

NCOWCICB meeting - 090607

Meeting minutes – Lexington

Present: Gene Young, Connie Stephens, Diana Rashash, Jim Lanier

Absent: Al, Ralph, Paul, Russ (each submitted proxy to Connie), & Glenn

Also present: Doug Lassiter, Tony Arnold

Meeting called to order by Connie: 9:43 am

Prayer by Jim Lanier

Ethics statement read by Connie. Anyone with known/perceived conflicts of interest?  
Diana: presenting information on classes offered by David Lindbo, NCSU; I will not be voting

Minutes from last meeting: motion by Gene

2<sup>nd</sup> Jim

Jim: question on “not having tank pumped”

Connie: statement will be present on form for client to sign if they don’t want tank pumped.

Minutes approved

Update on classes and applicants:

Connie: been all over the state

Applicants: 1,200

Of these, only 100 or so have not taken classes

284 pre-registered for classes in Waynesville (many have not yet registered with the Board: application, affidavits, fees)

If they didn’t pre-register and can’t be seated, they will have to attend a different session.

Of the 284, only 70 are taking both days (GL III & IV)

Roughly 55% of GL III, IV and Combo have taken exam

Problem: lots of folks haven’t bothered to register with the Board (application, affidavits, fees), so they aren’t on the mailing list!

Update on AG info:

Gene: Last Thursday, Doug, Connie & Gene met with John Barkley for roughly 2.5 hours. Barkley is “on call” for us today if we need to clarify something or ask question.

We need to vote on and adopt the rule package today. This will get us to public comment by 30 Oct; end of comment period Dec 14, rules into effect on Feb 1<sup>st</sup>.

Barkley will file the rules with the Rules Review Commission (have to be filed by Sept 24<sup>th</sup>). The temporary rule scenario doesn’t fit us.

Public hearing will likely be in Raleigh; earliest date would be Oct 30<sup>th</sup>. Tony has offered to be the public hearing officer.

Tony will check room availability: Nov. 7<sup>th</sup>, 10 am, DENR building (former Parker-Lincoln)

a. Rules: Can LHD depts. not do finals if installer not certified:  
Barkley said that we can make it that LHD can't do finals for uncertified installers. Installer has to call LHD to set date for final, LHD can check and see if certified; if not certified:

No final

Or

Have certified installer accept responsibility (installer of record) for someone else. This can only be done ONCE for that uncertified installer!

If a LHD does sign off on system by uncertified installer, the LHD is assuming responsibility for that system

b. Request that Terry Pierce send out letter to all LHDs (statement on agenda). Board will draft the letter (anticipated to go out in early Dec.). A copy of the submitted rules will be sent out as well.

Tony: question on database. Connie will have list available for Tony to post on site. GL info, as well as proprietary certification, will be present.

Cards go out in early December: will discuss more later today.

c. General contractor exemption: Barkley agreed with what Board has been saying. GC either has to install system himself, or have certified person who is a 1040 employee (W2 form) do the installation.

There is a GC association; however, Connie hasn't been able to get information across to them.

Letter will be drafted for GC assoc., Home Builders assoc., Home Insp assoc., and Realtors Assoc. Connie and Gene will get together next Friday morning (Sept. 14<sup>th</sup>) to do this.

Doug: new draft 1900 rules has a definition of "facilities". It includes any "dwelling, multifamily, business. He asked John Barkley if we need to mirror this definition or if we can put in our own definition: we can do our own definition.

d. Gene: 1900 rules are being rewritten now (and have been for a long long time). We are going to ask Joe Lynn to change 1938 (responsibilities) to mirror our rules for defining installers. Their rules say that installer must register in each county that they work.

Counties on local rules (Orange, Wake, & Guilford) can still charge for “local registration” if local board of health requests the fee.

- e. Counties offering classes: Is it a conflict of interest for counties to teach classes? Yes, if done directly because they inspect the systems; however, the county can do the class through NC Cooperative Extension, local community college, or other outside entity. (Barkley’s response)
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Proposal for acceptance of exam dates:

Motion to accept: Diana

2<sup>nd</sup>: Gene

Discussion: Gene: do any of the exam dates conflict with CIT? Possibly July’s, but it would only affect Gene.

Motion passed!

Dates will be posted. Exam application will be given out at any classes (NCSU, NCSTA, etc) for people to complete

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Proposal to extend expiration dates of affidavits until Jan 30, 2008. This WILL NOT be advertised!!!

Motion: Gene

2<sup>nd</sup>: Jim

Motion passed.

Tony: had questions about out of state signers: board said that is ok.

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Diana: presentation on David Lindbo NCSU classes

Gene: motion to approve D. Lindbo’s classes

2<sup>nd</sup>: Jim

Motion passed.

Diana: send approved list to Joni, so she can send to Tony for posting on web.

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Connie: Infiltrator, EZflow, and T&J panel want their proprietary system classes approved.

Comments: They need to have a powerpoint. Also, time (30-60 minutes) for credit. Needs to be more than an “infomercial”.

Needs to cover: proper installation, siting, types of sites where suitable and NOT suitable, finished grading, O&M, pumping requirements, troubleshooting, talk about reasons WHY their systems get the reductions that they do.

Connie: Motion to pass if they do this and submit electronically for the board.

Gene: 2<sup>nd</sup>  
Passed.

Jim: Motion that this is the procedure that any other propriety system must follow.  
2<sup>nd</sup>: Gene  
Passed.

Diana: Motion that the letter to LHD include information that classes they hold will have to go through outside entity as described earlier  
Connie: 2<sup>nd</sup>  
Passed

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Doug:  
NCSTA class approval (list handed out) for 2008

Gene: motion to approve  
Diana: 2<sup>nd</sup>  
Discussion:  
Have NCSTA use the “blue book” as reference.  
Passed.

Tony suggests that we develop a “common framework” for 18-hr newbie class

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LUNCH

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Rules:

Connie: folks come in, take exam, and take again if didn't pass. Do they need to pay the fee if they want to switch to GL II: only failed twice...no; if failed 3x, yes plus continuing ed.

Gene: Statute has wordage addressing this.

We went over rule wordage.

Gene: Motion to approve rules as amended today  
2<sup>nd</sup>: Diana  
Motion passed.  
Need to get these sent out to Board ASAP!  
Connie: nominate Gene as Investigative committee liason  
Diana: 2<sup>nd</sup>  
Motion passed.

New Business:

Gene: Modify requirement of having two board members at testing site to one board member. Also present would be at least one proctor per 50 people.

Diana 2<sup>nd</sup>

Motion passed.

Connie: motion to adjourn

Gene: 2<sup>nd</sup>

Motion passed, 3 pm

Respectfully submitted by,

Diana Rashash