

KENTUCKY BOARD OF HOME INSPECTORS
MEETING MINUTES
April 9, 2013

A meeting of the Kentucky Board of Home Inspectors was held at the Office of Occupations and Professions in Frankfort, KY on April 9, 2013.

MEMBERS PRESENT

Mitch D. Buchanan, Vice Chairman
Mark G. Oerther
Ken Fister
J.R. Bone
James A. Chandler
Mark Schmidt
Robert P. Johnson

MEMBERS ABSENT

Kevin Farris, Chairman

OCCUPATIONS AND PROFESSIONS STAFF

Lindsey Lane, Board Administrator
Diana Jarboe, Board Administrator

OFFICE OF THE ATTORNEY GENERAL

Brian Judy, Office of the Attorney General

GUESTS

Steve Keeney
Bud Wenk

CALL TO ORDER

Mitch Buchanan, Board Vice Chairman, called the meeting to order at 10:40 a.m.

MINUTES

A motion was made by Mr. Chandler to approve the Special Meeting minutes from March 13-14, 2013. Mr. Oerther seconded that motion and it carried.

Mr. Schmidt made a motion to approve the meeting minutes from the March 15, 2013 meeting as amended. Mr. Fister seconded that motion and it carried.

MONTHLY FINANCIAL REPORT

The financial statement for the month ending March 31, 2013 was presented to the Board for review. The Board requested the final total for all expenses accrued during the Board Retreat in March. Ms. Lane will provide those figures once they're received from the Operations Section.

LICENSURE STATUS REPORT

Ms. Lane informed the Board that there are currently 269 Active Home Inspectors licensed by the state of Kentucky. There are currently 14 licensees that have their license on Inactive status. The Board talked about the drop in licensees and what has happened to the industry. Audience member Steve Keeney talked about the rise in people coming to the profession from other areas such as construction and contract work, plumbing, and HVAC.

O&P REPORT

Ms. Lane reported that the Board is now working with new employee and Board Administrator Diana Jarboe. Ms. Jarboe will be working with two other boards and has already started the

transition process with Ms. Lane. Ms. Lane will be available for training, and any other board related business that needs immediate attention until Ms. Jarboe feels comfortable enough to take over all Board activities.

The Office of Occupations and Professions is currently selecting interview candidates to fill the vacant Resource Management Analyst II position that handles all technology related functions within the office. Until the position is filled Operations Section Supervisor Susan Ellis will continue to update the websites as needed.

Executive Director Courtney Bourne is currently on maternity leave and will remain on leave until early May. During her absence anyone wishing to speak directly to management may contact Administrative Section Supervisor Deb Day or Operations Section Supervisor Susan Ellis.

There was an email sent around to all Board members regarding an Open Meetings Training offered by the Attorney General's Office. Both offices will work to set a date for that training.

O&P continues to work with the Commonwealth Office of Technology on the update of the licensee database. The data conversion is scheduled for the first week of April.

BOARD CHAIRMAN'S REPORT

Mr. Buchanan spoke on behalf of Board Chair Kevin Farris, thanking everyone for their great work at the retreat.

BOARD COUNSEL REPORT

Assistant Attorney General Brian Judy reported on the Romancik case. Mr. Judy explained there is currently no new information on this case and as of today a summons has still not been served. Mr. Judy submitted the paper work for that summons in early March and hopes that by the May Board meeting he has more information to share on this case.

Mr. Judy gave each member a draft copy of proposed language for their new regulations. He asked that each member review and bring comments or questions back to him in the May meeting. At this time there is no new language regarding revocation or probation. Members may submit any revisions to Mr. Judy before the next meeting.

NEW BUSINESS

The Board discussed an issue regarding a check that was submitted by a licensee with their renewal application that has come back to the office and reported as insufficient funds. Mr. Schmidt made a motion to revoke the license as the fees have still not been paid. Mr. Chandler seconded that motion and it carried.

The Board discussed the current renewal fee of \$400.00 and if it would be possible to make that a permanent fee reduction. Some members would like to take some more time to decide if this is the best practice at this time since there's a possibility of a few expenditures for items such as marketing and other necessary tools to make the consumer more aware of the Board and its functions as well as licensees obtaining important information regarding their profession. The Board will revisit this issue once they've had time to create and review a budget.

Mr. Johnson spoke to the Board about Error and Omission Insurance. He feels this is something that all Home Inspectors should carry but understands it is costly. He would like to keep this discussion on the table and discuss further in the future. Mr. Farris is also looking into this topic as all members of the Kentucky Real Estate Commission are required to carry E&O Insurance.

It was brought to the Boards attention that there is a new regulation being drafted regarding radon testing. Since several Home Inspectors work in that area it might be helpful for a member of the Board to offer assistance to the advisory panel that is drafting the new regulation. Mr. Judy offered to contact the Cabinet for Health and Family Services to see what their process and procedures will be concerning this regulation and report back to the Board in May.

EDUCATION COMMITTEE REPORT

No report in April.

APPLICATIONS COMMITTEE

The applications committee reviewed several renewal applications. Mr. Buchanan reported that there were 3 applications that would require letters sent to licensees. The committee is requesting one applicant attend the committee meeting in May to discuss the inspection report included in their renewal application. The following were approved for renewal:

- David Nelson
- Douglas Netherton
- Roger Roseberry
- Simmie Butler
- James Meffert

COMPLAINTS COMMITTEE

Mr. Schmidt informed the Board that the Complaints Committee had met prior to the meeting and reviewed the following two complaints:

#2012-04 – Mr. Schmidt made a recommendation to the Board that this complaint be dismissed due to the lack of scientific evidence as the photos provided with the complaint were from two years ago. Mr. Chandler made a motion to accept the committee’s recommendation. Mr. Oerther seconded that motion and it carried.

#2013-01 – Mr. Schmidt made a recommendation to dismiss this complaint due to lack of evidence as the Inspector involved did in fact list in his report the deficiencies with the home to the buyer. Mr. Oerther made a motion to accept the committee’s recommendation. Mr. Chandler seconded that motion and it carried.

The committee will review case #2013-02 at the next Board meeting in May.

TRAVEL AND PER DIEM

Mr. Bone made a motion to approve the travel and per diem for members attending today’s meeting. The motion, seconded by Mr. Fister, carried.

NEXT MEETING

The next meeting is scheduled for Tuesday, May 14, 2013 at the Office of Occupations and Professions in Frankfort, KY.

ADJOURN

Mr. Schmidt made a motion to adjourn at 12:15 p.m., having no further items of discussion. The motion, seconded by Mr. Chandler, carried.

Kevin Farris, Chairman