

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

**October 25, 2011**

The quarterly meeting of the NC Code Officials Qualification Board was held at 1:00 PM on Tuesday, October 25, 2011 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
Richard Blackburn	Tracy McPherson
Tim Bradley	Ray Rice
Richard Ducker	Ken Stafford
Valoree Eikinas	Bill Thunberg
Charles Horne	

Members absent:

Ronnie Bailey	Kenneth Mullen
Mark Hicks	Robert Nunez
John Kirkland	Victor Shaw
Andy Matthews	Sherrill Smith

Others in attendance were as follows:

Chris Noles	Department of Insurance	Raleigh, NC
Samantha Ewens	Department of Insurance	Raleigh, NC
Kathy Williams	Department of Insurance	Raleigh, NC
Suzanne Taylor	Department of Insurance	Raleigh, NC
Shane Phelps	Department of Insurance	Raleigh, NC
Celestine Phill	Department of Insurance	Raleigh, NC
Sarah van Doornewaard	Department of Insurance	Raleigh, NC
Bobby Croom	Department of Justice	Raleigh, NC
Lloyd Prince	New Hanover County	Rocky Point, NC
Mary Prince	New Hanover County	Rocky Point, NC
Colin Triming	Charlotte Fire Department	Charlotte, 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. Mr. Lutterloh noted a new Board member Mr. Andy Matthews who is replacing Hiram Williams.

**Item 1: Approval of July 26, 2011 and September 14, 2011 minutes**

Mr. Blackburn made a motion to approve the minutes of the July 26, 2011 Board meeting. Mr. Horne seconded the motion. The motion was approved. Mr. Thunberg made a motion to approve the minutes of the special Board meeting held on September 14, 2011. Mr. Blackburn seconded the motion. The motion was approved.

**Item 2: Approval of New Standard Certificate Applicants**

Mr. 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. Mr. Barbour seconded the motion. The motion was approved.

### **Fifth Level III Standard Inspection Certificate**

There were no individuals that received their fifth level III certificate

### **Item 3: 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.
- d) Qualification and Evaluation Committee: The committee had not met and had no report.

### **Item 4: Staff Reports**

### **Samantha Ewens made the following Director's Report**

#### **ENERGY CODE TRAINING and TESTING**

Work has been progressing on the new electronic self-study modules on the Energy Code as part of a grant administered by the NC State Energy Office with money from the American Recovery and Reinvestment Act. The contractor on this work, Building and Fire Codes Academy (BFCA), has already submitted the first module which covers the administrative portions of the Code. That module has been returned with comments. All other modules are due to staff on November 1<sup>st</sup>. We are working with other sections within DOI to host that coursework on the DOI website, and are confident that it will be available to students in the Standard Code Courses to use by January 1, 2012.

New test questions for the state certification exams in the Building, Mechanical, Electrical and Plumbing trades were written to the 2009 Edition of the Code. ICC staff will work in conjunction with DOI staff to update these questions to the new Code edition.

#### **NEW SOFTWARE IN DEVELOPMENT**

Department of Insurance IT Programming staff is currently working on development of a new database for inspector records. The new system will incorporate most of the different function of Board staff into a single location. For example, disciplinary actions can be entered in the same system that certification uses – preventing inadvertently renewing an inspector that has been suspended.

In conjunction with this effort, staff is working towards allowing on-line applications and renewals with associated on-line payment options. At this time we do not have a date as to when system will go live.

#### **COMPLAINTS AGAINST BOARD INVESTIGATORS**

There is a current complaint against a Board investigator for work performed during an investigation. There is currently no Board policy regarding complaints like this. Thus far, the complaint has been referred to the investigators supervisor for investigation but staff questions if this is the policy that the Board prefers.

The complaint in-house now was filed in conjunction with a complaint against a local inspector, so the investigations can be performed simultaneously and with little conflict. However, much of what the investigators do is not exactly Code Enforcement, but is part of their job responsibilities. As such, some parts of almost any complaint against them would more properly be labeled as a personnel matter.

It is extremely important that the Board have confidence in its staff, including its investigators. We do not want it to appear that we are keeping any information from the Board pertinent to staff fulfilling their responsibilities. We ask that the Board provide some direction on how to proceed in this and future complaints.

The Board had discussions regarding the responsibility of the Board. Mr. Bradley suggested having staff contact other licensing agencies to see what their policies and procedures are regarding situations like this. The Board also stated that the internal policy that is followed now be left the way it is.

**Kathy Williams made the following report concerning certification to the Board.**

**EXPIRED 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. The probationary certificates for 82 individuals have expired this quarter.

**STANDARD AND LIMITED RENEWALS**

Staff has received and renewed 95 percent of the standard and limited renewals which were invoiced for renewal year 2011. Second notices were mailed in August. During this renewal year, 310 certificates were suspended due to incomplete continuing education or non-payment of fees. A copy of the suspension letter was sent to the Director of Inspections and the City or County Manager. Once each individual completes the required continuing education or pays the required fee, the certificate will be activated and renewed.

**STANDARD CERTIFICATE TESTING –July 13, 2011 – October 11, 2011**

**Examination Summary**

154 exams were taken and 21 exams were reviews. The results of the State exams given July 13, 2011 – October 11, 2011 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	11	6	88	53	54.5	1
Building Inspector II	8	3	81	52	37.5	3
Building Inspector III	17	12	88	61	70.6	5
Electrical Inspector I	6	1	71	46	16.7	2
Electrical Inspector II	9	3	77	53	33.3	4
Electrical Inspector III	11	2	73	49	18.2	1
Fire Inspector I	30	30	100	73	100.0	0
Fire Inspector II	13	12	89	69	92.3	1
Fire Inspector III	14	9	100	50	64.3	1
Mechanical Inspector I	4	4	90	81	100.0	1
Mechanical Inspector II	10	5	79	62	50.0	2
Mechanical Inspector III	4	2	76	58	50.0	1
Plumbing Inspector I	0	0	0	0	0	0
Plumbing Inspector II	11	11	88	72	100.0	0
Plumbing Inspector III	6	6	92	76	100.0	0
Totals	154	106				21

**Standard Certificates Earned**

<u>Area</u>	<u>Active Inspectors</u>	<u>Pre-Qual-ification</u>	<u>Reciprocity</u>
Building	21	0	0
Electrical	6	0	0
Fire	41	10	1
Mechanical	11	0	0

Plumbing	$\frac{17}{96}$	$\frac{0}{10}$	$\frac{0}{1}$
Total			

Active Inspectors (GS 143-151.13(a)):	96
Pre-Qualification (GS 143-151.13(a)):	10
Exams With Grade Changes	0
Exempt from Exam (GS 143-151.13(f)):	0
Reciprocity (G.S. 143-151.14)	$\frac{1}{1}$
Total Standard Certificates Issued:	107

**\*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 3 complaints concerning exams between the dates of July 27, 2011 through October 25, 2011. Some complaints were simply comments that did not involve or require any type of action. A summary of complaints is below:

1. Testing Site Issues –
  - a. One individual was had difficulty regarding an exam review. He arrived at the testing site and the exam review was loaded. He asked to switch chairs and after the chair exchange was made, the computer locked him out and he was unable to go through his exam review. Pearson Vue investigated the incident and the individual was allowed to schedule another appointment for an exam review
2. Registration Issues –
  - a. The staff experienced difficulty registering one individual. The issue was sent to ICC for correction and review.
  - b. One individual contacted the Help Desk of Pearson Vue for assistance with online registration on a weekend night. He stated that he was on hold for approximately two hours. Staff contacted ICC to investigate the issue. Pearson Vue responded that the longest wait time logged during the time period he called was 15 minutes. The Pearson Vue Help Desk Associate had additional questions and asked the candidate to contact her directly. I contacted the individual with this information. We were later advised that the candidate did not contact the Help Desk Associate.

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

These statistics run from July 27, 2011 – October 26, 2011. We have 53 Continuing Education courses that were approved for the period, as well as 14 New Instructors approved, and 5 Sponsors approved. There were a total of 72 Continuing Education Courses submitted for the period. There were 30 Continuing Education Courses scheduled to begin after October 26, 2011. Two courses were approved in multiple trades.

There were 82 total Standard Courses scheduled for the period, 19 for Building, 18 for Electrical, 18 for Fire, 12 for Mechanical, 8 for Plumbing, and 7 for Law and Administration. A total of 24 Standard courses were canceled for the period. None of the Courses were rescheduled. There were 30 Standard Course grades that we have received, and there are 28 Standard Course grades still pending for the period. There are a total of 63 Standard Courses scheduled to begin after October 26, 2011.

*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/COQB/engineering\\_coqb\\_home.asp](http://www.nc.doi.com/OSFM/Engineering/COQB/engineering_coqb_home.asp).

### **Sponsor Workshop**

A Sponsor Workshop was held on Thursday, September 8, 2011. The goal of the workshop was to assist sponsors and coordinators in becoming more proficient in the submission of end-of-course documentation, as well as familiarize and encourage sponsors and coordinators to utilize the NCDOI website for the advertising of their respective Continuing Education courses. A total of 20 sponsors, coordinators and instructors participated in the workshop.

### **Instructor Certification Workshop**

The Instructor Certification Workshop was held on Thursday, September 29, 2011. Participants met in the 1<sup>st</sup> floor Classroom of our Chapanoke Road office from 8:30 am to 2:30 pm, with registration commencing at 8:00 am. A total of 5 participated in the workshop.

### **Continuing Education Website Advertising**

The IT Department continues to provide support in the advertising of upcoming CE courses and workshops on the NCDOI website. Information continues to be updated as new courses and workshops are scheduled. Course and workshop information can be found and updated by accessing the following: <http://www.ncdoi.com/OSFM/Engineering/COQB/Documents/CEsponsorandCoordinatorWorkshopInformation.pdf>.

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

#### **Investigations Begun – Not Completed**

Reynolds vs. Edwards/Satterfield  
Kille vs. Canova  
Reddick vs. Watson & Smith  
Lord vs. Walsh  
Felts vs. Cabarrus co.  
Seascape Community vs. Aycock  
Pace vs. Walker, Walker, and Sanders  
York vs. Cook  
Underwood vs. Hanna  
Criner vs. Speight  
Alvarez vs. Helms  
Danner vs. Norton  
Miller vs. Crawford & Glance

#### **Investigations Completed –Basis in Fact**

Cutshaw vs. Sparks

Ms. Sparks has returned her Certificates. At this point there should be no discussion unless Ms. Sparks decides to reactivate her Certifications.

#### **Investigations Completed –No Basis in Fact**

Austin vs. Sciba

Mr. Barbour motioned to accept the staff recommendation for No Basis in Fact. Ms. Eikinas seconded the motion. The motion was approved.

Carter vs. Blanchard & Redding

Mr. Blackburn motioned to accept the staff recommendation for No Basis in Fact. Mr. Horne seconded the motion. The motion was approved.

Helms vs. Furr

Mr. Thunberg motioned to accept the staff recommendation for No Basis in Fact. Mr. Horne seconded the motion. The motion was approved.

Resch vs. Aycock

Mr. Barbour motioned to accept the staff recommendation for No Basis in Fact. Mr. Horne seconded the motion. The motion was approved.

Olive vs. City of Cary

Ms. Taylor stated that she is waiting for a meeting with the Town of Cary for a Voluntary Settlement Agreement on a Basis in Fact Report. Mr. Croom stated that the Town of Cary has made a Public Records request, and is reviewing the information. There should be a meeting scheduled soon.

## **VOLUNTARY SETTLEMENT AGREEMENTS**

None

## **CONSENT AGREEMENTS**

None

## **DISCIPLINARY HEARINGS**

Phelps vs. Strickland – to be rescheduled

## **Item 5: Other Items**

### **Item A: Meeting Dates**

Mr. Lutterloh suggested that we have confirmed meeting and hearing dates. He asked for suggestions from other Board members. The conclusion was to keep the scheduled Board meeting dates for the fourth Tuesday of each quarter, and have Wednesday's available for Hearings.

### **Item B: Progress Energy Grant Update**

Kathy Williams spoke with Progress Energy regarding the submittal of a grant. Due to the merger between Progress Energy and Duke Power, they suggested that staff contact them in their first quarter of next year after the merger has been completed.

### **Item C: Additional Continuing Education Topics**

Mr. Lloyd Prince gave a presentation on having the Board allow him to create additional Continuing Education Topics. Mr. Prince would like to create a course regarding people skills, communication skills, and having an inspector create better documentation. Mr. Lloyd is asking the Board to let him offer 2 hours of these critical skills that are important to Code Officials, along with 4 hours of Code Training. He is requesting that the inspector receive the full 6 hours of Continuing Education Credit.

Mr. Lutterloh asked Ms. Phill if there were other requests for content of this nature by anyone else in the state. Ms. Phill stated that due to section 08.0720 paragraph A of the North Carolina Administrative Code, we are only allowed to approve Continuing Education that is directly related to State Building Codes inspection, administration, or enforcement of State Building Codes; construction or design of buildings or electrical, mechanical, plumbing, or fire prevention systems; or certification courses approved for CEOs. Ms. Phill stated that there are Code Consultants that approve the courses that come in.

Mr. Lutterloh has requested that Ms. Phill and other staff members get together with Ms. McPherson and the Education and Research Committee regarding the additional Continuing Education Topics.

**Item D: Reciprocity**

Discussion regarding reciprocity will be tabled at this time. Staff will be meeting with the Board's attorney, and bring the issue forward at a later date.

**Item E: Cancellation of Standard Courses**

Ms. Phill stated that there have been a number of Standard Courses that have been cancelled. This is creating an issue for the Code Enforcement Officials. Ms. Phill is requested that the issue go to committee to see what could be done. There are issues with losing instructors, because if the courses are cancelled, instructors must teach one course every three years in the area that they are certified to teach. Complaints are coming in from Code Officials, and instructors. Staff has been unable to develop an option regarding this issue.

Mr. Lutterloh has requested that this issue be given to the Education and Research Committee.

**Adjournment**

Victor Shaw motioned 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

Matthew David Boswell  
Robert Jason Hildreth  
Elizabeth Kaye Linn  
Justin Keith Privette  
Pamela Jeanne Ring  
Andrew Ralph Ventresca

#### Building Level II

Eric William Heunemann  
William Brian Norris  
John Michael Roper

#### Building Level III

Gregory Michael Baldwin  
Anthony Stuart Connor  
Anne Forrest Graham  
Wesley Emerson Keith  
James Lee Locklear  
Walter Charles McGervey  
Charles Derek G. Peplow  
Keynan Roy Phillips  
Thomas Hugh Spinks  
Bryan Lars Stanley  
James David Stipe  
David Edward Stoudt

#### Electrical Level I

Anthony Wayne Henderson

#### Electrical Level II

Walter Mack Blackman  
Clarence Henry McAllister  
Joe John Rotchford

#### Electrical Level III

Michael Earl Lewis, Jr.  
Brandon Bruce Weston

#### Fire Level I

Robert Lee Bowers  
Brandy Leann Bruns  
Samuel Wesley Cecil  
Kenneth Talbot Clark  
William Keith Crabtree  
Berardino Dibernardi

#### Fire Level I (Cont.)

Jared Michael Edens  
Rodney Eugene Emmett  
William Andrew Gray  
Fletcher Prentice Madgar  
John Travis McGaha  
Donald R Oakley  
Brian Shane Pethel  
Harold Dwayne Porter  
James Aaron Rardin, Jr.  
Angela Denise Richardson  
Misty Matthews Sherrill  
Christopher Edward Smith  
William Kelly Todd  
Roy Douglas Todd, Jr.

#### Fire Level II

David Ernest Currie  
Joseph Carroll Grasty  
John James Joseph, II  
Tabitha Jane Patton  
Barbara Rose Russo  
Dawnn Ware Saul  
Richard Farrell Saunders  
Marc Timothy Sessions  
Steven Douglas Smith  
David Edward Stoudt  
William Oliver Tedder  
Grant Patrick Vick

#### Fire Level III

Derik Lee Abney  
Billy Joe Brewer, II  
Walter Fernander Deal  
Michael Edward King  
Kenneth Locklear  
Todd Michael Lynch  
Adam Paul Ryerson  
Ian Smith Tedder  
Timothy Lee Whicker

#### Mechanical Level I

James Robert Jones  
Crystal Gail Lyda  
Gary Dean McKinney  
Matthew Joseph Stone



**Mechanical Level II**

John Thomas Jones  
Jared Alva Merrill  
Bobby Wayne Riddle  
Andrew George Siegner, IV  
Dana Juanita Williams

Diane Darcy Meek  
Jared Alva Merrill  
Wallace Alvin Pruitt, Jr.  
Bryan Lars Stanley  
Carl Paren Temple

**Mechanical Level III**

John David Eakins  
Brandon Bruce Weston

**Plumbing Level III**

Gregory Michael Baldwin  
Larry David Blickenstaff  
Allen Thomas Cooley  
John David Eakins  
Kevin Scott Henry  
Dennis Allen Peacock

**Plumbing Level II**

Beau Gary Chollett  
Terry DeVaughn Cobb  
Christopher Shane Faucette  
Jordan Heith Harrison  
James L. Lloyd  
Wesley Neil McCurry

**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.

Jeffrey Lee Barger	Fire Level I
Danny Beauvais	Fire Level I
Chad Martin Boger	Fire Level I
Kevin Michael Brown	Fire Level I
Samuel David Flowers	Fire Level I
William Nelson Gentry	Fire Level I
Chad Alan Jackson	Fire Level I
Barry Shane Kuhnemann	Fire Level I
Stanley Floyd Smith, Jr.	Fire Level I
Chance Stanley Steen	Fire 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.

Shandra K. Padgett	Fire II	ICC
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