

NCOWCICB
BOARD MEETING MINUTES
May 13, 2016 9:00 a.m.
LOCATION: Hilton Garden Inn Raleigh Durham Airport
1500 RDU Center Drive Morrisville NC 27560

9:00 a.m. CALL TO ORDER: Russ Davis
OPENING PRAYER: Jerry Pearce
ROLL CALL: Russ Davis, all present
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

9:05 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.

Anna Choi, counsel
Doug Lassiter NCSTA

9:10 a.m. Approval of Minutes from December 18, 2015 meeting (see minutes attached)
Diana Rashash motion to approve , 2nd Russ Ayers, approved

9:15 a.m. Update from Administrator:

- REMINDER Any Board member that has not taken the required Ethics training should do so immediately. Once you have taken the course please send me a copy of the completion certificate. Information for required Ethics training for Board members can be found at <http://www.ethicscommission.nc.gov/education/default.aspx>

- The following is what the Ethics Commission records show regarding the Board member's Ethics Training as of 3/9/16:

Board Member	Last Date Rcvd	Next Due Date
Russ Davis	1/6/16	1/6/18
Russ Ayers	11/30/15	11/30/17
Jerry Pearce	6/12/15	6/12/17
Diana Rashash	9/18/15	9/18/17
Glenn Hines	4/9/14	4/9/16
Jeff Knight	1/7/16	1/7/18
Mark Brooks	4/14/14	4/14/16
Walter James	11/17/14	11/17/16
Adam Waters	11/6/14	11/6/16
Connie Stephens(EL)	4/7/15	4/7/17

If anyone believes their records are incorrect and they have proof of having taken the education course more recently, please contact Sue Lundberg, Education Attorney at 919-715-2071.

- The SEI forms were due by April 15, 2015. These must be filed each year. I received filing confirmations from some of you but not everyone. If you have filed and did not send me the confirmation, please send. If you have not filed please do so immediately this is the link for the SEI form and instructions: <http://www.ethicscommission.nc.gov/sei/blankForm.aspx>
- The renewal period for 2016 has completed 83 certification holders did not renew for 2016. This number is down from previous years. On average we have had 150 not renewing. During the year we usually regain as many as we loss with new certification applicants. The 18 hour intro course in May had 45 students that amount alone recovers over half of the ones that did not renew. Bottom our number remain steady in the 1900 range of certification holders.

10:15 a.m. Treasurer's Report by Jerry Pearce, Treasurer
Financial Report as of February 28, 2016

Monies on hand:	
Capital Bank Operating Account	\$161,898.97
Select Bank*	\$234,840.11
Bank of Oak Ridge*	\$231,598.74
Sound Bank*	\$204,364.91
North State Bank*	\$ 53,368.21
New Bridge Bank*	<u>\$202,264.76</u>
Total Monies on hand	\$1,088,335.70

(*CD held for future enforcement)

See detailed YTD Financial Report Attached
Motion to approve Mark Brooks, 2nd Walter James, approved

- 10:30 a.m. Board shall enter Closed Session for discussion of complaints received
Notes:
Motion to enter Diana Rashash, 2nd Jerry Pearce, approved
- 11:00 a.m. Board shall re-enter regular session
Motion to re-enter Russ Ayers, 2nd Adam Waters, approved
THE FOLLOWING COMPLAINTS WERE DISCUSSED IN CLOSED SESSION:
Complaint number: 12100101, motion to revoke Russ Ayers, 2nd Jerry Pearce, approved
Complaint number: 042116, motion to order investigation if investigation confirms complaint, revoke certification Russ Ayers, 2nd Glenn Hines, approved
Complaint number: 02031601, motion for letter of admission of guilt, Jeff Knight, 2nd Russ Ayers, approved
Complaint number: 05021601, motion of letter of admission of guilt Diana Rashash, 2nd Jeff Knight, approved
Complaint number: 12311501, motion to send to counsel for prosecution, Jerry Pearce, 2nd Mark Brooks, approved
Reapplication request after revocation for Gavin Smith, Jerry Pearce did not participate in discussion, motion to accept application, however he must submit next 12 months of inspections and will be on probation for 12 months, Diana Rashash, 2nd Walter James, approved
Motion to accept actions in closed session Russ Ayers, 2nd Glenn Hines, approved
- 11:15 a.m. Other Business:
Russ Davis addressed Board on issue of certified people using non W2 employees and paying cash to workers, information is on the renewal forms and the application for certification,

Discussed requirement for providers to ID all attendees and record information. Result of discussion providers recognize most attendees they should not have to record ID but still have ability to check ID if needed.
Motion that providers verify identify of attendee as needed, Mark Brooks, 2nd Walter James, approved

Update from Counsel Anna Choi
Discussed Rules and the periodic rule reviews our deadline is 11/2017
Will have spreadsheet of rules and will list in three categories, unnecessary, necessary but without substantive public interest (want as many as possible in this category, i.e. there have been no complaints), necessary but with substantive public. Board will vote in December to put in the categories and publish for 60 days. If you receive a comment critical of rule will have to move to next category. If get no comment goes to RCC, necessary without go forward as rules, necessary with goes through regular rules making process.
Then in May will vote to adopt, which gets to RCC by June.

Pending Legislation that effect all occupational Boards, one is the authority to APO to determine if Board's procedures are cumbersome, also because of Dental Board case need to use caution in going after non-licensed individuals wording has to be correct if passed we will need to have rules to address disciplinary actions taken, also how complaints are processed and how to file information must be posted.

Will be doing training in December

Doug Lassiter addressed the Board on Legislative activities, sales and use tax, APO proposed legislation, Engineered Option Permit (EOP) must adopt temporary rules by 6/1/16 and permanent rules by 1/1/17, adopted temporary rules this week, effective date 7/1/16. NCOWCICB rules in ethics section may need to make changes to allow for installation of systems allowed in EOP, will need to add "or otherwise authorized by law" to (j).

Next scheduled Board meeting December 9 2016 in Raleigh, 10 a.m. with lunch

12:00 p.m.

Adjourn

Motion to adjourn Jerry Pearce, 2nd Mark Brooks, approved

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YTD Receipts**

Fees Received	\$182,500
Interest Income	<u>\$ 2,417</u>
Total Receipts	\$184,917

YTD Expenditures**

Postage	\$ 2,223
Printing	\$ 10,076
Travel – Board	\$ 4,939
Travel – Staff	\$ 2,304
Telephone	\$ 2,460
Misc Expense	\$ 668
Bank Charges	\$ 233
Accounting	\$ 16,840
Contract Labor	\$ 48,533
Office Expense	\$ 761
Depreciation	\$ 353
Investigations	\$ 3,190
Legal Fees	<u>\$ 16,372</u>
Total Expenditures	\$109,806

(**Fiscal year runs July 1 – June 30th)

