

NCOWCICB
BOARD MEETING AGENDA AND MINUTES
May 10, 2019 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: CHRIS DOBBINS NOT 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.

READ BY RUSS DAVIS
DIANA RASHASH WILL NOT PARTICIPATE ON NCSU CLASSES

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.

Public in attendance at meeting:
Doug Lassiter

9:10 a.m. Approval of Minutes from December 14, 2018 meeting (see minutes attached)
Motion DIANA RASHASH

9:20 a.m. Update from Administrator:

- Thank you to each Board member for filing your SEI in a timely fashion
- Ethics training is up to date for everyone, good job
- Each Board member is current on the 93B training
- Class Approval Request:

Approval Request:

NCSU: Approval request for 2 new classes with focus on Business practices, both meet requirements, MOTION TO APPROVE DAVID SWINNEY, 2ND GLENN HINES, APPROVED

- Legislative update: There have been numerous bills file this session that if passed will affect occupational licensing boards. At the time of the writing of this agenda the bills are still going thru the legislation.

HB484 will require the verification of immigration status thru the Federal system SAVE. There are fees associated with this process each time a verification is requested and a monthly system access fee of \$25.00. If this bill passes, we would need to add to the application and renewal

invoice requesting whether or not they are U.S. Citizens and if not they would need to provide verifiable information regarding their immigration status

SB305/HB770: If passed, a Board could not deny license based on criminal conviction unless the public safety is directly at harm. Boards must post on their website and documents if they require criminal background checks

HB268, this bill disapproves sections of the 18E rules, formerly the 1900 rules, that received objections and legislative review request. It also establishes a Task Force to conduct a study and issue a report to recommend new wastewater rules to the Commission of Public Health. This Task Force will consist of 10 members, 1 from Onsite Water Protection Branch, 1 from DEQ, 1 from NC Environmental Health Supervisors Association, 1 from NC Home Builders Association, 1 from NCOWCICB, 1 from NC Association of General Contractors, 1 from NCSTA, 1 from Consulting Soil Scientists Association of NC, 1 from NC Board of Examiners for Engineers & Surveyors, 1 from NC Board of Licensing of Soil Scientists

This bill also creates Alternative wastewater system approvals for nonengineered systems. “Authorized onsite wastewater evaluator. An individual licensed as a soil scientist pursuant to Chapter 89F of the General Statutes and further certified under conditions developed and administered by NCOWCICB may at the direction of the owner of a proposed wastewater system, prepare signed and sealed soil and site evaluations, specifications, plans, and reports for the site layout, construction, operation, and maintenance of a wastewater system in accordance with this section and rules adopted pursuant to this section. . .”

This section is similar to the engineered option permit in allowing the evaluator that is certified by NCOWCICB to do the permit. It is a fairly lengthy section in the bill and we would need to spend a lot of time preparing the rules and requirements for this certification process.

MUCH DISCUSSION HELD

- Proposed Budget:

RECEIPTS		\$230,000
EXPENSES:		
SALARIES	\$72,800	
PAYROLL TAXES	6,000	
ATTORNEY	20,000	
ACCOUNTING	25,000	
OFFICE RENT	6,000	
PRINTING	12,000	
TRAVEL	14,000	
POSTAGE	3,000	
PHONE	3,600	
BANK CHARGES	200	

INVESTIGATIONS	2,000	
OFFICE SUPPLIES	2,000	
MISC	800	
MEETING EXPENSE	3,000	
HEARING EXPENSE	2,000	
WEB EXPENSE	2,500	
DEPRECIATION	500	
TOTAL PROPOSED EXPENSES		\$175,400

MOTION TO APPROVE DAVID, DIANA

- The proposed rules were reviewed at the December meeting and approved by the Board. The public comment period has ended with no comments being received. The Board now needs to vote to adopt these proposed rules. MOTION TO ADOPT DAVID, SECOND JERRY

10:20 a.m. Treasurer's Report by Jerry Pearce, Treasurer
Financial Report as of March 31, 2019

Monies on hand:

Capital Bank Operating Account	\$201,091.79
Select Bank*	\$240,349.70
Bank of Oak Ridge*	\$232,670.16
Sound Bank*	\$211,767.91
North State Bank*	\$229,356.77
First National*	<u>\$204,092.49</u>
Total Monies on hand	\$1,319,328.82

(*CD held for future enforcement)

See detailed YTD Financial Report Attached

PRESENTED BY JERRY PEARCE, MOTION TO APPROVE WALTER, DAVID

10:45 a.m. Board shall enter Closed Session for discussion of complaints received, MOTION RUSS AYERS, 2ND MIKE

11:30 a.m. Board shall re-enter regular session
MOTION TO GO INTO REGULAR SESSION, JERRY, 2ND WALTER,

THE FOLLOWING COMPLAINTS WERE DISCUSSED IN CLOSED SESSION:
COMPLAINTS REVIEWED AND DECISIONS BY BOARD LISTED UNDER EACH COMPLAINT

Complaint 3261901: installation by homeowner without certification or inspection
DAVID SWINNEY RECUSED HIMSELF SEEK INJUNCTION,
MOTION DIANA, 2ND WALTER, APPROVED

Complaint 2251901: repair without permit, DISMISS, MOTION, DIANA, 2ND DAVID,
APPROVED

Complaint 04041901: installation and additional repair without permit, SECOND OFFENSE OF
SAME NATURE, REVOCATE CERTIFICATION, MOTION DIANA, 2ND WALTER,
APPROVED

Complaint number 03131901: incomplete inspection, STAY SUSPENSION 12 months, MUST
TAKE CLASS, AND SEND IN REPORTS, MOTION DAVID, 2ND MIKE, APPROVED

Complaint number 05031901: paid for installation hasn't installed, 2ND OFFENSE OF SAME
NATURE, ORDER INVESTIGATION IF SHOWS SAME AS COMPLAINT REVOKE
CERTIFICATION, MOTION GLENN, 2ND DAVID

- 11:45 a.m. Update from Counsel Anna Choi
 Brief update from counsel on legislation
 UPDATES WERE GIVEN ABOVE ABOUT LEGISLATION
 DEADLINE WILL BE MET FOR RULES AND BE BEFORE THE COMMISSION IN JUNE
 RUSS ASKED ANNA TO UPDATE ON HOW SESSIONS WORK IN LEGISLATURE IN
 ODD YEARS WE HAVE LONG SESSION AND EVEN YEARS SHORT SESSION, LONG
 SESSION USUALLY HAS MOST OF THE BILLS INTRODUCED
- ANNA WAS ASKED SHOULD COMPLAINTS BE FILED BY CONNIE ON CALLS
 RECEIVED TO COMPLAINT, DEPENDING ON NATURE OF COMPLAINT, SHE CAN
 FILE COMPLAINT AND PROCEED WITH COMPLAINT
- 12:00 p.m. Next Scheduled Board Meeting: December 13, 2019 9 a.m. in Raleigh, keep in mind the Board
 meetings have been set as second Friday in May and December.
- 12:00 p.m. Meeting Adjourn MOTION DAVID, 2ND RUSS AYERS, ADJOURNED

NCOWCICB Financial Report as of March 31, 2019

Monies on hand:

Capital Bank Operating Account	\$201,091.79
Select Bank*	\$240,349.70
Bank of Oak Ridge*	\$232,670.16
Sound Bank*	\$211,767.91
North State Bank*	\$229,356.77
First National*	<u>\$204,092.49</u>
Total Monies on hand	\$1,319,328.82

(*CD held for future enforcement)

YTD Receipts**

Fees Received	\$226,267
Interest Income	<u>\$ 6,182</u>
Total Receipts	\$232,449

YTD Expenditures**

Postage	\$ 1,833
Printing	\$ 6,958
Travel – Board	\$ 4,590
Travel – Staff	\$ 2,823
Telephone	\$ 2,532
Misc Expense	\$ 406
Bank Charges	\$ 144
Accounting	\$ 20,270
Salaries	\$ 55,851
Payroll Taxes	\$ 4,325
Office Expense	\$ 1,825
Depreciation	\$ 460
Office Rent	\$ 4,500
Investigations	\$ 1,163
Hearing Expense	\$ 292
Meeting Expense	\$ 0
Web Expense	\$ 175
Legal Fees	<u>\$ 8,678</u>
Total Expenditures	\$116,825

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