

NCOWCICB
BOARD MEETING MINTUES
September 21, 2011
Swansboro, NC

LOCATION: Hampton Inn 215 Old Hammock Rd Swansboro, NC
Minutes approved January 25, 2012

9:00 a.m. CALL TO ORDER: RUSS DAVIS

OPENING PRAYER: JERRY PEARCE

ROLL CALL: PRESENT RUSS DAVIS, RUSS AYERS, JERRY PEARCE, DIANA RASHASH, JEFF KNIGHT AVAILABLE VIA PHONE IF NEEDED

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 POTENTIAL CONFLICT IF ANY UNIVERSITY CLASSES, JERRY PEARCE POTENTIAL CONFLICT IF ANY NCSTA CLASSES

9:05 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.

Request received from Doug Lassiter to speak to Board on behalf of NCSTA PRESENTED BOARD WITH REQUEST FROM NCSTA TO LOWER C/E REQUIREMENTS REQUEST THAT HOURS BE LOWERED AS FOLLOWS: GL II 3

HOURS, III 6 HOURS, IV 8 HOURS, INSPECTOR 8 HOURS. BOARD WAS PRESENTED WITH FORMAL LETTER DETAILING THIS REQUEST. DOUG LASSITER NOTES THAT REQUIREMENTS FOR NEW APPLICANTS WOULD REMAIN THE SAME. RUSS DAVIS ADVISED WOULD ADDRESS THIS AT NEXT MEETING.

9:15 a.m. Approval of Minutes from July 25, 2011 meeting (see minutes attached) MOTION RUSS AYERS, 2ND DIANA RASHASH, APPROVED

9:20 a.m. Class Approval Request:
Johnson County Division of Environmental Health 6 hour credit requested for all levels and inspector, class to be held 9/23/11, Jerry Pearce will be presenting on behalf of NCOWCICB, varied topics on agenda, meets minimum requirements for approval, MOTION TO APPROVE DIANA RASHASH, 2ND RUSS AYERS

Division of Public Health Onsite Water Protection Branch in collaboration with Eastern AHEC requests approval for Point of Sale Inspection Field Practicum, two day class presentation with focus on Inspection from start to finish, 6 hours per day with total of 12 hours for complete course for ALL GRADES and Inspectors, MOTION TO APPROVE JERRY PEARCE, 2ND RUSS AYERS, APPROVED

NCSTA, 22nd Annual Convention January 26-27th, 6 hours per day, total of requested hours 12 hours, all grade levels and inspector, varied topics included, meets minimum requirements of NCOWCICB, MOTION TO APPROVE RUSS AYERS, 2ND DIANA RASHASH

9:45 a.m. Update from Administrator:

1. 2012 Renewal Invoices have been printed and will be mailed by 9/30/11

2. The first financial audit for NCOWCICB has been completed by the accounting firm. The results of the audit were positive. The only footnotes made on the audit referenced the change from cash basis accounting to accrual basis account for auditing purposes and the accounting processes. This is a normal footnote on the majority of audits. The difference between cash basis and accrual is that during the year we operate on a cash basis i.e. the receipts are recognized immediately on the balance sheet as an asset and the bills are paid as they are received and recognized on the balance sheet as a liability. In the accrual basis, receipts are recognized as they are earned i.e. a renewal fee is received as payment for a 12 month period 1/12th of the receipt is recognized as income each month as it is earned. The accounting process that was addressed referenced the single entry accounting method currently used by NCOWCICB. Single entry is used by frequently by entities however a double entry process is preferred by accountants and auditors as it has more of a built in self checking of entries. NCOWCICB has switched to double entry accounting for the fiscal year beginning July 1, 2011 for simplicity in the next audit.

3. Agencies, Boards and Commissions are required to have a cash management plan which details the handling of receipts and disbursements. NCOWCICB's cash management plan has been reviewed and accepted by the State Auditor and also reviewed by the accounting firm. The cash management plan is attached for Board

review and approval. MOTION TO ACCEPT JERRY PEARCE, 2ND DIANA RASHASH

4. Review of Rules passed by RRC on September 15, 2011 that will go into effect on October 1, 2011. (see attached) The Inspection Form will be updated to correspond with the new rules, posted on the website and mailed out to all certified Inspectors however this revision, at the Board's direction, may be postponed until after the October RRC meeting so that the rules will be complete.

BOARD REQUEST FORM TO BE ALTERED TO MATCH RULES

5. Review of Rules on RRC agenda for October meeting that if passed will go into effect on November 1, 2011 (see attached) THIS IS CODE OF ETHICS SECTION

6. Effective July 1, 2011 every State agency, board, commission, or other body with rule-making powers shall deliver to the Joint Select Regulatory Reform Committee of the General Assembly no later than October 1, 2011, a list of all permanent rules adopted by the body that includes for each rule the following information:

- (1) Whether the rule is mandated by a federal law or regulation.
- (2) If the rule is not mandated by a federal law or regulation, whether there is a federal regulation that is analogous to the rule. For purposes of this subdivision, "analogous" means the federal regulation regulates the same conduct or activity as the State regulation.
- (3) If there is a federal statute or regulation analogous to the rule, whether the rule is more stringent than the federal law or regulation.

NCOWCICB has no rules that are federal regulated and the report will state this.

7. Request was sent to Board members to send copies of appointment letters to administrator. If those have not been sent in please do so immediately, these are needed to keep the Board file current. Jim Lanier and Jeff Knight have been reappointed for another term to NCOWCICB. Appointment recommendations have been received by the Governor's office for the two vacant positions however no Governor appointments have been made at this time.

10:30 a.m. Treasurer's Report by Jerry Pearce, Treasurer
Notes: Operating account balance as of August 31, 2011 \$808,769.17

10:35 a.m. Update from Executive Committee:

Committee is still investigating banks for deposits. Banks are paying very little return on investments. Account is covered for unlimited amount by FDIC until 12/31/11 and decision will be made about banks to move deposits to prior to that cutoff date.

WILL USE NORTH STATE BANK FOR ALL DEPOSITS AND PROGRAM CALLED CDARS WHICH ALLOWS USE OF ONE BANK AND STILL BE COVERED UNDER FDIC, INFORMATION ON CDARS IS AVAILABLE AT WWW.CDARS.COM

10:45 a.m. Formation of new rule writing committee. The next NCOWCICB rules will address area of business succession, potentially requiring the tank to be pumped at inspection, and other areas. Committee will need to review new legislation that went into effect July 1, 2011 that may affect content of rules and work closely with counsel and formatting the next set of rules.

Committee Members: DIANA RASHASH, DOUG LASSITER, RUSS AYERS
JERRY PEARCE MOTION TO MAKE DIANA RASHASH AND RUSS
AYERS ON COMMITTEE WITH DOUG LASSITER AND NANCY DEAL BEING
OUTSIDE BOARD PERSONS ON BOARD

DATA HAS BEEN GATHERED ABOUT REQUIRING PUMPING OF TANKS,
THE FINANCIAL IMPACT WOULD AVERAGE OVER \$3,000,000 PER YEAR THE
SUGGESTION WOULD REMAIN ON THE FORM BUT NO RULE TO REQUIRE
PUMPING WILL BE ADDED

RUSS DAVIS ADDRESSED BOARD REGARDING THE FINANCIAL IMPACT THIS
IS NOT SOMETHING THAT WE WILL BE ABLE TO REQUIRE

11:15 a.m. Board shall enter Executive Session for discussion of complaints received
Notes: MOTION TO ENTER JERRY PEARCE, 2ND DIANA RASHSH

COMPLAINTS REVIEWED

11:30 a.m. Board shall re-enter regular session
MOTION TO RE-ENTER JERRY PEARCE, 2ND DIANA RASHASH

11:30 a.m. Other Business:

Election of officers for 2011 – 2012 year

Current Officers: Russ Davis, Chair MOTION BY JERRY
PEARCE FOR RUSS DAVID TO REMAIN CHAIR, 2ND RUSS
AYERS, APPROVED

Russ Ayers, Vice Chair MOTION BY DIANA RASHASH FOR
RUSS AYERS TO REMAIN VICE CHAIR , 2ND JERRY
PEARCE, APPROVED

Jerry Pearce, Treasurer MOTION BY RUSS AYERS FOR JERRY
PEARCE TO REMAIN TREASURER, 2ND DIANA RASHASH,
APPROVED

APPOINTMENT RECOMMENDATIONS FOR VACANT POSITIONS HAVE
BEEN MADE SID GASKINS and MARK BROOKS

NCOWCICB WILL HAVE BOOTH AT ONSITE TAGS FOR RUSS DAVIS
AND CONNIE STEPHENS

Next NCOWCICB meeting is January 25, 2012 Hickory Metro Convention Center
9:00 a.m.

BOARD NEEDS ID CARDS PRINTED FOR EACH BOARD MEMBER,
MEMBERS NEED TO SEND IN PICTURES TO CONNIE

11:45 a.m. Meeting Adjourn

MOTION TO ADJOURN DIANA RASHASH, 2ND JERRY PEARCE