Fredy Rolando Iboy
IFF by Geller- Licensing
7. File Number 2004-00899 – Larry Calvin Pinkney
IFF by Geller- Licensing

VI. LEAD AND HOME INSPECTOR EXAMINATION UPDATE

- a. Sharon Sweet, Examinations Director

VIII. HOME INSPECTOR EXAMINATION EQUIVALENCY

- a. Sharon Sweet, Examinations Director

IX. OTHER BUSINESS

- a. Report from National Asbestos Conference
- b. Report from MAREC Meeting

X. CONFIRM 2004 MEETING DATES

- a. February 18, 2004
- b. May 19, 2004
- c. August 18, 2004
- d. November 3, 2004

XI. COMPLETE CONFLICT OF INTEREST FORMS AND TRAVEL VOUCHERS

XII. ADJOURN

- XIII.** Persons desiring to participate in the meeting and requiring special accommodations or interpretative services should contact the Department at (804) 367-8595 at least ten days prior to the meeting so that suitable arrangements can be made for an appropriate accommodation. The Department fully complies with the Americans with Disabilities Act.

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

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of
State Government [§2.1-639.13(D)] and
Local Government [§2.1639.14(E)]

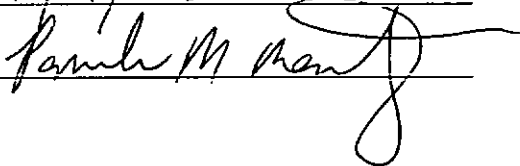
1. Name: Pamela M. Mentz
2. Title: Board Member - Asbestos, Lead and Home Inspectors
3. Agency: Department of Professional and Occupational Regulation
4. Transaction: Board Meeting
5. Nature of Personal Interest Affected by Transaction: N/A
-

6. I declare that:

(a) I am a member of the following business, profession, occupation, or group, the members of which are affected by the transaction: N/A

(b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Dated: 1/14/03

Signature: 

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

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of
State Government [§2.1-639.13(D)] and
Local Government [§2.1639.14(E)]

1. Name: Jack A. Geller
2. Title: Board Member - Asbestos, Lead and Home Inspectors
3. Agency: Department of Professional and Occupational Regulation
4. Transaction: Board Meeting
5. Nature of Personal Interest Affected by Transaction: _____

Geller Environmental CAPS

6. I declare that:

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

INSPECTORS / LAB / ASBESTOS

(b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Dated: _____

Signature: _____

11/4/13
[Handwritten Signature]

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

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of
State Government [§2.1-639.13(D)] and
Local Government [§2.1639.14(E)]

- 1. Name: Joseph W. Crockett
- 2. Title: Board Member - Asbestos, Lead and Home Inspectors
- 3. Agency: Department of Professional and Occupational Regulation
- 4. Transaction: Board Meeting
- 5. Nature of Personal Interest Affected by Transaction: ASBESTOS + LEAD
ABATEMENT CONTRACTING

6. I declare that:

(a) I am a member of the following business, profession, occupation, or group, the members of which are affected by the transaction: UNCO, INC ASBESTOS +
LEAD ABATEMENT CONTRACTOR

(b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Dated: 11-4-03
Signature: Joseph W. Crockett

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

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of
State Government [§2.1-639.13(D)] and
Local Government [§2.1639.14(E)]


1. Name: P. Bradley Nott, Jr.
2. Title: Board Member - Asbestos, Lead and Home Inspectors
3. Agency: Department of Professional and Occupational Regulation
4. Transaction: Board Meeting
5. Nature of Personal Interest Affected by Transaction: _____

6. I declare that:

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

(b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Dated: 11/4/03

Signature: 

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

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of
State Government [§2.1-639.13(D)] and
Local Government [§2.1639.14(E)]

1. Name: John J. Gerow
2. Title: Board Member - Asbestos, Lead and Home Inspectors
3. Agency: Department of Professional and Occupational Regulation
4. Transaction: Board Meeting
5. Nature of Personal Interest Affected by Transaction: _____

NONE

6. I declare that:

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

(b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Dated:

11/4/03

Signature:

John J. Gerow

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

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of
State Government [§2.1-639.13(D)] and
Local Government [§2.1639.14(E)]

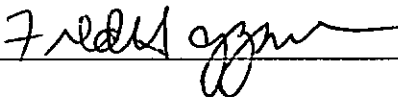
1. Name: Frederick Heppner
2. Title: Board Member - Asbestos, Lead and Home Inspectors
3. Agency: Department of Professional and Occupational Regulation
4. Transaction: Board Meeting
5. Nature of Personal Interest Affected by Transaction: _____

6. I declare that:

(a) I am a member of the following business, profession, occupation, or group, the members of which are affected by the transaction: Home Inspector

(b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Dated: 11/4/03

Signature: 

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

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of
State Government [§2.1-639.13(D)] and
Local Government [§2.1639.14(E)]

1. Name: Richard L. Honeycutt
2. Title: Board Member - Asbestos, Lead and Home Inspectors
3. Agency: Department of Professional and Occupational Regulation
4. Transaction: Board Meeting
5. Nature of Personal Interest Affected by Transaction: Personal Income
for Asbestos and Lead Abatement
6. I declare that:
 - (a) I am a member of the following business, profession, occupation, or group, the members of which are affected by the transaction: _____
LCW Corporation
 - (b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Dated: 11-4-03
Signature: Richard Honeycutt