

**KENTUCKY BOARD OF HOME INSPECTORS  
BOARD MEETING MINUTES**

**August 11, 2009**

A meeting of the Kentucky Board of Home Inspectors was held at the Division of Occupations and Professions, Frankfort, KY on August 11, 2009.

MEMBERS PRESENT

D. Michael Green – Chairman  
William Welty  
Mark Schmidt  
Michael Patton  
James R. Bone  
Mike Powers, Division of Housing, Building &  
Construction

OCCUPATIONS AND PROFESSIONS STAFF

Jeff Boler, Board Administrator  
Carolyn Kyler, Board Administrator  
Barbara Rucker, Admin. Section Supervisor  
Frances Short, Executive Director

MEMBERS ABSENT

Richard Flora

OTHERS

Michael Bennett, Board Attorney  
Tara L. Green  
Lorri Keeney  
Steve Keeney  
Jay Jackson

**Call to Order**

Mr. Green called the meeting to order at 9:17 a.m. and introductions were made.

**Approval of Minutes**

Minutes of the July 14, 2009 meeting were presented for the Board's review. Mr. Welty made a motion to approve the minutes pending amendments. The motion, seconded by Mr. Powers carried unanimously.

**Financial Statement**

The board reviewed the financial statement for month ending July 31, 2009. Mr. Welty made a motion to approve the financial statement as presented. The motion, seconded by Mr. Bone, carried unanimously.

The board discussed their "per-diem" for board meetings and other board business. After discussion, Mr. Welty made a motion to approve a new per-diem rate of \$100 per day. The motion, seconded by Mr. Schmidt, carried unanimously. Mr. Powers abstained from voting.

**Director's Report**

Ms. Short, discussed the board's website, and stated that the procedure will be to have a draft agenda available on the site at least one week prior to the meeting. She also noted that the agenda will read "subject to change."

Ms. Short informed the board that Kentucky Interactive is in the process of creating the board's new database, and that a time for completion is not yet known

### **Ethics Training**

Mr. John Stephan, Executive Director of the Executive Branch Ethics Commission gave a presentation on Executive Order #2008-454, ethical requirements for members of executive branch board and commissions. No action was taken or required.

### **Board Administrator Report**

Mr. Boler noted that the licensee filing system has been created.

A discussion was held concerning the licensee list appearing on the website. Mr. Boler noted that this was only temporary, as the new database system will allow viewers to search home inspector licenses on-line. Once the lists come down, a \$15.00 fee will be assessed to anyone requesting a mailing list of active licensees.

### **Board Counsel Report**

Mr. Bennett noted that he has received correspondence concerning FPE breakers. After discussion, Mr. Patton made a motion to send a letter of response, stating that the board's position on this issue had previously been issued, and no further comments would be forthcoming. He also requested that a copy of the letter be sent to the Board of Electrician's. The motion, seconded by Mr. Welty, carried unanimously.

Mr. Bennett raised an issue about the "letter of reprimand" that was ordered in case # HIC04050809. The question was whether or not the board had authority to issue letter of reprimands in complaint cases. After discussion, Mr. Powers made a motion to rescind the letter of reprimand, and send the case back to the Compliance Review Committee. The motion, seconded by Mr. Schmidt, carried unanimously.

Mr. Bennett informed the board that the respondent in case # 03-04020-09 did not appear for the "show cause" hearing. After discussion, Mr. Welty made a motion to have the board counsel send a "cease and desist" letter to the respondent. The motion, seconded by Mr. Bone, carried unanimously.

### **Licensure Report**

The board reviewed the licensure report which indicated the following individuals were licensed between the dates of July 14, 2009 and August 11, 2009.

- *Anthony N. Schepis, License #3000*
- *Chris L. Douthitt, License #3001*
- *John P. Pagan, License #3002*
- *Jeffrey R. Shotton, License #3003*
- *Michael S. Musuraca, License #3004*
- *Michael D. Roberts, License #3005*
- *Stephen W. Crawley, License #3006*
- *Michael T. Barbour, License #3007*
- *Doug Haddix, License #3008*
- *Shane T. Dredge, License #3009*

Mr. Welty made a motion to approve the report as presented. The motion, seconded by Mr. Patton, carried unanimously.

### **Old Business**

The board reviewed a draft code of ethics presented by Mr. Bennett. After discussion, Mr. Welty made a motion to approve the board code of ethics as presented. The motion, seconded by Mr. Patton, carried unanimously.

The board reviewed language for the environmental regulation. Discussion on the topic was deferred until the next meeting. The board recognized and thanked Mr. Steve Kenney for compiling the information.

The board discussed the RFP for workshops. After discussion, Mr. Schmidt made a motion to pay travel and expenses for three board members to attend these events. The motion, seconded by Mr. Welty, carried unanimously.

### **New Business**

The board discussed the licensing requirements for its pre-licensing educational providers. Mr. Boler informed that the current providers do not hold licenses through the Kentucky State Board for Proprietary Education, and they do not meet any of the criteria for an exemption. After discussion, this issue was tabled to the next month, pending a meeting between board counsel, and the counsel for the Kentucky State Board for Proprietary Education.

The board reviewed correspondence from a licensee who wanted to file an amended renewal. After discussion, Mr. Schmidt made a motion to send a letter to the licensee, and request additional information concerning the disciplinary action listed on the renewal form. Once received, the matter should be sent the Compliance Review Committee. In addition, Mr. Schmidt requested that the board counsel research and see if a renewal could be amended. The motion, seconded by Mr. Bone, carried unanimously.

### **Compliance Review Committee**

Mr. Welty made a motion to dismiss case #02032609 without prejudice. The motion, seconded by Mr. Bone, carried unanimously.

Mr. Patton made a motion to dismiss case #06052909 without prejudice. The motion, seconded by Mr. Welty, carried unanimously.

### **Continuing Education Approvals**

Mr. Schmidt made a motion to approve a continuing education request for “KY Real Estate Inspection”. The motion, seconded by Mr. Powers, carried unanimously. Mr. Patton recused himself on the matter.

Mr. Patton made a motion to approve a continuing education request for “National Association of Home Inspectors”. The motion, seconded by Mr. Schmidt, carried unanimously.

## **Renewals**

Mr. Bone made a motion to approval a renewal of licensure for Mr. Lawrence Fisher. The motion, seconded by Mr. Schmidt, carried unanimously.

## **Travel and Per-Diem**

Mr. Powers made a motion to approve travel and per-diem for today's meeting, as well as for the recent hearing. The motion, seconded by Mr. Schmidt, carried unanimously.

Mr. Powers made a motion to adjourn the meeting at 1:07 PM. The motion, seconded by Mr. Bone, carried unanimously.

Approved by the Board,

Jeff Boler  
Board Administrator