

BOARD FOR CONTRACTORS COMMITTEE MEETING AGENDA

9960 Mayland Drive
Board Room 2, 2nd Floor 8:00A.M.
Tuesday, October 7, 2025

Our mission is to protect the health, safety and welfare of the public by licensing qualified individuals and businesses and enforcing standards of professional conduct for professions and occupations as designated by statute.

I. CALL TO ORDER

- a. Emergency Evacuation Procedures
- b. Determination of Quorum

II. ADMINISTRATIVE MATTERS

- a. Approval of Agenda
- b. Approval of Minutes:
 - i. August 19, 2025, Board for Contractors Committee Meeting draft minutes.

III. PUBLIC COMMENT PERIOD ***FIVE MINUTE PUBLIC COMMENT, PER PERSON***

IV. EDUCATION

- a. Education Provider Applications

V. NEW BUSINESS

- a. Examination Update
- b. NASCLA Examinations
- c. Regulatory Update
- d. Executive Director Report
- e. Board Member Professional Development
- f. Recovery Fund Statement

VI. COMPLETE CONFLICT OF INTEREST FORM AND TRAVEL VOUCHER.

VII. ADJOURNMENT

NEXT MEETING SCHEDULED FOR **TUESDAY, DECEMBER 9, 2025**

- ❖ Agenda materials made available to the public do not include disciplinary case files or application files pursuant to §54.1-108 of the Code of Virginia.

- ❖ Five minute public comment, per person, with the exception of any open disciplinary or application file.
- ❖ Persons desiring to participate in the meeting and requiring special accommodations or interpretative services should contact the Department at (804) 367-2785 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.

DRAFT AGENDA Materials contained in this agenda are proposed topics for discussion and are not to be construed as regulation or official Board position. DRAFT AGENDA

PERIMETER CENTER CONFERENCE CENTER
EMERGENCY EVACUATION OF BOARD AND TRAINING ROOMS
(Script to be read at the beginning of each meeting.)

PLEASE LISTEN TO THE FOLLOWING INSTRUCTIONS ABOUT EXITING THE PREMISES IN THE EVENT OF AN EMERGENCY.

In the event of a fire or other emergency requiring the evacuation of the building, alarms will sound. When the alarms sound, leave the room immediately. Follow any instructions given by Security staff.

Board Room 1

Exit the room using one of the doors at the back of the room. **(Point)** Upon exiting the room, turn **RIGHT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

Board Room 2

Exit the room using one of the doors at the back of the room. **(Point)** Upon exiting the room, turn **RIGHT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

You may also exit the room using the side door **(Point)**, turn **Right** out the door and make an immediate **Left**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

Board Rooms 3 and 4

Exit the room using one of the doors at the back of the room. **(Point)** Upon exiting the room, turn **RIGHT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

Training Room 1

Exit the room using one of the doors at the back of the room. **(Point)** Upon exiting the room, turn **LEFT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

Training Room 2

Exit the room using one of the doors at the back of the room. **(Point)** Upon exiting the doors, turn **LEFT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

BOARD FOR CONTRACTORS COMMITTEE MEETING

The Board for Contractors Committee met on **Tuesday, August 19, 2025**, at the Department of Professional and Occupational Regulation (DPOR), 9960 Mayland Drive, Richmond, Virginia.

Committee members present for the meeting:

Donald Groh, Chair
Nathan Trice, Vice-Chair
Taylor Brannan (arrived at 8:16)
Ralph Costen
Jerry Heinline
James Spencer
Doug Lowe

Committee member absent for the meeting:

Francis "Butch" McGonegal

Staff members present for all or part of the meeting:

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

I. Chair, Groh called the August 19, 2025, Board for Contractors Committee Meeting to order at 8:04 A.M.

Call
To Order

Chair, Groh declared a quorum of Committee members to be in attendance.

Determination
of Quorum

Marjorie King, Executive Director reviewed the emergency egress procedures with the Committee and members of the public.

Emergency
Egress

II. ADMINISTRATIVE MATTERS

Administrative
Matters

Mr. Spencer made a motion, seconded by Mr. Trice, to adopt the agenda of the August 19, 2025, Board for Contractors Committee meeting.

Approval of
Agenda

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

Mr. Spencer made a motion, seconded by Mr. Costen, to approve the draft minutes of the June 24, 2025, Board for Contractors Committee meeting as presented.

Approval of
Minutes

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

III. PUBLIC COMMENT PERIOD

Public
Comment
Period

Chair, Groh opened the public comment period of the meeting.

Marjorie King, Executive Director, advised the Committee to review the following submitted comment from Susie Carlson regarding the quality of current general contractors.

Good morning,

There has been an increasing trend with General Contractors to consistently act with poor business ethics. Separately, there are no consequences for their behavior. This is an ongoing, systemic issue that reaches across General Contracting Companies of all sizes.

While General Contractors become increasingly profitable - oftentimes in such excess that they are able to maintain fleets of vehicles, lavish offices, and extravagant holiday parties, happy hours, and social events - their subcontractors are often left to navigate prohibitive invoicing schedules, unregulated retention "hold-backs", and generalized payment delays (such as when there's no "check signer" in the office or other excuses).

Our work is scrutinized for any excuse for us to be removed from a project without pay, or to be blamed for mistakes to their customers, often without cause or justification. Many times, project

managers will claim subcontractors are to blame for their own ineptitude or lack of understanding of that specific trade.

Tradesmen and contractors are ignored when counseling on their industry best practice, standards and internal regulations. We are told to “make it work”, much to the detriment of the entire construction industry and the quality of work at these projects. When tradesmen challenge General Contractors, payment is withheld, retention is never released or delayed, and we are “blacklisted” for speaking up.

In all truth, we are held ransom by General Contractors. It has been an embarrassment to the industry. Craftsmanship has suffered. Tradesmen are suffering and being undermined at every turn. We are spoken down to, treated as a commonality when we are a commodity, and overall cheated by their brazen behavior.

Project Managers fresh to the industry are counseled on fast timelines, maintaining project budgets, and finding the cheapest contractors for the job. They have no respect for those who have been a part of their trades for decades, those who blister and sweat for their industry, and they have no incentive for decency or mutual respect.

These same Project Managers are rewarded with project-based bonuses, promotions, and given esteemed and more elaborate projects to manage. Their behavior is unchecked, unregulated, and inappropriate.

It's at this juncture I'd like to introduce the idea of a “Fair Tradesmen Policy” to regulate the unchecked authority of General Contractors that would be based on the following key provisions –

1. Fair and Honest Invoicing Principles : it is unreasonable to request that Tradesmen or subcontractors conform to utilizing Internal Project Management Softwares (I.e. Procore) to submit their billing and invoices to a General Contractor. Internal Project Management Softwares are strictly managed and operated by their owners, and Outside Companies should not be subjected to their use. It is unreasonable to expect outside companies to train, manage, and be subject to the intricacies of General Contractors management softwares or inner workings.
2. Transparency on Payments Received : General Contractors should, upon request, be able to make public their monthly billing reports for Subcontractors to confirm that their invoices are being submitted to the overall End User and Customers.
3. No Retention Ransom : a formal acceptance policy must be issued and made public to the End User, General Contractor and Subcontractors. Upon final acceptance of the work, retention should be released within 30 days.
4. “No Cut Corners” : Default Authority should be restored to the Subcontractors on their specific trade standards and knowledge. Should a subcontractor be able to produce clear and accurate Standards or Best Practices for a specific issue or situation on a job site, they should be able to carry out that Standard to the best of their ability, regardless of General Contractor's internal detriment (I.e. timeline) with no punishment or penalties to the subcontractors contracts.
5. Reporting on Bad Faith : Subcontractors and Tradesmen should have the ability to report to the State Contractors Board violations and unfair practices or dismissals by General

Contractors. Demerits, or fines where appropriate, should be enforced by the Board. Fines should be paid back to the Company that was harmed.

It is unreasonable that General Contractors should be so lavishly rewarded for unethical conduct.

It is untenable to the Contracting and Construction Industry that our Tradesmen suffer through their behavior while GC profitability skyrockets and quality of work plummets.

It is unchecked, unregulated business practice.

It is has come time to protect the Tradesmen, the Craftsmen, and the Skilled Workers from rampant unconscionable exploitation.

I understand that my proposal may need refinement, or some components may not be achievable, but I send this in goodwill. It has been an exhaustive process to work with General Contractors of all sizes, backgrounds and specialties. It's been a common feature of work alongside them.

It's an embarrassment to the public, to the State of Virginia, and everyone who holds a Contractors License in its borders.

I hope you take the due attention to this systemic corruption and can offer some response soon.

Thank you for your time and service to the State,

Susie Carlson

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

V. EDUCATION

Education Provider Applications

Stephanie Keuther, Assistant Executive Director, shared that staff recommends approval for:

Anytime Certification LLC – One (1) online continuing education course for Electrical Tradesmen.

A motion was made by Mr. Spencer, seconded by Mr. Heinline, for approval.

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

Education

Education Provider Applications

Anytime Certification LLC

VI. NEW BUSINESS

Examination Update

Marjorie King, Executive Director, informed the Committee that staff are currently working with PSI to conduct a comprehensive review of all Board examinations.

Regulatory Update

18VAC50-22	General Regulatory Reduction	<ul style="list-style-type: none"> Regulation will become effective September 1, 2025.
18VAC50-22	Eligibility Requirement Amendment	<ul style="list-style-type: none"> Regulation will become effective September 1, 2025.
18VAC50-22	HB1707/SB1059 - <i>Exempt</i>	<ul style="list-style-type: none"> Regulation will be published in Volume 42, Issue 1 of the Virginia Register on August 25, 2025, after which a 30-day final adoption/public comment period will follow. Regulation will become effective September 24, 2025.
18VAC50-22	Renewal Notifications Amendment – <i>Fast-Track</i>	<ul style="list-style-type: none"> Staff to file fast-track action.
18VAC50-22 18VAC50-30	Fee Adjustment	<ul style="list-style-type: none"> The new fee amounts became effective August 1, 2025.
18VAC50-22 18VAC50-30	Change in Examination Fees	<ul style="list-style-type: none"> Public comment period will conclude on September 26, 2025. A Public Hearing will be held on August 19, 2025.

Criminal History Matrix

Marjorie King, Executive Director, presented the Committee with a revised draft proposed criminal history matrix.

Ms. King explained upon approval of the revised matrix, the Board delegates authority to conduct predetermination fact-findings and license eligibility fact-findings to the Department of Professional and Occupational Regulation in accordance with the applicable portions of the Administrative Process Act (Code of Virginia 2.2-4000 et. seq.).

New Business

Examination Update

Regulatory Update

Criminal History Matrix

Ms. King further explained upon approval of the revised matrix, the following convictions would still not be reviewed by the Board and may be approved by DPOR staff.

1. Felony convictions more than three years old with no subsequent reportable convictions, unless the conviction resulted in incarceration where the release date is less than one year from the application date. This does not include convictions involving murder, manslaughter, sexual assault, rape, robbery, indecent liberties, fraud, embezzlement, abduction, assaulting a police officer, larceny, burglary or contractor related convictions.
2. Misdemeanor convictions more than two years from the date of application.
3. Misdemeanor convictions for possession of a controlled substance with no other convictions.
4. Felony convictions for possession of controlled substance more than two years old with no other convictions. For convictions less than two years old if the applicant has completed a deterrence program.
5. Felony convictions of Title 46 of the Code of Virginia (Traffic Code).
6. Misdemeanor convictions for simple assault (except domestic assault and assaulting a police officer), disorderly conduct, and/or trespassing.
7. Misdemeanor DUI convictions. This does not include DUI felony convictions.

A motion was made by Mr. Trice, seconded by Mr. Spencer, to recommend the Board approve the revised criminal history matrix as presented.

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

Committee Member Taylor Brannan arrived at the meeting.

**Committee
Member
Attendance**

Review of Guidance Document

**Review of
Guidance
Document**

Joe Haughwout, Regulatory Affairs Manager, presented the Committee with draft proposed amendments to Guidance Document #2959.

Mr. Haughwout explained that the Regulatory Review Workgroup met on August 18, 2025, to review and propose further amendments to Guidance Document #2959.

After discussion, a motion was made by Mr. Spencer, seconded by Mr. Brannan, to recommend the Board adopt the draft proposed amendments to Guidance Document #2959.

The motion was approved with a vote of 7-0-0. Ayes: Groh, Trice, Costen, Lowe, Spencer, Brannan. **Nays:** None. **Abstain:** None. **Absent:** McGonegal.

Executive Director Report

**Executive
Director
Report**

Marjorie King, Executive Director, informed the Committee of current and past statistical data related to Board licensing applications, emails, phone calls, and other various information.

Ms. King shared that discussion of the potential to move Remedial Education classes to every other month, rather than the current monthly schedule, will be brought to the next meeting.

Board Member Professional Development

**Board Member
Professional
Development**

Chair, Groh inquired upon the possibility of the Board meeting with various investigative staff for professional development. Mr. Groh explained that such a meeting would be beneficial to both the Board and Board staff.

Marjorie King, Executive Director, informed the Committee of the possibility of scheduling future board development with participation from investigative staff. Board staff will look into possible dates and discuss the matter further at a future meeting.

Recovery Fund Statement

**Recovery Fund
Statement**

Marjorie King, Executive Director, presented recovery fund statements for the months ending February through June 2025.

Ms. King requested the Committee's consideration of authorizing staff to transfer Contractor Transaction Recovery Fund monies from the Local Government Investment Pool (LGIP) to the primary Recovery Fund account, should additional funds be required to satisfy approved Recovery Fund claims.

After discussion, a motion was made by Mr. Spencer, seconded by Mr. Brannan, to recommend the Board authorize the Agency Director and staff to transfer Contractor Transaction Recovery Fund monies from the Local Government Investment Pool (LGIP) to its primary account should additional funds be required to satisfy approved Recovery Fund claims.

The motion was approved with a vote of 7-0-0. Ayes: Groh, Trice, Costen, Lowe, Spencer, Brannan. **Nays:** None. **Abstain:** None. **Absent:** McGonegal.

VIII. COMPLETE CONFLICT OF INTEREST FORM AND TRAVEL VOUCHER

**Complete
Conflict of
Interest Form
and Travel
Voucher**

Mr. Groh requested the Committee members complete their Conflict-of-Interest Statements and Travel Reimbursement Forms.

IX. ADJOURNMENT

Adjournment

Chair, Groh thanked the Committee and Staff and adjourned the meeting at 9:13 A.M.

The next Committee meeting will be **October 7, 2025**.

Donald Groh, Chair

Date

DRAFT