

NCOWCICB
BOARD MEETING MINUTES
JULY 24, 2013 1:00 P.M.
RALEIGH, NC

LOCATION: GENERAL CONTRACTORS FACILITY BOARD ROOM
5400 CREEDMOOR RD RALEIGH, NC

1:00 p.m. CALL TO ORDER: RUSS DAVIS

OPENING PRAYER: JERRY PEARCE
ROLL CALL: ALL PRESENT, RUSS DAVIS INTRODUCED WALTER JAMES, NEW
BOARD MEMBER, INSTALLER, PUMPER, OPTR, PORT A JOHNS
RECOGNITION OF PROXY(IES): N/A

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 CLASSES, JERRY PEARCE, NCSTA CLASSES

1:05 p.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.

DOUG LASSITER IN ATTENDANCE. DOUG LASSITER THANKED THE BOARD FOR THEIR COMMITMENT TO BOARD ADDRESSED ISSUES WITH GENERAL ASSEMBLY ACTIVITY

1:10 p.m. Approval of Minutes from January 30, 2013 meeting (see minutes attached)

MOTION TO APPROVED MARK BROOKS, SECOND SID GASKINS

1:15 p.m. Presentation of required Board training by Anna Choi, Board Attorney
ANNA CHOI, THANKED THE BOARD FOR THE OPPORTUNITY TO WORK FOR THE BOARD, AND EXPLAINED THE PRESENTATION SHE WILL BE DOING, THIS IS NOT THE ETHICS TRAINING THAT IS REQUIRED FOR BOARD MEMBERS, HAVE TO DO ETHICS TRAINING WITHIN 6 MONTHS OF APPOINTMENT, AND THEN EVERY 2 YEARS THEREAFTER, ALL THIS BOARD IS IN COMPLIANCE, ANOTHER LAW REQUIRES SIMILAR TRAINING 93B TRAINING IS REQUIRED SAME AS ETHICS.

HANDOUT GIVEN WITH PRESENTATION INFORMATION TO BE KEPT IN FILE FOR FUTURE REFERENCE OR IF NEEDED FOR AUDIT

BOARD MAY HOLD MEETING VIA CONFERENCE CALL CONSIDERED SAME AS MEETING IN PERSON

2:15 p.m. Review of Proposed Rules (See Attached)

Military Rule

ANNA CHOI SUGGESTED THAT WE GO WITH A VERSION THAT HAS BEEN USED BY OTHER BOARDS, THIS VERSION WILL BE REVIEWED AND MOST LIKELY TWEAKED SOME, MOTION TO MOVE FORWARD WITH THIS VERSION MOTION TO ACCEPT SID GASKINS, 2ND DIANA RASHASH, APPROVED

Clarification of existing rule wording

21 39 1005 ADDITION OF "REGARDLESS OF SOIL DEPTH", JERRY PEARCE POISED QUESTION WHAT IF VERY DEEP WHAT WOULD YOU TELL SOMEONE TO DO ABOUT THAT, HOW WOULD ADVISE SOMEONE TO PROCEED, RUSS AYERS STATED HE UNDERSTOOD CONCERN THAT HE FELT THAT THE TANK MUST BE OPENED REGARDLESS OF DEPTH, STATED MUST UNCOVER AND LOOK INSIDE TANK, MOTION TO SCRAP AND LEAVE RULE AS CURRENTLY WRITTEN, SID GASKINS, 2ND JERRY PEARCE, APPROVED LEAVE AS IS

39 .1006 MOVE FORWARD WITH WORDING, MOTION JERRY PEARCE, 2ND JEFF KNIGHT, APPROVED

2:45 p.m. Class Approval Request:

NCSU class approval request:

NCSU has requested the following approvals:

Onsite Wastewater Annual Conference, 3 day event

Various topics, including safety, rules and regs

Request has been made for NCOWCICB to present Connie Stephens will be presenting on first day of conference, request has been made that presentation be repeated on 2nd and 3rd day of conference

6 hours day one and two 3 hours day 3, request approval for all levels MOTION TO APPROVE RUSS AYERS, 2ND WALTER JAMES, APPROVED

Install 271: Installation Guidelines for Special Sites

Includes all requirements for NCOWCICB approval

3 hours, all grade levels, MOTION TO APPROVE GLENN HINES, 2ND SID GASKINS

NCSTA class approval request:

NCSTA has requested approval for 2014 Convention to be held January 30-31st Hickory NC various topics including safety, rules and regs, request already made for NCOWCICB rep to present

6 hours on 30th, 3 hours on 31st, all grade levels

MOTION TO APPROVE RUSS AYERS, 2ND GLENN HINES, APPROVED

Johnston County LEH class approval request:

Workshop includes, safety, 1900 rules, NCOWCICB rules and regs

6 hours, request approval for all levels

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

3:15 p.m.

Update from Administrator:

- Renewal period for 2013 has passed. Currently have 1833 certification holders. 127 of 2012 certification holders did not renew. This is inline with past years numbers
- In past meeting, discussion was held regarding class providers not submitting attendance records in a timely fashion, this is still a problem with one provider, records for classes held in March and April were not received until late June. This presents a problem in record keeping especially as we enter renewal season. Notice is given to providers, upon approval of classes that the attendance records are to be submitted in a timely fashion. RUSS DAVIS TO GENERATE A LETTER TO BE SENT TO PROVIDER, DIANA RASHASH WILL SENDING EMAIL ALSO
- REMINDER Any Board member that has not taken the required Ethics training should do so immediately. Remember to send me a copy of completion of course. Information for required Ethics training for Board members can be found at <http://www.ethicscommission.nc.gov/education/default.aspx>
- As required by our General Statute the financial audit is in progress. All records have been provided to accountant for audit. Audit should be complete by end of August.

Notes:

3:30 p.m. Treasurer's Report by Jerry Pearce, Treasurer
Financial Report as of June 30, 2013

Monies on hand:

North State Bank Operating Account	\$261,051.42
Select Bank*	\$231,505.54
Bank of Oak Ridge*	\$229,018.63
New Bridge Bank*	<u>\$200,752.63</u>
Total Monies on hand	\$922,328.22

(*CD held for future enforcement)

See detailed YTD Financial Report Attached

NOTES: MOTION TO ACCEPT TREASURER'S REPORT JEFF KNIGHT, 2ND
MARK BROOKS, APPROVED

3:45 p.m. Board shall enter Executive Session for discussion of complaints received
Notes:

4:15 p.m. Board shall re-enter regular session MOTION TO RE-ENTER REGULAR SESSION,
JERRY PEARCE, 2ND RUSS AYERS
COMPLAINT NUMBER 0624201301
MOTION TO ACCEPT ACTION TAKEN IN CLOSED SESSION RUSS AYERS, 2ND
DIANA RASHASH, APPROVED

COMPLAINT NUMBER 1115201201
MOTION TO ACCEPT ACTION TAKEN IN CLOSED SESSION JERRY PEARCE, 2ND
WALTER JAMES, APPROVED

COMPLAINT NUMBER 03201301
MOTION TO ACCEPT ACTION TAKEN IN CLOSED SESSION JERRY PEARCE, 2ND
RUSS AYERS, APPROVED

4:15 p.m. Annual Elections of Officers:

Current Officers: Russ Davis Chair

Russ Ayers Vice-Chair

Jerry Pearce Treasurer

MOTION TO KEEP RUSS DAVIS AS CHAIR MADE BY RUSS
AYERS, 2ND JERRY PEARCE, APPROVED

MOTION TO KEEP RUSS AYERS AS VICE-CHAIR MADE BY DIANA
RASHASH, 2ND JERRY PEARCE, APPROVED

MOTION TO KEEP JERRY PEARCE AS TREASURER MADE BY
MARK BROOKS, 2ND SID GASKINS, APPROVED

4:20 p.m. Other Business:

Mark your calendars for next regular Board meeting

January 29, 2014

8:00 a.m. Hickory Metro Convention Center Hickory, NC

4:25 p.m. Meeting Adjourn

NCOWCICB Financial Report as of May 31, 2013

(Most recent financial available from accountant June 30th statement will be included with year end financials)

Monies on hand:

North State Bank Operating Account	\$265,358.59
Select Bank*	\$231,151.90
Bank of Oak Ridge*	\$228,787.29
New Bridge Bank*	<u>\$200,600.89</u>
Total Monies on hand	\$925,898.67

(*CD held for future enforcement)

YTD Receipts**

Fees Received	\$ 185,001.00
Interest Income	<u>\$ 6,699.00</u>
Total Receipts	\$ 191,700.00

YTD Expenditures**

Postage	\$ 6,396.00
Printing	\$ 14,401.00
Travel – Board	\$ 9,095.00
Travel – Staff	\$ 3,827.00
Telephone	\$ 2,621.00
Misc Expense	\$ 378.00
Bank Charges	\$ 320.00
Accounting	\$ 17,665.00
Contract Labor	\$ 66,733.00
Office Expense	\$ 1,707.00
Depreciation	\$ 783.00
Investigations	\$ 346.00
Legal Fees	<u>\$ 26,860.00</u>
Total Expenditures	\$ 151,132.00

(**YTD July 1, 2012 – May 31, 2013)

21 NCAC 39 .0405 is proposed for adoption as follows:

21 NCAC 39 .0405 Licensure for Military-Trained Applicant; Licensure for Military Spouse

(a) Licensure for a military-trained applicant. Upon receipt of a request for licensure pursuant to G.S. 93B-15.1 from a military-trained applicant, the Board shall issue a license upon the applicant satisfying the following conditions:

- _____ (1) Submit a complete Application for Certification;
- _____ (2) Submit a license fee in accordance with G.S. 90A-27;
- _____ (3) Submit written evidence demonstrating that the applicant is currently serving as an active member of the U.S. military;
- _____ (4) Provide evidence to satisfy conditions set out in G.S. 93B-15.1(a)(1) and (2); and
- _____ (5) Demonstrate that the applicant has not committed any act in any jurisdiction that would constitute grounds for refusal, suspension, or revocation of a license in North Carolina at the time the act was committed.

(b) Licensure for a military spouse. Upon receipt of a request for licensure pursuant to G.S. 93B-15.1 from a military spouse, the Board shall issue a license upon the applicant satisfying the following conditions:

- _____ (1) Submit a complete Application for Certification;
- _____ (2) Submit a license fee in accordance with G.S. 90A-27;
- _____ (3) Submit written evidence demonstrating that the applicant is married to an active member of the U.S. military;
- _____ (4) Provide evidence to satisfy conditions set out in G.S. 93B-15.1(b)(1) and (2); and
- _____ (5) Demonstrate that the applicant has not committed any act in any jurisdiction that would constitute grounds for refusal, suspension, or revocation of a license in North Carolina at the time the act was committed.

History Note: Authority: G.S. 90A- ; 93B-15.1

Eff.

NCOWCICB rule revisions
January 2013

21 NCAC 39 .1006 Minimum on-site wastewater system inspection

(a)(6)(J) ~~Electrical connections in place and properly grounded~~ **Condition of control panel;**

Comments from the rules committee regarding “readily accessible”: This is really three sections. Taken together, it was felt that no change was needed. Instead, clients need to be better informed that site preparation was important prior to inspection. The only potential change is highlighted in red. It is recommended that the Board attorney review these sections.

21 NCAC 39 .1001 Definitions

(13) “Readily accessible” means approachable or enterable for inspection without the risk of damage to any property or alteration of the accessible space, equipment, or opening.

21 NCAC 39 .1005 Onsite wastewater system components

(b) The inspector shall:

(1) Uncover tank lids and distribution devices, **regardless of soil depth**, 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;

21 NCAC 39 .1004 General exclusions of an inspection

(b) Inspectors are not required to:

(5) Move excessive vegetation, structures, personal items, panels, furniture, equipment, snow, ice, or debris that obstruct access to or visibility of the system and any related components;