

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

**January 26, 2021**

The quarterly meeting of the NC Code Officials Qualification Board (“Board”) was held at 1:00 P.M. on Tuesday, January 26, 2021 via WebEx teleconference.

Chairman Thunberg introduced Bettie Parker, mayor of Elizabeth City, newest member of the Board.

**Item 1.A.: Roll Call/Conflict of Interest Reminder**

Chairman Thunberg asked each member of the Board to introduce themselves 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 Crotts	Richard Ducker
Fleming El-Amin	Jeff Griffin	Helen McIntosh
Bettie Parker	Rob Roegner*	James Steele
Karen Tikkanen	Richard White	

The following members of the Board were not present:

Allen Kelly	Andy Matthews	Mark Smith
Mack Summey, PE	Dr. Stephanie Luster-Teasley	Dr. Stephen Terry

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
Beth Williams	Department of Insurance
Tom Cooney	Department of Insurance
Tom Felling	Department of Justice
Shandy Padgett	Town of Morrisville
Roger Montague	Citizen

## **Item 2- Approval of Minutes**

El-Amin made a motion to approve the minutes of the October 27, 2020 Board meeting. Griffin seconded the motion and the motion carried as approved by a roll call vote.

Griffin made a motion to approve the minutes of the December 16, 2020 Education and Research Committee meeting. Roegner 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 William Spencer Elliott, of the City of Marion and William Bradley Nicholson, of Iredell County for achieving their fifth level III certificates.

## **Item 4 – Public Comment**

Chairman Thunberg opened the public comment portion of the meeting.

Shandy Padgett, Director of Inspections, Town of Morrisville, addressed the Board advocating for online instruction and testing, Bender supported her meeting with the education committee, Tikkanen agreed to meet with her.

## **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 met and the recommendation of the Committee would be made under new business.

**Education and Research Committee** – Griffin reported the Committee has met and report their recommendations to be addressed with the Policies and Procedures report to be made under new business. Reported on RCI rollout.

**Qualification and Evaluation Committee** – Bender reported the Committee has not met and has no report.

## **Item 6 – New Business**

The Policies and procedures committee made the following recommendations for Board action.

- A. Staff provide notification to CEOs whose certificates have been revoked for nonpayment with a request that CEOs bring their payment current or move the certificate(s) to an inactive status. If no action is taken by the CEO, their status would remain revoked. It is suggested that instead of using the term “revoked” for non-payment, use a different term (“lapsed” or “expired”) and reserve the term “revoked” for disciplinary action. Stafford motion, Felling write rule to address individuals with lapsed or suspended certifications due to non-payment, and rules for future reinstatement for non-payment. second by Roegner and the motion carried as approved by a roll call vote.

Revoked status certs, provide notice to CEO, pay renewal or make inactive, propose that modify system to provide notice, and direct Felling to write a rule to address this and change the terminology to lapsed. Roegner, spoke with IT group there are over 1,000 certificates and 700 inspectors. White, is notice sent or is it on inspectors to know. Roegner, notice is sent when due,

but not on the second year before it goes suspended. White, does the inspector have the ability to renew themselves. Stafford, yes, they or their department may pay. Stafford motion, Felling write rule to address individuals with lapsed and non-payment certs, and rules for reinstatement for non-payment. second by Roegner, McIntosh, this is a problem and there are so many avenues and it will be hard to write a rule to cover all the ifs involved. Roegner, we can't affect how it is payed whether it is department or CEO, the individual is responsible that it is payed. Terri Tart, non-payment goes into arears, suspended, two years no payment goes into revoked status. Notification goes to jurisdiction and inspector; most jurisdictions pay the renewal. If not payed the inspector calls and finds in suspended status for non-payment, it is the responsibility.

- B. Currently the waiting period to retest is 60 days. Staff has lowered waiting period to 30 days. Staff is requesting board to endorse and direct Felling to write a formal rule to address waiting period. Rule needs to address time for review and retesting. Felling will work with staff to develop rule that includes time given for the test review. Stafford made a motion, second by Griffin to tighten up the 60 days to 30 days waiting period for retest and the motion carried as approved by a roll call vote. Griffin, question about two chances per course. 30 days to request review from PSI. require 30 days before retesting whether reviewing or not. Felling to write formal rule, Terri, 2 attempts per course, the 60 days wasn't documented anywhere, it is how it has been done. The time from review should be included in rule, 30 days from review or fail.
- C. CEOs (with a higher probationary certificate) can currently opt to take a lower Standard Certificate exam. Stafford motions for Felling to develop a rule that CEOs who opt to take the exam and fail, the CEO must then pass the exam, in order to sit for the higher-level exam. Roegner seconded the motion and the motion carried as approved by a roll call vote.
- D. Stafford motioned to approve the revisions 11 NCAC 08 .0734 RCI Change out rule in reference to venting changes allowed to be inspected under the RCI Certificate; recommendation comes from RCI development committee. Crofts second the motion and the motion carried as approved by a roll call vote.
- E. Stafford motioned to approve 11 NCAC 08 .0735 Temp certificates; changes rule changing issuance date from Mar 12, 2020 to Aug 31, 2021 and extend expiration date from Mar 12, 2020 to Dec 31, 2021. Institute the emergency rule and go to temp rule making for this change. Felling, to adopt an emergency rule must explain to rules review why need it is needed and put in place, they approved this the first time. Need to move forward with emergency rule and make a permanent part of the temporary rule that will expire. Motion Stafford, Second Couch. Griffin is there a time to get in place? Felling it was published in about 7 working days last time, so would expect it to be posted to their website within about two weeks. Motion Stafford, Couch second the motion and the motion carried as approved by a roll call vote. Thunberg verified, via Felling it would be retroactive.
- F. Stafford motioned to approve 11 NCAC 08 .0736 On-line course CS 4424; Temp Rule be instituted by emergency rule and temporary rule by Felling. Crofts second the motion and the motion carried as approved by a roll call vote. Griffin, Education Committee looked at this and recommends it to Board, if you already have CE it will roll over when you take this course. Bender, I took the course and it was well put together and I agree this should be required.

### **Item 7 – On-Going Business**

Beth Williams reported on the following information.

- A. BETA, PILOT#1 & 2 have been completed. PILOT#3 & 4 scheduled for February and March. End-of-Course (EOC) tests have been remotely proctored via CEO LOGIN using MS TEAMS

and Moodle. Griffin, all we have heard is positive, Tikkanen, have had a lot of luck with hybrid classes, virtual and in-person.

**Item 8 – Staff Report**

Sam Whittington made the Director’s Report, which contained the following items:

- A. Tom Cooney is retiring; Friday will be his last day. Thunberg thanked Tom for all his hard work for the Board.

**EXAMINATION SUMMARY**

**October 1, 2020 – December 31, 2020**

The Board offers 15 different exams, one for each Trade and Level. Exams are administered by PSI Services LLC. An exam fee of \$125 is paid by CEOs directly to the vendor. Each exam contains 150 multiple choice questions and has a 3 ½ hour time period. Exams are open book. Examinees use their own code books but are not allowed to bring in any supplemental materials. Candidates who fail the exam may schedule an exam review at no cost within 30 days of examination.

**Exam Taken**

Area/Level	Number Taking	Number Passing	% Passing	High Score	Low Score	Average Score
Building Inspector I	23	13	56.52	83.00	61.00	69.70
Building Inspector II	9	5	55.56	92.00	53.00	73.78
Building Inspector III	14	12	85.71	93.00	63.00	77.36
Electrical Inspector I	29	11	37.93	84.00	47.00	65.07
Electrical Inspector II	10	2	20.00	81.00	55.00	66.00
Electrical Inspector III	11	9	81.82	87.00	48.00	73.00
Fire Inspector I	40	17	42.50	87.00	47.00	67.40
Fire Inspector II	20	15	75.00	87.00	56.00	74.35
Fire Inspector III	10	8	80.00	93.00	61.00	79.80
Mechanical Inspector I	26	20	76.92	87.00	39.00	71.62
Mechanical Inspector II	20	18	90.00	88.00	65.00	78.10
Mechanical Inspector III	10	9	90.00	87.00	47.00	77.40
Plumbing Inspector I	24	18	75.00	91.00	45.00	74.29
Plumbing Inspector II	17	17	100.00	91.00	71.00	84.00
Plumbing Inspector III	7	7	100.00	92.00	76.00	85.57

**NCDOI RFP # 12-001164 NC Code Officials Qualification Board Certification Exam Administration and Course Development**

RFP issued December 16, 2021 invites proposals for computer-based test centers, remotely proctoring option and “exam prep” courses for Fire, Building and Electrical Level 1 State exams with lowest pass rates.

Written questions have been submitted up through January 13, 2021. Response to questions due February 3, Proposal submissions due March 10. Contract award scheduled for April 28 and effective date July 1, 2021.

**Applications Processed**

**October 1, 2020 – December 31, 2020**

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.

**Applications between 07/01/2020 and 09/30/2020**

Probabtionary	Standard	Pre-Quaifications	Total
134	102	18	254

**Applications between 10/01/2020 and 12/31/2020**

Probabtionary	Standard	Pre-Quaifications	Total
141	124	26	291

**Certificates Earned This Quarter**

**Active Certificates between 10/01/2020 and 12/31/2020**

Active Trades	All Levels	Probabtionary	Standard	Limited	Total
Building	I II III	105	49	-	156
Electrical	I II III	75	39	-	121
Fire	I II III	128	64	-	193
Mechanical	I II III	119	74	-	196
Plumbing	I II III	98	66	-	169

**Active Certificate Totals between 10/01/2020 and 12/31/2020**

Totals	All Levels	Probabtionary	Standard	Limited	Total
Totals	I II III	525	292	-	835

### Active Certificates

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

<b>Active Trades</b>	<b>All Levels</b>	<b>Probationary Certificates</b>	<b>Standard Certificates</b>	<b>Limited Certificates</b>	<b>Total</b>
<b>Building</b>	I, II, & III	460	1,153	4	<b>1,698</b>
<b>Electrical</b>	I, II, & III	402	926	1	<b>1,390</b>
<b>Mechanical</b>	I, II, & III	425	1,066	3	<b>1,543</b>
<b>Plumbing</b>	I, II, & III	405	1,121	1	<b>1,565</b>
<b>Fire</b>	I, II, & III	698	2,325	9	<b>3,120</b>
<b>Totals</b>		<b>2,390</b>	<b>6,591</b>	<b>18</b>	<b>9,316</b>

### Temporary Certificates

Effective April 20, 2020. 362 Temporary Certificates were issued to a code official who had or has a probationary certificate with an expiration date between March 12, 2020 through December 31, 2021. This Temporary certificate expires on March 12, 2021 for the same trade and level as the probationary certificate with an applicable expiration date. This certificate is not renewable or extendable. No application was needed for this action.

Some code officials will have an active Probationary certificate and an active Temporary certificate than run for most of this time. 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. As of January 20, there were 317 Temporary Certificates.

### Expired Probationary Certificates

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

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

#### **Expired Probationary Licenses from 10/01/2020 to 12/31/2020**

<b>Trade</b>	<b>Levels</b>	<b>Total</b>
Building	I II III	<b>38</b>
Electrical	I II III	<b>29</b>
Fire Protection	I II III	<b>33</b>
Mechanical	I II III	<b>23</b>
Plumbing	I II III	<b>16</b>
Residential Changeout	I II III	<b>0</b>
<b>TOTAL</b>		<b>139</b>

**PRE-QUALIFICATION**  
**APPLICANTS MEETING THE STANDARD CERTIFICATION REQUIREMENTS**

None

**EDUCATION**

Standard Online Instructor Course started on 12/21/20 and will be completed on 1/28/21. Course is taught entirely online via Moodle and required live chats and student's end-of-course presentations were performed using MS Teams.

Those who successfully completed the course are as follows:

Brad Babson (F), Donald Locklear (F), Toby Mapes (F), Dashaun Wilson (F), Andrew Thompson (B, E, M, P, F)

Williams continues to oversee the RCI course and continues to work directly with SMEs, administrators, key stakeholders, and leadership team to ensure benchmarks continue to stay on target. Education has rolled out the three sessions (pilot courses). Next, RCI course is scheduled to begin in February 5, 2021. RCI team continues to work with all stakeholders to ensure a successful rollout to community colleges.

<b>CONTINUING EDUCATION COURSES</b>		
<b>Status Periods:</b>	7/1/20 - 9/30/20	10/1/20 - 12/31/20
<b>Courses Submitted Denied</b>	2	19
<b>Courses Approved</b>	2	21
<b>Course Rosters Submitted</b>	10	86
<b>New Con. Ed. Sponsors Approved</b>	1	4
<b>New Con. Ed. Instructors Approved</b>	0	1

Currently standard certificates 3,481 out of 6,555 have met CE requirements for 2020 (53%)

<b>STANDARD EDUCATION COURSES</b>			
<b>Trade</b>	<b>Course Count</b>	<b>Total # Students (avr. class) (Q)</b>	<b>Total # Students (Total) (Q)</b>
<b>Law and Admin</b>	6		
<b>Building</b>	16	7	106
<b>Electrical</b>	18	4	75
<b>Fire</b>	20	8	167
<b>Mechanical</b>	14	5	63
<b>Plumbing</b>	10	3	23
<b>Total Courses Held</b>	<b>84</b>		
<b>Courses Canceled</b>	7		
<b>Standard Courses Scheduled</b>	59		
<b>Standard Course Grades Pending</b>	4		

## **Investigations – Whittington and Cooney**

Sam Whittington presented Cases 542/544.

### **Case #542/544 Harrison and Scoggins (Wise)**

Mr. Wise, the complainant is an Electrical contractor. Inspectors did make comments in regards to the pricing. In this case under these circumstances staff finds that the comments made do not constitute misconduct and recommended a finding of No-Basis. Couch concurred with the findings. Roegner made a motion to accept staff's recommendation and Crotts seconded the motion. White asked about the appropriateness of commenting on pricing. It has been the position of the Board and OSFM that inspectors should not comment on pricing, but under these circumstances in this case it is acceptable in this case. The motion carried by roll call vote.

Tom Cooney presented cases 512 and 531.

### **Case #512 Pitt County (Anderson)**

Multiple issues pointed out by home inspector. Director of inspections went out and placed a condemnation notice on property. Builder has made repairs. Both inspectors do not hold active certificates. Staff recommends placing notice in file that if inspectors wish to reactive certificates they will have to come before the Board to resolve these issues. Steele asked for clarification, Cooney outlined the issues he had identified as code violations. Crotts made a motion to accept staff's recommendation and Roegner and El-Amin seconded the motion. The motion carried by roll call vote.

### **Case #531 Mereço (Anderson)**

Onslow county. Mr. Mereço has been an inspector since October 2018. Home inspector found issues and caused concern. Electrical service was not properly terminated. Many issues with plumbing leaks and other issues, mostly warranty issues. Contractor won't fix and is now in litigation. Blaming inspector for not performing quality control inspection. Do not find basis for hearing, perhaps a letter of caution is in order. Roegner made a motion to accept staff's recommendation and dismiss with letter of caution and El-Amin seconded the motion. The motion carried by roll call vote.

Chairman Thunberg expressed his condolences to Richard Ducker on the passing of his wife.

Chairman Thunberg adjourned the meeting.

Respectfully submitted,



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