

NCOWCICB
Meeting Agenda with Minutes
July 14, 2023 9:00 a.m.
LOCATION: Courtyard Raleigh Cary/Parkside Town Commons
1008 Parkside Main Street Cary, NC
Minutes Approved 12/8/23

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

For complaints particular Board members will be notified to leave room

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.

Doug Lassiter, NCSTA, Jonathan Godfrey OSWP, Jeff Kerr OSWP, Anna Choi Counsel to Board

Jonathan Godfrey stated that increase in requirements for Inspector certification was beneficial to industry. He ask that in future may want to continue to raise bar for requirements for Installers and Inspectors.

Doug Lassiter addressed the Board regarding new legislation that passed in this session. Some of these were for items directly relating to NCOWCICB one of those being a change in a Board positions requirements.

9:10 a.m. Approval of minutes from 12/9/22 Meeting. See attached Motion to approve Walter James 2nd Russ Ayers, approved

9:15 a.m. Review from Board Counsel Anna Choi regarding periodic rules review process

Anna Choi gave info regarding periodic review of rules. At the December meeting we will review rules and determine each as necessary and unnecessary and then we publish on website and send to OAH, then at May meeting, will review any comments. Every rule that is determined to be necessary will need to go thru rulemaking process. It's a bit of process but the Board's set of rules are concise and shouldn't be an issue.

9:25 a.m. Treasurer's Report by Jerry Pearce, Treasurer
Financial Report as of May 31, 2023

Monies on hand:

| | |
|---------------------------------|---------------------|
| First Horizon Operating Account | \$238,640.39 |
| First Citizens* | \$246,213.08 |
| Bank of Oak Ridge* | \$234,336.73 |
| Dogwood* | \$239,986.25 |
| North State Bank* | \$235,863.89 |
| First Bank* | \$227,057.34 |
| Towne Bank* | \$151,298.22 |
| First National* | <u>\$205,279.93</u> |
| Total Monies on hand | \$1,778,675.83 |

(*CD held for future enforcement)

See detailed YTD Financial Report Attached

Motion to approve: presented by Jerry Pearce, motion to approve Russ Ayers, 2nd Chris Dobbins, approved

9:35 a.m. Update from Administrator:

- Reappointments: Mike Robinson, David Swinney and Walter James have been reappointed to serve on the Board
- 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 <https://www.ncsbe.gov/Ethics/Education>
- The following is what the Ethics Commission records show regarding the Board member's Ethics Training as of 7/5/23:

| Board Member | Last Date Rcvd | Next Due Date |
|---------------------|----------------|---------------|
| Russ Davis | 1/13/22 | 1/13/24 |
| Russ Ayers | 12/7/21 | 12/7/23 |
| Jerry Pearce | 12/5/21 | 12/6/23 |
| Glenn Hines | 4/20/22 | 4/20/24 |
| Michael Robinson | 12/8/22 | 12/8/24 |
| Walter James | 3/14/23 | 3/14/25 |
| Chris Dobbins | 7/03/23 | 7/03/25 |
| David Swinney | 7/13/22 | 7/13/24 |
| Jim Beeson | 12/8/21 | 12/8/23 |
| Connie Stephens(EL) | 6/29/23 | 6/29/25 |

- Proposed/Projected Budget for fiscal year 2023/2024
 Fiscal year runs from July 1 – June 30

| | |
|--------------------------|-----------|
| Income | \$300,000 |
| Expenses | |
| Postage | \$ 4,000 |
| Printing | \$ 20,000 |
| Travel – Board | \$ 12,000 |
| Travel – Staff | \$ 7,000 |
| Telephone | \$ 4,500 |
| Misc Expense | \$ 500 |
| Bank Charges | \$ 600 |
| Accounting | \$ 35,000 |
| Salaries | \$ 86,000 |
| Payroll Taxes | \$ 8,500 |
| Insurance | \$ 12,000 |
| Office Expense | \$ 5,000 |
| Depreciation | \$ 1,800 |
| Office Rent | \$ 6,000 |
| Investigations | \$ 1,000 |
| Hearing Expense | \$ 2,000 |
| Meeting Expense | \$ 10,000 |
| Web Expense | \$ 700 |
| Legal Fees | \$ 20,000 |
| Total projected expenses | \$236,600 |

Motion to approve: Motion Jim Beeson, 2nd Russ Ayers, approved
- Class Approval Request:
 Request for class approvals:
 Approval Request Received:
 - Jackson County reapproval of previous course 6 hours all certifications
 Motion to approve David Swinney, 2nd Glenn Hines, approved
 - Granville Vance County reapproval of previous course 6 hours all certifications
 Motion to approve Walter James, 2nd Jerry Pearce, approved
 - Onsite Wastewater Professionals approval request:
 Various continuing education classes 3 hour and 6 hour segments for all certifications, 18 hour introduction class, Inspector Class, Evaluator class
 Motion to approve Walter James, 2nd Jim Beeson, approved
 - Johnson County reapproval of previous course 6 hours all certifications
 Motion to approve Walter James, 2nd Chris Dobbins, approved

- NOI form for Evaluators. With passage of amendments to General Statutes the creation of a NOI form for Evaluators will fall under NCOWCICB. Attached to this agenda is a draft of this form for review, discussion and approval of the Board. Once approved the form will be emailed to certified Evaluators, Onsite Department and posted on our website.

Motion to approve Option C David Swinney, 2nd Mike Robinson, approved

- Update from committee on potential new certifications:
Committee: Jim Beeson, Russ Ayers and David Swinney
David Swinney updated Board. Committee agreed that a master installer that could cover their own systems was not a good idea. At some point in the future we may need to revisit issue of having a special inspector that does hold LSS or Evaluator. The G.S. that passed allows Evaluators to do inspections on LEH permitted systems.

Much discussion held about future inspection possibilities. Jim Beeson suggested that more education needed for installers.

Suggestions for future point of sale inspectors, various pathways must have either, Grade Level IV active installer certification minimum 2-5 years or W2 employee of certified installer or inspector for minimum 2-5 years, or active subsurface operator for minimum 2-5 years etc. Committee will continue to discuss potential increases in requirements and/or new types of certifications and report back to Board at the December meeting.

11:10 a.m. Board shall enter Closed Session for discussion of complaints received,
Motion to enter closed session Glenn Hines, 2nd Russ Ayers

11:40 a.m. Board shall re-enter regular session
Motion to enter regular session: Jerry Pearce, 2nd Chris Dobbins

THE FOLLOWING COMPLAINTS WERE DISCUSSED IN CLOSED SESSION:

COMPLAINTS REVIEWED AND DECISIONS BY BOARD LISTED UNDER EACH COMPLAINT

Complaint 03152301 incomplete inspection

Motion not currently certified NCOWCICB does not have jurisdiction if reapplies for certification later the Board may review and either accept or deny application for certification, motion David Swinney, 2nd Jerry Pearce, approved

Complaint 03212301 install without certification
Motion dismissed need more info on person doing work in order to proceed send letter for more info to LEH, motion, Chris Dobbins, 2nd Mike Robinson, approved

Complaint 04012301 incomplete pump alarm installed
Motion: send letter stating permit not required for pump replacement therefore NCOWCICB does not have jurisdiction , Walter James, 2nd Glenn Hines, approved

Complaint 03012302 install without permit, excessive visits on 2nd site to correct install prior to final inspection
Motion: Send letter of admission of guilt, Walter James, 2nd Chris Dobbins, approved

Complaint 03012301 and 05102201 inspection without certification Russ Ayers and David Swinney recused
Motion: 6month suspended, active, Walter James, 2nd Glenn Hines, approved

Complaint 06212301 incomplete installation, incorrect installation
Motion: revocation, Jerry Pearce, 2nd Russ Ayers, approved

Complaint 06212302 incorrect installation and incomplete items
Motion: letter regarding concerns of time span no additional action at this time Walter James, 2nd Glenn Hines approved

Complaint 04112301 Leak test not done properly, fill not approved prior to install, incorrect amount of stone used in system
Motion, send letter of admission of guilt, Jerry Pearce, 2nd Chris Dobbins approved

Complaint 02282301 offer to inspect without holding certification
David Swinney, Glenn Hines, Mike Robinson recused
Motion, Seek injunction Walter James, 2nd Russ Ayers, approved

11:55 a.m. Other business:
Election of officers: Current slate of officers: Russ Davis, Chairman, Russ Ayers, Vice-Chairman, Jerry Pearce, Treasurer
Motion to keep officers the same as currently slated: David Swinney, 2nd Mike Robinson
The next scheduled meeting is December 8th in Cary
May 2024 meeting will be held in Morehead
Motion to adjourn meeting: David Swinney, 2nd Chris Dobbins, meeting adjourned
Lunch will be served

NCOWCICB Financial Report as of May 31, 2023

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|---------------------------------|---------------------|
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| First Bank* | \$227,057.34 |
| Towne Bank* | \$151,298.22 |
| First National* | <u>\$205,279.93</u> |
| Total Monies on hand | \$1,778,675.83 |

(*CD held for future enforcement)

See detailed YTD Financial Report Attached

YTD Receipts**

| | |
|-----------------|-----------------|
| Fees Received | \$231,410 |
| Interest Income | <u>\$ 9,589</u> |
| Total Receipts | \$240,999 |

YTD Expenditures**

| | |
|--------------------|------------------|
| Postage | \$ 3,015 |
| Printing | \$ 13,253 |
| Travel – Board | \$ 5,885 |
| Travel – Staff | \$ 5,264 |
| Telephone | \$ 3,944 |
| Misc Expense | \$ 0 |
| Bank Charges | \$ 527 |
| Accounting | \$ 28,315 |
| Salaries | \$ 72,935 |
| Payroll Taxes | \$ 7,419 |
| Insurance | \$ 11,000 |
| Office Expense | \$ 2,914 |
| Depreciation | \$ 1,661 |
| Office Rent | \$ 5,500 |
| Investigations | \$ 0 |
| Hearing Expense | \$ 0 |
| Meeting Expense | \$ 6,454 |
| Web Expense | \$ 563 |
| Legal Fees | <u>\$ 12,248</u> |
| Total Expenditures | \$180,897 |

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



North Carolina Onsite Wastewater Contractor Inspector Certification Board
Authorized Onsite Wastewater Evaluator Permit Option for Non-Engineered Systems
Notice of Intent (NOI) to Construct **(OPTION A)**

___ New ___ Expansion ___ Repair ___ Relocation ___ Relocation of Repair Area

Owner or Legal Representative Information:

Name: _____
Mailing address: _____ City: _____ State: ___ Zip: _____
Phone: _____ Email: _____

Authorized Onsite Wastewater Evaluator Information:

Name: _____ Certification #: _____
Mailing address: _____ City: _____ State: ___ Zip: _____
Phone: _____ Email: _____

Site Location Information:

Site address: _____
Tax parcel identification number or subdivision lot, block number of property: _____
_____ County: _____

Required Attachments:

___ Plat or Site Plan
___ Evaluation of Soil and Site Features by Licensed Soil Scientist

Attest: On this the ___ day of _____, _____ by signature below I hereby attest that the information required to be included with this NOI to Construct is accurate and complete to the best of my knowledge. Furthermore, I hereby attest that I have adhered to the laws and rules governing onsite wastewater systems in the state of North Carolina.

This NOI shall expire on ___ day of _____, _____.

Signature of Authorized Onsite Wastewater Evaluator: _____

Signature of Owner or Legal Representative: _____

Disclosure: The owner may apply for a building permit for the project upon submitting a complete NOI to Construct and the fee required (if any) to the local health department. An onsite wastewater system authorized by an authorized onsite wastewater evaluator shall be transferable to a new owner with the consent of the authorized onsite wastewater evaluator.

Local Health Department Receipt Acknowledgement:

Signature of Local Health Department Representative: _____ Date: _____



**North Carolina Onsite Wastewater Contractor Inspector Certification Board
 Authorized Onsite Wastewater Evaluator Permit Option for Non-Engineered Systems
 Notice of Intent (NOI) to Construct (OPTION B)**

____ New ____ Expansion ____ Repair ____ Relocation ____ Relocation of Repair Area
 Owner or Legal Representative Information:

Name: _____
 Mailing address: _____ City: _____ State: ____ Zip: _____
 Phone: _____ Email: _____

Authorized Onsite Wastewater Evaluator Information:

Name: _____ Certification #: _____
 Mailing address: _____ City: _____ State: ____ Zip: _____
 Phone: _____ Email: _____

Site Location Information:

Site address: _____
 Tax parcel identification number or subdivision lot, block number of property: _____
 _____ County: _____

Attachments Included:

- ____ Plat or Site Plan
- ____ Evaluation of Soil and Site
- ____ System Information
- ____ Facility Type Information

Attest: On this the ____ day of _____, _____ by signature below I hereby attest that the information required to be included with this NOI to Construct is accurate and complete to the best of my knowledge. Furthermore, I hereby attest that I have adhered to the laws and rules governing onsite wastewater systems in the state of North Carolina.
 This NOI shall expire on ____ day of _____, _____.

Signature of Authorized Onsite Wastewater Evaluator: _____ -

Signature of Owner or Legal Representative:

Disclosure: The owner may apply for a building permit for the project upon submitting a complete NOI to Construct and the fee required (if any) to the local health department. An onsite wastewater system authorized by an authorized onsite wastewater evaluator shall be transferable to a new owner with the consent of the authorized onsite wastewater evaluator.

Local Health Department Receipt Acknowledgement:
 Signature of Local Health Department Representative: _____ Date:



**North Carolina Onsite Wastewater Contractor Inspector Certification Board
Authorized Onsite Wastewater Evaluator Permit Option for Non-Engineered Systems
Notice of Intent (NOI) to Construct Option C**

___ New ___ Expansion ___ Repair ___ Relocation ___ Relocation of Repair Area

Owner or Legal Representative Information:
 Name: _____
 Mailing address: _____ City: _____ State: ___ Zip: _____
 Phone: _____ Email: _____

Authorized Onsite Wastewater Evaluator Information:
 Name: _____ Certification #: _____
 Mailing address: _____ City: _____ State: ___ Zip: _____
 Phone: _____ Email: _____

Site Location Information:
 Site address: _____
 Tax parcel identification number or subdivision lot, block number of property: _____
 _____ County: _____

System Information:
 Wastewater System Type: _____
 Daily Design Flow: _____
 Saproliite System: ___ Yes ___ No Subsurface Operator Required: ___ Yes ___ No
 Water Supply Type: ___ Private Well ___ Public Water Supply ___ Spring ___ Other: _____

Facility Type:
 ___ Residential ___ # Bedrooms ___ Maximum # of Occupants
 ___ Business Type of Business and Basis for Flow: _____
 ___ Public Assembly Type of Public Assembly and Basis for Flow: _____

Required Attachments:
 ___ Plat or Site Plan
 ___ Evaluation of Soil and Site Features by Licensed Soil Scientist

Attest: On this the ___ day of _____, _____ by signature below I hereby attest that the information required to be included with this NOI to Construct is accurate and complete to the best of my knowledge. Furthermore, I hereby attest that I have adhered to the laws and rules governing onsite wastewater systems in the state of North Carolina.
 This NOI shall expire on ___ day of _____, _____.

Signature of Authorized Onsite Wastewater Evaluator: _____

Disclosure: The owner may apply for a building permit for the project upon submitting a complete NOI to Construct and the fee

Local Health Department Receipt Acknowledgement:
 Signature of Local Health Department Representative: _____ Date: _____

