

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

July 27, 2021

The quarterly meeting of the NC Code Officials Qualification Board (“Board”) was held at 1:00 P.M. on Tuesday, July 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 Crotts	Richard Ducker
Fleming El-Amin	Jeff Griffin	Andy Matthews
Mack Summey, PE	Rob Roegner*	Richard White
Karen Tikkanen	Stephanie Luster-Teasley, PhD	Bettie Parker

The following members of the Board were not present:

Allen Kelly	James Steele	Mark Smith
Helen McIntosh	Stephen Terry, 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
Beth Williams	Department of Insurance
Rich Hall	Department of Insurance
Mike Hejduk	Department of Insurance
Renita Denton	Department of Insurance
Charlie Johnson	Department of Insurance
Joe Starling	Department of Insurance
Gerry Sutton	Department of Insurance
Tom Felling	Department of Justice
Tracy McPherson	NC Community College System
Tom Hosey	City of Raleigh
Fulton	City of Raleigh
Paul Padgett	Town of Garner
Roger Montague	Public
K Weatherington	Public

Item 2- Approval of Minutes

Griffin made a motion to approve the minutes of the April 27, 2021 Board 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 the following individuals for achieving their fifth level III certificate:

Barry Alston, Raleigh,
Chris Whaley, High Point
William Winchester, Mitchell Co.
Richard Zamani, Stokes Co.
Darin Oxentine, Iredell Co.

Item 4 – Public Comment

Chairman Thunberg opened the public comment portion of the meeting.

Fulton representing City of Raleigh asked to defer her comments to the Board until after the IRC report.

Montague asked when the hearing approved by the Board at its October Meeting would be held. Tom Felling responded that he would be working on the notice and expected to have it in the next three months.

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 reported that the committee had met that morning. There was one felony applicant, the committee reviewed the application and recommended to the Board to approve the application. Bender made a motion to approve the applicant. The motion was seconded by El-Amin. Richard White recused himself. The motion carried by a roll call vote.

Investigation Review Committee – Griffin reported the Committee had met May 11, 2021 and July 7, 2021. Griffin discussed the work of the committee and recommended a findings of no-basis for case 550 and no-basis and dismiss with letter of caution for cases 547 and 556. There are nine open cases currently. Fulton addressed the Board and requested case 547 be dismissed outright without a letter of caution. Fulton's request was discussed by the Board. Griffin made a motion to accept the recommendations. Roegner seconded the motion and the motion carried by roll call vote.

Item 6 – New Business

Roegner asked the Board to approve changing the electrical code exam questions to reflect the 2020 Electrical Code on January 1, 2022. This would bring consistency with what the Electrical Contractors Board has done. Roegner made a motion to migrate the test items from 2017 edition to 2020 edition effective January 1, 2022. The motion was seconded by Crotts. The motion carried by a roll call vote.

A. House Bill 865 – Roegner

Roegner brought to the Board's attention legislation in the House that would affect the Board. This legislation would create private commercial inspectors that would be certified by the Board. Roegner has concerns with how this will impact staff and the public. Stafford expressed concern with how this would circumvent inspections departments. Tikkanen was concerned with the privatization of inspections. El-Amin mentioned the tragedy in Florida and the implications of this bill. White mentioned the League of Municipalities and suggested we reach out to them. Ducker identified issues with conflict of interest and a problem concerning certificates of occupancy in the bill. Roegner advised the Board that if legislators do not hear from constituents, they interpret that as approval. Stafford made a motion that the Board direct staff to prepare a letter of opposition to HB 865, stating the Boards position that this is not in the public interest, and deliver the letter to the members of the legislature of both houses and that this letter be sent to the League of Municipalities and Association of County Commissioners. Roegner seconded the motion. The motion carried by roll call vote. Felling advised that there would be a need for special meeting in early August and

recommended that the draft letter could then be presented to the Board. Thunberg directed that staff work with Ducker and Stafford on the letter.

B. Changes to Law and Admin course and exam - Roegner

Looking at take the law and admin questions out of the state exams and putting them in a separate module. This would allow us to shorten the exam and therefore give examinees more time to complete the exam. Crotts would one then take a law and admin course and exam and that would cover it. Roegner yes, looking at doing online. Chairman Thunberg directed Roegner to take the matter to the E&R Committee to flesh out the proposal and make a recommendation at the next Board meeting.

C. Fire 1 course – Rich Hall

Presented a proposal to supplement the fire level 1 course with online materials. The proposal dealt with pre-class modules, self-study materials, practice tests, and the state exam. The intent is to increase the competence of candidates by improving their ability to search for and identify specific code references. Chairman Thunberg directed the matter to the E&R Committee to consider the proposal and make a recommendation at the next Board meeting.

Item 7 – On-Going Business

A. Residential Changeout Inspector Update – Beth Williams.

The deadline for the State exam has been met for Exam A, Exam B is currently under developments. Staff administered 150 question State exams in May and June. The exams were remotely proctored to those students who completed the EOC and met course requirements of **Board Rule 11 NCAC 08 .0734(d)(1)**. Rich Hall and SMEs are currently reviewing and analyzing the test questions.

(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.

So far, we had 22 State exams administered with an average test score of 76%.

State Exam Date	# of Examinees	Passed	Did not Pass
06/22/2021	6	3	3
06/24/2021	4	3	1
06/29/2021	6	4	3
07/01/2021	6	5	2
Rescheduled due to Accommodations	2	TBD	TBD
Totals	24	15	9

An online module is currently in development to help applicable probationary inspectors understand the process of completing the RCI performance logs.

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.

Examinations will be given online through the Moodle platform. Anticipated rollout is January 2022.

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

Have one rule currently in the rule making process, 11 NCAC 08 .0734. This rule was submitted to Office of Administrative Hearings in March but was not published due to an error. The Board held a public comment hearing today and the comment period runs until August 2, 2021. The Board will need a special meeting to approve the change. We have a proposed effective date of October 1st, and we are still on track to make that.

Item 8 – Staff Report

Director

Sam Whittington made the Director’s Report.

The selected candidate for Tom Cooney’s vacant investigator position declined the position; it has been reposted and we have scheduled the interviews.

Examination

April 1, 2021 – June 30, 2020

Exam Taken Counts between 04/01/2021 and 06/30/2021

Exam Taken

Area/Level	Number Taking	Number Passing	% Passing	High Score	Low Score	Average Score
Building Inspector I	38	15	39.47	85.00	42.00	66.05
Building Inspector II	21	13	61.90	85.00	55.00	72.24
Building Inspector III	9	8	88.89	87.00	52.00	77.11
Electrical Inspector I	45	9	20.00	84.00	48.00	62.13
Electrical Inspector II	27	16	59.26	83.00	46.00	70.52
Electrical Inspector III	14	10	71.43	89.00	47.00	72.43
Fire Inspector I	66	31	46.97	91.00	49.00	68.64
Fire Inspector II	22	16	72.73	85.00	54.00	74.45
Fire Inspector III	16	16	100.00	92.00	73.00	83.00
Mechanical Inspector I	28	19	67.86	89.00	56.00	73.86
Mechanical Inspector II	12	11	91.67	96.00	65.00	82.00
Mechanical Inspector III	9	9	100.00	91.00	78.00	84.11
Plumbing Inspector I	26	23	88.46	92.00	46.00	79.42
Plumbing Inspector II	16	16	100.00	94.00	78.00	85.94
Plumbing Inspector III	11	10	90.91	91.00	55.00	80.09

Exam Taken Totals

Total Taking	Total Passing	Total % Passing
360	222	61.67

Exam Challenges (4/1/2021 - 6/30/2021)			
Trade/Level	# Challengers	# Items Challenged	Changed Scores
Building I	5	33	3
Building III	1	2	0
Electrical I	7	41	0
Electrical II	6	23	0
Electrical III	2	16	1
Fire I	8	37	1
Fire II	5	34	1
Mechanical I	1	3	0

Certifications

Staff attended the Plumbing Inspectors Association where Terri was asked to make a presentation, Staff also attended the Building Inspectors Association along with Board Members Rob Roegner and Mike Crotts. Renewal as of June 30, 2021 4,210 inspectors renewed, 4,575 already have met CE requirements for 2022. 6,360 certificates or 93% had met CE. 3,494 inspectors (83%) completed the 160 D course.

Applications Processed

April 1, 2021 – June 30, 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 04/01/2021 and 06/30/2021

Active Trades	All Levels	Probationary	Standard	Limited	Total
Building	I II III	132	765	-	969
Electrical	I II III	143	616	-	832
Fire	I II III	172	1379	-	1685
Mechanical	I II III	140	728	-	925
Plumbing	I II III	142	759	-	951
Residential Changeout	I II III	5	-	-	5

Active Certificate Totals between 04/01/2021 and 06/30/2021

Totals	All Levels	Probationary	Standard	Limited	Total
Totals	I II III	734	4247	-	5367

Active Certificates

The table below identifies the number of currently active certificates in all trades as of July 22, 2021.

Active Certificate Totals as of 07/22/2021

Active Trades	Levels	Probationary Certificates	Standard Certificates	Limited Certificates	TOTALS
Building	I II III	587	1,119	3	1,709
Electrical	I II III	500	907	1	1,408
Fire Protection	I II III	899	2,232	8	3,139
Mechanical	I II III	519	1,034	3	1,556
Plumbing	I II III	470	1,086	3	1,559
Residential Changeout	I II III	14	3	0	17
TOTALS		2,989	6,381	18	9,388

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.

602 Temporary Certificates still active will expire **December 31, 2021**. **75** Temporary Certificate holders achieved their Standard Certificates as of July 22, 2021. 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.

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

Expired Probationary Licenses from 04/01/2021 to 06/30/2021

Trade	Levels	Total
Building	I II III	21
Electrical	I II III	29
Fire Protection	I II III	37
Mechanical	I II III	19
Plumbing	I II III	13
Residential Changeout	I II III	0
TOTAL		119

PRE-QUALIFICATION
APPLICANTS MEETING THE STANDARD CERTIFICATION REQUIREMENTS

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EDUCATION

Williams continues to work with Hejduk and in collaboration with Chief Code Consultants on the development and rollout of the 2021 Code College. This year’s event will primarily focus on Exam Prep Courses aimed to increase State Exam scores for the Electrical, Building and Fire Level 1 trades. This event will be offered online (via WebEx) and face-to-face (Raleigh) 2021 Code College is scheduled from September 27th to October 1st.

CONTINUING EDUCATION COURSES			
Status Periods:	1/1/21 – 3/31/21 (Prior Quarter)	4/1/21 – 6/31/21 (Current Quarter)	7/1/20 – 6/31/21 (Fiscal Year)
Courses Submitted Denied	20	29	47
Courses Approved	32	28	95
Course Rosters Submitted	102	123	328
New Con. Ed. Sponsors Approved	6	1	13
New Con. Ed. Instructors Approved	1	2	7

STANDARD EDUCATION COURSES (4/1/2021 to 6/30/2021) - Quarterly			
Trade	Course Count	Total # Students (avr. class) (Q)	Total # Students (Total) (Q)
Law and Admin	10		
Building	15	11	136
Electrical	12	4	42
Fire	26	9	200
Mechanical	10	7	67
Plumbing	12	4	48
Total Courses Held	85		
Courses Canceled	13		
Standard Courses Scheduled	65		
Standard Course Grades Pending	1		

STANDARD EDUCATION COURSES (7/1/2020 to 6/30/2021) -Fiscal Year			
Trade	Course Count	Total # Students (avr. class) (Q)	Total # Students (Total) (Q)
Law and Admin	29		
Building	67	7	430
Electrical	69	4	238
Fire	90	8	718
Mechanical	50	4	237
Plumbing	52	4	183
Total Courses Held	357		
Courses Canceled	41		
Standard Courses Scheduled	263		
Standard Course Grades Pending	7		

- **3,338 inspectors out of 4,210 inspectors completed the Chapter 160D online course (79%)**
- **6,312 certificates out of 6,657 certificates met CE Requirements Met for 2021 (95%)**
- **Currently 4,568 standard certificates out of 6,356 have met CE requirements for 2022 (79%) – this is due to the completion requirement for the Chapter 160D course.**

Investigations

Sam Whittington has 6 active cases and completed 3 investigations since his last report. Have been pleased with how the IRC is going and appreciates the support and guidance he has received from them.

Active Cases

<u>Case</u>	<u>Investigator</u>	<u>Jurisdiction</u>
513 City of Raleigh (Denning)	Cooney	Raleigh
549 Lawrence (Martin)	Whittington	Watauga Co.
552 Wetherington (Holsinger)	Whittington	Craven Co.
554 Gunter / 555 Camp (Muehlbach)	Whittington	Chatham Co.
557 Bumgarner (Erie)	Whittington	Caldwell Co.
558 Johnson (Corriher)	Whittington	Carolina Beach

Investigations – Completed Since Last Report

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Roegner commended staff for their efforts during Covid.

Election of officers

Chairman Thunberg opened the floor for the nomination of officers for the coming year. Ken Stafford nominated El-Amin – Vice Chairman, Roegner – Secretary, Tikkanen – E&R Committee Chair, White – P&P Committee Chair, Bender – Q&E Committee Chair, and Griffin – IRC Committee Chair. Crotts seconded the motion. The Nominee have agreed to serve in these roles. Chairman Thunberg called for any other nominations, there were none and Chairman Thunberg declared them elected by acclamation.

Stafford nominated Chairman Thunberg to another term as chairman, Griffin seconded the nomination. Chairman Thunberg called for any other nominations, Roegner called for the closing of nominations and Chairman Thunberg was re-elected by unanimous roll call vote.

Chairman Thunberg thanked the Board for their support and adjourned the meeting.

Respectfully submitted,



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