

MINUTES OF THE NORTH CAROLINA CODE OFFICIALS QUALIFICATION BOARD

January 25, 2022

The regular quarterly meeting of the N.C. Code Officials Qualification Board (“Board”) was held at 1:00 P.M. on Tuesday, January 25, 2022, via WebEx teleconference.

Chairman Thunberg opened the meeting.

Item 1.A.: Roll Call and Conflict of Interest Reminder

Chairman Thunberg asked each member of the Board to answer for the roll call and asked each member of the Board to state whether they had actual or potential conflicts of interest for any items on the agenda.

The State Ethics Commission has cited the potential for a Conflict of Interest for members of the Board who are serving in the following appointments.

- Code officials because they serve on the Board that certifies them.
- Elected officials because local government entities employ code officials.
- Licensed contractors because their companies regularly work with code officials.
- UNC School of Government, because the school provides educational services for code officials who are subject to the jurisdiction of the Board.

Board members should exercise appropriate caution in the performance of their public duties should issues involving their certifications or that of any of their employees come before the Board. This would include recusing themselves to the extent that their interests would influence or could reasonably appear to influence their actions.

The following members of the Board participated by teleconference (*or in person):

Bill Thunberg	Allen Kelly	Bettie Parker
Thomas Bender	Jeff Griffin	Russell Fox
James Steele	Mack Summey, PE	Mark Smith
Michael Crotts	Rob Roegner*	Danny Couch
Richard Ducker	Karen Tikkanen	Fleming El-Amin
Richard White	Stephen Terry, PhD	

The following members of the Board were not present:

Andy Matthews	Stephanie Luster-Teasley, PhD
Mark Patterson, AIA	

Others in attendance by teleconference (*or in person) were as follows:

Name, Affiliation
Sam Whittington*, Department of Insurance
Terri Tart*, Department of Insurance
Beth Williams*, Department of Insurance

Rich Hall, Department of Insurance
Mike Hejduk, Department of Insurance
Renita Denton*, Department of Insurance
Charlie Johnson*, Department of Insurance
Joe Starling*, Department of Insurance
Gerry Sutton*, Department of Insurance
Tom Felling, Department of Justice
Roger Montague, Public
Tony Smart, Winterville
Shandy Padgett, Morrisville
Eric Bradley, Cleveland County
Tony Beasley, Town of Garner

Item 2- Approval of Minutes

Roegner made a motion to approve the minutes of the October 26, 2021, Board meeting. Crotts seconded the motion and the motion carried as approved by a roll call vote.

Ducker made a motion to approve the minutes of the January 18, 2022, Special Committee for Rules Review meeting. Crotts seconded the motion and the motion carried as approved by a roll call vote.

White made a motion to approve the minutes of the January 24, 2022, Policy and Procedures Committee meeting. Fox seconded the motion and the motion carried as approved by a roll call vote.

Item 3 – Recognition of Fifth Level III Standard Inspection Certificate Recipient

Chairman Thunberg recognized the following individuals for achieving their fifth level III certificate:

Daniel Wayne Wilson – Wake County – Fire Prevention
Leroy Pierce – NCDOI – Fire Prevention
Michael Allen Cook, 17630 – Johnston County – Electrical

The total number of code enforcement officials who have ever achieved this level of certification is **305**. The number of active code enforcement officials who have five level III certificates is **186**.

Item 4 – Public Comment (14:13)

Chairman Thunberg opened the public comment portion of the meeting.

Eric Bradley: International Code Council (“ICC”) comity

ICC comity table does not accommodate anyone who has NC certifications. Table was created for out of state applicants. Asked that current NC Level I certs be counted for comity with his ICC certifications.

Chairman Thunberg directed the Special Committee on Rules Review to consider Mr. Bradley's request.

Mark Smith:

Mr. Smith had asked to speak, Chairman Thunberg invited him to speak, but he did not come forward and speak.

Tony Beasley: (52:22)

Asked on behalf of directors across the state that Item number 4 for the Review Committee be changed that community colleges are not the only ones to sponsor standard courses. Note: Mr. Beasley spoke after Roegner's Rule Review Special Committee Report.

Shandy Padgett: (108:11)

Continue to have a need for online courses. We had this during Covid, but they are no longer being offered. Ask Board to support online offerings. Tikkanen, Hejduk has asked about this. Beth Williams, there are no restrictions on having them in-person or online.

Item 5 – Committee Reports

Standing Committees

Executive Committee – Thunberg reported the Executive Committee has not met and has no report.

Policies and Procedures Committee – White reported the Committee met January 24, 2022. The committee reviewed the request from the Electrical Inspectors Association and recommends the Board send the matter to the Special Committee to Review Rules and this be added to their charge.

Education and Research Committee – Tikkanen reported the Committee has not met and has no report.

Qualification and Evaluation Committee – Bender reported that the committee had met. Bender reported on his efforts to research training of incarcerated persons. Tikkanen entered in the chat that she is the point of contact between the community colleges and the Prison Education System. There were three felony applicants, the committee reviewed the applications and recommended to the Board to approve the applications. Bender made a motion to approve applicants Ledford, Rose, and Woods. The motion was seconded by Crotts. The motion carried by a roll call vote.

Special Committees

Investigation Review Committee – Griffin reported the committee met December 7, 2021, and January 19, 2022.

513 City of Raleigh (Denning) – Raleigh

Staff Recommends Finding of No-Basis against Varner, Peele, McCaleb, and Harvey, and Basis against Greenwood and Huffstetler. IRC concurs and recommends the Board Dismiss the complaints against Varner, Peele, McCaleb, and Harvey. Greenwood and Huffstetler have retired and do not hold active certificates. The Committee recommends their files be flagged to block reactivation of their certificates until the complaint is resolved, should they seek to reactivate their certificates. Griffin made a motion of a finding of No-Basis for Varner, Peele, McCaleb, and Harvey and that Greenwood and Huffstetler’s files be flagged. The motion was seconded by Crotts and carried by roll call vote.

518 Jones (Montague) – Carteret Co.

The Committee reviewed recent updates in the case and Griffin made a motion that staff be directed to negotiate a Voluntary Settlement Agreement (VSA) to resolve this complaint and that the scheduling of a hearing be postponed until settlement efforts are pursued by staff. The motion was seconded by Roegner and carried by roll call vote.

549 Lawrence (Martin) – Watauga Co.

Staff Recommends Finding of Basis, IRC concurs and recommends the Board accept the negotiated VSA and the case be closed. Griffin made a motion to accept the VSA and the case be closed. The motion was seconded by Crotts and carried by roll call vote.

552 Wetherington (Holsinger) – Craven Co.

Staff Recommends Finding of Basis, IRC concurs and as Wetherington does not currently hold active certificates Griffin moved his file be flagged to block issuance of certificates. The motion was seconded by Roegner and carried by roll call vote.

554 Gunter / **555** Camp (Muehlbach) – Chatham Co.

Staff Recommends Finding of Basis for Gunter in case 554 and No-Basis for Camp in case 555. IRC concurs and as Gunter does not hold active certificates, Griffin moved Gunter’s file be flagged to block issuance of certificates in the future until the complaint is resolved. The motion was seconded by Crotts and carried by roll call vote. Thomas Bender stated he had a conflict of interest in this case, Chairman Thunberg accepted his recusal.

560 Canady (Smith) – North Topsail Beach

Staff Recommends Finding of No-Basis, IRC concurs, and Griffin moved the Board dismiss the case. The motion was seconded by Roegner and carried by roll call vote.

Rules Review and Changes – Thunberg outlined the setup of the committee. Roegner reported the committee had met. The Board rules have not been reviewed or updated in quite some time. Some of the rules need to be updated and some need to go away. This will be a large amount of work. Staff provided a list of items, and the committee prioritized the list (Priority#). Roegner discussed the list.

- Education
 - Standard Course Sponsors (Guidelines) (4)

- Standard Course Instructors (Guidelines) (5)
- Standard Course Instructor Criteria (Application) (Guidelines) (6)
- Instructor Update Course – Requirements (11)
- Certification
 - Qualification.0706 (1)
 - Special circumstances .0707 (2)
 - Inactive Certs expiration (9)
 - Define Suspend/Revoke/Inactive/Active/Expired (10)
- Examination
 - Two test per standard course (7)
 - 30-day gap to retest (8)
 - Exam References (3)

This is the starting list. The committee will take up any additional items the Board would direct. It is expected this will be a multiyear undertaking. These items will be grouped to be sent to the Rules Review Commission.

Thunberg thanked all the committee members for their work on the committees.

Item 6 – New Business

Roegner discussed recent legislative actions.

SB308 Residential Access Roads Session Law (SL) 2021-183

This is now law. Mainly impacts fire access roads. This will sunset when addressed by the Building Code Council (BCC)

HB366 is the Virtual Inspections Legislation SL 2021-117

This is now law. This addresses guidelines for virtual inspections. Will affect both this Board and BCC. We have guidance on these inspections, expanded under Covid and have had some problems. There is no funding for this to DOI. Will leave guidance in place now and set up a joint meeting between Board and BCC.

HB783 is the Permit Tech Bill

Has passed House but has not passed Senate, which is still in session. We are watching for activity on this bill. Expressed support for the bill but will need staff to get it done.

Thunberg asked about a budget request for unfunded session laws. Roegner said we would request it. Thunberg directed Roegner to work to set up joint meeting with BCC.

Item 7 – On-Going Business

- A. NC Community College System Performance Report – Ashley Sieman, PhD and Joshua Douglas

Due to a schedule conflict Sieman and Douglas were unavailable to make the report and will present at the April Meeting.

Item 8 – Staff Report

Director – Sam Whittington made the Director’s Report.

The goal is to re-organize the section from Board based to function based.

- The Program Manager position has been posted and interviews are pending, hope to have that position filled by the next Board Meeting. This position will oversee Licensing, Certification, and Education functions for the Board and the Home Inspector Licensure Board (HILB).
- Terri Tart has been promoted to Program Coordinator for licensing and certification functions.
- Jennifer Hollyfield with the HILB has been promoted to Program Coordinator and will be helping with Education functions.
- Sam Whittington has been promoted to Engineer Supervisor and will be supervising investigations for both COQB and HILB. His now vacant position will be filled and with Chris McLamb now on board, will bring the investigative staff to three (3).

Examination

Summary

October 1, 2021 – December 31, 2021

Area/Level	Number Taking	Number Passing	% Passing	High Score	Low Score	Average Score
Building Inspector I	43	10	23.26	92.00	35.00	63.28
Building Inspector II	18	12	66.67	88.00	57.00	70.61
Building Inspector III	15	8	53.33	80.00	59.00	70.20
Electrical Inspector I	69	21	30.43	87.00	33.00	63.77
Electrical Inspector II	18	10	55.56	79.00	51.00	68.89
Electrical Inspector III	19	15	78.95	81.00	58.00	73.84
Fire Inspector I	56	33	58.93	89.00	39.00	70.59
Fire Inspector II	31	24	77.42	93.00	63.00	75.29
Fire Inspector III	17	17	100.00	97.00	71.00	82.18
Mechanical Inspector I	33	24	72.73	89.00	54.00	73.45
Mechanical Inspector II	19	19	100.00	87.00	70.00	77.95
Mechanical Inspector III	12	11	91.67	93.00	67.00	83.92
Plumbing Inspector I	28	21	75.00	95.00	58.00	77.43
Plumbing Inspector II	12	12	100.00	91.00	77.00	83.33
Plumbing Inspector III	10	10	100.00	91.00	71.00	84.30

Exam Taken Totals

Total Taking	Total Passing	Total % Passing
400	247	61.75

FISCAL Year Comparisons (All Trades, All Levels)

Fiscal Year	Combined FYs 18/19, 19-20, 20/21	FY 2018/2019	FY 2019/2020	FY 2020/2021
Total Taken	3,465	1,268	944	1253
Total Passing	2,198	791	617	790
Total % Passing	63.43	62.38	65.36	63.05

Exam Challenges (10/1/2021 - 12/31/2021)

Trade/Level	# Challengers	# Items Challenged	Changed Scores
Building I	4	6	0
Building II	2	4	1
Electrical I	6	33	2
Electrical II	1	7	0
Electrical III	1	1	0
Fire I	3	32	2
Fire II	1	4	1

Mechanical I	1	2	0
Mechanical II	1	12	1
Totals	20	101	7

COQB Committee Activity Update

Building I EOC Committee

- Currently on hold for other program activities

Electrical I, II, III State Exam Committee

- Round 1 test items validated
- Electrical I, II, III 150 item state exam ready to send to PSI for March implementation
- Round 2 test items (246) will be validated soon

Fire I EOC

- Final validation of EOC completed.
- Committee has contributed their comments for updating PowerPoints. Changes to be made by committee members.
- Full committee review to come
- The EOC test items repurposed to be used as Self-Study Phase Exam items.

Fire I State Exam

- Committee reviews completed
- Validation of existing/revised test items complete
- Need to write 75 more test items (will do this month/early next month)
- Current PSI test bank; new items and deleted challenge test items were placed in that exam; committee to review

Fire I Self-Study Moodle Course

- Moodle Course completed and ops checked
- Tony Smart held a class last week with 8 students
- Students enrolled in the Self Study Course – Phase 1
 - Start Date - 1/24/2022
 - End Date – 2/22/2022
 - Phase I Exam to follow
 - Open Phase 2 course

Certification

PRE-QUALIFICATION APPLICANTS MEETING THE STANDARD CERTIFICATION REQUIREMENTS:
None

Certificates Issued

Active Certificates between 10/01/2021 and 12/31/2021

Active Trades	All Levels	Probationary	Standard	Limited	Total
Building	I II III	107	66	-	182
Electrical	I II III	112	75	-	197
Fire	I II III	178	130	-	313
Mechanical	I II III	114	89	-	212
Plumbing	I II III	110	72	-	185
Residential Changeout	I II III	1	2	-	3

Active Certificate Totals between 10/01/2021 and 12/31/2021

Totals	All Levels	Probationary	Standard	Limited	Total
Totals	I II III	622	434	-	1092

Active Certificates as of January 19, 2022

Active Certificate Totals as of 01/19/2022

Active Trades	Levels	Probationary Certificates	Standard Certificates	Limited Certificates	TOTALS
Building	I II III	502	1,150	3	1,655
Electrical	I II III	400	952	1	1,353
Fire Protection	I II III	714	2,310	8	3,032
Mechanical	I II III	437	1,079	3	1,519
Plumbing	I II III	427	1,117	3	1,547
Residential Changeout	I II III	10	10	0	20
TOTALS		2,490	6,618	18	9,126

Expired Certificates

Notices of expiration are sent to each inspector and his or her City or County Manager.

533 Temporary Certificates expired **December 31, 2021**. This certificate is not renewable or extendable.

113 probationary certificates expired this quarter without the CEO completing all requirements for a standard certificate.

646 was the total number of expired probationary and temporary certificates in all trades.

Education

Revisions to the Residential Changeout Inspector (RCI) Standard Certificate course are nearing completion and are in process of being uploaded to NCDOI Learning Management System (LMS) system and release is forthcoming. Exact release date has not been established. Staff is currently actively recruiting RCI Standard Course Instructors.

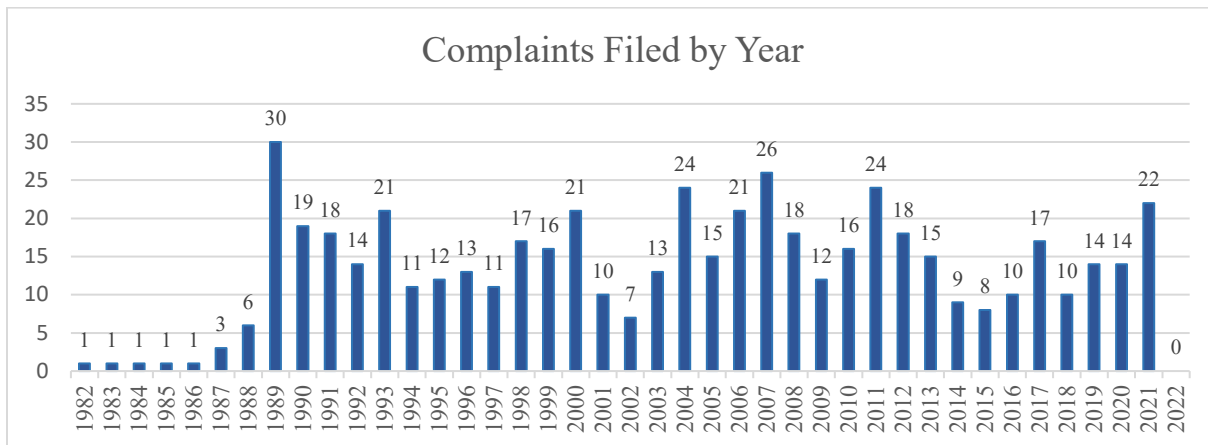
A Standard Certificate Instructor online course was completed on December 7, 2021. We have three additional Fire Standard Certificate instructors.

CONTINUING EDUCATION COURSES		
Status Periods:	7/1/21 – 9/30/21 (1st FY Quarter)	10/1/21 – 12/31/21 (Current Quarter)
Courses Submitted Denied	33	36
Courses Approved	17	21
Course Rosters Submitted	60	78
New Con. Ed. Sponsors Approved	1	1
New Con. Ed. Instructors Approved	3	3

STANDARD EDUCATION COURSES (10/1/2021 to 12/31/2021) – 2nd FY QTR			
Trade	Course Count	Total # Students (avr. class) (Q)	Total # Students (Total) (Q)
Law and Admin	6	16	96
Building	12	8	99
Electrical	16	4	73
Fire	21	8	160
Mechanical	13	7	73
Plumbing	11	8	81
Total Courses Held	79		
Courses Canceled	10		
Standard Courses Scheduled	64		
Standard Course Grades Pending	5		

Investigations

Sam Whittington has nine (9) active cases and completed three (3) investigations since his last report. There were 22 complaints filed last year. A typical year is 12 to 14 complaints.



Active Cases

Case, Investigator, Jurisdiction

- 557 Bumgarner (Erie), Whittington, Caldwell Co.
- 565 Evans (Cohen), Whittington, Holden Beach
- 569 Lee (Thompson), Whittington, Whiteville
- 570 Shaw (White), McLamb, Kill Devil Hills
- 571 Gregory (Mansor), Whittington, Chapel Hill
- 573 Robinson (Voronsky), McLamb, Raleigh
- 574 Reeves – Tatum (Robinson), Whittington, Hope Mills
- 576 Halifax (Johnson), Whittington, Roanoke Rapids
- 578 Gaskins (Chambers), Whittington, Anson Co.

Investigations Completed Since Last Report: 3

Bender asked about why there were such a high number of complaints last year. Whittington thinks Covid contributed but also just a busy year. Hejduk noted the lag from the housing bubble of 2008 – 2009. Bender asked if there are any complaint items that are recurring? Whittington responded it is across the board, not specific to any one area, trade, or anything in particular. Percentage wise not any more than normal in relation to life safety implications.

Inspector Marketplace and Performance Dashboard

Mike Hejduk presented the new Inspector Marketplace feature integrated into the COQB database for increased convenience by CEOs and AHJs. This replaces SurveyMonkey® that was not user friendly. This allows a jurisdiction Primary Contact to search by trade, level, and service needed (plan review or field inspection) for assistance. Screen shots were provided of the CEO election and AHJ selection interfaces.

New CEO Marketplace

Employment Marketplace

Jurisdictions across North Carolina could use your assistance!
 If you would like to earn extra money in your trade, select one or more of the following Counties where you would be willing to travel and perform **Inspections**, or perform remote **Plan Reviews**.

I would be willing to perform the following:

On Site Inspections

Plan Reviews

Select the trades for which you would be willing to perform Inspections or Plan Reviews for other Jurisdictions:

Building Electrical

Fire Prevention Mechanical

Plumbing

Select the following to assist Jurisdictions within your home county.

Johnston


Adjacent Counties
 Select from the following to assist jurisdictions within these adjacent counties.

All Other Counties
 To select (or de-select) multiple counties, hold the CTRL key down while clicking on the county name.

Alamance
 Alexander
 Alleghany
 Anson
 Ashe

Selected Counties
 None selected

New AHJ (Jurisdiction) Marketplace search feature (populated by county)

 **Wake Co.**

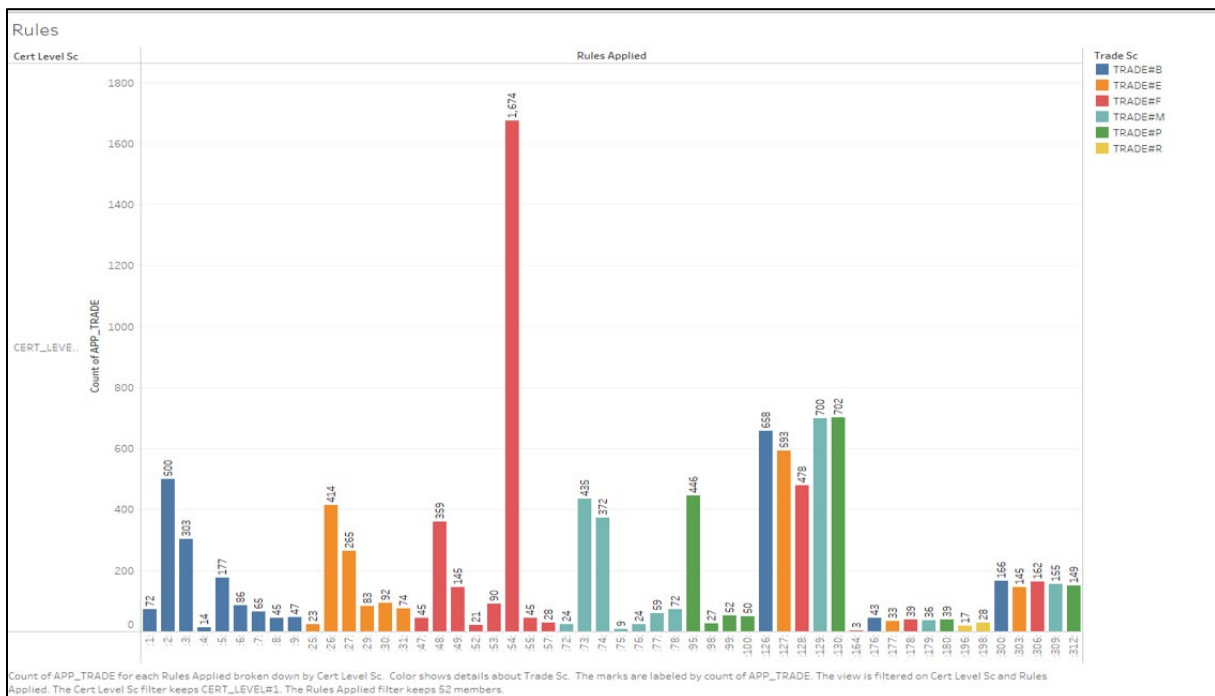
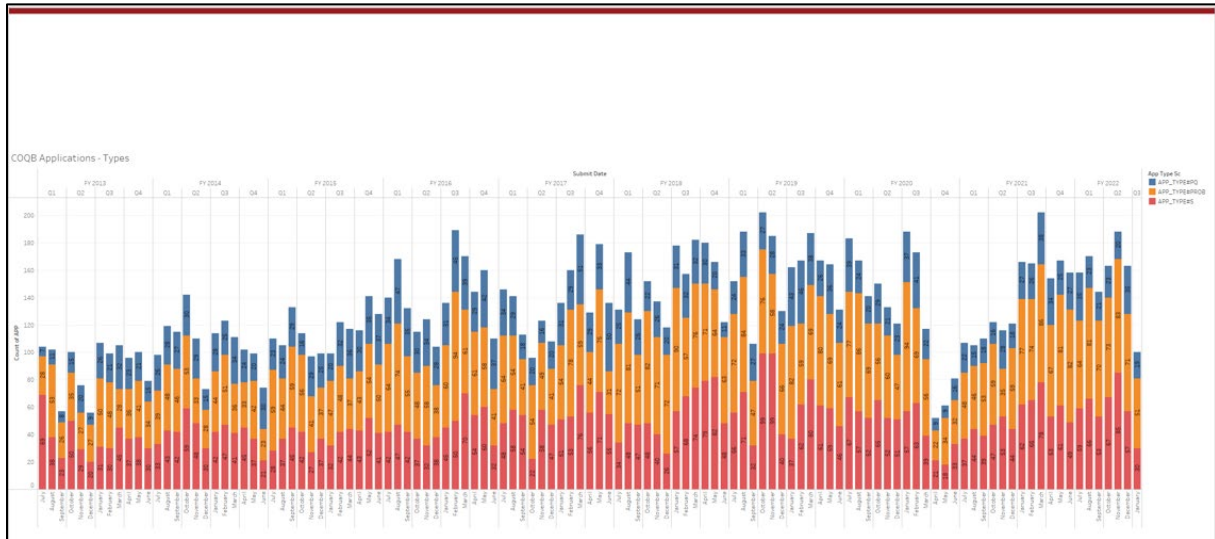
Certificate Marketplace

Use the following criteria to search for Inspectors who have expressed a willingness to assist in **Plan Reviews** and/or **On Site Inspections** for Jurisdictions within your county.

Assistance Needed for: <input checked="" type="checkbox"/> Plan Reviews <input type="checkbox"/> On-site Inspections	Trades Needed: <input type="checkbox"/> Building <input type="checkbox"/> Electrical <input type="checkbox"/> Fire Protection <input type="checkbox"/> Mechanical <input type="checkbox"/> Plumbing <input type="checkbox"/> Residential Changeout	Min Cert Level Level 1 ▼	<input type="button" value="Search for Inspectors"/>
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Hejduk then presented data visualizations created in Tableau® using the COQB database for application types, trades, levels, exam grades, etc. These visualizations allow observation of longer-term trends.

Chairman Thunberg asked Hejduk if there was a limited set of Key Performance Indicators (KPIs) being used or was this an experiment at this point? Hejduk stated this was experimental. Chairman Thunberg asked Hejduk to bring the KPIs to the Board in the future. Mr. El-Amin noted that his experience with dashboards was a challenge to staff to keep the data current. Chairman Thunberg then asked if additional outside data and KPIs indicative of service and protection of citizen life and safety could be included.



Chairman Thunberg thanked the Board for their work and adjourned the meeting.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Rob Roegner".

Rob Roegner
Secretary, N.C. Code Official Qualification Board