

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

April 6, 2021

The special meeting of the NC Code Officials Qualification Board (“Board”) was held at 9:00 A.M. on Tuesday, April 6, 2021 via WebEx teleconference.

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 recuse themselves if 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 Crotts	Richard Ducker
Allen Kelly	Jeff Griffin	Mack Summey, PE
Bettie Parker	Rob Roegner*	James Steele
Richard White		

The following members of the Board were not present:

Fleming El-Amin	Andy Matthews	Helen McIntosh
Mark Smith	Dr. Stephanie Luster-Teasley	Dr. Stephen Terry
Karen Tikkanen		

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
Rich Hall	Department of Insurance
Tom Felling	Department of Justice

Item 2 – On-Going Business

- A. Adoption of Temporary Rule 11 NCAC 08 .0735, Temporary Certificates
No comments were received on this item, Chairman Thunberg confirmed with Board Attorney Tom Felling that he had received no comments, no questions were asked by members of the Board. Allen Kelly motioned to adopt the changes to rule .0735. Richard White seconded the motion and the motion carried as approved by a roll call vote.
- B. Adoption of Temporary Rule 11 NCAC 08 .0736, Special CE (Continuing Education) Requirement
No comments were received on this item; Rob Roegner motioned to adopt rule .0736 as written. Jeff Griffin seconded the motion and the motion carried as approved by a roll call vote.
- C. State Exam Vendor Proposal
Mike Hejduk presented information on the Request For Proposal (“RFP”) for a new contract to administer exams for the Board. PSI Services, LLC was the sole respondent. The proposal contained a requirement for 10 testing centers, an option for remote proctoring, and an option for an “exam prep” course. Roegner asked about the exam prep course and whether the Department of Insurance (“DOI”) may keep the fee. Felling will research the statutes. Roegner was inclined toward DOI to develop and administer the prep course. Roegner wants to ensure there is an opt-out clause in the contract if we decide to administer the exams ourselves. Hejduk stated staff will be evaluating the proposal from PSI against the requirements of the RFP. Roegner asked if the contract has the ability to adjust to longer or shorter exams and change the number of questions. Chairman Thunberg directed Mike Hejduk to research and come back to the Board with a recommendation. Thunberg also directed Hejduk and Roegner to review the contract and make a recommendation to the Board on remote testing and exam prep course. Chairman Thunberg also offered to make a committee available on this matter. The scheduled award date is the next Board meeting, April 28, but Hejduk will research whether that can be delayed.

Item 3 – New Business

- A. Creation of Investigation Review Committee.
Rob Roegner explained how the NC Home Inspector Licensure Board (“NCHILB”) processes complaint investigations and that it has proved efficient. Roegner suggested it would be a good move for the Board to consider. It also shields the investigator from pressure to make the determinations as to recommended Board disciplinary action since the committee determines the action to take. The investigator’s role in the process was compared to a grand jury in determining the level of evidence. Tom Felling opined that the Board rules allow for this and bylaws allow for the creation of committee, permanent requires change to create standing committee, a special committee for up to 2 years is allowed. Jeff Griffin had spoken at length with Sam Whittington, and recommended proceeding, will have sub-committee recommendation to you this week. Richard Ducker asked whether there would be an independent report as is now produced by the investigator or only a recommendation from the committee.

Roegner stated that typically the committee makes a recommendation. if there were questions, the investigator would be present to answer them. Felling stated the board could ask questions at any time.

Hejduk explained that the NC Home Inspector Licensure Board (“NCHILB”) report was problematic because it took time to develop and that a determination of violation was documented and shared with the complainant and licensee prior to the Board making a disciplinary determination. The online complaint system streamlines the complaint process and stores the complaint information, licensee response and facilitates remote review by the committee members. Other occupational licensing Boards have eliminated the formal report as well. The NCHILB Investigation Review Committee submits a list of recommendations for the disposition of cases. Griffin will get a recommendation from Sub-Committee on this item, directed staff to put on the regular Board meeting agenda.

Chairman Thunberg adjourned the meeting.

Respectfully submitted,

A handwritten signature in cursive script that reads "Rob Roegner".

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