

NCOWCICB
BOARD MEETING AGENDA AND MINUTES APPROVED 7 24 13
JANUARY 30, 2013 8:00 A.M.
HICKORY, NC
LOCATION: HICKORY METRO CONVENTION CENTER BOARD ROOM
1960 13TH AVE DR SE HICKORY NC

8:00 a.m. CALL TO ORDER: 8:04 BY RUSS DAVIS

OPENING PRAYER: JERRY PEARCE
ROLL CALL: ABSENT JIM LANIER, JEFF KNIGHT. SID GASKINS CAME IN AT 8:25 A.M.
RECOGNITION OF PROXY(IES): NONE

READING OF ETHICS STATEMENT

ETHICS STATEMENT: In accordance with the State Government Ethics Act, it is the duty of every [Board] member to avoid both conflicts of interest and appearances of conflict.

Does any [Board] member have any known conflict of interest or appearance of conflict with respect to any matters coming before the [Board] today?

If so, please identify the conflict or appearance of conflict and refrain from any undue participation in the particular matter involved.

READ BY RUSS DAVIS, DIANA RASHASH AND JERRY PEARCE ON CLASS REQUEST

8:05 a.m. RECOGNITION OF ANY ATTENDING PUBLIC AND REQUEST TO ADDRESS BOARD (PLEASE NOTE: PUBLIC MAY ADDRESS THE BOARD DURING THIS SECTION OF BOARD MEETING. BOARD WILL NOT RESPOND TO COMMENTS OR REQUEST MADE BY PUBLIC. REQUEST MADE BY PUBLIC DURING THIS SESSION WILL BE PLACED ON A FUTURE BOARD AGENDA FOR DISCUSSION. PUBLIC WILL BE ALLOWED MAXIMUM OF FIVE (5) MINUTES PER PERSON TO ADDRESS BOARD. PUBLIC WILL NOT BE ALLOWED COMMENT FOR REMAINDER OF BOARD MEETING.

NONE ATTENDING

8:10 a.m. Approval of Minutes from September 7, 2012 meeting (see minutes attached)
MOTION TO APPROVE JERRY PEARCE, 2ND RUSS AYERS MINUTES APPROVED

8:15 a.m. Class Approval Request:
NCSU class approval request:
NCSU has requested that all classes approved in 2012 be re-approved for 2013 with no new class approval requests being submitted
MOTION TO APPROVE RUSS AYERS, 2ND GLENN HINES ALL APPROVED

NCSTA class approval request:
NCSTA has requested that all classes approved in 2012 be re-approved for 2013 with no new class approval requests being submitted
MOTION TO APPROVE DIANA RASHASH , 2ND RUSS AYERS, ALL APPROVED

EAHEC class approval request:

Class title: Improvement Permit in depth class on permits, requirements, installation, 6 hours all levels, MOTION TO APPROVE DIANA RASHASH, 2ND GLENN HINES, APPROVED

Class title: Operation Permit in depth class on permits, requirements, and installation, 6 hours all levels MOTION TO APPROVE DIANA RASHASH, 2ND GLENN HINES, APPROVED

Class title: Construction Authorization in depth class on permits, requirements and installation, 6 hours all levels, MOTION TO APPROVE DIANA RASHASH, 2ND GLENN HINES, APPROVED

Chatham County class approval request:

Contractors and Operators Workshop, various topics concerning onsite systems, 6 hours all levels, this is re-approval of prior year class

MOTION TO APPROVE JERRY PEARCE, 2ND DIANA RASHASH, APPROVED

Albermarle Regional Health class approval request:

Installer Education Workshop, 6 hours all levels, this is re-approval of 2012 class, 6 hours all levels MOTION TO APPROVE RUSS AYERS, 2ND GLENN HINES, APPROVED

Carteret County Env. Health class approval request:

Spring Wastewater Training in depth topics on system types, safety, rules and regulations, 6 hours all levels

Fall Wastewater Training in depth topics on system types, safety, rules and regulations, 6 hours all levels

MOTION TO APPROVE DIANA RASHASH, 2ND GLENN HINES, APPROVED

8:35 a.m.

Update from Administrator:

As of 1/24/13 84% of 2012 certification holders have submitted renewal for 2013. Renewals are continuing to come in and will do so throughout January and February. Historically approximately 8% of certification holders do not renew each year but during the course of the year we gain those numbers back with new applicants.

As per Board instruction, along with the 2013 certification cards booklets containing all the Regulations, rules and forms were mailed. Responses have varied from really appreciative to what do I need this for

Latest section of rules went into effect 1/1/13 and the final version is attached herein for your records

21 NCAC 39 .0601 reduced the number of credit hours required annually for continuing education. The perimeters that the Board had set for continuing education was that each class approved should have a minimum of 1 hour safety, 1 hour NCOWCICB rules and requirements, and 1 hour of 1900 rules. These requirements are entirely at the Board's discretion. With this reduction of required hours the Board may want to revisit the content requirements. The majority of class providers have met this requirement by mixing in safety and rules within other topics, however if this minimum requirement continues for a 3 hour class those topics would be all that could be covered.

GS90A-79 (b) . . .may approve a continuing education program or course if the board finds that the program or course provides useful educational information or experience that will enhance the construction, installation, repair, or inspection of onsite wastewater systems.

21NCAC 39 .0602 (c) The Board shall approve courses that instruct on onsite wastewater contractor or inspector activities and the use of onsite wastewater contractor or inspector equipment, products and materials. The Board must determine that courses and activities contain a clear purpose and objective and result in the maintenance, improvement, or expansion of skills and knowledge related to the practice of onsite wastewater contractor or inspector activities. . .

The requirements for the 18 hour introduction course and the introduction Inspector class should be left as they are. It is required that those classes have minimum of 1 hours safety, 1 hour

1900 rules and also 1 hours of NCOWCICB rules and regs. The NCOWCICB rules and regs section must be presented by NCOWCICB executive director or chairman of Board.

DISCUSSION WAS HELD ABOUT REQUIREMENTS,
RUSS AYERS MADE MOTION THAT NEED TO KEEP NCOWCICB RULES AND
REQUIRMENTS A PART OF EACH CLASS, NCOWCICB MUST BE A MINIMUM
OF 30 MINUTES FOR A THREE HOUR CLASS, AND 1 HOUR FOR A 6 HOUR
CLASS, SAFETY AND 1900 RULES WILL BE INCORPORATED IN
PRESENTATION, WILL PROVIDE PROVIDERS WITH OUTLINE FOR CONTENT
OF NCOWCICB RULES AND REGS IF NCOWCICB REPRESENTATIVE CAN'T
ATTEND, 2ND JERRY PEARCE, MOTION APPROVED

REMINDER Board members are required to submit an annual Statement of Economic Interest. Keep in mind this must be filed on time or you may be charged a penalty. This penalty is not charged to NCOWCICB but the individual Board member. The SEI is due no later than April 15 each year. You may qualify to file a no change form which is shorter. The forms and detailed information is available at: www.ethicscommission.nc.gov/sei/blankForm.aspx
Information for required Ethics training for Board members can be found at <http://www.ethicscommission.nc.gov/education/default.aspx>

Notes:

9:05 a.m. Treasurer's Report by Jerry Pearce, Treasurer
Financial Report as of December 31, 2012

Monies on hand:	
North State Bank Operating Account	\$268,524.69
Select Bank*	\$229,437.04
Bank of Oak Ridge*	\$227,664.06
New Bridge Bank*	<u>\$200,452.56</u>
Total Monies on hand	\$926,078.35

(*CD held for future enforcement)

See detailed YTD Financial Report Attached

NOTES: JERRY PEARCE PRESENTED REPORT, MOTION TO APPROVE REPORT, DIANA RASHASH, 2ND RUSS AYERS, TREASURER'S REPORT APPROVED

9:10 a.m. Update from Rule Writing Committee

Note: Deadline for Military guidelines is July 24, 2013

DIANA RASHASH SUGGESTED WE GIVE MILITARY GUIDELINES TO ANNA AND LET HER MOVE FORWARD,

DIANA RASHASH MOTION TO SUBMIT MILITARY GUIDELINES AS WRITTEN BY RCC TO ANNA, 2ND SID GASKINS, APPROVED

DIANA RASHASH WILL CONTACT REST OF COMMITTEE AND WORK ON DEFINITIONS

9:25 a.m. Board shall enter Executive Session for discussion of complaints received

MOTION TO MOVE INTO EXECUTIVE SESSION DIANA RASHASH, 2ND RUSS AYERS,
BOARD IS NOW IN EXECUTIVE SESSION

Notes:

- 9:50 a.m. Board shall re-enter regular session MOTION TO RE-ENTER REGULAR MEETING DIANA RASHASH, 2ND RUSS AYERS, BOARD IS NOW IN REGULAR SESSION, MOTION TO MOVE FORWARD WITH COMPLAINTS REVIEWED IN CLOSED SESSION, JERRY PEARCE, 2ND RUSS AYERS, MOTION APPROVED
- 9:50 a.m. Other Business:
Mark your calendars for next regular Board meeting September 6, 2013
9:00 a.m. Hampton Inn Swansboro, NC
- 10:00 a.m. Meeting Adjourn MOTION TO ADJOURN, JERRY PEARCE, 2ND GLENN HINES, MEETING ADJOURNED

NCOWCICB Financial Report as of December 31, 2012

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YTD Receipts**

Fees Received	\$ 137,201.00
Interest Income	<u>\$ 3,713.00</u>
Total Receipts	\$ 140,914.00

YTD Expenditures**

Postage	\$ 5,801.00
Printing	\$ 13,872.00
Travel – Board	\$ 5,433.00
Travel – Staff	\$ 3,038.00
Telephone	\$ 1,396.00
Misc Expense	\$ 195.00
Bank Charges	\$ 188.00
Accounting	\$ 13,420.00
Contract Labor	\$ 36,400.00
Office Expense	\$ 1,707.00
Depreciation	\$ 387.00
Legal Fees	<u>\$ 17,934.00</u>
Total Expenditures	\$ 99,771.00

(**YTD July 1, 2012 – December 31, 2012)

RULES THAT WENT INTO EFFECT 1/1/13

21 NCAC 39 .0202 BUSINESS SUCCESSION

- (a) A person may be certified pursuant to G.S. 90A-77(c) by:
- (1) Providing the Board documentation of being supervised by and employed full time with a certified contractor or inspector for the past three years;
 - (2) Providing the Board three affidavits from local health department, engineers, or customers that show integral involvement with the installation of on-site wastewater systems;
 - (3) Providing the Board with an application for certification, including appropriate initial fees;
 - (4) Providing the Board with proof of attendance at approved continuing education courses for a minimum of two years; and
 - (5) Passing the applicable test for the level requested.

*History Note: Authority G.S. 90A-74; 90A-77;
Eff. January 1, 2013.*

SECTION .0600 - CONTINUING EDUCATION REQUIREMENTS

21 NCAC 39 .0601 REQUIREMENTS

(a) Every certified on-site wastewater contractor or inspector shall obtain Professional Development Hours (PDH) units during the renewal period as described in the following Table:

Level	Annual PDH Units Required
I	3
II	(3)
III	(6)
IV	(6)
Inspector	(6)
Inspector/Grade IV Combo	(6)

- (b) The certified on-site wastewater contractor shall select courses and activities that have been approved as set out in 21 NCAC 39 .0602.
- (c) Professional Development Hours (PDH) shall be accepted by the Board for approved courses pursuant to 21 NCAC 39 .0603. Hours for all other courses must be submitted by providers to the Board for approval. If not approved, no PDH shall be granted for the course.
- (d) The class provider or authorized representative of the class provider must certify that each class attendee was present for at least 85 percent of the class. Any attendee present for less time shall not receive credit for the class.

*History Note: Authority G.S. 90A-72; 90A-74; 90A-77; 90A-78; 90A-79;
Eff. February 1, 2011;
Amended Eff. January 1, 2013.*

CHAPTER 39 - ON-SITE WASTEWATER CONTRACTORS AND INSPECTORS CERTIFICATION BOARD

SECTION .0100 - DUTIES AND DEFINITIONS

21 NCAC 39 .0101 DEFINITIONS

As used in Article 5 of Chapter 90A of the General Statutes and the rules in this Chapter:

- (1) "Ancillary" means an on-site wastewater system that is included in a primary construction project.

- (2) "College course" means a semester unit or quarter based unit of instruction given at a college or university, that is relevant to on-site wastewater contractor or inspector activities and is pre-approved by the board as set out in these Rules.
- (3) "Course/activity" means any course or activity with a clear purpose and objective that will maintain, improve or expand skills and knowledge relevant to the practice of on-site wastewater contractor or inspector activities and pre-approved by the board.
- (4) "Employee" means a person who receives an Internal Revenue Service W2 form as a record of compensation.
- (5) "Inspection" means an inspection as defined in G.S. 90A-71(4A).
- (6) "Personally supervise" means to direct and control all on-site wastewater contractor or inspector activities during the time those activities are being conducted.
- (7) "Professional development hour" or "PDH" means an hour of instruction or presentation and is the basic unit of credit for all courses or activities related to satisfying continuing education requirements.
- (8) "Repair" means repair construction activity or alteration to an existing on-site wastewater system that is necessary to comply with a Construction Authorization for a repair permit issued by the Local Health Department.
- (9) "Wastewater Treatment Facility" means a wastewater treatment facility as defined in G.S. 90A-71(8).

*History Note: Authority G.S. 90A-71; 90A-72; 90A-74;
Eff. February 1, 2011;
Amended Eff. January 1, 2013.*

21 NCAC 39 .1005 ON-SITE WASTEWATER SYSTEM COMPONENTS

- (a) When inspecting an on-site wastewater system the inspector shall inspect and describe:
 - (1) Any part of the system located more than five feet from the primary structure that is part of the operations permit;
 - (2) Septic tanks;
 - (3) Pump tanks;
 - (4) Distribution devices;
 - (5) Dispersal fields;
 - (6) Treatment units;
 - (7) Control panels;
 - (8) Any other components required as part of on-site wastewater system permit, including drainage; and
 - (9) Any vegetation and grading with respect only to their effect on the condition of the system or system components.
- (b) The inspector shall:
 - (1) Uncover tank lids and distribution devices so as to gain access, unless blocked as described in Rule .1004(b)(5) of this Section. The distribution box may remain covered if the inspector has an alternate method of observing its condition;
 - (2) Probe system components where deterioration is suspected;
 - (3) Report the methods used to inspect the on-site wastewater system;
 - (4) Open readily accessible and readily openable components; and
 - (5) Report signs of abnormal or harmful water entry into or out of the system or components.
- (c) The inspector is not required to:
 - (1) Conduct dosing volume calculations;
 - (2) Evaluate soil conditions beyond saturation or ponding;
 - (3) Evaluate for the presence or condition of buried fuel storage tanks;
 - (4) Evaluate the system for proper sizing, design, or use of proper materials; or
 - (5) Perform a hydraulic load test on the system.

*History Note: Authority G.S. 90A-72; 90A-74;
Eff. October 1, 2011;
Amended Eff. January 1, 2013.*