

NCOWCICB  
BOARD MEETING AGENDA  
July 16, 2010 10:00 a.m.  
RALEIGH, NC  
LOCATION: HAMPTON INN CONFERENCE CENTER  
1001 WAKE TOWNE DR RALEIGH, NC

10:00a.m. CALL TO ORDER 10:16 a.m. by Chair Russ Davis  
OPENING PRAYER Gene Young  
ROLL CALL all present except Al Gerard  
RECOGNITION OF PROXY(IES) Al Gerard proxy to Russ Ayers  
READING OF ETHICS STATEMENT read by Connie Stephens

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. Diana Rashash will abstain from discussion and vote for University class approval request , Jerry Pearce & Jim Lanier will abstain from discussion and vote for NCSTA class approval request

10:05a.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.

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Public attending Doug Lassiter NCSTA, Joe Lanier, Nelson Mull, Scarbrough, which drafted changes

10:10a.m. REVIEW, DISCUSSION OF MINUTES FROM MARCH 11, 2010 MEETING  
NOTES: Russ asked if any comments, or changes, change wording on page 1 line 16 change word and to or , motion to approve Gene Young, second, Jim Lanier, all in favor, minutes accepted

10:20 a.m. REVIEW OF CHANGES TO ARTICLE 5 GENERAL STATUTE 90A (COPY OF CHANGES ATTACHED, CHANGES HIGHLIGHTED IN RED)  
NOTES: \_\_\_\_\_

\_discussion of changes, Russ turned over to John Barkley, John Barkley deferred to Doug Lassiter, came from concerns that needed clarification, inspector definition changed, definition of wastewater treatment facility which is not currently in 1900 rules, restricted to Article 11 of Chap 130A,

cleared up gravel disbursement, cleared up private ownership, exemption for GC to provide corrective services, DENR requested exemption for LEH when conducting regulatory inspection, Line 31 cleared up position to match first intent, can employ staff and determine compensation, and terms and conditions of employment, use of fees clarified, fees shall be held by board, board has authority to determine where the money can be spent, must use for operations, line 56 should be highlighted in red, affidavits no longer apply, exams determined by board, board may seek injunction in it's on name, Board may bring action, remaining funds as 6/30/10 shall be credited to NCOWCICB, transfer effective July 1, 2010

Diana asked about page 2 line 34 and 35 Joe Lanier stated that oath removed, prohibition of dual offices, cleaned up language to move board to independent status

Doug Lassiter stated looking for consistency and everyone knew what the intent was of the GS to begin with and to give more power to the board. Joe Lanier stated that changes were made to make board mirror independent boards, realtors, contractors, etc. There are approx 25 independent boards.

Joe Lanier stated Board can use their choice of providers of services and products

Doug Lassiter stated that board members are covered by Ethics Commission employees are not covered by Ethics Commission, Joe Lanier is meticulous about who is covered, employees are not covered

Joe Lanier states we can use lowest

Russ Ayers asked can we hire private attorney, both John Barkley and Joe Lanier agree, can hire attorney, Joe agreed we had power before,

Diana asked if last time John will be present, John stated will depend on board decision

Diana asked about state employees being on board, stated that state employees are covered by AG office

Doug stated onsite may be moved, position held by Gene will be reworded, John Barkley stated technical bill clean up all GS that reference the department

John Barkley asked about definition of inspector, Doug stated avoided language term of sale, Diana stated they had discussed communities making inspections a mandatory thing Doug stated each local government would have to do this in their own rules, John Barkley stated that the municipalities would be able to do that without certification Doug stated that Department would have to state who was qualified to do the service, Diana said if someone had complaint about that process they would complain locally

Russ asked if any other discussion, asked for motion to go into executive session, Jim Lanier, second Jeff

11:00 a.m. BOARD TO ENTER INTO EXECUTIVE SESSION FOR COMPLAINT AND PERSONNEL ISSUES  
NOTES: \_\_\_\_\_

\_\_\_\_\_formed committee Russ and Russ complaint review committee motion by Jerry Pearce, 2<sup>nd</sup> Diana, all in favor motion to go back into gen session, Jerry pearce

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11:30 a.m. BOARD SHALL RE-ENTER GENERAL SESSION  
REQUEST FOR CLASS APPROVALS  
NOTES:

BLUE RIDGE COMMUNITY COLLEGE  
6 HOURS COURSE ALL GRADE LEVELS  
MEETS MIN REQUIREMENTS  
2/26/10 APPROVED PRIOR TO MEETING NEED FORMAL APPROVAL  
COURSE OFFERED MAY AND OCTOBER 2010  
CONNIE STEPHENS DOING HOUR PRESENTATION  
APPROVAL NOTE: MOTION TO APPROVE JERRY PEARCE, SECOND RUSS  
AYERS, APPROVED CODE 07161001

CHATHAM CO ENVIR HEALTH  
3 HOURS COURSE ALL GRADE LEVELS  
MEETS MIN REQUIREMENTS RE-APPROVAL OF PREV COURSE  
COURSE OFFERED FEB 2010  
APPROVAL NOTE: MOTION TO APPROVE JEFF KNIGHT, SECOND JERRY  
PEARCE, APPROVED CODE 07161002

CHATHAM CO ENVIR HEALTH  
3 HOUR COURSE ALL GRADE LEVELS  
MEETS MIN REQUIREMENTS RE-APPROVAL OF PREV COURSE  
COURSE OFFERED MAR 2010  
APPROVAL NOTE: MOTION TO APPROVE GENE YOUNG, SECOND DIANA  
RASHASH, APPROVED CODE 07161003

FRANKLIN CO/ GRANVILLE VANCE ENVIR HEALTH  
6 HOUR COURSE ALL GRADE LEVELS  
MEETS MIN REQUIREMENTS RE-APPROVAL OF PREV COURSE  
GENE YOUNG DID PRESENTATION  
COURSE OFFERED APR 2010  
APPROVAL NOTE: MOTION TO APPROVE JEFF KNIGHT, SECOND GLENN  
HINES, APPROVED CODE 07161004

ALBERMARLE REGION ENVIR HEALTH  
2 DAY COURSE, 6 HOURS PER DAY, ALL GRADE LEVELS  
MEETS MIN REQUIREMENTS RE-APPROVAL OF PREV COURSE  
CONNIE STEPHENS DID PRESENTATION  
COURSE OFFERED JUNE 2010  
APPROVAL NOTE: MOTION TO APPROVE GENE YOUNG, SECOND DIANA  
RASHASH, APPROVED COED 07161005

JOHNSTON CO ENVIR HEALTH  
6 HOUR COURSE, ALL GRADE LEVELS  
MEETS MIN REQUIREMENTS  
GENE YOUNG DOING PRESENTATION  
COURSE OFFERED AUG 2010  
APPROVAL NOTE: MOTION TO APPROVE JERRY PEARCE, SECOND JIM  
LANIER, APPROVED CODE 07161006

NCSU: DIANA RASHASH ABSTAINED FROM DISCUSSION AND VOTE  
TECH 501 WATER & WASTEWATER REUSE  
6 HOUR ALL GRADE LEVELS  
MEETS MIN REQUIREMENTS  
OFFERED VARIOUS DATES  
APPROVAL NOTE: MOTION TO APPROVE JIM LANIER, SECOND  
GLENN HINES APPROVED CODE 07161007

DESIGN 300 PRE PKGD ADVANCED TREATMENT  
ALL GRADE LEVELS, COURSE WILL LAST 3 DAYS WITH EACH DAY  
BEING CONTINUATION FROM DAY BEFORE  
MEETS MIN REQUIREMENTS  
OFFERED VARIOUS DATES  
APPROVAL NOTE: MOTION TO APPROVE GENE YOUNG MAXIMUM  
HOURS CREDIT OF 12 HOURS CLASS WILL CONTINUE EACH DAY AND  
BUILD ON INFORMATION FROM PREVIOUS DAY'S CLASS, SECOND  
JERRY PEARCE, APPROVED CODE 07161008

O & M 101 SUBSURFACE OPERATOR REFRESHER – LPP  
6 HOUR COURSE ALL GRADE LEVELS  
OFFERED VARIOUS DATES  
APPROVAL NOTE: MOTION TO APPROVE JIM LANIER, SECOND JERRY  
PEARCE, APPROVED CODE 07161009

O & M 103 SUBSURFACE OPERATOR REFRESHER – DRIP  
6 HOURS COURSE ALL GRADE LEVELS  
OFFERED VARIOUS DATES  
APPROVAL NOTE: MOTION TO APPROVE JERRY PEARCE, SECOND  
GENE YOUNG APPROVED CODE 07161010

O & M 210 ADVANCED LPP & PUMP SYSTEM MONITORING  
6 HOUR COURSE ALL GRADE LEVELS  
OFFERED VARIOUS DATES  
APPROVAL NOTE: MOTION TO APPROVE JERRY PEARCE, SECOND JIM  
LANIER, APPROVED CODE 07161011

ONSITE CONFERENCE  
6 HOURS PER DAY, 3 DAY EVENT, ALL GRADE LEVELS  
OFFERED OCTOBER 2010  
VARIOUS APPLICABLE TOPICS AND SPEAKERS  
MEETS MIN REQUIREMENTS  
APPROVAL NOTE: MOTION TO APPROVE GLENN HINES 6 HOURS  
DAILY WITH MAXIMUM OF 12 CREDIT HOURS FOR ENTIRE EVENT,  
SECOND JEFF KNIGHT, APPROVED CODE 07161012

NCSTA: JERRY PEARCE AND JIM LANIER ABSTAINED FROM DISCUSSION  
AND VOTE

CLEAN, GREEN, AND GROWING SYMPOSIUM  
6 HOURS PER DAY, 2 DAY EVENT, ALL GRADE LEVELS  
OFFERED AUG 2010  
VARIOUS APPLICABLE TOPICS AND SPEAKERS, FOCUS ON  
RECLAIM, REUSE, ADVANCED TECHNOLOGIES  
MEETS MIN REQUIREMENTS  
APPROVAL NOTE: MOTION TO APPROVE JEFF KNIGHT, SECOND DIANA  
RASHASH, APPROVED CODE 07161014

11:45 a.m. UPDATE FROM EXECUTIVE DIRECTOR

NOTES: \_\_\_\_\_

Lost 100 gained 50 new apps, some recerting

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12:00 p.m. RULES UPDATE

PUBLIC HEARING DATES AND LOCATIONS:

8/10/10 1:00-4:00 PM ROWAN CO ENV HEALTH

8/11/10 1:00-4:00 PM HAYWOOD CO ENV HEALTH

8/20/10 1:00-4:00 PM CARTERET CO ENV HEALTH

8/23/10 1:00-4:00 PM LINCOLN PARKER BLDG RALEIGH

APPOINTMENT OF RULE WRITING COMMITTEE FOR INSPECTOR RULES

Russ stated needed diverse group for this process, he suggested that the EC committee will come up with names and give recommendations to board

NOTES \_\_\_\_\_ forms in for rules approval, rules appeared in registry 6/15/10, Gene can't attend 8/11 and 8/20 and 8/23 Jerry will be in Raleigh 8/23, Jim Lanier will go to Waynesville, Russ and Diana will be in Carteret, need adoption meeting it must be after 9/13 date set for rule adoption on 9/22/10 1:00 – 4:00 board will meet as board prior to this at 10:00 a.m. for ethics training meeting, will give 12/1/10 rule effective date

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12:30 p.m. OTHER BUSINESS

NOTES: Russ stated in light of changes, executive committee, Russ, Gene, Jerry, executive committee asking board to give executive committee to move forward with moving of fund to bank account for board, currently \$776,297.36 balance must have several banks due to FDIC restrictions, need operating account, need two to three other that are interest bearing, need approval to move \$200,000 to move into operating account easily acceptable for multiple signatures and areas of state, EC will research other lending institutions for remainder of fund, EC will research Audit department of state and see what our confines are, what we can do and what we can't do, EC will report to full board findings and recommendations, other part is current operations, up to \$2000 limit recommend to treasurer to pay expense 2 – 5 requires two signatures, 5 and over require 3 signatures, some research has been done, Russ requested that board designate that Jerry Pearce be appointed Secretary/Treasurer, larger amounts will be bought before board, Motion for EC to move forward in an interim basis and allow committee to move forward \$200,000 for operational account, to investigate accts that would be in best interest of board, what has to be purchased in the interim, after getting info from State as to how we can proceed with purchases, Jerry Pearce to be treasurer, Jim Lanier made motion, Russ Ayers second, all in favor, passed

12:45 p.m.

other business: Glenn stated fund is accumulating large sum, Jerry Pearce advised that fund balance shall decrease going forward

NOTES: \_\_\_\_\_next full meeting 9/1/10 in Raleigh, 10:00 a.m. Hampton Inn

ADJOURN motion to adjourn Gene, second Jim Lanier

NCOWCICB  
BOARD MEETING AGENDA  
And Minutes  
March 11, 2010 11:00 a.m.  
Greenville Convention Center Greenville NC

11:00 CALL TO ORDER

Meeting called to order by Russ Davis, Chair at 11:00 a.m.  
OPENING PRAYER Prayer by Gene Young  
ROLL CALL by Connie Stephens

Board Members present: Russ Davis, Gene Young, Jerry Pearce, Russ Ayers, Jim Lanier, Al Gerard, Diana Rashash, Glenn Hines  
Not Present: Jeff Knight, proxy on file to Gene Young

#### 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 Connie Stephens, no conflicts noted by any Board member

11:05

#### RECOGNITION OF ANY ATTENDING PUBLIC AND REQUEST TO ADDRESS BOARD

Doug Lassiter, NCSTA and NCOWCICB Rules Writing Committee with prior request to Chair to speak at meeting

Nancy Deal, NCSU will listen to review to draft and make comment at public meetings scheduled at later date

John Barkley, AG rep arrived at end of meeting

11:06

#### REVIEW OF RULES DRAFT (SEE ATTACHED DRAFT)

Opening comments by Russ Davis, Chair. This is a call meeting for the purpose of reviewing the Rules Draft prior to public comment meetings being held. While the draft has been reviewed at prior meetings there seems to be some concerns of the Board that needed to be address before proceeding with those meetings. The draft was voted on at meeting in Williamston July 2008 and again in Raleigh October 2009, however due to the concerns the items that have caused concern during the preceding week will be reviewed and hopefully at end of this meeting we will have a draft that majority of the Board will be supportive of. Doug Lassiter is in attendance and will be making comments as we proceed as a member of the Rules Writing Committee. The target date of having the rules in effect by August 2010 will not be met due to the holding of this meeting. In order to have met this deadline, the Draft would have needed to be submitted by this morning. The public

meeting dates will be changed and the new target date for passing of the rules will be October 2010. We will proceed with the sheet that has the comments and concerns submitted, each item will be reviewed and voted on.  
Please refer to this sheet for this section of meeting.

## **NCOWCICB RULES DRAFT COMMENTS and ACTION TAKEN BY BOARD AT MARCH 11, 2010 MEETING GREENVILLE NC**

### **Page 1, Line 7 Item (a)**

Comment by: Doug Lassiter, Jerry Pearce, Jim Lanier

“Inspection” means an examination of an on-site wastewater system permitted under Article 11 of Chapter 130A of the General Statutes and established by provisions set out in Article 5 of Chapter 90A and meeting the minimum requirements established by the Board.

Comment by: Diana Rashash

delete “a point of sale”



Discussion held about point of sale and entire scope of inspections under certification, there are inspections done for purposes other than point of sale

Motion by Jerry Pearce to amend item to read as follows

“Inspection” means an examination of an on-site wastewater system permitted under Article 11 of Chapter 130A of the General Statutes and established by provisions set out in Article 5 of Chapter 90A and meeting the minimum requirements established by the Board.

Second by Russ Ayers, passed unopposed

**Page 1, Line 10 Item (b)**

Comment by: Doug Lassiter, Jerry Pearce, Jim Lanier

“Repair” means construction activity or alteration to an existing on-site wastewater system that is necessary to comply with a Repair Permit issued by the Local Health Department.

Comment by: Connie Stephens

repair – should reference needing a repair permit form LEH

Discussion held about the need to include a definition that was easily understood and with less room for interpretation.

Motion by Jerry Pearce to amend item to read as follows:

“Repair” means 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.

Second by Glenn Hines, passed unopposed

**Page 1, Line 11 Item (c)**

Comment by: Doug Lassiter, Jerry Pearce, Jim Lanier

“Wastewater Treatment Facility” means a mechanical or chemical treatment unit serving more than one source of wastewater.

Comment by: Russ Ayers

This definition is used in the exemption for persons licensed under Article 1 of Chapter 87 for Public Utility Contractors. The definition should include ( a mechanical or chemical treatment facility serving multiple wastewater sources and designed by a registered professional engineer.)

Comment by: Connie Stephens

Wastewater Treatment Facility – add serves multiple sources of wastewater

Discussion held about the public utility exemption in the General Statute and How to keep interpretation inline with the intent of General Statute

Motion by Jim Lanier to amend item as follows:

“Wastewater Treatment Facility” means a mechanical or chemical treatment unit serving more than one source of wastewater and designed by a registered Professional engineer.

Second by Diana Rashash, passed unopposed

**Page 1, Line 12 Item (d)**

Comment by: Diana Rashash

delete “hour” and re-word

“College course” means a semester unit or quarter ~~hour~~ unit of instruction...

Suggestion: “College course” means a semester or quarter based unit of instruction...

Motion by Jim Lanier to amend item to read as follows”

“College course” means a semester or quarter based unit of instruction . . .

Second by Russ Ayers, passed unopposed

**Page 1, Line 14 Item (e)**

Comment by: Doug Lassiter, Jerry Pearce, Jim Lanier  
“Course Activity” Add and pre-approved by the Board.

Comment by: Diana Rashash  
change “which” to “that”

Comment by: Russ Ayers

Course/Activity should also be pre-approved by the Board. This would match the language in Line 13 under (d).

Motion by Jim Lanier to amend item to read as follows:

“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 Onsite Wastewater Contractor or Inspector activities and pre-approved by the Board.

Second by Jerry Pearce, passed unopposed

**Page 1, Line 16 Item (f)**

Comment by: Doug Lassiter, Jerry Pearce, Jim Lanier  
“Personally Supervise” means the ~~on-site~~ direction and control of all construction, alteration, or inspection activities.

Comment by: Diana Rashash  
delete “on-site” and “or Inspector”

Suggestion: “Personally supervise” means the direction and control of all Onsite Wastewater Contractor activities during the time those activities are being conducted. If not physically present, the certified Onsite Wastewater Contractor shall be contactable by telephone and able to visit the site within 24 hours.

Question: Are we also going to define “Employee”?

Comment by: Russ Ayers

(Personally supervise) in this definition would mean that the certified person would have to be on the jobsite continuously during all activities. (This is NOT what has been discussed and told to the industry by the NCOWCICB.) The certified person is ultimately responsible for any

actions by his employees. The language in this Draft should be changed to match the intent of the majority of the NCOWCICB.

Comment by: Connie Stephens

Remove word on-site before direction

Discussion held about supervision of employees and responsible person and If requirement was made that certification holder had to be there within predetermined time frame or able to be contacted by telephone would that interrupt flow of business

Motion by Russ Ayers to amend item as follows:

“Personally Supervise” means the direction and control of all Onsite Wastewater Contractor or Inspector activities during the time those activities are being conducted.

Second by Gene Young, passed all in favor except Diana Rashash opposed

**Page 1, Line 28 Item (a)**

Comment by: Doug Lassiter, Jerry Pearce, Jim Lanier

The Table of “Description of Activities” Level II: Change to “fill systems” and change “Innovative Systems and Controlled Demonstration Systems” to “any approved gravity or single pump dispersal system.” Level III: Delete “and Experimental Systems.”

Comment by Diana Rashash:

The descriptions are different than what is on the application to become certified. When did we change them?

For Grade IV, change “> 3000” to “≥ 3000”

Comment by: Connie Stephens

Level Description Chart: Level II remove Innovative Systems and Controlled Demonstrative Systems Level III remove Experimental Systems Note: Does the board want the application changed to includes these descriptions prior to rules passing? Somewhere in these descriptions we need to address T & J

Discussion held about Grade Level descriptions and the need to be inclusive of all system types and leave little or no room for interpretation. T & J could be either Grade Level II or III depending on if LPP is used in dispersal.

Motion by Glenn Hines to amend item and Grade Level Chart to read as follows:

Grade Level II: Grade Level I plus Multiple tanks, Grease traps, Single Pump or Single Siphon, Fill systems, Sand Lined Trench, and any approved gravity or single pump dispersal system not specified in Grade Level III or Grade Level IV

Grade Level III: Dual pumps or Dual Siphons, Systems of >1500 gpd to <3000 gpd, Low-Pressure dispersal, Flow Equalization, and any system requiring ground water lowering device with a pump.

Grade Level IV: Systems > 3000 gpd (i.e. change symbol to be greater than or equal)

Second by Russ Ayers, passed unopposed

Direction by board to place new level descriptions on application for certification immediately

**Page 2, Line 25 &26 Item (c)** Comment by: Diana Rashash

“...conditions for certification, which, for new applicants, includes an 18-hr new installer course.”

Comment by: Connie Stephens

at end of sentence change word including an 18 hour new installer course to say which may include an 18 hour new installer course i.e. certification holders that modify may need an exam but not 18 hour course

Motion by Jim Lanier to amend item to read as follows:

The Board shall not schedule an applicant to take the required examination until their application has been reviewed and approved and the applicant has met all other conditions for certification, which, for new applicants, includes an 18 hour new installer course.

Second by Diana Rashash, passed unopposed

**Page 2, Line 28 Item (e)**

Comment by: Diana Rashash, Doug Lassiter, Jerry Pearce, Jim Lanier, Connie Stephens

Change twenty to twenty five

Motion by Diana Rashash to correct item Second Jim Lanier, passed unopposed

**Page 2, Line 29 Item (e)**

Comment by: Diana Rashash

add “...The renewal application will not be processed until the late fee is received.”

Motion by Diana Rashash to change wording of item to:

Renewal applications are due by November 15 of each year or will be required to pay a late fee of twenty five dollars (\$25.00) in accordance with G.S. 90A-78(b) if received after December 31 of that calendar year. The renewal application will not be processed until the late fee is received.

Second by Jim Lanier, passed unopposed

**Page 2, Line 30 Item (f)**

Comment by: Diana Rashash

delete ...”the application will not be processed and”...

Comment by: Connie Stephens

at end of sentence change new certification to re-certification i.e. those that have certification that expire don't have to do 18 hour course and therefore they do not have same requirements as new certification

Discussion held about requirements for re-certification if not renewed within 90 days, Board had decided at prior meeting that in seeking re-certification the introduction course would not be required.

Motion by Jim Lanier to amend item as follows:  
If the renewal application is postmarked more than 90 days after December 31 the person must meet the requirements for re-certification.  
Second Jerry Pearce, passed unopposed

**Page 2, Line 34 Item (h) and Line 36 Section (i)**

Comment by: Diana Rashash  
We still have the time problem! If they only have to notify us within 24 hours of the exam, how do we notify them by letter if they are ineligible!!! Line 34 should be consistent with line 32: "15 days prior to the scheduled date of the examination" People planning to take an exam should also be capable of deciding what grade level they want to become.

Discussion held about certification holders that choose to modify will at an event with the exam being held the next day and if they are required to modify 15 days prior to exam this may affect their ability to offer new services or expand their business, notification will be sent out in writing and the Board would expect staff to have contact with the individuals applying for the exam and to assist these individuals in the process of qualifying to take the exam

Motion by Glenn Hines to leave item as stated in draft

Second Jim Lanier, passes unopposed

**Page 3, Line 9, Item (b)**

Comment by: Diana Rashash  
typo; change "fee's" to "fees"

Motion by Jerry Pearce to correct typo Second Jim Lanier, passed unopposed

**Page 3, Line 13, Item (f)**

Comment by: Diana Rashash  
re-word as follows: "The fee for late renewal is \$25.00. This fee is charged if the renewal request is received after December 31."

Motion by Jim Lanier to amend item as follows  
The fee for late renewal is \$25.00. This fee is charged if the renewal request is received after December 31.  
Second by Diana Rashash, passed unopposed

**Page 3, Line 29 Item (b)**

Comment by: Doug Lassiter, Jerry Pearce, Jim Lanier

The Board may administer an examination orally on an individual basis at the request of the Applicant”

Comment by: Connie Stephens

change to say “The Board may administer an examination orally upon the request of the applicant.”

Discussion held about reasons for oral exams and concern of chair was that if no reason was given there may be a flood of request for oral exam, process of giving oral exam was discussed

Motion by Jerry Pearce to amend item as follows

The Board may administer an examination orally on an individual basis upon submission by the applicant.

Second by Glenn Hines, passed unopposed

**Page 3, Line 32**

Comment by: Diana Rashash

add a “(d)” as follows: “(d) If retaking the exam for any reason, a different version of the exam shall be administered.”

Motion by Glenn Hines to add item (d) as follows:

If retaking the exam for any reason, a different version of the exam shall be administered.

Second by Russ Ayers, passed unopposed

**Page 3, Line 38 Item (b)**

Comment by: Diana Rashash

This line supports the suggested changes to Section .0201, line 34

**Page 4, Line 13 Item (a)**

Comment by: Doug Lassiter, Jerry Pearce, Jim Lanier

After examination grading, the applicant shall be notified in writing as to the results of the examination.

Motion by Jerry Pearce to amend item as follows

After an examination grading, the applicant shall be informed, in writing by the Board or its authorized representatives as to the results of their examination. The Board shall not respond to oral or other request for exam results

Second by Al Gerard, passed unopposed

**Page 4, Line 15 Item (b)**

Comment by: Doug Lassiter, Jerry Pearce, Jim Lanier

After completion of the grading process, the applicant who has fulfilled all obligations of certification shall be issued a certification card.

Comment by: Connie Stephens

change to “Upon successful completion of the exam and all requirements for certification the applicant shall be issued a certification card.”

Motion by Jerry Pearce to amend item as follows:  
Upon successful completion of the exam and all requirements for certification the applicant shall be issued a certification card.  
Second by Jim Lanier, passed unopposed

**Page 4, Line 25**

Comment by: Diana Rashash  
add a “(g)” as follows: “(g) When work is being performed by an employee of the certified Onsite Wastewater Contractor, said employee shall have documentation regarding the grade level and certification number of the employer.

Discussion held about information needed at job site, it was determined that majority of Local Health Departments check for certification while in office and not at job site and also that due to the nature of the work performed in the industry the cards tend to become unreadable over time and that this requirement would but unnecessary requirements on companies

Motion by Gene Young to remove Item (f) and not to add (g)  
Second Russ Ayers, passed unopposed

**Page 4, Line 39 Item (c)**

Comment by: Doug Lassiter, Jerry Pearce, Jim Lanier  
Do you want any other information, like a change in business name or contact information?

Comment by: Connie Stephens  
add to end of sentence company name, phone number and/or email address.

Motion by Jerry Pearce to amend item as follows  
Certified individuals under this program shall notify the Onsite Wastewater Contractor and Inspectors Certification Board within 30 days in writing of any changes to their name, company name, company address, phone number, or email address.  
Second by Diana Rashash, passed unopposed

**Page 5, Lines 8,9,11**

Comment by: Doug Lassiter, Jerry Pearce, Jim Lanier  
These are Rules from the Well Drillers Certification. The referral back to Rules should be unnecessary since they are spelled out in .0602 and .0603.

Comment by: Connie Stephens  
15A NCAC XX .0820 and .0810 reference Well Drillers rules not sure why this reference is here

Motion by Jim Lanier to amend item as follows  
(c) Selection of courses and activities which meet the requirements of 15A NCAC XX . 0602 is the responsibility of the certified Onsite Wastewater Contractor or Inspector. Evaluation of courses pursuant to 15A NCAC XX .0603 could result in non-acceptance of courses for the purpose of meeting the continuing education requirements.

(d) Professional Development Hours (PDH) will be accepted for approved courses pursuant to 15A NCAC XX .0603. Hours for all other courses must be submitted to the board for approval. However, if not approved, no PDH will be granted for the course.  
Second Glenn Hines, passed unopposed

**Page 6, Line 12 Item (2)**

Comment by: Doug Lassiter, Jerry Pearce, Jim Lanier  
The discussion of online or video courses has been discussed. These courses have been disallowed by vote of the Board and found to lack suitable security and Board's ability to monitor expansion of skills.

Comment by: Connie Stephens  
Board has already decided early on that online courses wouldn't be approved

Discussion held as to future needs that may in certain circumstances need the option to use this type of course and the Board does and will continue to have the ability to deny approval of any course

Motion by Jerry Pearce to leave this item as stated, Second Jim Lanier, passed unopposed

**Additional items discussed**

**Page 1, Line 20**

Discussion held about adding a definition of "employee". The majority of complaints received pertain to this issued and it was determined that a concise definition needs to be added.

Motion by Diana Rashash to add item as follows  
(h) "Employee" means a person who receives an Internal Revenue Service W2 form for record of compensation  
Second Jim Lanier, passed unopposed

**Page 4, Line 9**

Correction that was made in prior meeting still need to be corrected  
NCAC XX .0901 needs to be changed to NCAC XX .0701

12:50 P.M.

**OTHER BUSINESS:**

**PUBLIC MEETING DATES FOR RULES**

April 21, 2010	Hickory	1pm to 4pm	Ag Center ?
April 26, 2010	Morehead	1pm to 4pm	Carteret Health Dept
April 27, 2010	Raleigh	1pm to 4pm	Parker-Lincoln Building
April 28, 2010	Waynesville	1pm to 4pm	Waynesville Health Dept

**NEXT BOARD MEETING**

June 3, 2010	Raleigh	11 a.m.	2728 Capital Blvd
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Public Meeting Dates stated above no longer apply these will need to be re-scheduled in May, Gene Young will re-schedule the dates and locations and get these out to the Board.

Nancy Deal requested that the Board hold one of these meeting in Greenville.

Several Board members asked if the Board members needed to attend these meetings, Russ Davis advised them if their schedules permitted attendance that it would be helpful for any that could attend to be there.

Connie Stephens presented the Board with a sign in sheet for the public comment meetings and stated that each person that attends needs to sign in and if they wish to make comment they must request that prior to start of meeting and only those that request to speak prior to meeting will be allowed comment. Sign in sheet was reviewed and allotted time for comment was limited to 3 minutes per individual. Comments will be recorded and notes also taken. After the public comment meetings the comments will be documented and sent out to the board prior to the next Board meeting with sufficient time for review by Board members. Russ Davis requested that the Board members review these comments and if there are comments they wish to have discussed at next Board meeting that they send him the information prior to the next meeting as every comment that is received during this process may not be discussed. Russ Davis requested that sign be posted at entrance to meeting that advises attendees that they must sign in and that if they wish to speak they will need to make the request at that time. (Sign in sheet is attached at end of minutes)

Russ Ayers asked if comments could be sent in by email or in writing or if they could only be made at meeting. Gene Young and Russ Davis advised that these types of comments would also be received.

Discussion held about next Board meeting. The date has to be changed to a later date. Members reviewed calendars and agreed upon June 21, 2010 in Raleigh as next meeting date. Russ Davis advised Board this will be a regular Board meeting combined with discussion about rules draft comments and at 1pm we will have a Public Meeting for the purpose of presenting the Rules for formal approval. There will be no Public Comment at this time on the Rules. With this in mind the meeting will begin at 10:00 a.m. as there will be complaints, class approval requests and other items on the agenda.

Russ Davis asked each Board member individually if they were satisfied with the results of the Rules Draft at the conclusion of votes today, each individual responded that they were satisfied with the final Draft as approved at today's meeting. He stated that Board's support of the Draft as a united front was important to it's success.

Russ Davis asked if there were any other comments. Glenn Hines asked if there was movement on a complaint received several months ago and John Barkley advised that the complaint was being processed.

With no other business to discuss request by Russ Davis for motion to adjourn. Motion by Gene Young, Second Glenn Hines, meeting adjourned.

**NCOWCICB**  
**PUBLIC COMMENT MEETING ON DRAFT RULES**  
**MEETING DATE \_\_\_\_\_ LOCATION \_\_\_\_\_**

**ALL ATTENDEES MUST SIGN IN**

**IMPORTANT PLEASE READ:** Speaker will do presentation of Draft Rules at conclusion of presentation comments will be received. In order to offer comment you must sign in as wishing to make comment. Comments will be taken in order of sign in sheet your name will be called when it is your turn to comment. Comments will be limited to three (3) minutes per individual and your comments will be recorded by staff.

<b>PLEASE PRINT FULL NAME</b>	<b>COMPANY OR EMPLOYER</b>	<b>If you wish to make comments please check below</b>
		<input type="checkbox"/> <b>yes I wish to comment on Draft Rules</b>
		<input type="checkbox"/> <b>yes I wish to comment on Draft Rules</b>
		<input type="checkbox"/> <b>yes I wish to comment on Draft Rules</b>
		<input type="checkbox"/> <b>yes I wish to comment on Draft Rules</b>
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