

**STATE LICENSING BOARD FOR
RESIDENTIAL AND GENERAL CONTRACTORS
Board Meeting: November 16, 2009**

The State Licensing Board for Residential and General Contractors met on Monday, November 16, 2009, at the Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia, for the purpose of conducting Board business.

The following Board members were present:

Bob Barnard, Board Chairperson
David Cyr, Board Vice-Chairperson
Timothy Ansley
Mark Herbert
Roger Huggins
Allen Richardson
Edward Strain
T. Andy Cooper

Others present:

Tanja Battle, Executive Director
Eva Holmes, Administrative Assistant
Scarlett Elliott, Board Attorney

At 10:00 a.m. Chairperson Barnard established that a quorum was present and called the meeting to order.

The board voted to post the following rules.

A motion was made by Mark Herbert, seconded by Tim Richardson, and the Board voted unanimously to post Rules 553-12-.02 & 553-12-.03.

553- 12-.02 Continuing Education-Residential.

(1) Residential contractors by virtue of their training, education and/or experience have been licensed by the State Licensing Board for Residential and General Contractors and therefore are eligible to provide the public with needed professional services. In furnishing these services the licensed residential contractor occupies a unique position of public trust. It is essential in maintaining this trust that each licensed residential contractor continuously strive to increase his or her technical skills and knowledge.

(2) Pursuant to the provision of O. C. G. A Section 43-41-6(k), the Board prescribes the following regulations establishing requirements of continuing professional education to be met from time to time by licensed residential contractors in order to demonstrate that they are continuing their professional education as a condition to continued licensure beginning with the 2012 renewal cycle.

(a) Upon renewal of an existing license and as a condition to the renewal thereof, residential contractors licensed in the state of Georgia shall maintain and furnish to the Board, upon request or random audit, official documentation of having completed a minimum of ~~six (6) three (3)~~ **six (6)** hours of continuing education during each biennium for a Residential Basic license and a minimum of ~~twelve (12) six (6)~~ **twelve (12)** hours of continuing education during each biennium for a Residential Light Commercial license. Official documentation of course attendance must be maintained by a licensed residential contractor for at least two (2) years following the end of the biennium during which the course is taken. **Credit for continuing education earned in one biennium in excess of the hours required may be carried forward to the**

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next filing period, provided that credit carried forward shall not exceed fifty percent (50%) of annual continuing education requirement.

(b) Compliance with all continuing education requirements is a condition for license renewal. Failure to complete all hours of mandatory continuing education shall serve as grounds to deny the renewal of a license and may also result in disciplinary action being taken against a licensee.

553-12-.03 Programs Which Qualify.

(1) The overriding consideration in determining whether a specific program qualifies as acceptable continuing education is that it be a formal program of learning which contributes directly to the professional competence of an individual licensed to practice as a residential contractor by this State, and which meets the minimum standards of quality of development and presentation and of measurement and reporting of credits as may be established from time to time by the Board. Individuals or organizations that seek to sponsor an educational program under the provisions of this rule shall obtain approval by the Board of the program by submitting a request for approval to the State Board of Residential and General Contractors, 237 Coliseum Drive, Macon, Georgia 31217, not later than thirty (30) days prior to the scheduled date of such program. Such applications shall include the name of the program provider, the instructor(s) for the program, the location of the program, a description of the program's content and how the proposed program satisfies the requirements of this subsection, and a program outline. In lieu of approval by the Board, the Board will also recognize programs approved by the Home Builders Association of Georgia, Inc. The qualifying credit hours of continuing education shall be determined and approved by the Home Builders Association of Georgia, Inc. The Home Builders Association of Georgia, Inc. shall (a) review and approve only those programs which meet the standards set forth under this Section; (b) publish and disseminate to their members or other contractors on request, listings of continuing education programs which they have approved which meet the standards for continuing education credit under this rule; (c) maintain accurate records of qualified continuing education approved and provide a list of such continuing education programs to the Board; and (d) make records of approved continuing education programs available for audit by representatives of the Board. The Home Builders Association of Georgia, Inc. may charge a reasonable administrative fee to continuing education providers for services provided for review and approval of continuing education programs.

(2) Subject Matter: The following general subject matters are acceptable so long as they meet the standards specified in subsection (1):

- (a) Building and related codes;
 - (b) Functional fields of business (e.g., finance, marketing, personnel relations, business management, and organization);
 - (c) Legal, legislative or regulatory updates or certification classes;
 - (d) Workplace safety; ~~and~~
 - (e) Workers compensation=; and
- (d) Building techniques and technology.**

(3) Subjects of study other than those listed above will be acceptable if the applicant or program provider can demonstrate ~~to the Board~~ that the subjects contribute directly to the professional competence of an individual licensed to practice as a residential contractor by this State. The responsibility for substantiating that a particular program is acceptable and meets the requirements rests upon the applicant or program provider. ~~Applications for approval of subjects other than those~~

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~~listed in subsection (2) above shall be submitted to the Board at least thirty (30) days prior to the date of the program. Such applications shall include the name of the program provider, the instructor(s) for the program, the location of the program, a description of the program's content and how the proposed program satisfies the requirements of subsection (1), and a program outline. The Board or the Board's designee shall act on the application within ten (10) days of receipt of such application for approval~~

(4) Continuing education hours may be obtained via classroom courses and/or online or correspondence courses.

(a) General requirements:

1. An outline of the program is prepared in advance by the program director and retained by the license holder;
2. The program is conducted by a person whose formal training and experience qualify him as a competent instructor;
3. Hours of continuing professional education shall be calculated in one-half continuing professional education credit hour increments;
4. A record of registration and attendance through substantially the entire program is maintained, a copy of which is retained by the student and program provider.
5. The program provider will provide the Board with an electronic roster of license holders who have completed any course and the number of hours completed.

(b) The following programs will qualify provided the general requirements in **subsection (4)(a)** are met **and approval is otherwise obtained as set forth in subsection (1)**:

1. Professional development programs of recognized national, state and local trade associations;
2. Technical sessions at meetings of recognized national, state and local trade associations and their chapters;
3. University or college courses;
4. Noncredit courses from a college or university;
5. Dinner, luncheon and breakfast meetings of recognized trade associations may qualify if the requirements in (a) are met.

Executive Session

A motion was made by Mark Herbert, seconded by Tim Ansley, and the Board members present: Bob Barnard, David Cyr, Mark Herbert, Roger Huggins, Allen Richardson and Ed Strain voted unanimously to enter into Executive Session in accordance with O.C.G.A. 43-1-2(k) and 43-1-19(h) for application discussion.

Vote on Discussions from Executive Session

Open Session was declared.

A motion was made by David Cyr, seconded by Mark Herbert, and the Board voted unanimously to accept the recommendations made by the Board during Executive Session.

The recommendations made during Executive Session are as follows:

Accept Voluntary C&D order

- Earnest Gore dba EG Construction – recommended to accept

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Ratify General Division applications:

- E.D.G – recommended to approve with public consent order with probation until tax issue is resolved.
- H.J.F – recommended to move forward.
- J.W.H. – recommended to move forward.
- J.R.K. – recommended to move forward.
- K.C.B. – recommended to move forward.
- M.J.V. – recommended to grant request.
- R.A.G. – recommended to overturn denial and issue license.
- R.J.A. – recommended to uphold previous decision to deny.

Attorney General

- Presented a Voluntary Surrender Order for G.S. - recommended to accept.
- Requested findings of fact in the A.F. case.

Other Business

The Executive Director discussed the on-line application process. She also expressed concerns surrounding photographs submitted with applications. The board received the information with no rejection.

With no other business for the Board to discuss, the meeting was adjourned at 10:26 a.m.

Minutes recorded by:

Eva Holmes, Administrative Assistant

Minutes Edited/Reviewed by:

Tanja D. Battle, Executive Director