

NCOWCICB
BOARD MEETING MINUTES
September 1, 2010 10:00 a.m.
RALEIGH, NC
LOCATION: HAMPTON INN CONFERENCE CENTER
1001 WAKE TOWNE DR RALEIGH, NC

10:00a.m. CALL TO ORDER : **RUSS DAVIS, 10:03 A.M.**
OPENING PRAYER : **JERRY PEARCE**
ROLL CALL : PRESENT: **DIANA RASHASH, JERRY PEARCE,
RUSS AYERS, GLENN HINES, JEFF KNIGHT**
RECOGNITION OF PROXY(IES): **JIM LANIER TO RUSS AYERS, AL
GERARD TO RUSS AYERS. GENE YOUNG, NOT PRESENT NO
PROXY**
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.

**MAY HAVE SOME ISSUES IN CLOSED SESSION WITH
CONFLICTS, NO OTHER CONFLICTS NOTED**

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.

DOUG LASSITER, NCSTA EXEC DIRECTOR REQUEST TO ADDRESS BOARD, NCSTA HAS CLASS IN SUNSET, NEW BERN, GREENSBORO AND HICKORY, CLASSES ALREADY APPROVED. TRANSFER OF FUND THE WAY GS WAS PASSED BUDGET AND KEEPING IN MIND THE TIGHTNESS OF FUNDS IN NC HE SERIOUSLY SUGGESTS THAT TRANSFER BE DONE ASAP, THE BUDGET BILL STATED THE REMAINING FUNDS ARE TO BE CREDITED TO NCOWCIB, DO NOT KNOW WHAT WILL BE DONE WITH ONSITE SECTION AND WHERE IT WILL END UP, HE HOPES THAT BUSINESS CAN PROCEED EXPEDITIOUSLY

- 10:10a.m. REVIEW, DISCUSSION OF MINUTES FROM July 16, 2010 MEETING
NOTES: MOTION TO APPROVE JERRY PEARCE, 2ND JEFF KNIGHT, PASSED
- 10:20 a.m. EXECUTIVE COMMITTEE UPDATE:
NOTES:
NEED TO GET IN WRITING UPDATE FROM AG OFFICE AS TO WHETHER PROXIES ARE VALID IN GENERAL BOARD MEETINGS
- 11:30 a.m. BOARD TO ENTER INTO EXECUTIVE SESSION FOR COMPLAINT AND PERSONNEL ISSUES
NOTES: MOTION TO MOVE IN EXECUTIVE SESSION DIANA RASHASH, 2ND RUSS AYERS, MOTION PASSED

Motion to go back into general session, DIANA RASHASH, 2ND JERRY PEARCE, MOTION PASSED
- 12:44 p.m. RE-ENTER GENERAL SESSION

12:44 p.m. REQUEST FOR CLASS APPROVALS

NOTES:

COLLEGE OF ALBERMARLE, 60 HOUR COURSE, MOTION TO APPROVE 12 HOURS ALL GRADE LEVELS, JERRY PEARCE MOTION, 2ND JEFF KNIGHT, CLASS APPROVED

1:00 p.m. UPDATE FROM EXECUTIVE DIRECTOR

2011 RENEWAL INVOICES NEED TO BE ORDERED, COST ESTIMATE AROUND \$1500 PLUS POSTAGE TO MAIL OUT, MOTION TO ORDER JERRY PEARCE, 2ND DIANA RASHASH

CARD PRINTING MACHINE NEEDED TO PRINT CERTIFICATION CARDS, HAVE PRICES FROM THREE DIFFERENT COMPANIES, TWO ARE INTERNET BASED AND ONE IS LOCAL COMPANY OUT OF GARNER, THE LOCAL COMPANY CAN ALSO PRINT THE BACK OF THE CARDS PRIOR TO SHIPPING MACHINE WHICH WOULD ALLOW US TO PURCHASE A ONE SIDED PRINTER, LOCAL COMPANY IS ALSO THE LOWER PRICED MACHINE AT COST OF \$2643 PLUS TAX, RUSS AYERS MOTION TO PURCHASE, 2ND JERRY PEARCE, MOTION PASSES

WEB INFO. WEBSITE HAS BEEN HOUSED WITHIN THE DENR WEBSITE, DENR HAS BEEN DOING UPDATES, HOWEVER WITH NEW GS DENR WILL NO LONGER BE HOUSING NCOWCICB WEBSITE, WE NEED TO MOVE FORWARD WITH WEBSITE, AT DIRECTION OF BOARD IN THE EARLY STAGES OF THE PROGRAM DIRECTOR HAD WEBSITE BUILT BY THIRD PARTY AND THEN THE BOARD ADVISED AT NEXT MEETING THAT THE SITE MUST BE DONE BY DENR, DIRECTOR HAD ORDERED THE SITE BUILT BY THIRD PARTY WHICH WAS NEVER PAID FOR THE JOB DONE, DIRECTOR ASKED FOR PRICE FROM THIRD PARTY AGAIN TO BUILD THE SITE FOR NCOWCICB, THE PRICE GIVEN WAS \$2500 THIS IS IN PART TO FACT THAT THEY WEREN'T PAID BEFORE, RUSS DAVIS REQUEST THAT DIRECTOR ASK IF THEY CAN DO IT CHEAPER, DIRECTOR WILL GET THAT INFORMATION FOR NEXT BOARD MEETING, AND DIRECTOR WILL REQUEST DENR TO LEAVE SITE LIVE UNTIL WE CAN GET A NEW SITE UP AND RUNNING
NOTES:

1:05 p.m. RULES UPDATE

Four Public Comment meetings have been held, little or no attendance at public comment meetings only two comments

received, comments received are attached to agenda, Rule adoption meeting is set for September 22, 2010 at 1:00 p.m. 2728 Capital Blvd Raleigh, NC

Notes: COMMENTS ATTACHED, WE HAVE PUBLIC MEETING SET IN RALEIGH FOR RULES ADOPTION SEPTEMBER 22, 2010, COMMENTS RECEIVED FROM DOUG LASSITER, NCSTA, WILL BE HELD TO BE ADDED TO NEXT SET OF RULES WRITING TO KEEP FROM HOLDING UP THE RULES APPROVAL PROCESS. COMMENTS RECEIVED FROM STEVEN BERKOWITZ WERE FOR THE MOST PART TECHNICAL IN NATURE THE TECHNICAL AND GRAMMATICAL CORRECTIONS WILL BE ADDED AT THE ADOPTION MEETING AND THE OTHER WOULD BE CONSIDERED AT LATER DATE

1:10 p.m. OTHER BUSINESS

NOTES: RUSS AYERS ASKED ABOUT MOVING FUNDS INTO AN ACCOUNT AND REQUESTED THAT MONEY BE MOVED. RUSS AYERS MADE MOTION THAT EXECUTIVE COMMITTEE MAKE DECISION AS TO WHERE TO MOVE FUND TO AND MOVE ALL THE BALANCE OF FUND, 2ND GLENN HINES, MOTION PASSES

CSS REQUESTED THE TWO REQUIRED MEETINGS BE SET FOR SAME TIME EACH YEAR GOING FORWARD TO ALLOW BOARD AND PUBLIC TO SCHEDULE THEIR TIME. MOTION BY JEFF KNIGHT THAT BEGINNING WITH 2011 CALENDAR YEAR NCOWCICB WILL MEET ON 2ND WED AFTER LABOR DAY AND 3RD WEEK OF JANUARY EACH YEAR, OTHER MEETINGS WILL BE SCHEDULED ON A CALL BASIS, 2ND JERRY PEARCE, MOTION PASSES

1:20 p.m. ADJOURN MOTION GLENN HINES, 2ND JEFF KNIGHT, MEETING ADJOURNED

Comments Received from Public Meetings on NCOWCICB Proposed Rules

1. Received 8/10/10 from NC Septic Tank Association, Doug Lassiter
Exec. Director

“The legislation for requiring certification of persons installing septic tank systems has been in effect for over 3 years. Originally, many owners of businesses installing septic tank systems chose to only certify themselves due to the cost and time involved with certification. Many owners had children who were working within the company but not the Owner and not the person of Responsible Charge.

The persons wishing to be originally certified were able to show experience in the field as a method of avoiding the added expense of a three-day New Installer class. Persons who had no experience or missed the cut-off for showing prior experience were required to spend three days in a class that many times cost approximately \$800 plus travel and overnight accommodations.

We ask for consideration of the following proposal:

Business Succession:

A person who wishes to replace the current and living Certified person of Responsible Charge within a certified firm by the following conditions:

1. A person who is in continued employment, and able of providing supporting documentation such as Wage and Tax information, of a firm certified under NCOWCICB for a minimum of 3 years, and
2. Provides 3 (three) affidavits from local health department, engineers, or customers that show integral involvement with the installation and operation of the business, and
3. Provides the NCOWCICB with Application for Certification, including appropriate initial fees, and
4. Provides NCOWCICB with proof of attendance at approved classes for a minimum of 2 (two) years, and
5. Passes the applicable test for the level requested, and
6. Provides a notarized document from the current Certified Person requesting the transfer and instructing the NCOWCICB to retire their own Certification.

This provision should only be used within small family owned businesses where natural transfer of ownership is common. The only exclusion is the requirement of the 3-day Beginners Class. Other requirements have been included to replace the original course.”

2. Received 8/23/10 from Steven Berkowitz, P.E. On-Site Water Protection Section NC DENR

“These comments are offered by me personally and not intended to represent the position of the Department or On-Site Section.

- a. Pursuant to G.S. 90A-74(6), the Board needs to “establish, publish and enforce rules of professional conduct of persons who are certified pursuant to this Article.” Such rules are sorely needed
- b. Definition of “Inspection” is no longer necessary, as it is now established by Statute, and nothing is added to the Statutory definition in the Draft rule
- c. The “definitions” in Section .0101 of the Draft should be in alphabetical order
- d. There is a typo in .0101 (e) “Course/activity” means any course of activity should read or activity . . .
- e. Clarify in Rule .0201 (c) whether the 18 hour new “installer” course is also required for new applicants for “Inspectors”

- f. Rule .0401 (b) “exemption” from written examination should only apply to the exam for a “Contractor” and not for an “Inspector”
- g. There is a typo in .0702 (b) An individual who’s certification was revoked or voluntary surrendered should read voluntarily surrendered . . .

3. Comment received May 6, 2010 electronically from Alan McKinney

From: AlanMcKinney [mailto:alanm@apphealth.com]
Sent: Thursday, May 06, 2010 10:49 AM
To: Leonard, Laura
Subject: FW: EHL- NCOWCICB proposed Installer Rules

Only a few comments:

“Wastewater Treatment Facility as defined include on-site systems and DWQ discharge systems?

What is the definition of an inspector?

Should it be stated within these rules that certification allows for installation of *permitted* systems?

Good luck

Alan