

NCOWCICB
SPECIAL CALL MEETING FOR PURPOSE OF RULE ADOPTION
BOARD MEETING MINUTES
July 25, 2011 10:00 a.m.
Tele-conference Meeting

10:00 a.m. CALL TO ORDER: 10:00 A.M.

OPENING PRAYER: RUSS DAVIS

ROLL CALL: RUSS DAVIS, JERRY PEARCE, JIM LANIER, RUSS AYERS, DIANA RASHASH, GLENN HINES, JEFF KNIGHT

RECOGNITION OF PROXY(IES):

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.

NONE NOTED

10:05 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

10:10 a.m. Purpose of this Call Meeting is for adoption of proposed ethics and rules and Inspectors. Public Comment Meeting was held June 16, 2011 Sea Trail Resort Sunset Beach, NC.

The following comment was received at this meeting:

Tom Mattison: Rules are desperately needed for this process. Would like to see rules put into place that would eliminate the used of off-site systems due to large amount of problems encountered with the systems and the often difficult process of locating the off-site system. Would also like to see rules put into place to address use of grinder pumps and the problems caused by grinder pumps.

The following comment was received via email:

Comments on Draft Inspector Rules 21 NCAC 39 .0801 .1001-.1006

Submitted by Nancy Deal, certification number 1294I

Section .1002 (a) (3) (D) states that the inspector “shall state whether the condition reported requires repair...” I believe that this determination can only be made by an agent who is authorized by the State to enforce 15A NCAC 18A .1900. DIANA STATED MAY WANT TO REMOVE THE WORD REPAIR IF IT IS NOTED THAT THE WORD CAN'T BE USED, LEAVE AS IS EVERYONE IN AGREEMENT

Provisions for tank pumping should be considered since it is difficult to perform a thorough inspection without doing so. Additionally, having a tank pumped in conjunction with a transfer of title could be likened to removing trash from the premises prior to moving out. Because there is a requirement to describe the percentage of solids [.1006 (a) (5) (R)], Board might consider tank pumping requirement if solids level exceeds 33% of liquid depth. This may, however, be beyond the jurisdiction of this Board unless 15A NCAC 18A .1961 (2) can be referenced in some manner. That rule states that “The contents shall be pumped whenever the solids level is found to be more than 1/3 of the liquid depth in any compartment.”

WE HAVE LEFT IN ON SUGGESTED FORM AND HAVE CUSTOMER SIGN IF DECLINED, WILL ADDRESS AT LATER DATE AFTER INFO IS RECEIVED ON COST

Section .1006 (a) (1) references the “number of bedrooms as stated in the realtor Multiple Listing Service”. Is it possible that properties may be listed via other means? Should this be broadened to include other listing methods? ADD OR BY A SWORN STATEMENT OF OWNER OR OWNER'S REPRESENTATIVE, EVERYONE IN AGREEMENT

Section .1006 (a) (6) (J) includes a provision to verify proper grounding of electrical connections. Does such a determination require a licensed electrician? If not, then this requirement should be retained. This could be added to the Inspector Needs-to-Know and appropriate training can be provided. DO NOT FEEL LIKE IT WOULD REQUIRE A LICENSED ELECTRICIAN, LEAVE AS WORDED

These are the only comments received during the comment period.

John Barkley has been contacted several times as to whether or not there have been any technical corrections received from Rule Writing, as of this date none have been received.

NOTES:

10:30 a.m. Adoption of Rules:

The following definition needs to be added to definitions:

Hydraulic Load Test means the introduction of water or waste water into a system for the purposes of mimicking the system's peak flows.

Notes: MUCH DISCUSSION, BOARD ABSOLUTELY DOES NOT WANT THE SYSTEM TO BE FLOODED, NEED TO MAKE SURE SYSTEM IS OPERATIONAL, BUT DO NOT WANT TO FLOOD, EVERYONE IS AGREEABLE TO DEFINITION, ADD DEFINITION TO RULES

NO OTHER COMMENTS ABOUT PROPOSED RULES, MOTION TO APPROVE THE ADOPTION OF RULES WITH THE CHANGES STATED TODAY, DIANA RASHASH MADE MOTION, 2ND RUSS AYERS, NO DISCUSSION, EVERYONE IN FAVOR, MOTION CARRIES

10:35 a.m. Other Business:

JIM LANIER REQUEST A LETTER BE WRITTEN TO COUNTIES REFERENCING CRACKED TANKS SOME COUNTIES DON'T SEE A CRACKED TANK AS A PROBLEM, RUSS DAVIS ADVISED JIM THAT THE ENFORCEMENT IS LEFT UP TO THE LEH AND WE DON'T HAVE AUTHORITY TO REQUIRE REPLACEMENT, JIM HAD CONTACTED THE COUNTY AND DEH SPOKE TO TRISH ANGOLI AND SHE REFERRED BACK TO LEH, RUSS DAVIS SUGGESTED THAT WE WRITE LETTER TO TED LYON ADVISING THAT OUR INSPECTORS ARE REQUIRED TO STATE THAT THE TANK IS STRUCTURALLY SOUND AND WHEN THE CRACKS ARE FOUND THAT THE TANK SHOULD BE REPLACED

Next meeting 9:00 a.m. September 21, 2011 location to be determined but will be in the eastern part of the state. A call meeting may be scheduled as needed regarding any technical corrections that may be received from Rule Writing.

Notes: HAMPTON INN SWANSBORO NC

MOTION TO APPROVED MINUTES FROM JUNE 17TH, DIANA
RASHASH . 2ND JIM LANIER, APPROVED

10:45 a.m.

Meeting Adjourn 10:40 A.M. MOTION TO ADJOURN JERRY
PEARCE, 2ND JIM LANIER