

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

April 27, 2021

The quarterly meeting of the NC Code Officials Qualification Board (“Board”) was held at 1:00 P.M. on Tuesday, April 27, 2021 via WebEx teleconference.

Chairman Thunberg opened the meeting.

Item 1.A.: Roll Call/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 | Ken Stafford, AIA | Thomas Bender |
| Danny Couch | Michael Crofts | Richard Ducker |
| Fleming El-Amin | Jeff Griffin | Helen McIntosh |
| Mack Summey, PE | Rob Roegner* | James Steele |
| Karen Tikkanen | Richard White | Stephen Terry, PhD |

The following members of the Board were not present:

| | | |
|---------------|-------------------------------|------------|
| Allen Kelly | Andy Matthews | Mark Smith |
| Bettie Parker | Stephanie Luster-Teasley, PhD | |

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

| <u>Name</u> | <u>Affiliation</u> |
|-----------------|-------------------------|
| Sam Whittington | Department of Insurance |

| | |
|--------------------|-----------------------------|
| Terri Tart | Department of Insurance |
| Mike Hejduk | Department of Insurance |
| Renita Denton | Department of Insurance |
| Charlie Johnson | Department of Insurance |
| Tom Felling | Department of Justice |
| Shandy Padgett | Town of Morrisville |
| Paul Padgett | Town of Garner |
| Tom Cooney | Public |
| Ashley Sieman, PhD | NC Community College System |
| Joshua Douglas | NC Community College System |
| Patrick Granson | Mecklenburg Co. |
| Roger Montague | Public |

Item 2- Approval of Minutes

El-Amin made a motion to approve the minutes of the January 26, 2021 Board meeting. Griffin seconded the motion and the motion carried as approved by a roll call vote.

El-Amin made a motion to approve the minutes of the April 6, 2021 Special Board Meeting. Griffin 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 Matthew David Boswell, of the City of New Bern for achieving his fifth level III certificate in fire prevention.

Item 4 – Public Comment

Chairman Thunberg opened the public comment portion of the meeting.

There were no requests to speak and no one spoke.

Item 5 – Committee Reports

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

Policies and Procedures Committee – Stafford reported the Committee has not met and has no report.

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

Qualification and Evaluation Committee – Bender lost contact through the WebEx. Tart reported the Committee had met twice that morning. The Committee met to consider one applicant. The Committee recommended this applicant for approval by the Board. Subsequently

the Committee held a special meeting but did not have a quorum. Roegner reported the Committee members present discussed the Request for Proposal (“RFP”) and proposal submitted by PSI Services, LLC for State exam administration, remotely proctored exams and an exam prep course. Hejduk reported that the NC Community College System presented a Performance Measurement Report to the Committee on success rates of first-time test takers and would report to the Board during the staff report. Roegner made a motion to approve the 5-year contract with PSI Services, LLC. The motion was seconded by Crotts. During discussion McIntosh stated she was unable to attend the 10:30 am meeting due to technical difficulties. The motion carried as approved by a roll call vote.

Crotts made a motion to approve the applicant, Nicholas Brenner, McIntosh seconded the motion. The motion carried as approved by a roll call vote. Bender was able to rejoin the meeting.

Item 6 – New Business

- A. There was no new business to come before the Board.

Item 7 – On-Going Business

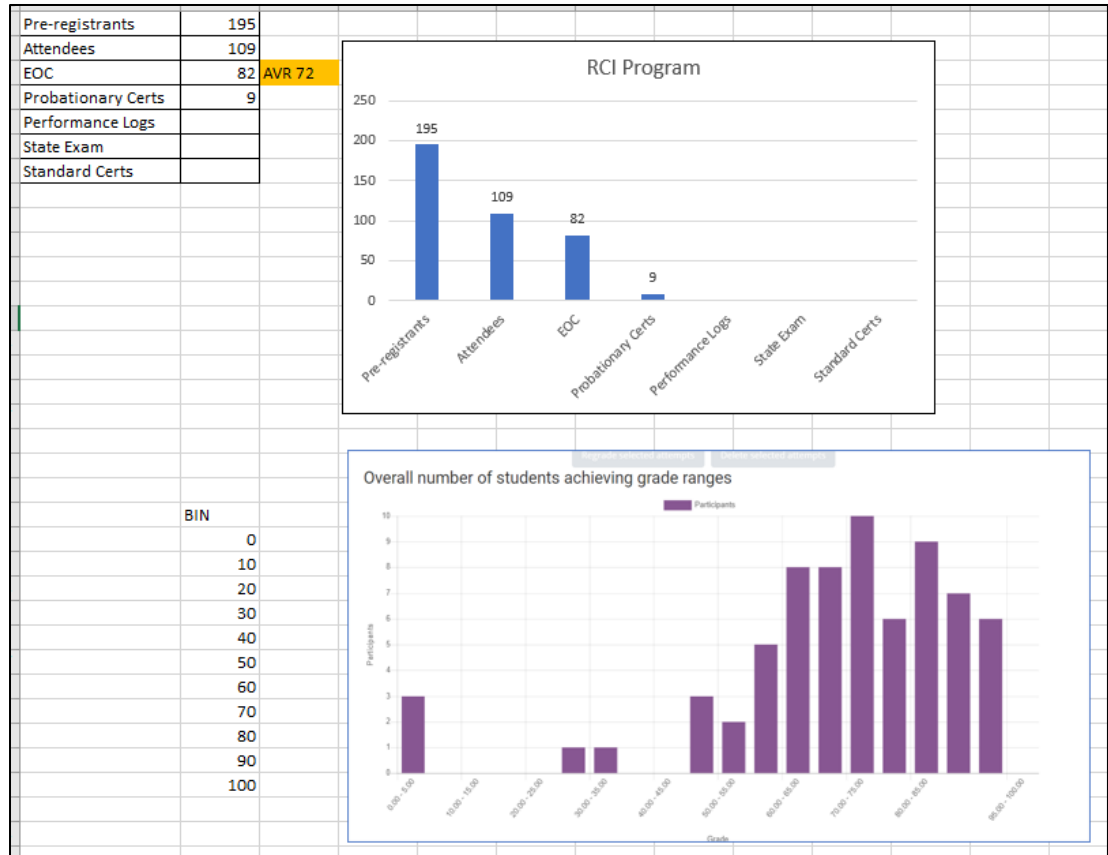
- A. Residential Changeout Inspector Update, Hejduk made the presentation on behalf of Beth Williams.

State exam test item development completion deadline is April 30. Staff plans to administer 150 question State exams in May and June, remotely proctored, to those students who completed the EOC and meet requirements of **Board Rule 11 NCAC 08 .0734(d)(1)**.

(d) Residential Changeout Inspector. A standard certificate, residential changeout inspector, shall be issued to any applicant who possesses a probationary residential changeout inspection certificate pursuant to Rule 11 NCAC 08 .0602, complies with Paragraph (c) of this Rule, and one of the following education and experience qualifications:

- (1) possess any level standard certificate as an electrical inspector, mechanical inspector, or plumbing inspector; or**
- (2) all the following:
 - (A) at least six months of conducting residential changeout inspections with a probationary residential changeout inspection certificate; and
 - (B) completion and submission of an inspection performance log as administered by the North Carolina Department of Insurance, Office of State Fire Marshal.

The charts below indicate we had 195 registrants, 109 attendees, 82 end-of-course exams administered and 9 probationary certificates have been issued. In addition, the second chart indicates grade ranges achieved by the student’s end-of-course test scores.



Performance logs are still in development for the probationary period but a template has been posted to the web site.

For transitioning the course to the Community College, the pre-class orientation materials will be available via the Supplemental tab to anyone who has a CEO ID LOGIN. Staff is currently revising the orientation materials so that upon completion of the self-study portion the student will have a Certificate of Completion that can be provided to the instructor or school registrar.

B. Temporary Rules Update. Tom Felling addressed the Board.

On April 15, 2021, the Rules Review Commission (“RRC”) approved temporary rules .0735 and .0736. The RRC approved the rules by the smallest of margins. These Rules are now in place. Felling has an amendment to .0734 before the RRC now. A hearing on that rule is scheduled for June 9, 2021. Staff has worked with NCDOT IT to get the system changes made for extending the temporary certificates [.0735] and for calculating Continuing Education (“CE”) for those that have taken CS4424 Chapter 160D [.0736]. Thunberg directed Roegner and Hejduk to notify all code officials of these new changes. Thunberg thanked Felling for his work in getting this done. Hejduk noted that NCDOT computer programming changes for both rules have been implemented electronically.

C. Investigation Review Committee recommendation was made by Jeff Griffin.

Griffin reported that staff requested the Board consider creating a special committee under the existing bylaws titled Investigation Review Committee (“IRC”). The stated purpose of the committee is to review investigations by staff, of complaints filed against code officials, and to make recommendations to the Board for the disposition of these complaints. Griffin was asked to consider this request and make a recommendation to the Board. Griffin met with Whittington and looked at how the NC Home Inspector Licensure Board processes complaints. Griffin asked Michael Crotts to serve with Griffin so that there would be a code official present in the event one of them needed to recuse themselves because a conflict of interest involved in a complaint case.

Members recommended for selection to serve on the IRC:

Jeff Griffin (County Code Official)
Mike Crotts (City Code Official)
James Steele (Electrical Contractor)
Rob Roegner (DOI)

Tom Felling would serve as counsel to the Committee.

Griffin made a motion to create the IRC as a special committee to serve not more than 2 years. If the IRC proves valuable, the bylaws could then be amended to make this a standing committee. Couch seconded the motion and the motion carried as approved by a roll call vote. Chairman Thunberg appointed Jeff Griffin as chairman, with Crotts, Steele, and Roegner to serve on the Committee.

Item 8 – Staff Report

Director

Sam Whittington made the Director’s Report.

The Program Manager position posting has closed, and we are awaiting the outcome. Tom Cooney’s vacant investigator position has been posted and we are in the process of conducting interviews to fill it. Staff is in the process of transitioning back to work in the office.

Examination

January 1, 2021 – March 31, 2020

Rich Hall reported low State exam pass rates persist for several exams. Hall explained progress with the Fire working group developing End-of-Course tests.

Thunberg asked if feedback from the Qualification and Evaluation Committee would be of value to improving pass rates. Hejduk explained that while PSI’s proposal included an exam prep

course, there was favorable feedback for development of an NCDOI exam prep course. Bender stated he felt it would be better for staff to create an exam prep course than a vendor.

Hejduk recommended development of an “exam prep” type course for the Code College in September 2021 with emphasis on Fire, Building and Electrical level 1 prior to the expiration of temporary certificates.

Thunberg polled members regarding their views on development of exam prep materials by staff and received a consensus to proceed.

Hall explained the table on exam challenges and the small number of successful score changes.

Thunberg asked if the exam prep course is in Moodle is support required from the NCDOI application development team.

Exam Taken Counts between 01/01/2021 and 03/31/2021

Exam Taken

| Area/Level | Number Taking | Number Passing | % Passing | High Score | Low Score | Average Score |
|--------------------------|---------------|----------------|-----------|------------|-----------|---------------|
| Building Inspector I | 45 | 14 | 31.11 | 84.00 | 40.00 | 64.16 |
| Building Inspector II | 19 | 13 | 68.42 | 89.00 | 51.00 | 72.26 |
| Building Inspector III | 17 | 10 | 58.82 | 89.00 | 59.00 | 73.59 |
| Electrical Inspector I | 41 | 13 | 31.71 | 81.00 | 39.00 | 62.78 |
| Electrical Inspector II | 30 | 19 | 63.33 | 81.00 | 61.00 | 71.03 |
| Electrical Inspector III | 8 | 7 | 87.50 | 85.00 | 63.00 | 75.88 |
| Fire Inspector I | 57 | 24 | 42.11 | 97.00 | 50.00 | 67.65 |
| Fire Inspector II | 26 | 14 | 53.85 | 85.00 | 57.00 | 70.46 |
| Fire Inspector III | 21 | 20 | 95.24 | 89.00 | 69.00 | 80.52 |
| Mechanical Inspector I | 24 | 17 | 70.83 | 83.00 | 59.00 | 73.83 |
| Mechanical Inspector II | 17 | 14 | 82.35 | 87.00 | 61.00 | 76.59 |
| Mechanical Inspector III | 13 | 13 | 100.00 | 93.00 | 70.00 | 80.69 |
| Plumbing Inspector I | 21 | 17 | 80.95 | 93.00 | 63.00 | 77.81 |
| Plumbing Inspector II | 11 | 11 | 100.00 | 94.00 | 76.00 | 84.27 |
| Plumbing Inspector III | 10 | 10 | 100.00 | 93.00 | 77.00 | 86.20 |

Exam Taken Totals

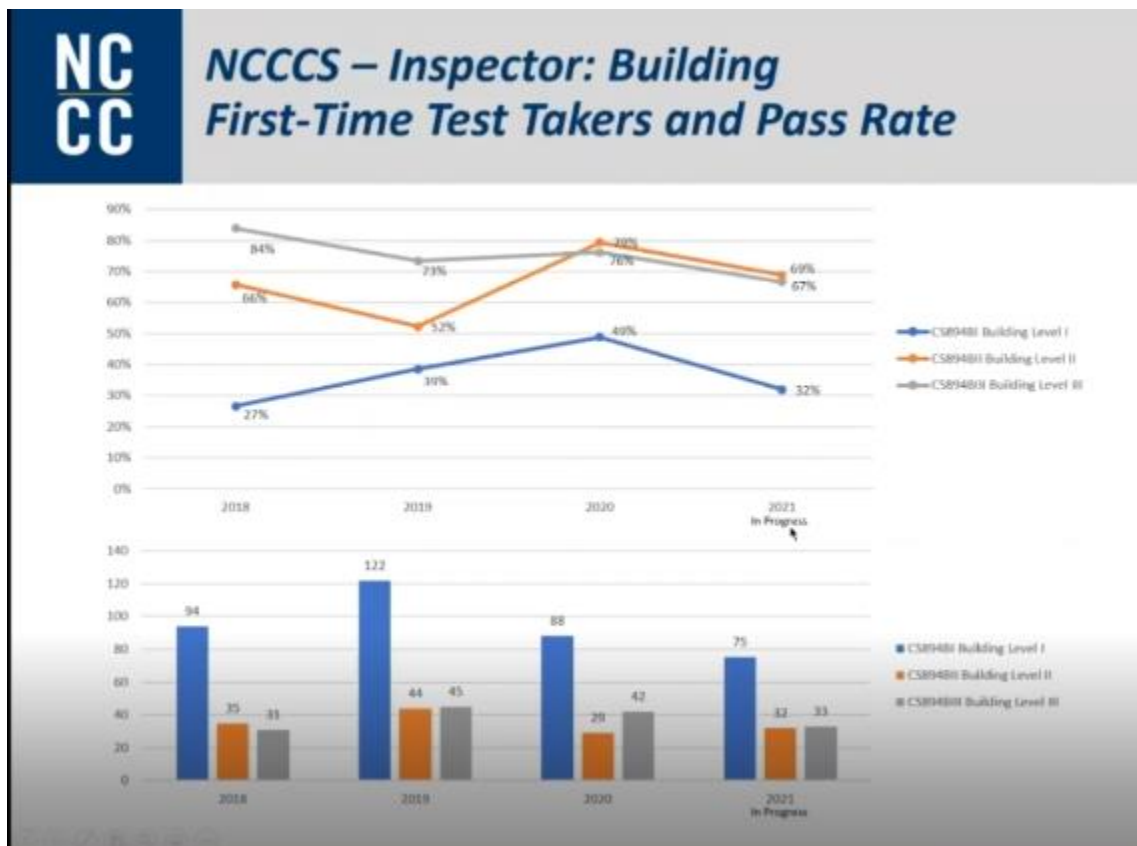
| Total Taking | Total Passing | Total % Passing |
|--------------|---------------|-----------------|
| 360 | 216 | 60 |

| Exam Challenges (1/1/2021 - 3/31/2021) | | | |
|--|--------------|--------------------|------------------|
| Trade/Level | # of Reviews | # Items Challenged | # Scores Changed |
| Building I | 3 | 12 | 0 |
| Building III | 1 | 2 | 0 |
| Electrical I | 5 | 38 | 1 |
| Electrical II | 1 | 5 | 1 |
| Fire I | 5 | 40 | 1 |
| Fire II | 2 | 9 | 1 |
| Mechanical I | 1 | 8 | 0 |
| Totals | 18 | 114 | 4 |

NCCCS Performance Measurement Report (1:03:56)

Joshua Douglas, Data Analyst for the Research and Performance Management Team with NC Community College System (“NCCCS”), presented results available through the NCCCS web page.

<https://www.nccommunitycolleges.edu/analytics/dashboards/licensure-and-certification-pm6-institutional-outcomes-peer-comparisons>



Applications Processed

January 1, 2021 – March 31, 2021

Staff processes three types of applications each day. An applicant can apply for a maximum of 5 trades per application. Below is the total number of applications processed during the last quarter.

Certificates Earned This Quarter

Active Certificates between 1/1/21 and 3/31/21

| Active Trades | All Levels | Probationary | Standard | Limited | Total |
|-----------------------|------------|--------------|----------|---------|-------|
| Building | I II III | 118 | 65 | - | 261 |
| Electrical | I II III | 100 | 72 | - | 230 |
| Fire | I II III | 198 | 125 | - | 414 |
| Mechanical | I II III | 106 | 75 | - | 229 |
| Plumbing | I II III | 106 | 65 | - | 208 |
| Residential Changeout | I II III | 10 | - | - | 10 |

Active Certificate Totals between 1/1/21 and 3/31/21

| Totals | All Levels | Probationary | Standard | Limited | Total |
|--------|------------|--------------|----------|---------|-------|
| Totals | I II III | 638 | 402 | - | 1352 |

Active Certificates

The table below identifies the number of currently active certificates in all trades as of April 20, 2021.

| Active Trades | All Levels | Probationary Certificates | Standard Certificates | Limited Certificates | Total |
|------------------------------|--------------|---------------------------|-----------------------|----------------------|--------------|
| Building | I, II, & III | 592 | 1,165 | 4 | 1,761 |
| Electrical | I, II, & III | 509 | 940 | 1 | 1,450 |
| Mechanical | I, II, & III | 512 | 1,088 | 3 | 1,603 |
| Plumbing | I, II, & III | 478 | 1,135 | 3 | 1,616 |
| Fire | I, II, & III | 907 | 2,359 | 9 | 3,275 |
| Residential Changeout | | 14 | 0 | 0 | 14 |
| Totals | | 3,012 | 6,687 | 20 | 9,719 |

Temporary Certificates

Some code officials will have an active Probationary certificate and an active Temporary certificate. The purpose of this certificate is to allow code officials time to take required courses and exams that are not available currently due to COVID-19.

637 Temporary Certificates still active will expire **December 12, 2021**. **354** of those were issued this month expiring January 1, 2021 to August 31, 2021. **86** Temporary Certificate holders achieved their Standard Certificates during this time. This certificate is not renewable or extendable. No application was needed for this action.

Expired Probationary Certificates

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

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

Expired Probationary Licenses from 1/1/21 to 3/31/21

| Trade | Levels | Total |
|-----------------------|---------------|--------------|
| Building | I II III | 26 |
| Electrical | I II III | 23 |
| Fire Protection | I II III | 67 |
| Mechanical | I II III | 18 |
| Plumbing | I II III | 22 |
| Residential Changeout | I II III | 0 |
| TOTAL | | 156 |

PRE-QUALIFICATION

APPLICANTS MEETING THE STANDARD CERTIFICATION REQUIREMENTS

EDUCATION

Williams continues to oversee the RCI course and continues to work directly with SMEs, administrators, key stakeholders, and leadership team to ensure rollout of State Exam and final course revisions. 10 probationary Residential Changeout Inspector Standard Certificates have been issued.

| CONTINUING EDUCATION COURSES | | |
|--|--------------------|------------------|
| Status Periods: | 10/1/20 - 12/31/20 | 1/1/21 – 3/31/21 |
| Courses Submitted Denied | 19 | 20 |
| Courses Approved | 21 | 32 |
| Course Rosters Submitted | 86 | 102 |
| New Con. Ed. Sponsors Approved | 4 | 6 |
| New Con. Ed. Instructors Approved | 1 | 1 |

Currently standard certificates 5294 out of 6,650 have met CE requirements for 2021 (80%)

| STANDARD EDUCATION COURSES | | | |
|---------------------------------------|---------------------|--|-------------------------------------|
| Trade | Course Count | Total # Students (avr. class) (Q) | Total # Students (Total) (Q) |
| Law and Admin | 7 | | |
| Building | 24 | 4 | 101 |
| Electrical | 31 | 3 | 88 |
| Fire | 29 | 9 | 247 |
| Mechanical | 19 | 3 | 52 |
| Plumbing | 21 | 3 | 50 |
| Total Courses Held | 131 | | |
| Courses Canceled | 14 | | |
| Standard Courses Scheduled | 90 | | |
| Standard Course Grades Pending | 4 | | |

Investigations – Whittington

Sam Whittington presented Cases 540 and 523.

Case #540 Newport (Maxwell)

This case was investigated by Tom Cooney. The bulk of the allegations are in relation to engineering and engineered plans. As this is a residential structure engineered plans are not required. The one code violation identified by Cooney involved stairs and headroom. As this is not a life safety issue staff recommends a finding of no-basis. Roegner made a motion to accept staff's recommendation and Crotts seconded the motion. The motion carried by roll call vote.

Case #523 Walsh (Ollis)

This case was investigated by Tom Cooney. The case involved the installation of gas into a residential structure by an individual known to the inspector to be unlicensed. The inspector failed to take the appropriate actions for an unlicensed contractor. Staff had negotiated a VSA on behalf of the Board. The VSA requires the inspector to take a Law and Admin course within 12 months and receive a letter of reprimand from the Board. Crotts made a motion to accept staff's recommendation of a finding of Basis and the negotiated VSA. McIntosh seconded the motion. The motion carried by roll call vote.

Chairman Thunberg 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