

## NORTH CAROLINA CODE OFFICIALS QUALIFICATION BOARD DRAFT MINUTES



**July 23, 2024 - 1:00 PM**

The quarterly meeting of the N.C. Code Officials Qualification Board (“Board”) was held via WebEx at 1:00 PM on July 23, 2024.

### **ITEM 1 – INTRODUCTIONS, ROLL CALL and CONFLICT OF INTEREST STATEMENT**

Chairman Thunberg recognized and thanked departing Board members Michael Crotts and Jeff Griffin for their service to the Board representing municipal and county Code-enforcement officials respectively. Plaques are being provided. Chairman Thunberg then asked new members Les Everett and Michael Slate to introduce themselves. Chairman Thunberg then stated that the Board’s authority was limited to individual Code-enforcement officials (“CEOs”) not necessarily the jurisdiction building inspection departments that employ CEOs.

Chairman Thunberg called for a roll call. Thunberg 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.

No conflicts were noted.

The following members of the Board participated in the meeting and provided a quorum:

Bill Thunberg	Danny Couch	Richard White
Montrena Hadley	Rob Roegner	Michael Slate
Adam Lovelady	Michael Crotts	Fleming El-Amin
Mack Summey, PE	Mark Patterson	Jeffrey Tracey
Kenny Weatherington	Joshua Robbins	Les Everett

The following members of the Board were absent:

Russell Fox, Allen Kelly, Andy Matthews, Mark Smith, James Steele, Stephen Terry, PE, PhD

Staff in attendance:

Mike Hejduk	Sam Whittington	Kyle Heuser
Beth Williams	Jeff Griffin	Jim Rogers
Terri Tart	Bonnie Bentley	Charlie Johnson
Anna Basile	Jeff Johnson	Christina Bowers
Sarah Barcenas	Renita Denton	Kathy Vincent
Jennifer Hollyfield	Rich Hall	

## ITEM 2 – APPROVAL OF MINUTES

Michael Crotts made a motion to approve the minutes of the April 23, 2024, Board meeting. Montrena Hadley seconded the motion. Motion carried.

## ITEM 3 - FIFTH LEVEL III CERTIFICATE

The number of active code enforcement officials who have five (5) level III certificates is 208. The Board recognized the following code officials in receiving their fifth Level III certificate this quarter.

- |                  |          |           |
|------------------|----------|-----------|
| • Steven Botelho | Fire III | Ashville  |
| • Daniel Knoch   | Fire III | Leland    |
| • Bobby Meares   | Fire III | Lumberton |

## ITEM 4 - PUBLIC COMMENT

**Katherine Graff**, Buncombe County, addressed the Board. Chairman Thunberg thanked Ms. Graff for her comments and time.

## ITEM 5 - COMMITTEE REPORTS

**Executive Committee** - Chair Bill Thunberg reported that the committee did not meet.

**Policies and Procedures (P&P)** -- Chair Richard White reported that the committee met on July 11, 2024, and on July 22, 2024, via Webex. The committee voted to bring to the Board the proposed rules changes. This item will be discussed under unfinished business. Thunberg thanked Mr. White for his report.

### Topics discussed:

- NCCOQB Rules Review & Realignment Update
- 11 NCAC 08 .0602 Nature of Probationary Certificate
- 11 NCAC 08 .0706 Required Qualification Types and Levels
- 11 NCAC 08 .0707 Special Circumstances
- 11 NCAC 08 .0737 Building Inspector I, II, III
- 11 NCAC 08 .0738 Electrical Inspector I, II, III
- 11 NCAC 08 .0739 Mechanical Inspector I, II, III
- 11 NCAC 08 .0740 Plumbing Inspector I, II, III
- 11 NCAC 08 .0741 Fire Inspector I, II, III
- 2024 Guidelines for Board courses

**Qualifications and Evaluation (Q&E)** – Chair Michael Crotts reported that the committee met on June 20, 2024, via Webex. Mr. Crotts recommended that two applicants with a criminal history be approved

by the Board. Rob Roegner seconded the motion. Motion carried.

Rich Hall gave a presentation on exam reviews and remote proctoring. Hall stated that he no longer wanted to offer exam reviews. Hall went over definitions-G.S. 93B (1) for Occupational licensing board and State agency licensing board.

Hall reported that the N.C. Code Officials Qualification Board does not fall under an Occupational licensing board and exam reviews are not required. Hall went over how many staff hours are used to prepare and proctor exam reviews. Hall recommends applicants should receive a report of test items missed by content area similar to vendor PSI Services LLC. The report will identify areas where examinees need additional study time.

Couch made a motion to take exam reviews and remote proctoring items to the Qualification & Evaluation Committee. Crotts seconded the motion. Motion carried. Thunberg stated that the committee would report back to the Board at the October 2024, Board meeting.

Hall went over testing software/remote proctoring items. Hall indicated staff would be able to control proctoring and testing software. Thunberg stated that the goal would be to eliminate PSI Services LLC. Hall agreed. The software and remote proctoring would be controlled by (OSFM) Office of State Fire Marshal staff.

### **Example**

Test Administration Start Date: 1/1/2025

Implementation Date: 10/1/2024 (12-week process)

On 10/1/2025 – OSFM receives an invoice in the amount of \$28,000 which includes:

- \$18,000 start-up fee
- \$10,000 annual fee.

Each successive month, we would receive a payment from vendor [OSFM exam fees – eCommerce (5%) - proctoring fees].

Roegner reported that the costs would be divided between the NC Code Officials Qualification Board, NC Home Inspector Licensing Board, Manufactured Building Board and Pyrotechnics. NC Code Officials Qualification Board would not bear all the costs. At some point in the future, if this was expanded to all exams this could be a partial source of income for the education classes that need to be developed. The NC Code Officials Qualification Board would shoulder a quarter of the costs.

Hejduk recommended piloting the Law & Administration course before doing anything else. Kenny Weatherington stated that standardized testing is needed. Weatherington questioned that if someone failed the exam then the applicant would be charged another eight-dollar (\$8.00) fee. Weatherington also asked the question if there was any fee charged to the student for software. Hall responded that if the student fails the exam, then they would be required to pay another eight-dollar (\$8.00) fee. Hall reported that the software would be free. Thunberg thanked the members for their comments. Thunberg asked Couch if he and the Education & Research committee would take the end course exam topic for further discussion. Couch agreed to if he still has his team in place. Thunberg asked Les Everett would he be interested in serving on the Qualification & Research committee. Everett agreed.

Thunberg asked Hejduk if staff wanted to pilot the Law & Administration course or jump in headfirst? Hall reported that Building I and II and Fire I and Fire III have already been piloted. Weatherington questioned whether the other entities are agreeing to buying in on this software. Roegner stated that he had a commitment from NC Home Inspector Licensing Board and Pyrotechnics have agreed. Weatherington made a motion to proceed forward with online testing for all courses. The motion is to

test the software program that Hall presented and used by other boards and then use it for all the courses Crofts seconded the motion. Thunberg asked Beth Williams for a roll call. The motion carried.

**Education and Research (E&R)** – Chair Danny Couch reported a meeting was held on July 11, 2024, via WebEx. Couch reported that the committee discussed standard certificates and Continuing Education (“C.E.”) completion and renewals for FY 2023-2024. Board development update was discussed. Hejduk reviewed the update materials for 17 courses from the 2018 to 2024 Code Books. He discussed the syllabus, learning objectives, slides-text, images, test items/assessment, worksheets-questions, end of course test, and state exams. Hejduk thanked all the volunteers that are working on the code changes. Couch thanked staff and all the volunteers for all the work

**Investigation Review (IRC)** -- Chair Mike Crofts held a committee meeting on June 3, 2024, and July 10, 2024, via WebEx.

- **571** Gregory (Mansor) – Chapel Hill *VSA for Kearns (Fire I) and Williams (Building I)*  
Couch motioned to move forward with the VSA. Seconded by El-Admin. Passed by acclamation.
- **587** Griffin (Scalpi) – Williamston *VSA for Griffin, State Ethics Course and Law and Admin Course*  
Crofts motioned to move forward with the VSA. Seconded by El-Admin. Passed by acclamation.
- **621** Banner (Caponi) – Watauga Co. *Basis, Flag file, close case.*  
Crofts motioned to approve. Seconded by Couch. Passed by acclamation.
- **623** Randleman Fire (IRC) – Randleman Fire *VSA for Smith, Law and Admin Course, State Ethics Course, Fire Inspector Level III course and exam, 1-year technical supervision by AHJ.*  
Crofts motioned to approve. Seconded by El-Admin. Passed by acclamation.
- **639** Aldridge (Peace) – Lincoln Co. *VSA Building Level 1 Standard Course, Aldridge*  
Crofts motioned to approve. Seconded by Weatherington. Passed by acclamation.
- **640** Stroupe (Peace) – Lincoln Co. *No-Basis, Dismiss*
- **647** Schichtel (Graff) and **656** Schichtel (Daddino) – Burke Co. *Basis, Schichtel has retired, Flag Schichtel's file and close case.*
- **655** Ingram (Lovelady) – Jones Co. *No-Basis, Dismiss with Letter of Caution.*
- **657** Barham (Hinson) – Stanly Co. *No-Basis, Dismiss*

Crofts motioned to approve **#640**, **#655**, and **#657**. Seconded by Couch. Passed by acclamation. Crofts discussed **#647** and **#656**. The Board has no authority over the code official because he has retired. Crofts motioned to approve. Seconded by El-Admin. Passed by acclamation. Thunberg thanked Crofts for his service.

## ITEM 6 – ON-GOING BUSINESS

### Legislative Updates

Rob Roegner reported that H850 and S463 have not moved. House member stated the bill would be put into a regulatory reform bill, hopefully in this short session. He has not seen any movement in the regulatory reform bill. Staff is currently receiving applications. Once staff catches up with our

legislative mandated activities then we will begin looking at those.

1. **G.S. 143-151.13** requires licensed professionals and contractors to pass the State exam for Standard Certificates. [S463](#), [H850](#)
2. **G.S. 143-151.13A** Establishes fees for the review and approval of Board courses. [S463](#), [H850](#)
3. **G.S. 143-151.13** Voluntary apprenticeship program. [H850](#)
4. **G.S. 143-138.1** Voluntary apprenticeship program. [S463](#)
5. **S677 Expedited Commercial Building (SL 2023-142) 10/21/2023 EFFECTIVE JULY 1, 2024**  
**§ 160D-1110.1** Commercial and multifamily building permits for applications with sealed plans; third-party plan review alternatives; at-risk building foundation permits; at-risk building structure permits.

**G.S. 143-151.8(a)(3)** reads as rewritten:

e. A person who is contracting with a local government to perform third-party plan review under G.S. 160D-1110.1(d). f. A person who is contracting with a permit applicant to perform third-party plan review under G.S. 160D-1110.1(e)."

**SECTION 2. (c) G.S. 143-151.13** is amended by adding a new subsection...

(g) A licensed architect or licensed professional engineer who possesses a valid certificate under subsection (f) of this section but is not employed by the State or a local government, may utilize that certificate for the limited purpose of performing independent third-party plan review under subsections (d) and (e) of G.S. 160D-1110.1. "

**SECTION 2. (g)** This section becomes effective July 1, 2024, and applies to permit applications submitted on or after that date.

Roegner reported that H320=S712 was incorporated into S166 for the Building Code Permit Tech Cert. Item number nine (9) below S166 was ratified. It was vetoed by the governor. We are waiting to see if there is an override on that. If it is then the Board will have a new responsibility with the Building Code Permit Tech Certification. Roegner was told that we would receive staff for this position.

6. **H320 = S712 Create Bldg. Code Permit Tech Cert.**

**SECTION 1. G.S. 143-151.12** reads as rewritten:

**§ 143-151.12. Powers.**

(3a) Certify persons as being qualified under the provisions of this Article to be 19 State Building Code Permit Technicians

**§ 143-151.22. State Building Code Permit Technician;** certification program; professional 10 development requirements; renewal of certificates; fees; exam waivers.

7. **H893 Private Commercial Inspections § 143-151.12 and G.S. 143-15.14A, 14B, 19A**

8. **SL 2023-151 State Fire Marshal changes**

9. **S166 Ratified**

Proposed Rule Changes – Comments received; edits discussed

- 11 NCAC 08 .0602 NATURE OF PROBATIONARY CERTIFICATE
- 11 NCAC 08 .0607 RETURN OF CERTIFICATE WHEN LEAVE EMPLOYMENT
- 11 NCAC 08 .0706 REQUIRED QUALIFICATION TYPES AND LEVELS
- 11 NCAC 08 .0707 SPECIAL CIRCUMSTANCES

- 11 NCAC 08 .0737 BUILDING INSPECTOR I, II, III
- 11 NCAC 08 .0738 ELECTRICAL INSPECTOR I, II, III
- 11 NCAC 08 .0739 FIRE INSPECTOR I, II, III
- 11 NCAC 08 .0740 MECHANICAL INSPECTOR I, II, III
- 11 NCAC 08 .0741 PLUMBING INSPECTOR I, II, III

Kyle Heuser, Assistant General Counsel, reported that there were three (3) amendments and five (5) new rules submitted to the Rules Review Commission. There is a 60-day public comment period which ended July 15, 2024. Within the 60-day comment period we received six (6) public comments. These comments were very helpful. Heuser thanked the NC Home Builders Association, the NC Building Inspectors Association, and the Town of Leland Permitting and Inspection Department. They submitted comments that were helpful and that led staff to take a long look at the rules and consider the recommendations. Staff presented the recommendations to the Joint Policies & Procedures Committee and the Rules Review Committee on July 22, 2024.

Heuser went over the changes that staff recommended. There were changes to 11 NCAC 08.0706 Required Qualification Types and Levels rule to add clarity regarding the five year transition period between 2025 and 2030, as the Standard Certificates update which types of buildings inspectors can inspect. Revised .0706(a)(3) to address townhome exemption. Replaced “Department of Insurance” with “Office of State Fire Marshal” in .0706(g)(2) and (4). Added “in accordance with the provisions of the North Carolina Residential Code” to .0737(a) and .0740(a). .0741 Fire Inspector rule we made changes to conform the rule to input that was originally provided by the State Fire Marshal Association, .0740 the Plumbing Inspector rule we removed reference to Fuel Gas Piping, .0737 Building Inspector rule added “in accordance with the provisions of the North Carolina Residential Code”. Revised .0737(f) to remove requirement that Level III building inspectors have inspection experience on a minimum of two Level I and two Level II buildings.

Couch reported that he served on the Policies & Procedures Committee. He thanked Kyle for the work on the rule changes. Couch made a motion to accept the changes. Richard White seconded the motion. The motion passed by acclamation.

## ITEM 7 – NEW BUSINESS

### A. Probationary requests

- **John Anthony** – Probationary Plumbing Level II, Certification No. P-31471 expired 4/3/2022
- **Maggie Bowers** - Probationary Electrical Level II, Certificate No. P-10369, expired 3/15/2010, Probationary Mechanical Level II, Certificate No. P-15449, expired 10/4/2023
- **Donald Dixon** – Probationary Fire Level I P-26116 expired 5/13/2019
- **Kenneth Dorman** - Probationary Electrical Level I P-14445 expired 6/13/2020, Probationary Mechanical Level I P-14445 expired 6/13/2020, Probationary Plumbing Level I P-14445 expired 6/13/2020
- **Don Eatmon** - Probationary Building Level II P-14481 expired 7/12/2009, Probationary Electrical Level II P-15250 expired 6/19/2010, Probationary Mechanical Level II P-15250 expired 6/19/2010, Probationary Plumbing Level III P-28269

expired 8/15/2020, [Temporary Plumbing Level III T20-1223 expired 12/31/2021], Probationary Fire Level II P-15250 expired 6/19/2010

- **John Lewis** - Probationary Fire Level 2 P-15807 expired 3/26/2011
- **John Warren** - Probationary Fire Level III P-27729 expired 4/27/2020  
Temporary Fire Level III T20-1091 expired 12/31/2021
- **William Wood** - Probationary Fire Level I P-23627 expired 9/12/2016

Hejduk presented the Probationary requests. Crotts made a motion to approve the requests. Seconded by Fleming El Admin. Weatherington recused himself from the vote. The motion passed by acclamation.

## ITEM 8 – STAFF REPORT - DASHBOARD

Hejduk gave the staff report and reviewed the fourth quarter Fiscal Year 2023-2024 activities dashboard. Applications are at record levels. The number of CEO's has increased. Certificates totals highlighting 10,066 active certificates, military applicants, fire exam pass rates, workforce development as well as the Board course update schedule. Annual renewals are May 1, 2024, through June 30, 2024. Hejduk reported that about 95% have completed their continuing education credit hours for their renewal.

COQB	Total FY 2021-2022	2022- 2023	1st QTR Jul - Sep	2nd QTR Oct - Dec	3rd QTR Jan - Mar	4th QTR Apr - Jun	Total FY 2023-2024
<b>CEOs</b>	4,136	4,094	4,094	4,159	4,549	4,607	4,607
<b>Applications</b>	3,261	1,881	777	432	491	465	2,165
<b>Pre-Qualification</b>	679	79	155	23	32	37	247
<b>Probationary</b>	1,710	942	348	217	235	213	1,013
<b>Standard</b>	1,038	860	274	192	224	215	905
<b>Military/Spouses</b>	36	65	83	43	51	62	239
<b>Criminal History</b>	6	30	7	4	2	3	16
<b>Board courses</b>	189	197	57	42	64	106	269
<b>Students</b>	1,972	2,379	549	457	797	733	2,536
<b>Exam eligibilities</b>	1,525	1,677	479	107	207	360	1,153
<b>Exams taken</b>	1,371	1,440	364	107	166	360	997
<b>Exams passed</b>	888	740	278	94	130	299	801
<b>Certificates Issued</b>	2,209	2,497	701	433	476	498	2,108
<b>Probationary</b>	1,327	1,445	415	209	244	208	1,076
<b>Standard</b>	882	1,052	286	224	232	290	1,032
<b>Certificates Total</b>		9,379	9,829	10,062	10,360	10,066	10,066
<b>Probationary</b>			2,893	2,970	3,095	3,067	3,067
<b>Standard</b>			6,936	7,085	7,258	6,993	6,993
<b>Complaints</b>	16	18	5	7	7	3	22
<b>Disciplinary actions</b>		3	2	1	0	0	3

Hejduk shared a presentation that demonstrated how the inspector population is ageing. There are almost 800 inspectors over age 60 which are still performing plan reviews and inspections. FY 2024 has received record breaking number of applications in with no additional staff to process. FY 2024 exam scores are improving. Hejduk shared North Carolina Community College System (NCCCS) Analysis/Dashboard for FY 2024. This dashboard shows by community college, trade and level. Hejduk highlighted a more detailed analysis of the dashboard at the October 2024 Board meeting.

## ITEM 9 -- ELECTION OF OFFICERS:



Bill Thunberg – Chair

El-Amin motioned to nominate Bill Thunberg. Seconded by Weatherington. Passed by acclamation. Rob Roegner moved to close the nominations. Seconded by El-Amin. Passed by acclamation.

Fleming El-Amin – Vice-Chair

Weatherington motioned to nominate Fleming El-Amin. Seconded by Couch. Couch moved to close the nominations. Seconded by Roegner. Passed by acclamation.

Rob Roegner – Secretary

Weatherington motioned to nominate Rob Roegner. Seconded by El-Amin. Weatherington motioned to close the nominations. Seconded by Montrena Hadley. Passed by acclamation.

**Committee Chairs:**

Education and Research Committee - Danny Couch –

Weatherington motioned to approved Couch. Seconded by Hadley. Roegner moved to close the nominations. Seconded by El-Amin. Passed by acclamation.

Investigative Review Committee - Rob Roegner –

Les Everette motioned to nominate Roegner. Seconded by Weatherington. Passed by acclamation.

Qualification and Evaluation Committee Fleming El-Amin –

Weatherington motioned to nominate El-Amin. Seconded by Jeff Tracey. Passed by acclamation.

Policies and Procedures Committee - Richard White

Weatherington motioned to nominate White. Seconded by Couch. Passed by acclamation.

**ITEM 9 -- ADJOURNMENT**

Crotts made a motion to adjourn. Seconded by Weatherington.

A handwritten signature in black ink, reading "Robert B. Roegner". The signature is written in a cursive style with a large, stylized 'R' at the beginning.

Secretary, NCCOQB