

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

January 28, 2014

The quarterly meeting of the NC Code Officials Qualification Board was held at 1:00 P.M. on Tuesday, January 28, 2014 via teleconference call 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	Andy Matthews
Richard Ducker	Tracy McPherson
Valoree Eikinas	Christian Noles
Charles Horne	Ray Rice
Jerry Jones	Bill Thunberg

Members absent:

Taher Abu-Lebdeh	Harry Schrum
Richard Blackburn	Sherrill Smith
Mark Hicks	Ken Stafford
Allen Kelly	Stephen Terry
Hayden Lutterloh	

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
Natalie Pollard	Department of Insurance	Raleigh, NC
Rick McIntyre	Department of Insurance	Raleigh, NC
Robert Croom	Department of Justice	Raleigh, NC
Charlotte Rogers		Waynesville, NC
Seth Rogers		Waynesville, NC
Sam Rogers		Waynesville, NC
Jason Rogers		Waynesville, NC
Michael Rettie	Orange County	
Brenda Lyerly		

Preliminary Matters

Vice Chairman Bill Thunberg presided over the meeting and welcomed guests. Mr. Thunberg asked the Board if there were any conflicts of interest that needed to be made known. Mr. Thunberg introduced a new member to the Board Ms. Brenda Lyerly.

Item 1: Approval of October 22, 2013 Minutes

Valoree Eikinas made a motion to approve the minutes of the October 22, 2013 Board meeting. Ray Rice seconded the motion. The motion was approved.

Item 2: Approval of New Standard Certificate Applicants

Charles Horne made a motion that the Board grant Standard Inspection Certificates to those applicants who have met the Board's education, experience, and examination requirements. The applicants are listed in an attachment to the minutes. Ray Rice seconded the motion. The motion was approved.

Item 3: Fifth Level III Standard Inspection Certificate

Mr. Jason Rogers is receiving his fifth Level III certificate today, in the Electrical Trade.

The total number of code enforcement officials who have achieved this level of certification remains at 228.

Item 4: Committee Reports:

- Executive Committee: The committee had not met and had no report.
- Policies and Procedures Committee: The committee had not met and had no report.
- Education and Research Committee: The committee has not met, but has an update. Please see Item 6: Other Items – Item A
- Qualification and Evaluation Committee: The committee met at 9:00 A.M. prior to the Board meeting. Please see Item 6: Other Items – Item B

Item 5: Staff Reports

Samantha Ewens made the following Director's report

DIRECTOR'S REPORT

Board Audit

Currently, all occupational licensing boards are undergoing an audit by the NC State Auditor's Office. The stated purpose of this audit is:

“(1) determining what State oversight and board self-oversight practices are in place to ensure compliance with general statutes; and (2) performing analyses of board financial and operational information for the purpose of identifying areas that may warrant further examination as part of subsequent engagements.”

This is also part of a larger study of occupational licensing boards that was included as part of SL 2013-413, which directed the Program Evaluation Division of the Legislative Services Office to conduct a study. This study is to include:

- “(1) Consideration of the feasibility of establishing a single State agency to oversee the administration of all or some of the occupational licensing boards.*
- (2) Whether greater efficiency and cost-effectiveness can be realized by combining the administrative functions of the boards while allowing the boards to continue performing the regulatory functions.*
- (3) Whether the total number of boards should be reduced by combining and/or eliminating some boards. “*

I have attached a copy of the audit response that was prepared by staff and reviewed by both the Board Chair and the Board's legal advisor as Attachment A.

Board Member Education Requirements

Every two years, Board members are required to complete training in accordance with GS 93B-5(g) which states:

(g) Within six months of a board member's initial appointment to the board, and at least once within every two calendar years thereafter, a board member shall receive training, either from the board's staff, including its legal advisor, or from an outside educational institution such as the School of Government of the University of North Carolina, on the statutes governing the board and rules adopted by the board, as well as the following State laws, in order to better understand the obligations and limitations of a State agency:

- (1) Chapter 150B, The Administrative Procedure Act.*
- (2) Chapter 132, The Public Records Law.*
- (3) Article 33C of Chapter 143, The Open Meetings Act.*
- (4) Articles 31 and 31A of Chapter 143, The State Tort Claims Act and The Defense of State Employees Law.*
- (5) Chapter 138A, The State Government Ethics Act.*
- (6) Chapter 120C, Lobbying.*

Completion of the training requirements contained in Chapter 138A and Chapter 120C of the General Statutes satisfies the requirements of subdivisions (5) and (6) of this subsection.

Parts (5) and (6) of this General Statute are covered by training that is administered by the State Ethics Commission. Parts (1) – (4) are handled by each specific Board in conjunction with their legal advisor.

The Ethics Commission does not monitor Board member education other than the ethics training. It will now be tracked at the staff level. If any education is completed for the ethics training, commission staff asks that the reporting forms for both sets of training be copied to staff, so that it can be tracked in house. In the event that this information is requested, staff will have records readily available. There is another portion of education that is required every two years for Board members; it is the Administrative Procedures, Administrative Procedures Act, Public Records law, and the like.

Testing RFP

The current extended contract for test administration will end on June 30, 2014. A reduced scope of services was written into a new request for proposal (RFP) which was presented and discussed at the last Board meeting. After that meeting, the RFP was edited to address the Boards concerns over limiting reviews and challenges of the exams. The revised RFP was posted in November.

A single bid was received, and was evaluated at a meeting January 27, 2014, by a team of staff and Board members. The bidder will be announced after subsequent approval by OSBM.

Law 2013-118. Mr. Thunberg seconded the motion. The Board approved the motion.

Kathy Williams made the following report concerning qualification section to the Board.

PROBATIONARY CERTIFICATES

Probationary certificates are valid for a period of two years. Notices of expiration will be sent to each inspector and his or her City or County Manager. 64 probationary certificates expired this quarter.

STANDARD CERTIFICATE TESTING –October 9, 2013 – January 14, 2014

Examination Summary

Area/Level	Number Taking	Number Passing	% Passing	High Score	Low Score
Building Inspector I	16	12	75	90	50
Building Inspector II	10	4	40	84	55
Building Inspector III	12	6	50	79	43
Electrical Inspector I	9	6	67	83	63
Electrical Inspector II	2	1	50	76	67
Electrical Inspector III	11	8	73	85	51
Fire Inspector I	30	28	93	98	60
Fire Inspector II	16	15	94	93	63
Fire Inspector III	25	20	80	91	57
Mechanical Inspector I	5	5	100	91	75
Mechanical Inspector II	8	7	88	86	69
Mechanical Inspector III	8	4	50	84	48
Plumbing Inspector I	2	2	100	88	87
Plumbing Inspector II	3	3	100	95	77
Plumbing Inspector III	5	5	100	85	74
Totals	162	126	78		

Standard Certificates Earned

<u>Area</u>	<u>Active Inspectors</u>	<u>Pre- Qualification</u>	<u>Reciprocity</u>
	GS 143-151.13(a)	GS 143-151.13(a)	GS 143-151.14
Building	22	0	0
Electrical	13	2	0
Fire	60	3	0
Mechanical	16	0	0
Plumbing	9	1	0
Totals	120	6	0

Fifth Level III Standard Inspection Certificate

There are six code enforcement officials receiving a fifth level III certificate today. They are James J. Nicholas of the Boiling Spring Lakes Insp. Dept.; Jason R. Rogers of the Waynesville Insp. Dept.; Joseph C. Grasty of the Jackson County Insp. Dept.; Todd A. Miller of the Boone Insp. Dept.; William Russell Reeves of the Johnston County Insp. Dept.; and James Stipe of the Swansboro Insp. Dept.

The total number of code enforcement officials who have achieved this level of certification remains at 228.

Exam Complaint Summary

The staff received seven complaints concerning exams conducted this quarter. The types of complaints are listed below:

Registration	5
Missing Accommodations	1
Computer issue	1

All of the above complaints were resolved in a reasonable time period.

Exam Development Committee Summary

The function of the exam development committee (EDC) is to create, review, edit and cut score exam questions. 35 subject matter experts were involved in this process. They are code enforcement officials from across the state and from the Office of State Fire Marshal. Participating inspection departments have loaned their personnel to be committee members at no additional cost to the Department.

In-person meetings were held in October, 2013. The committees continue to meet by conference call and submit exam questions for specific code sections and tasks. Each committee is reviewing and/or cut scoring each new exam item as needed during the months of January and February.

EDUCATION SECTION

These statistics run from October 9, 2013 to January 14, 2014. We have 52 Continuing Education courses that were approved for the period, as well as five new Instructors approved, and one new Sponsor approved. There were a total of 76 Continuing Education course rosters submitted.

There were 47 total Standard Certificate courses scheduled for the period: 15 Building; 12 Electrical; 19 Fire; 15 Mechanical; 14 Plumbing, and; 7 Law and Administration. A total of 6 Standard Courses were canceled for the period. 48 Standard Certificate course grades were received. 6 Standard Certificate course grades are still pending for the period.

Standard Certificate and Continuing Education courses are advertised in chronologic order on the NC Department of Insurance website at [https://apps.ncdoi.net/f?p=114:505%20:0:::0:::](https://apps.ncdoi.net/f?p=114:505%20:0:::). Once an inspector reaches this site, he or she may search for a course based on type, trade, and format.

Continuing Education Workshop

The Continuing Education Workshop, previously the Sponsor Workshop, was held January 9, 2014 with two in attendance and was well received.

Standard Certificate Instructor Certification Workshop

The Standard Certificate course Instructor Certification Workshop was held on January 16, 2014. Five attended. 2 were certified in the area of Fire, 2 in Electrical and 1 in Plumbing. Participants were required to make short presentations on code specific subject matter. The presentations were videotaped for the purpose of review by the participant for self-improvement. The videos will be emailed to them later in the week. Feedback was favorable from all participants.

IT Issues

Staff continues to work with IT to get education programming issues resolved and improved.

INVESTIGATIONS AND HEARINGS

INVESTIGATIONS

Investigations Begun – Not Completed

- **Noles**
- **Granville Co.**
- **Lacey**

No Basis in Fact

- **Moore**

Ms. Eikinas motioned to accept the staff recommendation as “No Basis In Fact.” Mr. Rice seconded the motion. The motion was approved by all.

- **Hucks**

Mr. Christian Noles recused himself from voting on the Hucks investigation. Ms. Eikinas motioned to accept the recusal. Mr. Rice seconded the motion. The Board approved the recusal.

Mr. Horne motioned to accept the staff recommendation as “No Basis In Fact.” Mr. Rice seconded the motion. The motion was approved by all.

Basis in Fact

None

VOLUNTARY SETTLEMENT AGREEMENTS

None

CONSENT AGREEMENTS

None

DISCIPLINARY HEARINGS

None

CERTIFICATION REVIEW

- **Scarce**

Jerry Jones made a motion to approve the staff recommendation to grant Probationary Level I Certificates to Mr. Scarce, and any he may earn in the future. Mr. Horne seconded the motion. The motion was approved by the Board.

Item 6: Other Items

Item A: Education and Research Committee Report

Ms. McPherson stated that there are two updates. She gave an update regarding the development of the pilot program for Standard Certificate online courses. The staff has helped in identifying some potential instructors to assist with preparing the content. Those instructors have been contacted. At this time it is unknown which instructors will agree with preparing the information. There should be an update at the next Board meeting. In the minutes of the last meeting Ms. McPherson stated that she was going to conduct a meeting via conference call with the committee. She has been unable to have the meeting, but plans to schedule it prior to the next Board meeting.

Item B: Qualification and Evaluation Committee Report

Mr. Thunberg stated the Committee discussed applicant review of examinations. Mr. Thunberg directed Samantha Ewens present the information discussed at the Qualification and Evaluation Committee meeting. The Committee recommendation is that the exam be viewed as a measuring tool for competency rather than as a study aid or study guide, and that only applicants who fail the exam be allowed to review the exam. The Committee recommended removing the restriction for a specific score requirement for that review; that a review would only consist of the questions that the applicant missed, and; that the applicant be provided with the response that they prepared, so they could prepare a challenge if they felt that they provided a correct answer the first time.

Mr. Thunberg stated that this recommendation may need a vote before the next Board meeting depending on the new contractor.

Adjournment

There being no further business, the meeting was adjourned by Bill Thunberg.

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

Anselmo, Marcelo Jorge
Beck, Brandon Thomas
Boyd, Christopher David
Darroch, Mitchell J.
Foxy, Robbie Derick
Gore, Gina Colleen
Johnson, David Nathan
Liles, Robert Lewis
Lominick, Christopher James
Stoots, Kristina J
Sutherland, Travis Scott
Williams, Anthony Warren

Building Level II

Langston, Jesse Boyce
Owen, Michael Edward
Stewart, Randall Halsey
Wiseman, Eric Todd

Building Level III

Allison, Roger Grant
Foody, Kenneth R
Niemiroski, Gregory Stephen
Norris, William Brian
Solis, Carlos Jeffrey
Temple, Carl Paren

Electrical Level I

Billings, William Scott
Houser, Clint Keith
Johnson, Donald Hampton
Pridgen, John Campbell
Salas, Anthony Richard
Waters, Samuel

Electrical Level II

Jones, Kenneth Earl

Electrical Level III

Coltrane, Thomas Eugene
Eakins, John David
Grasty, Joseph Carroll
Nicholas, James John
Reeves, William Russell
Rogers, Jason Ray
Stansberry, Jonathan Grady
Stipe, James David

Fire Level I

Barkley, Alan Drew
Barnes, William Hunter
Bonds, David Wayne
Brigante, Jared Paul
Brown, Scott Benedict
Bryant, Michael Cameron
Cleaton, Jeremy Bryan
Davenport, Brian Kenneth
Dunn, Kevin Lee-16023
Forrest, Tyler L.
Grubb, Benjamin Gray
Hairston, Miles Edward DeWayne
Holland, Gary Brandon
Hughes, Jeremy C.
Leonard, James Richard
McDonald, Christopher S.
Miller, Dean Plott
Misenheimer, Rodney Blake
Nichols, Jody Monroe
Orbison, Cory Reid
Sandefur, Stafford Eugene
Sexton, Jerry Michael
Slate, Michael Joseph
Tysinger, Michael Wayne
Wallace, Donald Banks
White, Ellen Danielle
Wilkins, Dustin N.
Wilkins, James Powell

Fire Level II

Allred, Jason M.
Bell, Lee Roy
Bissette, Douglas Boykin
Boyd, Leslie David
Casstevens, Michael A.
Clark, Kenneth Talbot
Duncan, Alston Keith
Emmett, Rodney Eugene
Hassler, Kyle Warren
Messer, Andrew Cody
Poole, Damien S.
Sears, Zachery Scott
Taylor, Robert Neil
Thompson, Jennifer Mariann
Whitaker, Jeffrey William

Fire Level III

Baker, Jason Bryan
Branton, James Victor
Frazier, John Daniel
Graves, Brian DeVault
Haney, Anthony Kyle
Holloman, Blake White
Jones, Randolph Lewis
Joyner, Jerry Wayne
Miller, Todd Allen
Moon, Charles Kelly
Olive, John Edward
Pinson, Michael D.
Saul, Dawnn Ware
Saunders, Richard Farrell
Smith, Steven Douglas
Stanley, David Randall
Tatum, Michael Jeter
Wilson, Allen Wayne
Winn, William Aubrey
Young, Robbie Lee

Mechanical Level I

Baker, Jason Dean
Davis, Glenn Paul
Jones, Tomasine Keala
Rachels, Kevin David
Ricks, David Eugene

Mechanical Level II

Cranford, Michael Travis
Farnsworth, William Edgar
Heath, Lamar Evans
Lilley, Ralph Wayne
Moeller, William Howard
Pulliam, Thomas Ray
Stamey, Gary Lee

Mechanical Level III

Baxley, Melvin George
Crist, Jonathan David
Jones, John Thomas
Wilson, Laura Beth

Plumbing Level I

Contreras, Griselda Chavez
Scoggins, Donald Glenn

Plumbing Level II

Miller, Grant Robert
Phelps, Patrick Shane
Williams, Keith O'Neal

Plumbing Level III

Faucette, Christopher Shane
Gamble, James Otis
Isaac, Clifford D
Leggett, Walter Eddie
Ritter, Michael Allen

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.

Waters, Samuel	Electrical	I
Jones, Kenneth Earl	Electrical	II
Bryant, Michael Cameron	Fire Prevention	I
Bonds, David Wayne	Fire Prevention	I
Sandefur, Stafford Eugene	Fire Prevention	I
Gamble, James Otis	Plumbing	III