MINUTES OF THE
NORTH CAROLINA CODE OFFICIALS QUALIFICATION BOARD

April 23, 2013

The quarterly meeting of the NC Code Officials Qualification Board was held at 1:00 PM on Tuesday, April 23, 2013 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
Richard Blackburn
Richard Ducker
Valoree Eikinas
Mark Hicks
Jerry Jones
Allen Kelly
John Kirkland
Hayden Lutterloh, III
Tracy McPherson
Christian Noles
Ray Rice
Bill Thunberg

Members absent:

Charles Horne
Andy Matthews
Robert Nunez
Sherrill Smith
Ken Stafford

Others in attendance were as follows:

Samantha Ewens
Kathy Williams
Suzanne Taylor
Cliff Isaac
Sarah van Doornewaard
Helen DiPietro
Bobby Croom
Andy Miller
Gary Partin
Susan Gentry
Melanie Butler
Laurel Wright
David Parulis
Shelly Parulis
Dr. Stephen Terry
Clarence Thomas Milligan
George Lacey
Timothy Evans
Adam Lovelady
Georgia Rivera
Department of Insurance
Department of Insurance
Department of Insurance
Department of Insurance
Department of Insurance
Department of Insurance
Department of Insurance
Department of Insurance
Department of Insurance
Concerned Citizen
Concerned Citizen
NC State University
Scotland County Inspections
Onslow County Inspections
Town of Holden Beach
UNC School of Government
Concerned Citizen
Raleigh, NC
Raleigh, NC
Raleigh, NC
Raleigh, NC
Raleigh, NC
Raleigh, NC
Raleigh, NC
Raleigh, NC
Raleigh, NC
Maysville, NC
Maysville, NC
Raleigh, NC
Laurinburg, NC
Jacksonville, NC
Holden Beach, NC
Chapel Hill, NC

Preliminary Matters
Chairman Hayden Lutterloh presided over the meeting and welcomed guests. Mr. Lutterloh noted a new
Board member, Mr. Taher Abu-Lebdeh, who is replacing Ronnie Bailey. Mr. Lutterloh also introduced Dr. Stephen Terry of North Carolina State University. He has been appointed to the Board and replaces Mr. Nunez, but has not yet received final approval from the Ethics Commission. Mr. Lutterloh asked Dr. Terry to join the Board in observing only and not voting. Mr. Lutterloh announced Mr. Bailey’s retirement from the Board, and presented Mr. Bailey with a Certificate of Appreciation after 23 years as a member of the Board. Mr. Lutterloh then asked the Board members to introduce themselves.

**Item 1: Approval of January 22, 2013 Minutes**
Mr. Horne made a motion to approve the minutes of the January 22, 2013 Board meeting. Mr. Barbour seconded the motion. The motion was approved.

**Item 2: Approval of New Standard Certificate Applicants**
Mr. Thunberg made a motion that the Board grant Standard Inspection Certificates to those applicants who have met the Board's education, experience, and examination requirements as contained in 11 NCAC 08 .0706. The applicants are listed in an attachment to the minutes. Mr. Horne seconded the motion. The motion was approved.

**Fifth Level III Standard Inspection Certificate**
Mr. Clarence Thomas Milligan is receiving his fifth Level III certificate today, in the Electrical Trade. Mr. David Edward Stoudt is receiving his fifth Level III certificate today, in the Fire Trade.

**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 has not met and has no report, but there is an update. Please see Item 6: Other Items – Item A
- 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**

**Conflicts of Interest of Board Members**

Per the Chairman’s request, portions of the North Carolina Ethics Commission evaluations of real or potential conflicts of interest for the following Board members were read into the record:

**Dr. Taher M. Abu-Lebdeh**

Dr. Abu-Lebdeh will fill the role of a faculty member of the School of Engineering of North Carolina Agricultural and Technical State University. The State Ethics Commission stated the following: “We did not find an actual conflict of interest or the potential for a conflict of interest.”

**Staff Changes**

Celestine Phil has resigned her position. Her replacement has not yet been named, but we do anticipate an announcement very soon. In the meantime, Kathy Williams has been completing the Education Coordinator duties.

Also, we have the opportunity to add an additional staff member. Helen DiPietro has been with the Department for a number of years, first as a plan reviewer and then as a member of the Evaluation Services Section. She holds Level III certificates in the Building, Fire, Mechanical, and Plumbing trades. Helen’s background in Codes will be used to help us refine and improve the standard course offerings, provide consistency in review for the continuing education courses, and also provide technical assistance for exam development.
Reduced Testing Schedule

On April 16th, staff discovered that testing availability had been reduced at sites across North Carolina within the last several months. This was caused by Pearson Vue migrating to a new centralized software platform. ICC has assured staff that the current sites will be back to full capacity by May 1st. Additionally new testing sites will come on-line by May 15th – including sites in Charlotte, Raleigh, and Winston-Salem.

The current testing schedule for sites in North Carolina is:
- Asheville - One day a week
- Greenville - Two days a week
- Raleigh - Five days a week
- Statesville - Five days a week
- Wilmington - Two days a week

RFP Committee

Mr. Lutterloh discussed the meeting that took place this morning with ICC regarding the issues that have been going on.

Ms. Ewens announced that there is an Ad Hoc RFP committee that has been created, and in the committee there has been discussion about adjusting the scope of the new RFP. Mr. Noles gave a brief summary on what an RFP is; issues were identified and brought to the committee.

Kathy Williams made the following report concerning certification 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. 105 probationary certificates expired this quarter.

STANDARD CERTIFICATE TESTING – January 9, 2013 – April 9, 2013

Examination Summary

<table>
<thead>
<tr>
<th>Area/Level</th>
<th>Number Taking</th>
<th>Number Passing</th>
<th>% Passing</th>
<th>High Score</th>
<th>Low Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building Inspector I</td>
<td>11</td>
<td>9</td>
<td>82</td>
<td>83</td>
<td>59</td>
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<td>Building Inspector II</td>
<td>6</td>
<td>5</td>
<td>83</td>
<td>84</td>
<td>47</td>
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<tr>
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<td>25</td>
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<td>54</td>
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<tr>
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<td>57</td>
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<tr>
<td>Electrical Inspector II</td>
<td>8</td>
<td>5</td>
<td>63</td>
<td>89</td>
<td>65</td>
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<tr>
<td>Electrical Inspector III</td>
<td>16</td>
<td>7</td>
<td>44</td>
<td>80</td>
<td>42</td>
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<tr>
<td>Fire Inspector I</td>
<td>28</td>
<td>23</td>
<td>82</td>
<td>100</td>
<td>64</td>
</tr>
<tr>
<td>Fire Inspector II</td>
<td>7</td>
<td>7</td>
<td>100</td>
<td>91</td>
<td>73</td>
</tr>
</tbody>
</table>
Fire Inspector III 8 8 100 97 76
Mechanical Inspector I 6 6 100 91 76
Mechanical Inspector II 7 4 57 80 55
Mechanical Inspector III 6 3 50 75 59
Plumbing Inspector I 5 5 100 95 84
Plumbing Inspector II 3 3 100 89 75
Plumbing Inspector III 7 6 86 89 64
Totals 132 95 72

Standard Certificates Earned

<table>
<thead>
<tr>
<th>Area</th>
<th>Active Inspectors</th>
<th>Pre-Qualification</th>
<th>Reciprocity</th>
</tr>
</thead>
<tbody>
<tr>
<td>GS 143-151.13(a)</td>
<td>Building 11</td>
<td>4</td>
<td>0</td>
</tr>
<tr>
<td>GS 143-151.13(a)</td>
<td>Electrical 15</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>151.14</td>
<td>Fire 32</td>
<td>7</td>
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<td>151.14</td>
<td>Mechanical 13</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>151.14</td>
<td>Plumbing 13</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Totals</td>
<td>84</td>
<td>12</td>
<td>0</td>
</tr>
</tbody>
</table>

Mr. Thunberg requested data trend for the exams. Ms. Williams stated she will try to get it to the Board members before the next Board meeting, or at the next Board meeting.

Fifth Level III Standard Inspection Certificate

Mr. David Edward Stoudt is receiving his fifth Level III certificate today, in the Fire trade. Mr. Stoudt currently works for the Onslow County Building Inspections Department. Mr. Clarence Thomas Milligan is receiving his fifth Level III certificate today, in the Electrical Trade. Mr. Milligan currently works for the Scotland County Building Inspections Department. The number of individuals achieving this level of certification is currently 221.

Exam Complaint Summary

The staff received eight complaints concerning exams conducted this quarter. All eight complaints dealt with applicants unable to schedule exams. Two dealt with information not picked up by Pearson Vue, one dealt with the inability to talk with someone at the registration call center due to high volume, one may have dealt with a server issue, two dealt with limited testing options in two testing centers and two were due to eligibility issues. Four complaints were resolved in a reasonable time period and staff was notified of the corrections. Two complaints were resolved but staff was not notified of the corrections, so there was a time lag for the examinee. Staff contacted ICC regarding the limited testing options at certain testing centers and they investigated the issue with Pearson Vue. Pearson Vue is changing its registration programming platform and reduced the testing days for those who have not yet converted to the new platform. ICC was able to add an additional day and said they could add additional dates if needed.
Kathy Williams made the following report regarding Education to the Board.

**EDUCATION SECTION**

These statistics run from January 9, 2013-April 9, 2013. We have 112 Continuing Education courses that were approved for the period, as well as six New Instructors approved, and six new Sponsors approved. There were a total of 169 Continuing Education Course Rosters submitted. There were a total of two courses approved in multiple trades.

There were 78 total Standard Courses scheduled for the period, 15 for Building, 15 for Electrical, 17 for Fire, 12 for Mechanical, 12 for Plumbing, and 7 for Law and Administration. A total of 13 Standard courses were canceled for the period. There were 56 Standard Course grades that we have received, and there are 15 Standard Course grades 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/COQB/engineering_coqb_home.asp.*

*Standard and continuing education courses are advertised on the NC Department of Insurance website at https://apps.ncdoi.net/f?p=114:505:::114:::114:::. Once you reach this site, you may search for a course based on type, trade, and format.*

**Continuing Education Workshop**
Continuing Education Workshop, previously the Sponsor Workshop, is scheduled for Thursday, April 25, 2013. 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 NCDOI 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. Currently, there are approximately 20 individuals scheduled for this workshop.

**Instructor Certification Workshop**
The Standard Code Course Instructor Certification Workshop was held on Wednesday, April 17, 2013. The workshop was held at the Board’s office from 8:30am – 12:30 p.m. One person attended and was certified in the area of Fire.

**INVESTIGATIONS AND HEARINGS**
*Suzanne Taylor made the following report concerning investigations to the Board.*

**Investigations Begun – Not Completed**

Litaker
Vaughn

**No Basis in Fact**

**Campbell vs. Lang**

Mr. Kelly motioned to accept the report Campbell vs. Lang as No Basis In Fact. Mr. Thunberg seconded the motion. The motion was approved.
Samantha Ewens made the following report concerning investigations to the Board.

Parulis vs. Lacey-Onslow Co.

Ms. Ewens presented the report regarding Parulis vs. Lacey-Onslow Co. Mr. and Mrs. Parulis presented their information on the safety issues, and code violations.

Mr. Christian Noles recused himself from voting on Parulis vs. Lacey-Onslow Co. based on his supervision of the investigation and contact with Ms. Parulis – The Board voted to approve Mr. Noles to recuse himself from voting.

Ms. Tracy McPherson recused herself from voting on Parulis vs. Lacey-Onslow Co. - The Board voted to approve Mr. Noles to recuse himself from voting.

Mr. Kelly motioned to accept the report Parulis vs. Onslow Co. as No Basis In Fact. Mr. Horne seconded the motion. 7 approved the motion 3 denied the motion. The motion was approved.

Cliff Isaac made the following report concerning investigations to the Board.

Baldwin vs. Gentry

Mr. Christian Noles recused himself from voting on Baldwin vs. Gentry, as well as the investigation with Vance County, Sawyer, and Aycock. based on his supervision of the investigation. The Board approved of the recusal.

Mr. Horne motioned to accept the report Baldwin vs. Gentry as No Basis In Fact. Mr. Blackburn seconded the motion. The motion was approved.

Lawing vs. Batson

Mr. Horne motioned to accept the report Lawing vs. Batson as No Basis In Fact. Mr. Thunberg seconded the motion. The motion was approved.

McLendon vs. Vance County

Mr. Horne motioned to accept the report McLendon vs. Vance County as No Basis in Fact. Mr. Blackburn seconded the motion. The motion was approved.

Varma vs. Sawyer

Mr. Jones motioned to accept the report Varma vs. Sawyer as No Basis in Fact. Mr. Rice seconded the motion. The motion was approved.

Senger vs. Garner and Edwards

Mr. Thunberg motioned to accept the report Senger vs. Garner and Edwards as No Basis in Fact. Mr. Kelly seconded the motion. The motion was approved.

Senger vs. Gilliam

Mr. Thunberg motioned to accept the report Senger vs. Gilliam as No Basis in Fact. Mr. Horne seconded the motion. The motion was approved.
**Basis in Fact**

**Senger vs. Brewer** (See Voluntary Settlement Agreements)

**VOLUNTARY SETTLEMENT AGREEMENTS**

**Senger vs. Brewer – Franklin Co.**

The voluntary settlement agreement states that Mr. Brewer is to take and pass a Standard Level 1 Building Class within six months of the signed agreement.

Mr. Horne motioned to accept the Voluntary Settlement Agreement. Mr. Barbour seconded the motion and the motion was approved.

**Robert Croom made the following report concerning investigations to the Board.**

**CONSENT AGREEMENTS**

**Aycock**

The consent agreement states that Mr. Aycock shall step down as Chief Building Inspector for Brunswick County within 10 days of entering into the Consent Agreement. Mr. Aycock shall take and pass a Level III Building class within 9 months of entering into the Consent Agreement. Mr. Aycock’s Standard Building Level III Certificate shall be reduced to a Level II Building certificate, and shall remain a Level II Building certificate until Mr. Aycock passes the State Level III Building examination. The Consent Agreement is intended to cover all matters and issues currently pending before the Qualifications Board regarding SeaScape and Mr. Aycock. The Consent Agreement shall not prevent the Board from taking any other administrative action it is authorized to take against the Respondent in future investigations, complaints, or cases, if any, of Mr. Aycock, involving matters other than those at issue in this proceeding.

Mr. Horne motioned to accept the Consent Agreement. Mr. Rice seconded the motion. The motion was approved.

**DISCIPLINARY HEARINGS**

None

**Item 5: Other Items**

**Item A: Education and Research Committee Update:**

Ms. McPherson has been working with staff regarding continuing research of course cancellations. Ms. McPherson stated that a committee meeting has not been able to come together, but she would like to make a suggestion on how to move forward, and then call a committee meeting via conference call between now and the next Board meeting. The Board has already approved based on input a letter to go out to colleges, and also to local Jurisdictions to ask to pay attention to the cancellation issue, the letter has not gone out, but a survey was sent out and it requested input. Ms. Phill received the input from the surveys, and due to her resignation there is a time lag. The items that were looked at are either going to require a rules change, or more time on behalf of the staff. Ms. McPherson suggested to proceed with either having staff on behalf of staff or staff on behalf of the chair to send a letter to all the colleges and
also to the local Jurisdictions, as was originally discussed. Some information that staff has stated is that it seems that the cancellation issue is self-correcting, due to hiring in Jurisdictions, and the course cancellation rate seems to be down. Ms. McPherson is recommending that we move forward with alerting the community colleges and Jurisdictions with the letters, and then get the committee together to discuss the research and other options.

Mr. Lutterloh stated that the letter sent out should come from Ms. McPherson since she chairs the Education and Research committee. He also stated that he would like a letter sent to each Board member.

**Item B: Mr. Cory Shackleford**
Ms. Taylor presented Mr. Cory Shackleford’s application, Mr. Shackleford applied for five Level II Certificates. Mr. Shackelford was convicted of a felony in the distant past. Based on GS 143-151.17, the application has been brought before the Board for consideration and approval.

Mr. Jones motioned to accept Mr. Shackleford’s application. Mr. Thunberg seconded the motion. The motion was approved.

**Item C: Procedures**
There was discussion between Board members and staff regarding procedures on voting with limited information that is given by staff. Some clarification was provided by the Board’s attorney and staff.

**Adjournment**
There being no further business, the meeting was adjourned by Hayden Lutterloh.

Respectfully submitted,

Christian Noles
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**
Borrayo, Sergio  
Hensley, Anthony Franklin  
Houser, Clint Keith  
Maddry, Robert Avery  
Michaleski, Robert Stanley  
Vaughn, Michael Douglas

**Building Level II**
Austin, Sheila T.  
Blackman, Walter Mack  
Cranford, Michael Travis  
Salas, Anthony Richard  
Volk, Kyle Jerome

**Electrical Level I**
Baker, Jason Dean  
Gray, Randal Lee  
Norris, Charlie Wayne

**Electrical Level II**
Bek, Ruth Moss  
Dalton, Travis Evan  
Holland, Gary Dean  
Maready, Jeffrey  
Taylor, James William

**Electrical Level III**
Craft, Tony James  
Crist, Jonathan David  
Heath, Lamar Evans  
Jones, John Thomas  
Milligan, Clarence Thomas  
Perkinson, Walter Coleman  
Smith, Dwight Douglas

**Fire Level I**
Barlow, William Russell  
Bartholomew, Joel Johnson  
Boone, Norwood Dee  
Boswell, Matthew David  
Franklin, Travis Lindsay  
Hicks, Christopher Ryan  
Houser, Clint Keith  
Huffman, Kenneth Ray  
Hughes, Samuel Nash  
Johnson, Terry Johanns  
Lail, Jackie Lynn  
Magee, Peter Thomas  
Patterson, Clayton S.

**Fire Level I, cont.**
Perrone, William Virgil  
Price, John Christopher  
Wooten, Ethan Perry

**Fire Level II**
Baxley, Melvin George  
Clemmons, Gary Ernest  
Crump, Bridget Hampton  
Lewis, Quinton Dwi-nell  
Moyers, John Preston  
Russell, Travis Beau  
Simmons, Kenneth Brent

**Fire Level III**
Baden, Joseph Hamrick  
Butler, Melanie Bodenheimer  
Caison, Kendall Nelson  
Hover, Molly Madlyn  
Naylor, Joseph Heath  
Padgett, Paul Jason  
Padgett, Shandra Kathleen  
Poole, Daniel Wayne  
Stoudt, David Edward

**Mechanical Level I**
Bellows, Richard Frank  
Canipe, Joseph Scott  
Hayes, James Richard  
Scoggins, William Joseph  
Shoaf, Steven Bradshaw  
Smith, Dwight Douglas

**Mechanical Level II**
Austin, Daniel Watson  
Green, Thomas Wayne  
Ritter, Michael Allen  
Vaughan, Timothy Glenn

**Mechanical Level III**
Gaskins, Bryan Keith  
Hill, Charles David  
Perkinson, Walter Coleman

**Plumbing Level I**
Baker, Jason Dean  
Cunningham, Joseph Anthony  
Hayes, James Richard  
Shackelford, Robert Gerald
**Plumbing Level II**  
Dalton, Travis Evan  
Keefe, David Charles  
Locklear, Scotty  

**Plumbing Level III**  
Chollett, Beau Gary  
Eichhorn, Jay Edward  
Gibert, William Dale  
Perkinson, Walter Coleman  
Temple, Carl Paren  
Wood, William Troy  

**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.

<table>
<thead>
<tr>
<th>Name</th>
<th>Qualification</th>
</tr>
</thead>
<tbody>
<tr>
<td>Locklear, Kenneth</td>
<td>Building I</td>
</tr>
<tr>
<td>Pridgen, John C.</td>
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<tr>
<td>Taylor, Marvin R.</td>
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<tr>
<td>Cutler, Helen Bernice</td>
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<tr>
<td>Fontaine, Matthew J.</td>
<td>Fire I</td>
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<td>Hodge, Matthew Jacob</td>
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<tr>
<td>Huffman, Adam Delano</td>
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<tr>
<td>Matthews, Williams C.</td>
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<tr>
<td>Potter, Jason Gary</td>
<td>Fire I</td>
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<tr>
<td>Prevatt, David Lawrence</td>
<td>Fire I</td>
</tr>
<tr>
<td>Taylor, Mervin T.</td>
<td>Fire I</td>
</tr>
<tr>
<td>Pridgen, John C.</td>
<td>Plumbing I</td>
</tr>
</tbody>
</table>