

NORTH CAROLINA CODE OFFICIALS QUALIFICATION BOARD DRAFT MINUTES - ATTACHMENT A



October 25, 2022 - 1:00 PM

The quarterly meeting of the NC Code Officials Qualification Board (“Board”) was held by teleconference and in-person at 1:00 P.M. on Tuesday, October 25, 2022.

ITEM 1 - Introduction, Roll Call and Conflict of Interest Statement

Williams conducted roll call as requested by Chairman Thunberg. 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.

The following members of the Board participated in the meeting in-person or by teleconference and provided a quorum:

Bill Thunberg	Danny Couch	Stephen Terry, PE, PhD
Montrena Hadley	Rob Roegner	Allen Kelly
Jeff Griffin	Thomas Bender	Michael Crotts
Mack Summey, PE	Richard White	James Steele
Mark Patterson	Karen Tikkanen	

<u>Name</u>	<u>Affiliation</u>	<u>Location</u>
Dan Johnson	Department of Justice	Raleigh, NC
Mike Hejduk	Department of Insurance	Raleigh, NC
Beth Williams	Department of Insurance	Raleigh, NC
Sam Whittington	Department of Insurance	Raleigh, NC
Chris McLamb	Department of Insurance	Raleigh, NC
Jeff Johnson	Department of Insurance	Raleigh, NC
Tommy Green	Department of Insurance	Raleigh, NC
Jennifer Hollyfield	Department of Insurance	Raleigh, NC
Terri Tart	Department of Insurance	Raleigh, NC

Thunberg introduced new Board member, Montrena Hadley, Mebane, NC.

Thunberg recognized four prior Board members for their service and contributions to the NC Code Officials Qualification Board. Plaques will be mailed out to Ken Stafford, Richard Ducker, Bettie Parker, and Stephanie Luster-Teasley.

ITEM 2 - Approval of Minutes

Roegner made a motion to approve the minutes of the July 26, 2022, Board meeting. Crotts seconded the motion. Richard White requested typo correction of “Carrboro.” The motion was approved by a vote of Board members.

ITEM 3 - FIFTH LEVEL III CERTIFICATE

The number of active code enforcement officials who have five level III certificates is 185. The Board recognized that Daniel Edward Pruss received his fifth Level III certificate this quarter.

ITEM 4 - PUBLIC COMMENT

Polina Voronsky and Sergey Kesel commented regarding a complaint and an engineering letter being overruled by a local government inspector. Thunberg asked Kesel to limit his public comment to two minutes. Thunberg told Kesel that he would contact him after the meeting.

ITEM 5 - COMMITTEE REPORTS

Executive

Chairman Bill Thunberg reported no committee meeting was held.

Policies and Procedures (P&P) -- Chairman Richard White reported the Policy and Procedures committee meeting was held on October 17, 2022 (Attachment C). White provided a report.

White shared that Policies and Procedures reviewed the Special Committee Rules and Review survey results.

Hejduk shared a list of proposed statutory reforms. Hejduk explained the list was not in any specific order nor priority. **G.S. 143-151.16, G.S. 143-151-13, G.S. 143-151-.8, G.S. 143-151-21, and G.S. 143-151.13A** statutory reforms were explained.

Roegner made a motion to advance the proposed reforms to the NCDOI legislative liaisons and gather additional information and what we may be able to take to the legislature. Any further updates from the NCDOI legislative liaisons will be shared at the next Board meeting for additional action. Crotts seconded the motion, and the motion was approved by a vote of Board members.

White made a motion to approve the minutes of the October 17, 2022, committee meeting (Attachment C). Roegner seconded the motion, and the motion was approved by a vote of committee members.

Qualifications and Evaluation (Q&E) - Chairman Tom Bender reported a committee meeting was held on October 13, 2022 and provided a recommendation on applicants with a criminal history. Bender mentioned that Hall shared results of the Self-Study Program. Hejduk stated that in the Staff Report (Attachment B) there is documentation that highlights some of the benefits to the Fire Level I State exam performance.

Bender made a motion to approve the recommendations for five applicants with a criminal history. Crotts seconded the motion, and the motion was approved by a vote of Board members. Hejduk shared a short overview of the process and issues regarding the use of the program for Fire promotional purposes, rather than certifying code officials (Fire) to perform inspections.

Crotts made a motion to approve the minutes of the October 13, 2022, committee meeting. Bender seconded the motion, and the motion was approved by a vote of committee members.

Education and Research (E&R) - Chairwoman Karen Tikkanen reported a committee meeting was held on October 19, 2022 (Attachment D). Tikkanen provided a report.

Roegner gave an overview of The North Carolina Office of Recovery and Resiliency (NCORR) Apprenticeship Pilot Program, temporary rule changes similar to RCi and possibilities how it could be utilized in lieu of the Standard Certificate courses for Building, Mechanical, Plumbing and Electrical. Roegner described the program as 36 weeks, in three 12 week modules with 2 days a week dedicated to classroom instruction and 3 days a week dedicated to OTJ (on-the-job) training. Program will be offered to DOI inspectors/jurisdictions only. NCDOI is the sponsor of the program and NCORR will be providing the funding for this program.

Tikkanen made a motion to move forward to use a temporary rule to allow NCDOI to teach the Apprenticeship Pilot Program. Roegner second the motion. Motion carried.

Board Course instructors to discuss changes to update courses from 2018 to 2024 Codes. Hejduk mentioned a need to develop a conference/workshop to bring together all of the current/active Standard Course Instructors to discuss best practices in updating all codes to correctly reflect in Standard Courses instructional materials/presentations. NCDOI is exploring the possibility of purchasing code changes from ICC.

Update the Board Course Guidelines (circa 2006 attached) and/or proposed rulemaking.

There is a huge need for the Board Course Guidelines for Community Colleges to be updated. This document has not been updated since 2006. Tikkanen recommended for Board Staff to be responsible for providing the recommendations for needed revisions and bring back to the Board.

Split the Building Level 1 course COD 3105 into two (2) separate courses – one for the Building Code (Commercial), one for the Residential Code (1&2 family dwellings). Building Level 1 is currently offered over a period of 6 days for both Residential (3 days) and Commercial (3 days). Hejduk recommended that the course be offered over a period of 10 days (Residential 5 days) (Commercial 5 days).

Provide an additional 3-month self-study option with three (3) proctored 50 question End-of-Course tests as an alternative to the in-class proctored 80 question test.

Allow other sponsors to teach the Board courses in addition to the North Carolina Community College System (NCCCS). Tikkanen shared the highlights of the presentation from the Committee meeting how FTEs (Full Time Equivalents) may directly impact Standard Certificate Course(s) cancellations, due to low enrollment. Tikkanen also explained an alternate “Self-Support” designation for courses where attendants paid the full instructor cost plus 20% if minimum student counts were not met. She also shared the pros and cons of allowing additional Sponsors offer these courses outside of the NCCCS.

Thunberg clarified that the topics Tikkanen shared may require further action by the Board at later Board Meetings.

Tikkanen made a motion to approve the minutes of the October 19, 2022, committee meeting (Attachment D). Terry seconded the motion, and the motion was approved by a vote of committee members.

Investigation Review Committee (IRC)

Griffin stated the Committee met on September 8, 2022 and October 19, 2022. The IRC conducted an in-depth review of complaint investigations completed by staff for recommendations to the Board. There were no conflicts of interest of committee members related to the cases being present today.

- **580** Horne (Babi) – Brunswick
 - No-Basis, Dismiss – Griffin motioned, Roegner 2nd, motion carried.
- **582** Basinger (Cheney) – New Hanover Co.
 - No-Basis, Dismiss -- Griffin motioned, Roegner 2nd, motion carried.
- **584** Brooks (Voronsky) – Raleigh
 - No-Basis, Dismiss -- Griffin motioned, Roegner 2nd, motion carried.
- **586** Banner/Pulliam (Miller) – Boone
 - LC (Letter of Caution): Banner and Pulliam -- Griffin motioned, Crofts 2nd, motion carried.
- **592** Harris (Graves) – Alamance Co.
 - No-Basis, Dismiss -- Griffin motioned, Roegner 2nd, motion carried.
- **593** Evans (Hartgrove) – Holden Beach
 - No-Basis, Dismiss -- Griffin motioned, Crofts 2nd, motion carried.

Rules Review and Update

Roegner held committee meeting on October 24, 2022 via video teleconference. Roegner provided a report.

NCORR Apprenticeship Pilot Program will work with the Rules Review Committee and Board Attorney. Committee will work on the Temporary Rule requirement as recommended.

Reviewed results from second survey that Hejduk sent out. Considering changes to .0706 and introduce an option to separate out Level 1 inspectors with another subcategory of Residential Inspectors. Residential Inspectors would only inspect residential dwellings. Rules Review committee will continue to work on this initiative and report back to the Board, moving forward.

Roegner would like to work with the Education Committee to share updates and progress on the 90 Day Self-Study program.

Roegner made a motion to approve the minutes of the October 24, 2022, committee meeting. Crofts seconded the motion, and the motion was approved by a vote of committee members.

ITEM 6- ON-GOING BUSINESS

Amend Bylaws for Investigation Review Committee (IRC) – Second Vote

5. The Investigation Review Committee shall review all investigation reports prepared pursuant to a consumer or board-initiated complaint; shall determine terms and conditions of proposed consent agreements; and shall make recommendations to the Board as to the disposition of cases. The IRC shall have authority to direct staff to initiate an investigation on behalf of the Board.

Griffin made a motion to move the IRC Special Committee to a permanent standing committee. Roegner seconded the motion, and the motion was approved by a vote of Board members.

ITEM 7 – NEW BUSINESS

NCDIT GDAC MOA presentation. Elysia Lash gave a presentation about the Government Data Analytics Center (GDAC). They work with organizations across the state to share data, to enable data-driven business processes and decision support. Lash also discussed the importance of having a licensure and credential warehouse and how it impacts North Carolinians. Future opportunities were also highlighted in the presentation. Dan Johnson, DOJ legal counsel for the Board asked who pays for cloud storage of data. Ashley Sieman, PhD stated that SAS holds the data under contract with the State.

Hejduk will put together a package for Board Members to learn more about how this works, how data may be gathered/shared and next steps.

NCDOI/OSP Research Project. Thunberg shared highlights of Hejduk’s presentation to the Office of Strategic Partnership research question “How many code officials are needed to ensure that jurisdictions meet the 2-day inspection requirements?” The data analytics will examine key indicators.

UNC Charlotte, Data Science, Capstone Projects. Student Valli Mahavadi and instructor Rick Hudson shared the current development of a Code Inspector Portal. This portal will allow code officials to schedule required inspections, to meet the 2-day requirement.

ITEM 8 – STAFF REPORT -ATTACHMENT B

Hejduk shared the Staff Report. He shared first quarter numbers within NCCOQB Dashboard.

Terri Tart explained that the rule which allowed the approval of non-technical four-year degrees to be used in the application process for new inspectors for Level II is having a cause and effect with inspectors dropping down to a lower-level certification testing eligibility. For example, if an inspector has been given a probationary Level II based on their non-technical four-year degrees, in time they request an exam eligibility at a level one.

ITEM 9 ADJOURNMENT

Thunberg motioned to adjourn meeting, seconded by Roegner. Motion carried.