

**MINUTES OF THE
NORTH CAROLINA CODE OFFICIALS QUALIFICATION BOARD**

April 23, 2013

The quarterly meeting of the NC Code Officials Qualification Board was held at 1:00 PM on Tuesday, April 23, 2013 at the Board's office at 322 Chapanoke Road in Raleigh, NC.

The following members of the NC Code Officials Qualification Board were present:

Dean Barbour	Allen Kelly
Richard Blackburn	John Kirkland
Richard Ducker	Hayden Lutterloh, III
Valoree Eikinas	Tracy McPherson
Mark Hicks	Christian Noles
Jerry Jones	Ray Rice
	Bill Thunberg

Members absent:

Charles Horne
Andy Matthews
Robert Nunez
Sherrill Smith
Ken Stafford

Others in attendance were as follows:

Samantha Ewens	Department of Insurance	Raleigh, NC
Kathy Williams	Department of Insurance	Raleigh, NC
Suzanne Taylor	Department of Insurance	Raleigh, NC
Cliff Isaac	Department of Insurance	Raleigh, NC
Sarah van Doornewaard	Department of Insurance	Raleigh, NC
Helen DiPietro	Department of Insurance	Raleigh, NC
Bobby Croom	Department of Justice	Raleigh, NC
Andy Miller	Department of Insurance	Raleigh, NC
Gary Partin	Department of Insurance	Raleigh, NC
Susan Gentry	Department of Insurance	Raleigh, NC
Melanie Butler	Department of Insurance	Raleigh, NC
Laurel Wright	Department of Insurance	Raleigh, NC
David Parulis	Concerned Citizen	Maysville, NC
Shelly Parulis	Concerned Citizen	Maysville, NC
Dr. Stephen Terry	NC State University	Raleigh, NC
Clarence Thomas Milligan	Scotland County Inspections	Laurinburg, NC
George Lacey	Onslow County Inspections	Jacksonville, NC
Timothy Evans	Town of Holden Beach	Holden Beach, NC
Adam Lovelady	UNC School of Government	Chapel Hill, NC
Georgia Rivera	Concerned Citizen	

Preliminary Matters

Chairman Hayden Lutterloh presided over the meeting and welcomed guests. Mr. Lutterloh noted a new

Board member, Mr. Taher Abu-Lebdeh, who is replacing Ronnie Bailey. Mr. Lutterloh also introduced Dr. Stephen Terry of North Carolina State University. He has been appointed to the Board and replaces Mr. Nunez, but has not yet received final approval from the Ethics Commission. Mr. Lutterloh asked Dr. Terry to join the Board in observing only and not voting. Mr. Lutterloh announced Mr. Bailey's retirement from the Board, and presented Mr. Bailey with a Certificate of Appreciation after 23 years as a member of the Board. Mr. Lutterloh then asked the Board members to introduce themselves.

Item 1: Approval of January 22, 2013 Minutes

Mr. Horne made a motion to approve the minutes of the January 22, 2013 Board meeting. Mr. Barbour seconded the motion. The motion was approved.

Item 2: Approval of New Standard Certificate Applicants

Mr. Thunberg made a motion that the Board grant Standard Inspection Certificates to those applicants who have met the Board's education, experience, and examination requirements as contained in 11 NCAC 08 .0706. The applicants are listed in an attachment to the minutes. Mr. Horne seconded the motion. The motion was approved.

Fifth Level III Standard Inspection Certificate

Mr. Clarence Thomas Milligan is receiving his fifth Level III certificate today, in the Electrical Trade. Mr. David Edward Stoudt is receiving his fifth Level III certificate today, in the Fire Trade.

Item 3: Committee Reports:

- a) Executive Committee: The committee had not met and had no report.
- b) Policies and Procedures Committee: The committee had not met and had no report.
- c) Education and Research Committee: The committee has not met and has no report, but there is an update. Please see Item 6: Other Items – Item A
- d) Qualification and Evaluation Committee: The committee had not met and had no report.

Item 4: Staff Reports

Samantha Ewens made the following Director's Report

Conflicts of Interest of Board Members

Per the Chairman's request, portions of the North Carolina Ethics Commission evaluations of real or potential conflicts of interest for the following Board members were read into the record:

Dr. Taher M. Abu-Lebdeh

Dr. Abu-Lebdeh will fill the role of a faculty member of the School of Engineering of North Carolina Agricultural and Technical State University. The State Ethics Commission stated the following: "We did not find an actual conflict of interest or the potential for a conflict of interest."

Staff Changes

Celestine Phil has resigned her position. Her replacement has not yet been named, but we do anticipate an announcement very soon. In the meantime, Kathy Williams has been completing the Education Coordinator duties.

Also, we have the opportunity to add an additional staff member. Helen DiPietro has been with the Department for a number of years, first as a plan reviewer and then as a member of the Evaluation Services Section. She holds Level III certificates in the Building, Fire, Mechanical, and Plumbing trades. Helen's background in Codes will be used to help us refine and improve the standard course offerings, provide consistency in review for the continuing education courses, and also provide technical assistance for exam development.

Reduced Testing Schedule

On April 16th, staff discovered that testing availability had been reduced at sites across North Carolina within the last several months. This was caused by Pearson Vue migrating to a new centralized software platform. ICC has assured staff that the current sites will be back to full capacity by May 1st. Additionally new testing sites will come on-line by May 15th – including sites in Charlotte, Raleigh, and Winston-Salem.

The current testing schedule for sites in North Carolina is:

- Asheville - One day a week
- Greenville - Two days a week
- Raleigh - Five days a week
- Statesville - Five days a week
- Wilmington - Two days a week

RFP Committee

Mr. Lutterloh discussed the meeting that took place this morning with ICC regarding the issues that have been going on.

Ms. Ewens announced that there is an Ad Hoc RFP committee that has been created, and in the committee there has been discussion about adjusting the scope of the new RFP. Mr. Noles gave a brief summary on what an RFP is; issues were identified and brought to the committee.

Kathy Williams made the following report concerning certification to the Board.

PROBATIONARY CERTIFICATES

Probationary certificates are valid for a period of two years. Notices of expiration are sent to each inspector and his or her City or County Manager. 105 probationary certificates expired this quarter.

STANDARD CERTIFICATE TESTING –January 9, 2013 – April 9, 2013

Examination Summary

Area/Level	Number Taking	Number Passing	% Passing	High Score	Low Score
Building Inspector I	11	9	82	83	59
Building Inspector II	6	5	83	84	47
Building Inspector III	4	1	25	75	54
Electrical Inspector I	10	3	30	85	57
Electrical Inspector II	8	5	63	89	65
Electrical Inspector III	16	7	44	80	42
Fire Inspector I	28	23	82	100	64
Fire Inspector II	7	7	100	91	73

Fire Inspector III	8	8	100	97	76
Mechanical Inspector I	6	6	100	91	76
Mechanical Inspector II	7	4	57	80	55
Mechanical Inspector III	6	3	50	75	59
Plumbing Inspector I	5	5	100	95	84
Plumbing Inspector II	3	3	100	89	75
Plumbing Inspector III	7	6	86	89	64
Totals	132	95	72		

Standard Certificates Earned

Area	Active Inspectors	Pre- Qualification	Reciprocity
	GS 143- 151.13(a)	GS 143- 151.13(a)	GS 143- 151.14
Building	11	4	0
Electrical	15	0	0
Fire	32	7	0
Mechanical	13	0	0
Plumbing	13	1	0
Totals	84	12	0

Mr. Thunberg requested data trend for the exams. Ms. Williams stated she will try to get it to the Board members before the next Board meeting, or at the next Board meeting.

Fifth Level III Standard Inspection Certificate

Mr. David Edward Stoudt is receiving his fifth Level III certificate today, in the Fire trade. Mr. Stoudt currently works for the Onslow County Building Inspections Department. Mr. Clarence Thomas Milligan is receiving his fifth Level III certificate today, in the Electrical Trade. Mr. Milligan currently works for the Scotland County Building Inspections Department. The number of individuals achieving this level of certification is currently 221.

Exam Complaint Summary

The staff received eight complaints concerning exams conducted this quarter. All eight complaints dealt with applicants unable to schedule exams. Two dealt with information not picked up by Pearson Vue, one dealt with the inability to talk with someone at the registration call center due to high volume, one may have dealt with a server issue, two dealt with limited testing options in two testing centers and two were due to eligibility issues. Four complaints were resolved in a reasonable time period and staff was notified of the corrections. Two complaints were resolved but staff was not notified of the corrections, so there was a time lag for the examinee. Staff contacted ICC regarding the limited testing options at certain testing centers and they investigated the issue with Pearson Vue. Pearson Vue is changing its registration programming platform and reduced the testing days for those who have not yet converted to the new platform. ICC was able to add an additional day and said they could add additional dates if needed.

Kathy Williams made the following report regarding Education to the Board.

EDUCATION SECTION

These statistics run from January 9, 2013-April 9, 2013. We have 112 Continuing Education courses that were approved for the period, as well as six New Instructors approved, and six new Sponsors approved. There were a total of 169 Continuing Education Course Rosters submitted. There were a total of two courses approved in multiple trades.

There were 78 total Standard Courses scheduled for the period, 15 for Building, 15 for Electrical, 17 for Fire, 12 for Mechanical, 12 for Plumbing, and 7 for Law and Administration. A total of 13 Standard courses were canceled for the period. There were 56 Standard Course grades that we have received, and there are 15 Standard Course grades still pending for the period.

The course notices were published in the Council of Code Officials newsletter, which is available online at the NC Department of Insurance website at www.nc.doi.com/OSFM/Engineering/COOB/engineering_cogb_home.asp.

Standard and continuing education courses are advertised on the NC Department of Insurance website at <https://apps.ncdoi.net/f?p=114:505%20:0:::>. Once you reach this site, you may search for a course based on type, trade, and format.

Continuing Education Workshop

Continuing Education Workshop, previously the Sponsor Workshop, is scheduled for Thursday, April 25, 2013. The workshop will provide attendees with an overview of the history and importance of the Continuing Education program, as well as in-depth training in the use of the newly implemented web-based system that will provide for the submission, approval, scheduling and reporting of CE and Standard Code courses. The overall goal of the workshop is to assist sponsors, coordinators and instructors in becoming more proficient in the course approval process, the scheduling of courses and the submission of end-of-course documentation. We are looking into the possibility of video-taping the Workshop and posting it on the NCDOI website so that it is accessible for viewing by prospective Sponsors, Coordinators and Instructors and as a review item for currently approved Sponsors, Coordinators and Instructors. Currently, there are approximately 20 individuals scheduled for this workshop

Instructor Certification Workshop

The Standard Code Course Instructor Certification Workshop was held on Wednesday, April 17, 2013. The workshop was held at the Board's office from 8:30am – 12:30 p.m. One person attended and was certified in the area of Fire.

INVESTIGATIONS AND HEARINGS

Suzanne Taylor made the following report concerning investigations to the Board.

Investigations Begun – Not Completed

Litaker
Vaughn

No Basis in Fact

Campbell vs. Lang

Mr. Kelly motioned to accept the report Campbell vs. Lang as No Basis In Fact. Mr. Thunberg seconded the motion. The motion was approved.

Samantha Ewens made the following report concerning investigations to the Board.

Parulis vs. Lacey-Onslow Co.

Ms. Ewens presented the report regarding Parulis vs. Lacey-Onslow Co. Mr. and Mrs. Parulis presented their information on the safety issues, and code violations.

Mr. Christian Noles recused himself from voting on Parulis vs. Lacey-Onslow Co. based on his supervision of the investigation and contact with Ms. Parulis – The Board voted to approve Mr. Noles to recuse himself from voting.

Ms. Tracy McPherson recused herself from voting on Parulis vs. Lacey-Onslow Co. - The Board voted to approve Mr. Noles to recuse himself from voting.

Mr. Kelly motioned to accept the report Parulis vs. Onslow Co. as No Basis In Fact. Mr. Horne seconded the motion. 7 approved the motion 3 denied the motion. The motion was approved.

Cliff Isaac made the following report concerning investigations to the Board.

Baldwin vs. Gentry

Mr. Christian Noles recused himself from voting on Baldwin vs. Gentry, as well as the investigation with Vance County, Sawyer, and Aycock . based on his supervision of the investigation. The Board approved of the recusal.

Mr. Horne motioned to accept the report Baldwin vs. Gentry as No Basis In Fact. Mr. Blackburn seconded the motion. The motion was approved.

Lawing vs. Batson

Mr. Horne motioned to accept the report Lawing vs. Batson as No Basis In Fact. Mr. Thunberg seconded the motion. The motion was approved.

McLendon vs. Vance County

Mr. Horne motioned to accept the report McLendon vs. Vance County as No Basis in Fact. Mr. Blackburn seconded the motion. The motion was approved.

Varma vs. Sawyer

Mr. Jones motioned to accept the report Varma vs. Sawyer as No Basis in Fact. Mr. Rice seconded the motion. The motion was approved.

Senger vs. Garner and Edwards

Mr. Thunberg motioned to accept the report Senger vs. Garner and Edwards as No Basis in Fact. Mr. Kelly seconded the motion. The motion was approved.

Senger vs. Gilliam

Mr. Thunberg motioned to accept the report Senger vs. Gilliam as No Basis in Fact. Mr. Horne seconded the motion. The motion was approved.

Basis in Fact

Senger vs. Brewer (See Voluntary Settlement Agreements)

VOLUNTARY SETTLEMENT AGREEMENTS

Senger vs. Brewer – Franklin Co.

The voluntary settlement agreement states that Mr. Brewer is to take and pass a Standard Level 1 Building Class within six months of the signed agreement.

Mr. Horne motioned to accept the Voluntary Settlement Agreement. Mr. Barbour seconded the motion the motion was approved.

Robert Croom made the following report concerning investigations to the Board.

CONSENT AGREEMENTS

Aycock

The consent agreement states that Mr. Aycock shall step down as Chief Building Inspector for Brunswick County within 10 days of entering into the Consent Agreement. Mr. Aycock shall take and pass a Level III Building class within 9 months of entering into the Consent Agreement. Mr. Aycock's Standard Building Level III Certificate shall be reduced to a Level II Building certificate, and shall remain a Level II Building certificate until Mr. Aycock passes the State Level III Building examination. The Consent Agreement is intended to cover all matters and issues currently pending before the Qualifications Board regarding SeaScape and Mr. Aycock. The Consent Agreement shall not prevent the Board from taking any other administrative action it is authorized to take against the Respondent in future investigations, complaints, or cases, if any, of Mr. Aycock, involving matters other than those at issue in this proceeding.

Mr. Horne motioned to accept the Consent Agreement. Mr. Rice seconded the motion. The motion was approved.

DISCIPLINARY HEARINGS

None

Item 5: Other Items

Item A: Education and Research Committee Update:

Ms. McPherson has been working with staff regarding continuing research of course cancellations. Ms. McPherson stated that a committee meeting has not been able to come together, but she would like to make a suggestion on how to move forward, and then call a committee meeting via conference call between now and the next Board meeting. The Board has already approved based on input a letter to go out to colleges, and also to local Jurisdictions to ask to pay attention to the cancellation issue, the letter has not gone out, but a survey was sent out and it requested input. Ms. Phill received the input from the surveys, and due to her resignation there is a time lag. The items that were looked at are either going to require a rules change, or more time on behalf of the staff. Ms. McPherson suggested to proceed with either having staff on behalf of staff or staff on behalf of the chair to send a letter to all the colleges and

also to the local Jurisdictions, as was originally discussed. Some information that staff has stated is that it seems that the cancellation issue is self-correcting, due to hiring in Jurisdictions, and the course cancellation rate seems to be down. Ms. McPherson is recommending that we move forward with alerting the community colleges and Jurisdictions with the letters, and then get the committee together to discuss the research and other options.

Mr. Lutterloh stated that the letter sent out should come from Ms. McPherson since she chairs the Education and Research committee. He also stated that he would like a letter sent to each Board member.

Item B: Mr. Cory Shackelford

Ms. Taylor presented Mr. Cory Shackelford's application, Mr. Shackelford applied for five Level II Certificates. Mr. Shackelford was convicted of a felony in the distant past. Based on GS 143-151.17, the application has been brought before the Board for consideration and approval.

Mr. Jones motioned to accept Mr. Shackelford's application. Mr. Thunberg seconded the motion. The motion was approved.

Item C: Procedures

There was discussion between Board members and staff regarding procedures on voting with limited information that is given by staff. Some clarification was provided by the Board's attorney and staff.

Adjournment

There being no further business, the meeting was adjourned by Hayden Lutterloh.

Respectfully submitted,



Christian Noles
Secretary
NC Code Officials Qualification Board

NEW STANDARD INSPECTION CERTIFICATE APPLICANTS

Active City, County, and State Code Enforcement Officials

The following inspectors have met the certification requirements of GS 143-151.13(a). These applicants are active inspectors in city, county, or State inspection departments. Their certificates will become valid as of today.

Building Level I

Borrayo, Sergio
Hensley, Anthony Franklin
Houser, Clint Keith
Maddry, Robert Avery
Michaleski, Robert Stanley
Vaughn, Michael Douglas

Building Level II

Austin, Sheila T.
Blackman, Walter Mack
Cranford, Michael Travis
Salas, Anthony Richard
Volk, Kyle Jerome

Electrical Level I

Baker, Jason Dean
Gray, Randal Lee
Norris, Charlie Wayne

Electrical Level II

Bek, Ruth Moss
Dalton, Travis Evan
Holland, Gary Dean
Maready, Jeffrey
Taylor, James William

Electrical Level III

Craft, Tony James
Crist, Jonathan David
Heath, Lamar Evans
Jones, John Thomas
Milligan, Clarence Thomas
Perkinson, Walter Coleman
Smith, Dwight Douglas

Fire Level I

Barlow, William Russell
Bartholomew, Joel Johnson
Boone, Norwood Dee
Boswell, Matthew David
Franklin, Travis Lindsay
Hicks, Christopher Ryan
Houser, Clint Keith
Huffman, Kenneth Ray
Hughes, Samuel Nash
Johnson, Terry Johanns
Lail, Jackie Lynn
Magee, Peter Thomas
Patterson, Clayton S.

Fire Level I, cont.

Perrone, William Virgil
Price, John Christopher
Wooten, Ethan Perry

Fire Level II

Baxley, Melvin George
Clemmons, Gary Ernest
Crump, Bridget Hampton
Lewis, Quinton Dwi-nell
Moyers, John Preston
Russell, Travis Beau
Simmons, Kenneth Brent

Fire Level III

Baden, Joseph Hamrick
Butler, Melanie Bodenheimer
Caison, Kendall Nelson
Hover, Molly Madlyn
Naylor, Joseph Heath
Padgett, Paul Jason
Padgett, Shandra Kathleen
Poole, Daniel Wayne
Stoudt, David Edward

Mechanical Level I

Bellows, Richard Frank
Canipe, Joseph Scott
Hayes, James Richard
Scoggins, William Joseph
Shoaf, Steven Bradshaw
Smith, Dwight Douglas

Mechanical Level II

Austin, Daniel Watson
Green, Thomas Wayne
Ritter, Michael Allen
Vaughan, Timothy Glenn

Mechanical Level III

Gaskins, Bryan Keith
Hill, Charles David
Perkinson, Walter Coleman

Plumbing Level I

Baker, Jason Dean
Cunningham, Joseph Anthony
Hayes, James Richard
Shackelford, Robert Gerald

Plumbing Level II

Dalton, Travis Evan
Keefe, David Charles
Locklear, Scotty

Plumbing Level III

Chollett, Beau Gary
Eichhorn, Jay Edward
Gibert, William Dale
Perkinson, Walter Coleman
Temple, Carl Paren
Wood, William Troy

Pre-Qualification Applicants Meeting the Standard Certification Requirements

The following applicant have met all the requirements to receive their Standard certificates except being employed by a city, county, or State inspection department and being assigned the responsibility of enforcing the State Building Code. Their certificates will be issued when they are so employed.

Locklear, Kenneth	Building I
Pridgen, John C.	Building I
Taylor, Marvin R.	Building I
Cutler, Helen Bernice	Building III
Fontaine, Matthew J.	Fire I
Hodge, Matthew Jacob	Fire I
Huffman, Adam Delano	Fire I
Matthews, Williams C.	Fire I
Potter, Jason Gary	Fire I
Prevatt, David Lawrence	Fire I
Taylor, Mervin T.	Fire I
Pridgen, John C.	Plumbing I