

Minutes
Well Contractors Certification Commission Meeting

February 23, 2015

Raleigh, NC

The regularly scheduled meeting of the Well Contractors Certification Commission was called to order on Monday, February 23, 2015 at **10:12 am** at 5605 Six Forks Rd. ("Bldg 3"), Raleigh, NC, 1st Floor, Cardinal Conference Rm. with Chairman Casey Champion presiding. The following persons were in attendance for the meeting:

Commission Members

David Brown

Cassandra Champion

Jonathan Dills (via phone)

Daniel Ortiz

Thomas Whitehead

Billy Yow

WCC Staff

Andrew Morgan

Joanne Rutkofske

DHHS Staff

Nancy Deal

Wilson Mize

Legal Staff

Guests

I. Preliminary Matters

(1) Chairman Casey Champion welcomed everyone in attendance and called the meeting to order. She 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. She 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) Approval of Minutes- The Commission reviewed the November 5, 2014, meeting minutes. Commissioner Ortiz made a motion that the minutes be approved. Commissioner Whitehead made a second to the motion. A vote was taken and the motion passed unanimously.

(4) Notation of Any Revisions or Additions to the Agenda- None.

II. Action Items

(1) Impact of G.S. 93B-15.1, Military Experience

Commission counsel John Barkley is looking into this and will report findings back to the Commission.

(2) Status of 15A NCAC 27 Section .0800 Rule Changes

Drew Morgan gave the Hearing Officers report for the January 7, 2015 public hearing on the Section .0800 proposed rule changes. There were no attendees to the public hearing and no comments received during the 12/15/14-2/13/15 public comment period.

Commissioner Yow made a motion that the rule changes be formerly adopted. Commissioner Ortiz made a second to the motion. A vote was taken and the motion passed unanimously.

(3) Geothermal Sub-Level Legislative Proposal

Drew Morgan gave the update. With the Review Committee's guidance staff drafted language for a bill to create a sub-level for geothermal drilling.

Commissioner Yow made a motion that the letter providing draft bill language be approved and for staff to submit to the House and Senate. Commissioner Brown made a second to the motion. A vote was taken and the motion passed unanimously.

Commissioner Brown would like reforms to the grouting requirements for geothermal grout including minimum standard conductivity performance ratings. Wilson Mize suggested the

Commission could go to DENR with this request. Thomas Slusser would be the appropriate contact. Drew Morgan is to contact Thomas Slusser. If the desired changes possible and DENR favorable to the idea to then work with Thomas and the Review Committee to develop draft language to accomplish this.

(4) Attempt Reciprocity with Virginia?

This inquiry was submitted by Bill Magette. The Commission discussed the certification requirements for Virginia. Virginia rules are based more on cost of job, very dissimilar from North Carolina. Virginia has "Journeyman" and "Master Driller" levels.

Commissioner Ortiz made a motion that staff contact Virginia to ask if they have any interest in reciprocity. Commissioner Whitehead made a second to the motion. A vote was taken and the motion passed unanimously.

(5) Election of New Chairman

Commissioner Ortiz volunteered to be included in nominations.

Commissioner Dills made a motion to close nominations. Commissioner Brown made a second to the motion. A vote was taken and the motion passed unanimously.

Commissioner Ortiz accepted the position as the new Commission Chairman.

Adjustments to Committees then proposed by Chairman Champion.

Commissioner Brown proposed as the new Review Committee Chair with Daniel taking the Chairman observer position.

Commissioner Ortiz replaces Chairman Champion on the Budget Committee.

Commissioner Ortiz and Chairman Champion trade positions on the Disciplinary Committee.

Commissioner Dills made a motion to accept the Committee changes as proposed. Commissioner Brown made a second to the motion. A vote was taken and the motion passed unanimously.

III. Information Items

(1) Staff Report

The staff report was presented by Drew Morgan. The Hertford County field observation went well. A scheduled exam was held on January 29 in conjunction with the NCGWA event in Greensboro. The passing rate was low. Most did not bring all the allowed exam references.

Commissioner Brown requests to see what is on the electrical exam. The electrical exam questions were developed by the State Board of Examiners of Electrical Contractors specifically for our contractors. The specific chapters of the electrical code pulled from for the well contractors exam are specified in the list of exam reference materials. Staff will bring the electrical exam bank to next week's Review Committee for review.

Staff is preparing travel preapproval paperwork for the upcoming 2015 Jubilee and requested confirmation of which Commissioners plan to attend.

Exam statistics for CP2014 were included in the meeting packet as well as a biography of the new Secretary for the NC Department of Environment and Natural Resources, Donald van der Vaart.

(2) 2014 NGWA Report

Chairman Champion attended the December 2014 NGWA Expo where she audited classes and attended the trade show. She reported that it was a very good event including some hands-on classes.

(3) Budget Committee Report

The Budget Committee report was presented by Commissioner Whitehead. The Committee approved having a booth at the TWWA tradeshow and purchase of exam creation software. The Committee would also like staff to look into options for converting the Driller Database to a more web-based application.

(4) Review Committee Report

Commissioner Ortiz presented the Review Committee report for Committee meetings held November 2014–January 2015. Approximately 9 level A applicants, 10 level B, 2 level C and 1 level D were approved. Eight courses were reviewed and approved.

(5) Ethics Update

Joanne Rutkofske provided the Ethics update and reminded Commissioners of the annual Statement of Economic Interest requirement. A tracking list of when each Commissioner must obtain additional Ethics training was provided.

V. Upcoming Meetings

Commission Meeting – May 5, 2015 @10am, 5605 Six Forks Rd., Raleigh, NC

Review Committee – March 3, 2015 @10am, 4000 Chi Rd., Raleigh, NC

Budget Committee – July 25, 2015 @10am, Myrtle Beach, SC (@JUBILEE)

VI. Closing Remarks

Commissioner Brown brought up finding well tags having just certification numbers on them, missing the name required. Would like to see additional search option of “by certification number” added to the website. Staff explained the website currently uses a static list that it is not

linked directly to the database. Chairman Champion noted that with the excel version of the certified well contractors list currently available, it can be sorted by the user in many ways including by certification number. Wilson Mize offered to put a reminder out on the ListServe to counties reminding them of the tag requirements.

Commissioner Yow brought up a letter submitted by Guilford County requesting Disciplinary Action. This matter will be handled by the Disciplinary Committee.

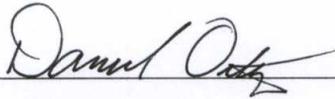
VI. Adjournment

With no further business or comments from Commission or Staff, the meeting was adjourned at 11:28 a.m.

Respectfully submitted,

Joanne Rutkofske
WCC Staff

Approved by WCCC:



Daniel Ortiz, REHS
Chairman, Well Contractors Certification Commission

10-6-15

Date

www.wellcontractors.nc.gov