

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

July 24, 2012

The quarterly meeting of the NC Code Officials Qualification Board was held at 1:00 P.M. on Tuesday, July 24, 2012 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	Hayden Lutterloh, III
Tim Bradley	Tracy McPherson
Valoree Eikinas	Robert Nunez
Charles Horne	Ray Rice
Allen Kelly	Ken Stafford
John Kirkland	Bill Thunberg

Members absent:

Ronnie Bailey
Richard Blackburn
Richard Ducker
Mark Hicks
Andy Matthews
Victor Shaw
Sherrill Smith

Others in attendance were as follows:

Samantha Ewens	Department of Insurance	Raleigh, NC
Chris Noles	Department of Insurance	Raleigh, NC
Kathy Williams	Department of Insurance	Raleigh, NC
Suzanne Taylor	Department of Insurance	Raleigh, NC
Celestine Phill	Department of Insurance	Raleigh, NC
Sarah van Doornewaard	Department of Insurance	Raleigh, NC
Robert Croom	Department of Justice	Raleigh, NC
Terry James	Department of Justice	Raleigh, NC
Jessica Ra	Department of Justice	Raleigh, NC
Jason Roebuck	Department of Justice	Raleigh, NC
Keith Edwards	Pitt Co. Inspection Department	Greenville, NC
Mike Canova	Town of Carrboro Inspection Dept.	Carrboro, NC
TC Morphis	Town of Carrboro Inspection Dept.	Carrboro, NC
Reggie Satterfield	Pitt Co. Inspection Department	Greenville, NC
Mario Reynolds	Pitt Co.	Greenville, NC
Niya Clifton	Pitt Co.	Greenville, NC
Monroe Miller	Haywood Co.	Waynesville, NC
Gary Hayes	Yadkin Co. Inspection Department	Yadkinville, NC
Cliff Isaac	Catawba Co.	Claremont, NC
Marilyn Kille	Town of Carrboro	Carrboro, NC

Preliminary Matters

Chairman Hayden Lutterloh presided over the meeting and welcomed guests. He asked the Board members to introduce themselves. Mr. Lutterloh asked the Board if there were any conflicts of interest that needed to be made known. None were noted.

Item 1: Change of Status

There is a change of status for a Board member. Mr. Kenneth Mullen's tenure on the Board has ended. Mr. Bill Thunberg has been appointed to fill the at large seat on the Board. There is one seat that is currently vacant and it is of an elected official of a town of 25,000 or more. Mr. Lutterloh asked staff to prepare a letter for Mr. Mullen thanking him for his service on the Board.

Item 2: Approval of April 24, 2012 Minutes

Charles Horne made a motion to approve the minutes of the April 24, 2012 Board meeting. Dean Barbour seconded the motion. The motion was approved.

Item 3: Approval of New Standard Certificate Applicants

Valoree Eikinas 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. Charles Horne seconded the motion. The motion was approved.

Item 4: Fifth Level III Standard Inspection Certificate

Two individuals received their fifth level III certificates. They were Gary Hayes of Yadkin County Inspection Department and Jeffrey Cornett of the Ashe County Inspection Department. They were greeted and congratulated by each Board member.

Item 5: Election of Officers:

Chairman

Bill Thunberg made a nomination for Hayden Lutterloh to continue to serve as the Chairman. Charles Horne seconded the motion, and close nominations. The nominations were approved and closed by the Board. Mr. Hayden Lutterloh was elected as Chairman.

Vice Chairman

Charles Horne made a motion to nominate Bill Thunberg to continue to serve as Vice Chairman and to close the nomination by affirmation. Tim Bradley seconded the motion. The nominations were approved and closed by the Board. Mr. Bill Thunberg was elected as Vice Chairman.

Secretary

Bill Thunberg made a motion to nominate Tim Bradley as Secretary. Allen Kelly seconded the motion. John Kirkland motioned for the nominations to be closed. Charles Horne seconded the motion. Tim Bradley was elected as Secretary.

Item 6: Committee Appointments:

Education and Research

Charles Horne made a motion to nominate Tracy McPherson as Chairperson of the Education and Research Committee. Tim Bradley seconded the motion. Bill Thunberg motioned for the nominations to be closed. Tim Bradley seconded the motion. The motion was approved for Tracy McPherson to continue as Chairperson of the Education and Research Committee.

Policies and Procedures

Tim Bradley made a motion to nominate Richard Ducker to be Chairperson for the Policies and Procedures Committee. Charles Horne seconded the motion. Bill Thunberg motioned for the nominations to be closed. Tim Bradley seconded the motion. The motion was approved for Richard Ducker to continue as Chairperson of the Policies and Procedures Committee.

Qualifications and Evaluations

Bill Thunberg made a motion to nominate John Kirkland to be Chairperson for the Qualifications and Evaluations Committee. Charles Horne seconded the motion. Bill Thunberg motioned for the nominations to be closed. Tim Bradley seconded the motion. The motion was approved for John Kirkland to be Chairperson of the Qualifications and Evaluations Committee.

Committee Assignments are as follows:

Education and Research

Tracy McPherson, Chairman
Ronnie Bailey
Richard Blackburn
Victor Shaw
Andy Matthews

Qualifications and Evaluation

John Kirkland, Chairman
Robert Nunez, PE
Sherrill Smith
Bill Thunberg
Charlie Horne
Ray Rice

Policies and Procedures

Richard D. Ducker, Chairman
Tim Bradley
Mark Hicks
Valoree Eikinas
Dean Barbour
Ken Stafford
Allen Kelly

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 had not met and had no report. Ms. McPherson wanted to update the Board on the issue regarding Standard Course cancellations. Staff was directed to send a memo and a survey to gather information from colleges on cancellation policies. Staff has sent the memo and survey out, but there has been a low response rate due to staff changes within the colleges, and it may have not been directed to the correct person. Also, some college staff are not on 12 month contracts and with it being summer the information sent might not have been received. Ms. McPherson will work with staff to re-issue the memo and survey, and there should be a report at the next Board meeting.
- d) Qualification and Evaluation Committee: The committee had not met and had no report.

Item 7: Staff Reports

Samantha Ewens made the following Director's report

New Investigator

Cliff Isaac will join the staff as our second investigator in mid-August. Cliff previously worked at his family's construction company, Isaac Construction, where he held the position of Director of Engineering. He currently holds both a NC Professional Engineering license as well as a NC General Contractor license.

Conflict of Interest

The chairman has requested that the potential conflict of interest letters be read into the record, but at this time they have not been completed. The Ethics Commission has not completed any letters for older Board Members. The only letters that have been completed are for new members of the Board. As soon as they are received staff will make sure they are read into the record.

Testing for 2012 Editions of the Codes

At the last meeting, it was announced that test updates to the 2012 Code editions would take place on June 1st. After a request was made by the contractor in charge of those updates, the updates were delayed by two weeks to June 15th. At that time all exams were updated except Electrical.

The 2011 Edition of the National Electrical Code with NC Amendments became effective on July 3rd with the conclusion of the Legislative Session. Although updates to the Electrical exams have been prepared, staff feels strongly that the implementation of the updates should be delayed until new standard class coursework is prepared, and they have not been completed.

Software Update

The new on-line software has been implemented. Although not without flaws, it has been widely used and even praised by some. Staff has been working diligently to get everybody used to the new system and to resolve any identified issues.

Investigations

There have been some questions regarding delays in completing investigations. The current spreadsheet used to track all investigations from receipt to completion of report contains historical data from April 2003 to the present. A summary of the investigation “turn-around” time for these reports is compiled below:

Cases investigated since 4/2003 = 178

Overall turn-around time = 181 days

Year Considered	No. of Complaints Received	Avg Turn Around Time (days)
2011	24	168
2010	15	156
2009	11	408
2008	19	268
2007	26	195
2006	25	163
2005	20	98
2004	28	132
2003*	10	176

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 are sent to each inspector and his or her City or County Manager. 82 certificates expired this quarter.

STANDARD AND LIMITED RENEWALS

Staff has renewed 5766 standard and 68 limited certificates which is 87.3% of those active. The newly designed data system allowed and required electronic payments for all renewal fees for code enforcement officials and jurisdictions.

STANDARD EXAM UPDATES

The standard exams for all technical areas with the exception of electrical were updated and released as of June 15, 2012. The unusual code cycle approval dates for this code change year produced a challenge to

the EDC Committee members and staff to prepare and release the updated exams. The expected release date for the updated electrical exams is September 1, 2012. The 2011 NEC Code became effective July 3, 2012.

STANDARD CERTIFICATE TESTING –April 11, 2012 – July 10, 2012

Examination Summary

197 exams were taken and 37 exams were reviews during this quarter. The results of the State exams given April 11, 2012 – July 10, 2012 are summarized below:

<u>Area/Level</u>	<u>Number Taking</u>	<u>Number Passing</u>	<u>High Score</u>	<u>Low Score</u>	<u>% Pass</u>	<u>Reviews</u>
Building Inspector I	15	5	79	53	33.3	6
Building Inspector II	10	4	83	50	40.0	3
Building Inspector III	13	9	89	46	69.2	3
Electrical Inspector I	4	1	77	59	25.0	3
Electrical Inspector II	8	2	76	44	25.0	4
Electrical Inspector III	6	1	79	51	16.7	2
Fire Inspector I	47	41	100	41	87.2	2
Fire Inspector II	27	21	96	57	77.8	3
Fire Inspector III	21	8	81	49	38.1	6
Mechanical Inspector I	5	4	91	66	80.0	0
Mechanical Inspector II	6	4	88	65	66.7	1
Mechanical Inspector III	19	10	82	53	52.6	2
Plumbing Inspector I	7	7	96	78	100.0	0
Plumbing Inspector II	1	1	71	71	100.0	0
Plumbing Inspector III	8	7	81	66	87.5	2
Totals	197	125				37

Standard Certificates Earned

<u>Area</u>	<u>Active Inspectors</u>	<u>Pre-Qualification</u>	<u>Reciprocity</u>
Building	18	0	0
Electrical	4	0	0
Fire	61	9	1
Mechanical	18	0	0
Plumbing	<u>14</u>	<u>1</u>	<u>0</u>
Total	115	10	

Active Inspectors (GS 143-151.13(a)):	115
Pre-Qualification (GS 143-151.13(a)):	10
Unreported Score from 3/2012	1
Exempt from Exam (GS 143-151.13(f)):	0
Reciprocity (G.S. 143-151.14)	<u>1</u>
Total Standard Certificates Issued:	127

***Note:** Applicants are no longer seated one exam cycle prior to the expiration of their probationary certificate. Individuals are able to take exams upon their own schedule. If an applicant does not pass the exam, the CEO is eligible to retake the exam in as little as 2 months. This provides the applicant with two opportunities to pass the state exam before the certificate expires.

Exam Complaint Summary

The staff received one complaint concerning exams conducted between April 11, 2012 and July 10, 2012. Some complaints were simply comments that did not involve or require any type of action. A summary of the complaint is below:

1. Testing Center Issue –
 - a. One individual experienced computer problem at the Asheville, NC testing site. The center was going through a system upgrade and his exam was delayed by 45 minutes. He did not experience any computer problems during the exam duration. However, the individual did not file an incident report with the center and waited more than a month to contact staff. No free attempt was provided.

Fifth Level III Standard Inspection Certificate

There are two individuals receiving their fifth level III certificates today. They are:

Jeffrey Lynn Cornett
Gary Thomas Hayes

Ashe County Inspection Department
Yadkin County Inspection Department

The number of individuals achieving this level of certification is currently 218.

Celestine Phill made the following report concerning Continuing Education to the Board.

These statistics run from April 24, 2012 – July 20, 2012. We have 76 Continuing Education courses that were approved for the period, as well as 8 New Instructors approved, and 4 Sponsors approved. There were a total of 324 Continuing Education Rosters submitted for the period. Two (2) courses were approved in multiple trades.

There were 70 total Standard Courses scheduled for the period, 16 for Building, 11 for Electrical, 18 for Fire, 8 for Mechanical, 13 for Plumbing, and 4 for Law and Administration. A total of 22 Standard courses were canceled for the period. There were 20 Standard Course rosters that we have received, and there are 28 Standard Course rosters 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_coqb_home.asp.

Continuing Education Workshop

Continuing Education Workshop, previously the Sponsor Workshop, is scheduled for Thursday, July 26, 2012. 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 NCDOT 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.

Instructor Certification Workshop

The Standard Code Course Instructor Certification Workshop was held on Thursday, July 19, 2012. The training was held at the Board's office from 8:30 am to 3:30 pm, with registration commencing at 8:00 am. The workshop has been and will continue to be revised to provide for the addition of more robust content and to increase credibility of the certification process. A total of 5 people attended the workshop. Three individuals were approved in the area of Fire; one in the areas of Building, Electrical, Mechanical and Plumbing; and one in the areas of Building, Electrical, Fire, Mechanical and Plumbing.

Law and Administration Course

Mr. Lutterloh asked if the Law and Administration Course were well received, and if it has been utilized across all disciplines. Ms. Phill stated that the course was well received, and a number of inspectors are interested and asking for more dates.

INVESTIGATIONS AND HEARINGS

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

INVESTIGATIONS

Investigations Begun – Not Completed

Wakeman vs. Bailey/Wade
Taylor vs. Union Co.
Sasser vs. Lacy
Hart vs. Straughn
Swaringen vs. Morgan

Investigations Completed –Basis in Fact

Parulis vs. Maready/Boswell
Reynolds vs. Edwards/Satterfield
Miller vs. Rogers

Investigations Completed –No Basis in Fact

Blanton vs. Smith

Dean Barbour motioned to accept No Basis in Fact. John Kirkland seconded the motion. Motion was approved by all.

Mulholland vs. Carlson

Charles Horne motioned to accept No Basis in Fact. Allen Kelly seconded the motion. Motion was approved by all.

Jerkins vs. Leonhardt/Adkins

Charles Horne motioned to accept No Basis in Fact. Allen Kelly seconded the motion. Motion was approved by all.

Miller vs. Glance

Bill Thunberg motioned to accept No Basis in Fact. John Kirkland seconded the motion. Motion was approved by all.

Samantha Ewens made the following report: Kille vs. Canova/Williams/Wade

Samantha Ewens concluded that the number and type of violations confirmed is insufficient to justify a hearing of the charges.

Marilyn Kille requested that the Board table the report, and forward to State Bureau of Investigations (SBI), and to the Federal Bureau of Investigations (FBI).

TC Morphis attorney for the Town of Carrboro is representing the three inspectors Canova, Williams, and Wade. Mr. Morphis urges the Board to approve the report.

Mr. Bradley asked if the report has been requested by SBI, or the FBI. Ms. Ewens stated that the report has not been requested by any outside authority.

Mr. Horne motioned to accept the report and the recommendation. Mr. Kelly seconded the motion. Motion was approved by all.

VOLUNTARY SETTLEMENT AGREEMENTS

Parulis vs. Maready/Boswell

Voluntary Settlement Agreement for Brandon Maready is to take and pass a Building Level 1 course within 6 months. Mr. Thunberg motioned to accept the report, and the Voluntary Settlement Agreement. Mr. Bradley seconded the motion. The report and the agreement were approved by the Board.

Reynolds vs. Edwards/Satterfield

Voluntary Settlement Agreement for Keith Edwards is to take and pass a Law and Administration course, as well as take and pass a Building Level 1 course within 6 months. Mr. Kirkland motioned to accept the report, and the Voluntary Settlement Agreement. Mr. Horne seconded the motion. The report and the agreement were approved by the Board.

Voluntary Settlement Agreement for Reggie Satterfield is to take and pass a Law and Administration course, take and pass a Building Level 1 course, take and pass a Mechanical Level 1 course, and take and pass a Building Level 1 NC State Exam within 6 months. Mr. Kelly motioned to accept the report with the recommendation. Mr. Horne seconded the motion. The report with the recommendation was approved by the Board. Mr. Horne motioned to accept the Voluntary Settlement Agreement. Mr. Thunberg seconded the motion. The agreement was approved by the Board.

Miller vs. Rogers

Voluntary Settlement Agreement for Jason Rogers is to take and pass a Law and Administration course within 6 months. Mr. Thunberg motioned to accept the report and the agreement. Mr. Horne seconded the motion. The motion to accept the report and the agreement was approved by the Board.

CONSENT AGREEMENTS

Bobby Croom made the following report: Danner vs. Norton

Consent Agreement for Mr. Norton is to take and pass a Law and Administration course within 6 months. Mr. Norton also agrees in the course of handling routine inspections, or when he is investigating complaints on buildings under construction, and/or maintenance of existing buildings, he will handle hazardous, dangerous, or unsafe conditions as required by the General Statutes and the NC Building Code. Mr. Horne motioned to accept the agreement. Mr. Kirkland seconded the motion. The motion to accept the agreement was approved by the Board.

DISCIPLINARY HEARINGS

Seascape vs. Aycock

Adjournment

Mr. Thunberg requested a motion for the meeting to be adjourned. There being no further business, the meeting was adjourned by Hayden Lutterloh.

Respectfully submitted,



Tim Bradley
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

Kelly Ellington
Kevin Owenby
Drexel Rogers
Angela Smith
James Watson

Building Level II

Donald Dornauer
Danny Keel
Clarence McAllister
Gregory Niemiroski

Building Level III

Brian Duhadaway
Charles Freedle
William Gibert
Mark Griffin
Brandon Hawks
James Jones
John Jones
David Prevette
Jonathan Stansberry

Electrical Level I

Sergio NMN Borryayo

Electrical Level II

Kari Lynn Lanning
Kendall Nelson Caison

Electrical Level II

Brian Dillon

Fire Level I

Dykeman Baily, IV
Steven Barker
Paul Bennie
Jonathan Butler
Christopher Callahan
Lance Cutler
Kevin Dennis
Christopher Dotson
Anthony Estes
Jonathan Faircloth
Richard Fleming
Matthew Forestieri
Michael Heath
Jerry Hinson
William Kraus
Jeffrey Maready

Fire Level I(Cont.)

Kevin McLaurin
Bradley Moore
Jason Moyer
Lynn Niblock
Alan Parks
Chad Pendry
Brian Lee Perkins
Jonathan Richardson
Justin Robeson
Michael Stageman
James West
Jack White
Jeremy Wilkins
Keenan Williams
Mark Williams
Richard Wilson
Kenneth Wortman

Fire Level II

Chadwick Allen
John Batson
James Beddard
Jason Boggs
Kent Brown
Cynthia Burley
Amy Flieg
Elizabeth Gregory
Thomas Harmon, II
Blake Holloman
John Hyatt
Charles Jenkins
Randolph Jones
Wesley McCurry
Todd Miller
Charles Moon
Jeffrey Olund
Joe Rotchford
John Royal
Marvin Weathers
Robbie Young, Jr.

Fire Level III

Michael Cook
Jeffrey Cornett
Rusty Graham
Gary Hayes
Eric Hutchens
James Nicholas
Alvin Robinson
Joseph Vindigni

Mechanical Level I

Paul Buchanan
Roger Mundy
Michael Slate
Mark Stewart

Mechanical Level II

Pamela Ball
Joseph Cunningham
Roland Davis
David Lowman

Mechanical Level III

Michael Buffett
Charles Burton
Robert Davis
Jason Everage
John Lavery
James Locklear
Randy Lovings
Dennis Peacock
David Prevette
Jonathan Stansberry
Michael Rand Buffett
Randy Ray Lovings
Robert Ray Davis

Plumbing Level I

Paul Buchanan
Brandon Burgin
Martha Robinson
Paul Roper
Harley Stewart
Matthew Stone

Plumbing Level II

Wilbert Waldrige

Plumbing Level III

Michael Buffett
Charles Burton
Eric Evans
John Harrell
Steven Lipke
David Lowman
Leonard Thagard, Jr.

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.

Corey Spencer Adams	Fire Prevention Level I
Donald Leo Burns	Fire Prevention Level I
Keith A Dillon	Fire Prevention Level I
Joshua Caleb Hines	Fire Prevention Level I
Taylor Alexander Marsh	Fire Prevention Level I
Scott A. Mullins	Fire Prevention Level I
Jonathan Aaron Nixon	Fire Prevention Level I
Michael Lawrence Townsend	Fire Prevention Level I
Christopher Carlton Wells	Fire Prevention Level I
Anthony Richard Salas	Plumbing Level I

Reciprocity Granted to Applicants Meeting the Standard Certification Requirements

The following applicants has met all the education and experience requirements to receive a Standard certificate as a code enforcement official based on certification obtained from an approved reciprocal certification agency.

Daniel Baughman	Fire I	Indiana
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