

MINUTES OF THE  
ANNUAL MEETING OF THE  
STRUCTURAL PEST CONTROL BOARD  
OCTOBER 10 AND 11, 2002

The meeting was held on Thursday and Friday, October 10 and 11, 2002, at The Queen Mary, 1126 Queens Highway, Long Beach, California, commencing at 1:10 PM with the following members constituting a quorum:

Ken Trongo, President  
Karl Thurmond, Vice President  
Jean Melton  
Bill Morris (October 11, 2002 only)  
Michael Roth  
Mustapha Sesay  
Gregory Traum

Board staff present:

Kelli Okuma, Registrar  
Susan Saylor, Assistant Registrar  
Dennis Patzer, Enforcement  
Barbara Howe, Licensing

Departmental staff present:

Donald Chang, Legal Counsel

Board Liaison Deputy Attorney General Robert Eisman was also in attendance.

**I. ROLL CALL**

Ms. Saylor read the roll call.

**II. REINSTATEMENT HEARING**

The Board sat with Administrative Law Judge Vincent Nafarrete and Deputy Attorney General Sharon Derkum to hear the Petitions for Reinstatement of William Jackson, Operator's License No. OPR 6387, Ralph Maldonado, Field Representative's License No. FR 16517, and Walter G. Moorner, Field Representative's License No. FR 29496. The petitioners were informed that they would be notified by mail of the Board's decision.

**III. CLOSED SESSION**

The Board adjourned to closed session to consider administrative actions in accordance with subdivision (c)(3) of Section 11126 of the Government Code.

The meeting recessed at 3:30 PM.

The meeting reconvened at 9:00 AM on Friday, October 11, 2002.

**IV. FLAG SALUTE**

Mr. Trongo led the flag salute.

**V. PUBLIC HEARING TO AMEND SECTIONS 1991(a)(8)(C), AND TO ADOPT SECTIONS 1993.2 and 1993.3 OF TITLE 16 OF THE CALIFORNIA CODE OF REGULATIONS RELATING TO CONSUMER NOTIFICATION REGARDING LOCAL TREATMENTS AND THE USE OF TERMITE BAIT STATIONS**

Mr. Chang announced for the record that the date was October 11, 2002, the time was 9:03 AM and the meeting was being held in Long Beach. He stated a quorum of the Board was present, a notice had been filed with the Office of Administrative Law and a copy sent to all interested parties.

Mr. Chang announced the hearing was being held to consider the proposed changes to Board rules' Sections 1991(a)(8)(C), 1993.2 and 1993.3 as outlined in the public notice. The hearing would be open to take oral testimony and/or documentary evidence by any person interested in these regulations. All oral testimony or documentary evidence would be considered by the Board pursuant to the requirements of the Administrative Procedures Act before formally adopting the proposed amendments to the regulations, or any recommendations for change that might evolve as a result of the hearing.

Mr. Chang announced that after all interested parties had testified, the testimony phase of the hearing would be closed and the Board would then consider the appropriate action to be taken for any regulatory changes. He asked if there were any questions concerning the nature of the proceedings or the procedures to be followed. As there were none, he opened the hearing to the public for oral testimony and/or documentary evidence.

Proposed Amendment of Regulation Section 1991(a)(8)(C)

Dave Franklin, representing himself, commented that:

- This proposed regulation amendment had been coming before the Board for the last 20 years and he felt there was no need to adopt the amendment.
- The proposed amendment addresses infestations extending into inaccessible areas, which would include drywood and subterranean termites and wood boring beetles, but does not address fungus, which would have to be included in the future.
- He felt the proposal would result in more fumigation, which cost more money than local treatment, and the costs of fumigation were already expected to increase due to new Cal OSHA requirements.
- New technology are being developed to allow for better detection and better local treatments, which could reduce the amount of ineffective treatments and use less toxic materials.
- He was in favor of rejecting this proposal.

Jim Steffenson, Tallon Termite & Pest Control Inc. and past Board member, commented that:

- He had spoken against this proposal all along because he thought it infringed on the expertise of pest control operators and felt that if a local treatment was called and the home was guaranteed for two years, if termites did appear someplace else they certainly would be taken care of.
- He concurred with Dave Franklin regarding new devices soon to be implemented and questioned if once new technology was available, would it be considered a substandard treatment to fumigation.
- He felt that local treatment could be safer than fumigation.
- Because of recent Cal OSHA requirements, the cost of fumigation has gone up a minimum of 33% and felt this cost would be passed on to the consumer.

John Van Hooser, Ultratech Division, commented that:

- As both a fumigator and a local treater, he believed that there would be little to no effect on the difference between local treatment and fumigating.
- Consumers do not read disclaimers placed on the reports now. This proposal was just another disclaimer that would not be read.

Park Hoover, Angelo Termite & Construction, commented that:

- The proposed language alerts the consumer, and fulfills the goal to protect the consumer, to the fact that there are other ways to do a job that may or may not be more effective.
- He agreed with the proposed language.
- He felt that additional or stronger language could be used as a coercive method to try to persuade the consumer to use something different than the recommendation of the structural pest control operator.

Larry Musgrove, Western Exterminator Company, commented that:

- The reason for the language change was to alert the consumer about alternative methods and to the difference between a whole house treatment and a local treatment.

Tom Murray, Structural Renewal, commented that:

- He agreed with Larry Musgrove that this language was intended to protect the consumer, to let them know that there was a difference between a whole house treatment and a local treatment.
- He strongly advised going forward with the language.

Rob Stevens, Abbey Termite Control, commented that:

- He already uses similar language on his reports and agreed with going forward with the proposed language.

Robert Eisman, Attorney General's Office, commented that:

- There were three options available to consumers with infestations that extend into inaccessible areas, to treat the entire structure, to gain access to the infestation by whatever means and treat it, or remove all the infested wood. He felt the key was to have an informed consumer and this language accomplished that goal. His only concern was the way it was incorporated in the regulation wherein it was not clear whether the consumer would be alerted with each recommendation or with a separate statement.

#### Proposed Adoption of Regulation Section 1993.2

There were no public comments.

#### Proposed Adoption of Regulation Section 1993.3

There were no public comments.

There being no further public comments, Mr. Chang concluded the regulatory hearing and opened up the proposals for Board discussion.

#### Proposal to Amend Regulation Section 1991(a)(8)(C)

Mr. Morris thanked the audience for their comments. He stated he considered language helping the consumer to be pro forma and assumed that as an industry it would be part of a professional and business responsibility to inform the consumer as to all aspects of their problems. His question was what would the consumer do if they were told there were inaccessible areas in their home and the company would neither be responsible nor liable for them. He felt the consumer was left hanging in limbo. He supported the language as it

assisted the consumer as to the conditions from the industry perspective but had reservations as to how it was incorporated into the language.

Mr. Traum commented that when most people refer to local treatment, it is in relation to drywood termites. He felt this verbiage would be applicable to subterranean termites as there is no all-encompassing method to treat for subterranean termites.

Mr. Trongo commented the amendment was drafted to protect the consumer and, while it may require more work as Robert Eisman commented, felt it was necessary to adopt.

Mr. Sesay agreed with the comment made by Bill Morris, he felt the language left the consumer hanging and wondered if something could be added to give the consumer choices.

Ms. Melton commented it has been her experience that most licensees in the audience are great operators, rarely coming before the Board and having no consumer complaints. However, there are companies that do not abide by the law. She felt the Board must protect the consumer and had to do something to educate them as to options and differences between spot and local treatment and whole house fumigation. She felt consumers should be allowed to make their own choices and the amendment should be passed.

Mr. Morris questioned if the proposed language is the only language being considered at this time.

Mr. Trongo responded that this language is the language considered at a previous meeting and the matter of language placement was not specified.

Mr. Chang commented that as noticed, the statement must be included somewhere in the report; it did not necessarily have to be tied to each recommendation.

Mr. Morris stated that he saw the language as an industry protection clause by absolving the industry of liability and he did not want the consumer to be left hanging in terms of their options.

Mr. Roth moved and Ms. Melton seconded to adopt the proposed change to Title 16, section 1991(a)(8)(C) as follows:

**§ 1991. Report Requirements Under Section 8516(b)10.**

(a) Recommendations for corrective measures for the conditions found shall be made as required by paragraph 10 of subdivision (b) of Section 8516 of the code and shall also conform with the provisions of Title 24 of the California Code of Regulations and any other applicable local building code, and shall accomplish the following:

(1) Comply with the provisions of section 2516(c)(1) of Title 24 of the California Code of Regulations.

2) Remove from the subarea all excessive cellulose debris in earth contact. This excludes shavings or other cellulose too small to be raked or stored goods not in earth contact.

Stumps and wood imbedded in footings in earth contact shall be treated if removal is impractical.

(3) When evidence of moisture, infestations or infections exists as a result of faulty grade levels, earth fill planters or loose stucco, a recommendation shall be made to correct the condition. Any method of controlling infestations arising from these conditions is considered adequate if the infestation is controlled.

(4) Comply with the provisions of section 2516(c)(6.1) of Title 24 of the California Code of Regulations (Effective July 1992).

(5) Structural members which appear to be structurally weakened by wood-destroying pests to the point where they no longer serve their intended purpose shall be replaced or reinforced. Structural members which are structurally weakened by fungus to the point where they no longer serve their intended purpose shall be removed or, if feasible, may remain in place if another structural member is installed adjacent to it to perform the same function, if both members are dry (below 20% moisture content), and if the excessive moisture condition responsible for the fungus damage is corrected. Structural members which appear to have only surface fungus damage may be chemically treated and/or left as is if, in the opinion of the inspector, the structural member will continue to perform its originally intended function and if correcting the excessive moisture condition will stop the further expansion of the fungus.

(6) Comply with the provisions of section 2516(c)(6) of Title 24 of the California Code of Regulations.

(7) Comply with the provisions of section 2516(c)(4) of Title 24 of the California Code of Regulations.

(8) Exterminate all reported wood-destroying pests. Such extermination shall not be considered repair under section 8516(b)(12) of the code. If evidence indicates that wood-destroying pests extend into an inaccessible area(s), recommendation shall be made to either:

(A) enclose the structure for an all encompassing treatment utilizing materials listed in Section 8505.1 of the code, or

(B) use another all encompassing method of treatment which exterminates the infestation of the structure, or

(C) locally treat by any or all of the following:

1. exposing the infested area(s) for local treatment,
2. removing the infested wood,
3. using another method of treatment which exterminates the infestation.

(If any recommendation is made for local treatment, the report must contain the following statement: "Local treatment is not intended to be an entire structure treatment method. If infestations of wood-destroying pests extend or exist beyond the area(s) of local treatment, they may not be exterminated.")

When a complete inspection is performed, a recommendation shall be made to remove or cover all accessible pellets and frass of wood-destroying pests.

When a limited inspection is performed, the inspection report shall state that the inspection is limited to the area(s) described and diagrammed. A recommendation shall be made to remove or cover all accessible pellets and frass of wood-destroying pests in the limited areas. The limited inspection report shall include a recommendation for further inspection of

the entire structure and that all accessible evidence of wood-destroying pests be removed or covered.

(9) For the extermination of subterranean termite infestations, treat an infested area under the structure when subterranean termite tubes are found connected to the ground or when active infestations are found in the ground. Subterranean termite tubes shall be removed where accessible, except for the use of above ground termite bait stations, in which case subterranean termite tubes can remain in place for purposes of placement of termite bait stations. At the conclusion of treatment, the subterranean termite tubes shall be removed.

(10) Comply with the provisions of section 2516(c)(2) of Title 24 of the California Code of Regulations.

(11) Correct any excessive moisture condition that is commonly controllable. When there is reasonable evidence to believe a fungus infection exists in a concealed wall or area, recommendations shall be made to open the wall or area.

(12) Repair a stall shower if it is found to leak when water tested for a minimum of fifteen (15) minutes after the shower drain has been plugged and the base filled to within one (1) inch of the top of the shower dam. Stall showers with no dam or less than two (2) inches to the top of the dam are to be water tested by running water on the unplugged shower base for a minimum of five (5) minutes. Showers over finished ceilings must be inspected but need not be water tested. If water stains are evident on the ceiling, recommendations shall be made for further inspection and testing.

(13) Restore any members of wooden decks, wooden stairs or wooden landings in exterior exposure to a condition where they are able to carry out their intended function. Recommendations for corrective measures will depend upon the extent of adverse exposure and existing degree of deterioration and may include any of the following:

(A) Refasten any wood members which are considered structurally functional but have become loose because of wood deterioration.

(B) Remove and/or replace structurally weakened portions of any wood member.

(C) Remove and replace all wood members if full function and safety cannot be restored by partial replacement and repair as in (B) above, remove and replace entire wood member.

(b) Preconstruction application of termiticide for protection from subterranean termites shall not be made at less than the manufacturer's label specifications.

(c) If in the opinion of the inspector a building permit is required, it must be noted on the wood destroying pests and organisms inspection report (Form No. 43M-41 as specified in section 1996 of the California Code of Regulations).

NOTE: Authority cited: Section 8525, Business and Professions Code. Reference: Section 8516, Business and Professions Code.

Passed unanimously.

#### Proposal to Adopt Regulation Sections 1993.2 and 1993.3

Mr. Sesay moved and Mr. Traum seconded to authorize staff to modify the proposed adoption of section 1993.2 to include the definition of an in-ground termite monitoring system, make the language available for a 15-day public comment period, and

delegate authority to the registrar to adopt the proposed regulation amendments as follows, provided there are no adverse public comments:

**§ 1993.2. Termite Bait Station.**

(a) For the purposes of this section and section 1993.3, "termite bait station" shall include:

(1) an "above-ground bait station" which shall mean any device containing pesticide bait used for the eradication of wood destroying pests that is attached to the structure, or

(2) an "in-ground bait station" which shall mean any device containing a material to attract and or monitor wood destroying pests, or containing a pesticide bait to eradicate wood destroying pests, that is placed in the ground.

(3) an "in-ground termite monitoring system" is a device placed in the ground to determine the presence or absence of subterranean termites through scheduled periodic inspections.

(b) Prior to installation of any termite system, a full or limited inspection of the structure shall be made.

NOTE: Authority cited: Section 8525, Business and Professions Code. Reference: Section 8514, Business and Professions Code.

**§ 1993.3. In-Ground Termite Bait Stations.**

Use of in-ground termite monitoring and/or baiting systems shall be considered a control service agreement as defined by section 8516 of the code.

NOTE: Authority cited: Section 8525, Business and Professions Code. Reference: Section 8516, Business and Professions Code.

Passed unanimously.

**VI. APPROVAL OF JULY 19, 2002 MINUTES**

Mr. Roth moved and Ms. Melton seconded to approve the minutes of the meeting of July 19, 2002. Passed unanimously.

**VII. REGISTRAR'S REPORT**

Ms. Okuma reported on the following:

- The Senate Constitutional Amendment in the board package dealing with public records and access to government information has failed.
- A contract for the research grant program with Forest Products Laboratory was signed in September. Staff is now working with Frank Beal to request research proposals.
- There was a fumigation explosion in the Southern California area, which is still under investigation.



- There were two fires associated with two different structures, one tarped for fumigation and the other for a heat method, also under investigation.

Mr. Patzer reported on the following:

- He has given the False and Misleading Advertising presentation to PCOC Districts: San Diego, Big Valley, Mid Cal, and will speak to Palm Springs on October 15, 2002 and Los Angeles South Harbor on October 17, 2002.
- The schedule for those not affiliated with the PCOC districts is below:
  - October 25, 2002 – San Diego
  - November 1, 2002 – Los Angeles
  - November 4, 2002 – Oakland
  - November 7, 2002 - Sacramento
- The Contractor's State License Board (CSLB) has a license category entitled animal damage and bird control. Mr. Chang has been in contact with CSLB in regards to rescinding this structural license category. A letter will be sent to CSLB next week to rectify this matter.
- This morning he spoke at a breakfast meeting for the California Association of Realtors regarding the responsibilities of the Board and its role in consumer protection.

Ms. Saylor reported on the following:

- Licensing statistics and survey results were reviewed with the Board members.
- The Governor's budget eliminated 6,000 vacant statewide positions, of which two vacant Board staff positions were subsequently lost.
- The Governor's budget included a proposal to cut an additional 1,000 positions statewide in 2003/2004.
- There is an increase of agencies that previously provided services for the Board that will provide reduced or no services due to the cut positions.
- Approximately 3,000 renewals were processed during the renewal period ending September 30, 2002. Staff members will audit 25 percent of those renewals for continuing education compliance within the next 12 months. The audits should begin in November.
- The Governor offered a golden handshake to employees opting to retire early, which will add two years to a retirement package. Two staff members expressed

interest. If the package is approved for those staff, the positions could not be filled for over a year, but after six months the positions are lost permanently.

Mr. Morris questioned whether the low passing score for licensing exams is consistent from year to year.

**VIII. PROPOSED AMENDMENTS TO BOARD PROCEDURE NO. G-3: BOARD COMMITTEES**

Mr. Morris renewed his concerns of accountability, as expressed in his memo to the Registrar.

Bill Gillespie, Research Endeavors, distributed a letter to the Board Members that addressed conflict of interest issues relative to past Board members.

Mr. Trongo suggested that at the next Strategic Planning Meeting the Board Members take a look at the issue of committee appointments and the proposed amendments to Board Procedure No. G-3.

Mr. Trongo requested, given the seriousness of Mr. Gillespie's allegations, that Mr. Gillespie provide the Board and its legal counsel with a letter specifically addressing his concerns.

Larry Musgrove, Western Exterminator Company, commented that the key to a good committee is the selection of a good chairperson. He asked to go on record as saying that his observation of Board committees is that they are not self serving and dishonest, and they do work for the interest of the California consumer.

**IX. PROPOSED AMENDMENTS TO BOARD PROCEDURE NO. G-6: ACCESS TO PUBLIC RECORDS**

Ms. Okuma reported on the Public Records Act (PRA) Guidelines that the Department of Consumer Affairs recently updated.

Ms. Melton moved and Mr. Traum seconded to adopt the proposed amendments to Board Procedure No. G-6: Access to Public Records as outlined. Passed unanimously.

**X. PROPOSED REPEAL OF BOARD PROCEDURE NO. E-9: FALSE ADVERTISING / UNFAIR COMPETITION**

Ms. Okuma reported that since the Board had adopted California Code of Regulations section 1999.5, it would be appropriate to repeal Board Procedure No. E-9: False Advertising / Unfair Competition as it no longer applied.

Mr. Eisman commented that Board procedure E-9 addresses false advertising and unfair competition. However, false advertising is but one form of unfair competition.

Mr. Traum moved and Mr. Sesay seconded to repeal Board Procedure No. E-9: False Advertising / Unfair Competition. Passed unanimously.

**XI. DEPARTMENT OF CONSUMER AFFAIRS' RECOMMENDED MINIMUM STANDARDS FOR CONSUMER COMPLAINT DISCLOSURE, AND POSSIBLE AMENDMENT OF BOARD PROCEDURES NO. E-10 AND E-11**

As Lynn Morris was unable to address the Board on the issue of minimum standards for consumer complaint disclosure and a possible amendment of Board Procedures No. E-10 and E-11, Ms. Okuma suggested it would be appropriate to hold the issue over for a future meeting with a department representative.

Mr. Traum moved and Ms. Melton seconded to table this issue until the next meeting, when more information could be presented. Passed unanimously

**XII. ANNUAL REVIEW OF PROCEDURES**

Mr. Trongo suggested that review of procedures be incorporated into the next Strategic Planning meeting.

**XII. ANNUAL REVIEW OF STRATEGIC PLAN**

Ms. Okuma reported the following update to the Strategic Plan:

- Objective 1.1: Developing and implementing regulations governing the use of baits and related alternative methods continuous. A public hearing was conducted today to adopt regulations addressing use of termite baits. The committee has plans to hold another meeting.
- Objective 1.2: Providing recommendations to the Board on how to utilize the Department of Consumer Affairs' (DCA) consumer outreach resources to promote consumer education was progressing. The Board was still awaiting for an events calendar from Contractor's State License Board and DCA.
- Objective 1.3: Staff was still waiting for receipt of the computer software before proceeding with enhancing the Board's website by conducting a consumer survey.

- Objective 2.1: The Education Committee continues to meet and will report its progress at today's meeting.
- 2.2
- 2.3
- Objective 3.1: Staff is still working on the ability to create reportable information of the Board's enforcement program.
- Objective 4.1: Converting the examination to computer based testing will increase the costs to administer the examinations. Staff would be working on a proposal for the Board's consideration.
- Objective 4.2: No progress has been made on establishing an on-line process for the filing of Wood Destroying Organisms activities. The Department is not set up for the proposed program and there is no authorization to collect money over the Internet. The new proposal the Department sent would cost more money than has been set aside for the program.
- Objective 4.4: The Rules and Regulations Committee will report later today on its review of the laws, rules, and regulations to ensure their continued efficiency.

**XIV. REQUEST FROM RONALD HAMANN TO DISAPPROVE NAMESTYLE OF EXPRESS TERMITE & CONSTRUCTION, INC. AS TOO CONFUSINGLY SIMILAR TO EXPRESS EXTERMINATORS OF SOUTHERN CALIFORNIA**

Ms. Okuma reported there was a request from Ronald Hamann to disapprove the name style of Express Termite & Construction, Inc. due to the problems he was encountering with this registered company.

The Board heard from Mr. Hamann and from Victor Herrera, owner of Express Termite & Construction, Inc.

Mr. Roth moved and Mr. Thurmond seconded to deny Mr. Hamann's request. Passed unanimously.

**XV. APPLICATOR LICENSE EXAMINATION PROCESS – PRESCREENING TO PREVENT REVOKED / UNQUALIFIED APPLICANTS FROM OBTAINING LICENSURE**

Ms. Okuma reported on the procedural problem of applicator licenses being issued to persons with a criminal background that would otherwise be grounds for denial of a license, and to persons with a revoked license.

Mr. Traum moved and Mr. Thurmond seconded to require that applicants submit to the Board a fully completed application as a condition to being referred to a county agricultural commissioner's office and being scheduled for examination. Passed unanimously.

**XVI. PROPOSED REQUIREMENT FOR CRIMINAL BACKGROUND CHECK ON ALL LICENSE APPLICANTS**

Ms. Saylor reported that it was proposed that all licensing applicants have a background investigation through the Department of Justice (DOJ) and the Federal Bureau of Investigation (FBI).

Mr. Roth moved and Mr. Traum seconded to authorize staff to take all necessary steps that would require criminal background checks for all licensing applicants as soon as possible through DOJ for state clearance and the FBI for federal clearance. Passed unanimously.

**XVII. PROPOSED LEGISLATIVE AMENDMENT TO EXTEND TIMEFRAME FOR SUBMISSIONS OF WDO ACTIVITIES TO THE BOARD**

Ms. Okuma reported that because of the difficulties for pest control companies to submit WDO Activity data every 10 days and the problems experienced with staff processing these checks and submissions timely, she questioned if the Board would consider a legislative amendment to extend the 10-day filing period.

The Board took no action on this matter.

**XVIII. PROPOSAL TO INCREASE GENERAL LIABILITY INSURANCE LIMITS**

Ms. Okuma reported that the proposal to increase general liability insurance limits had been withdrawn by the requesting party.

**XIX. PROPOSED REGULATORY AMENDMENT REQUIRING DISCLOSURE OF REINSPECTION REQUIREMENTS ON THE INSPECTION REPORT**

Ms. Okuma reported that the proposed regulatory amendment requiring disclosure of reinspection requirements on the inspection report had been before the board a number of years ago. It had been re-noticed in 1997 but the rulemaking file was never completed. The proposed amendment of Section 1993.1 was submitted for the Board's consideration to notice for public hearing.

Mr. Roth moved and Ms. Melton seconded to refer section 1993.1 to the Rules and Regulations Committee for rewording, tabling it for the next meeting. Passed unanimously.

**XX. PROPOSED AMENDMENT TO SECTION 1950.5 (j) AND (k) TO ALLOW CONTINUING EDUCATION CREDIT FOR BOARD MEMBERS**

Ms. Okuma reported that at the July 2002 board meeting, Mr. Roth requested that the board discuss a proposed regulatory amendment that would allow licensed Board Members to receive continuing education credit for attendance at Structural Pest Control Board meetings.

Mr. Thurmond moved and Mr. Sesay seconded to reject the proposal to allow licensed Board Members to receive continuing education credit for their attendance at Structural Pest Control Board meetings. Motion carried (Ayes – Morris, Sesay, Thurmond. No – Roth. Abstain – Melton, Traum, Trongo).

**XXI. CONTINUING EDUCATION COMMITTEE REPORT**

Mr. Patzer gave an update on the September 24, 2002 Continuing Education Committee meeting. The next committee meeting is scheduled for October 24, 2002, and the committee will make a final presentation with recommendations to the Board at the conclusion of the committee's mandate.

**XXII. RULES AND REGULATIONS COMMITTEE REPORT**

Larry Musgrove gave an update to the Board Members on the Rules and Regulations Committee. Their next meeting is scheduled for November 13, 2002, and the committee will make a final presentation with recommendations to the Board at the conclusion of the committee's mandate.

**XXIII. BOARD MEETING CALENDAR**

The next Board Meeting will be held January 9 and 10, 2003 in San Diego. The following meeting will be held April 3 and 4, 2003 in Monterey. The Strategic Planning Meeting will be held December 3 and 4, 2002 in either Los Angeles or Orange County.

**XXIV. ELECTION OF OFFICERS**

Mr. Chang advised Board Members that the nominations for officers could be taken and that the nomination did not require a second. He stated there were two offices open: that of President and Vice President, and asked for any nominations for the office of President.

Mr. Traum nominated Michael Roth for the position of President. As no other nominations were made, Mr. Chang moved that the nominations be closed. Passed unanimously.

Mr. Chang asked for nominations for the office of Vice President.

Mr. Roth nominated Jean Melton for the position of Vice President. As no other nominations were made, Mr. Chang moved that the nominations be closed. Passed unanimously.

Mr. Roth, in his first official act as President, stated he would like to thank everyone, that he was deeply honored, would do his very best to be even-handed and fair, and would strive to do a good job. He then stated he had a tough act to follow as the board had all new appointees in January of last year with the exception of Ken Trongo, who was their link to the past. Mr. Roth stated he had been very impressed with Mr. Trongo - he had been a gentleman; he had been helpful, friendly and had conducted the meetings in a way Mr. Roth had not seen for a long time. He thanked Mr. Trongo and asked the Board to put his comments in writing because Mr. Trongo had done a superb job as president during the past year.

**XXV. PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA**

John Van Hooser, Ultratech Division, commented there was a QAL residential commercial license and he questioned if it would be permissible for companies to hire a QAL as the equivalent of an applicator. He asked if the hiring of QAL licensees could be researched as an option for registered companies.

Mr. Trongo adjourned the meeting at 1:15 PM.



MICHAEL ROTH, President



KELLI OKUMA, Registrar

1-10-03  
DATE