

**Minutes**  
**Well Contractors Certification Commission Meeting**  
February 6, 2018  
Raleigh, NC

The regularly scheduled meeting of the Well Contractors Certification Commission was called to order on Tuesday, February 6, 2018 at **11:00 am** at 131 W. Margaret Ln., Hillsborough, NC, Rm. 004 with Chairman Daniel Ortiz presiding. The following persons were in attendance for the meeting:

Commission Members

Justin Barefoot  
David Brown  
Doug McVey  
Todd Muench  
Daniel Ortiz  
Billy Yow

WCC Staff

Andrew Morgan  
Joanne Rutkofske

DHHS Staff

Deneene Barton  
Nancy Deal  
Wilson Mize

Legal Staff

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Guests

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## **I. Preliminary Matters**

(1) Chairman Daniel Ortiz welcomed everyone in attendance and called the meeting to order. He then read the NC State Government Ethics Act which mandates that the Chairman inquire as to whether any member knows of a conflict of interest or appearance of conflict with respect to matters before the Commission. He asked if any member knows of a conflict of interest or appearance of a conflict. No conflicts noted.

(2) The chairman also read a statement on the purpose of the Well Contractors Certification Commission: (Article 7A-Well Contractors Certification, G.S. 87-98.3). **Purpose:** It is the purpose of this Commission to protect the public health and safety by ensuring the integrity and competence of well contractors, to protect and beneficially develop the groundwater resources of the State, to require the examination of well contractors and the certification of their competency to supervise or conduct well contractor activity, and to establish procedures for the examination and certification of well contractors.

(3) Notation of Any Revisions or Additions to the Agenda

Chairman Ortiz asked the Commissioners if they had any additions or revisions to add to today's agenda. No revisions or additions to agenda.

## **II. Action Items**

(1) Approval of Minutes

The Commission reviewed the November 7, 2017 meeting minutes. Commissioner McVey made a motion that the minutes be approved with changes to correct section V to IV and dates from 7 to 6. Commissioner Yow made a second to the motion. A vote was taken and the motion passed unanimously.

(2) Approval of Minutes

The Commission reviewed the December 15, 2017 meeting minutes. Commissioner McVey made a motion that the minutes be approved with changes to correct section V to III and section VI to IV. Commissioner Muench made a second to the motion. A vote was taken and the motion passed unanimously.

(3) Periodic Rules Review

Joanne Rutkofske gave a report on the status of the Periodic Rules Review. Rules .0101, .0110, .0301, .0410, .0420, .0440. became effective January 1, 2018.

(4) Periodic Rules Review

Joanne Rutkofske gave a report on the status of the Periodic Rules Review. Rules .0702 became effective February 1, 2018. The updated rulebook now posted online.

(5) Rulemaking

Joanne Rutkofske gave a report on the status of the proposed new rule .0120. The report included the draft rule and the Regulatory Impact Analysis.

Commissioner McVey made a motion to adopt the draft rule and approve the Regulatory Impact Analysis. Commissioner Brown made a second to the motion. A vote was taken and the motion passed unanimously.

(6) Go Independent Study

Deneene Barton was introduced by Wilson Mize as the temporary employee who will be conducting the study. Ms. Barton was asked to study: 1) contract vs. employee, 2) 2 staff with same level of benefits as current, 3) web-based database for remote access & automation, 4) climate-controlled storage for records, 5) not changing fees, 6) scan documents to electronic media, and 7) using county buildings & drill shops for meeting space. Ms. Barton requested input from each Commissioner.

Commissioners also asked: 1) what the legal process is to go independent, 2) an approximate timeline, and 3) what equipment we keep versus what must be turned in.

### **III. Information Items**

(1) Staff Report

The staff report was presented by Drew Morgan. The report listed out-of-cycle exams, exam reviews, civil penalties assessed, outreach events and other staff activities that occurred between November 2017 and January 2018. The applicant examination preparation course was discussed as an in person 2-hour course with a small fee to cover costs. Ms. Rutkofske recommended the course be level specific with modules posted online with no cost. An overview of exam statistics and 2018 meeting dates was also included.

(2) Review Committee Report

Commissioner Brown presented the Review Committee report for Committee meetings held in November and December 2017 and January 2018. The Review Committee had reviewed 12 applications for certification and reviewed 2 continuing education courses for pre-approval. Commissioner Brown is concerned about the low pass rate and discussed going through the exam banks again.

Other topics discussed by the Review Committee included 1) a 2018 exam in Hickory, NC, 2) a letter from Benford Graham, and 3) initiating rulemaking process.

(3) Budget Committee Report

The Budget Committee report was presented by Commissioner Yow. The Committee discussed repairs to current vehicle and printing of new Chapter 27 rule books.

(4) Ethics Update

Joanne Rutkofske provided the Ethics update. A tracking list of when each Commissioner must obtain additional Ethics training was provided.

**V. Upcoming Meetings**

Commission Meeting – May 1, 2018 @ 11am, 131 W. Margaret Ln., Hillsborough, NC

Review Committee – Mar. 6, 2018 @ 10:00am, at 300 W. Tryon St., Hillsborough, NC

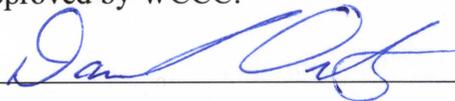
Budget Committee – July 28, 2018 @ 11am, at 2101 N. Oak St., Myrtle Beach, SC

**VI. Adjournment**

With no further business or comments from Commission or Staff, the meeting was adjourned at 12:28 p.m.

Respectfully submitted,  
Andrew Morgan  
WCC Staff

Approved by WCCC:

  
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Daniel Ortiz, REHS  
Chairman, Well Contractors Certification Commission  
**[www.wellcontractors.nc.gov](http://www.wellcontractors.nc.gov)**

6-12-18

Date