

Minutes
Well Contractors Certification Commission Meeting
August 4, 2015
Raleigh, NC

The regularly scheduled meeting of the Well Contractors Certification Commission was called to order on Tuesday, August 4, 2015 at **10:05 am** at 5605 Six Forks Rd. ("Bldg. 3"), Raleigh, NC, 1st Floor, Cardinal Conference Rm. with Chairman Daniel Ortiz presiding. The following persons were in attendance for the meeting:

Commission Members

John Boyette
David Brown
Cassandra Champion
Jonathan Dills (via phone)
Daniel Ortiz
Thomas Whitehead
Billy Yow

WCC Staff

Andrew Morgan
Joanne Rutkofske

DHHS Staff

Wilson Mize

Legal Staff

Guests

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) Approval of Minutes

The Commission reviewed the February 23, 2015 meeting minutes. Commissioner Dills made a motion that the minutes be approved. Commissioner Boyette 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.

Commissioner Dills made a motion that today's agenda be approved. Commissioner Whitehead made a second to the motion. A vote was taken and the motion passed unanimously.

II. Action Items

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

Commission counsel John Barkley is not present. Item tabled until next meeting.

(2) Oral Examinations

Review Committee questions whether oral exam should still be offered. Commission staff gave background that since 2008 five oral exams have been given, none passed. Commission council said precedent set by other Boards is to offer an oral exam option.

Commissioner Yow made a motion to continue offering oral exam option. Commissioner Boyette made a second to the motion. A vote was taken and the motion passed unanimously.

(3) Certification Clarification

Clarification request made by TERRACON regarding collecting soil samples or performing compaction tests and geotechnical drilling using hollow stem augers, mud rotary, direct push and rock coring.

Commissioner Boyette made a motion that staff send a response that more specific information is needed regarding the activities to be clarified. Commissioner Whitehead made a second to the motion. A vote was taken and the motion passed unanimously.

(4) Well Owners Guide

Staff prepared a sample 2-pocket folder printed with well information and room for 2 business cards to hold a homeowner's new well documentation. The folder idea is based on the Soil Facts folder made available by NCSU in 2004. If the Commission proceeds with this outreach idea it would be made available to counties and well contractors for distribution to well owners. The Budget Committee reviewed the folder at their July 25, 2015 meeting and approved ordering 15,000 copies for distribution.

The Commission discussed whether or not to add disinfection information, that it may be more prudent to just direct homeowners to an experienced well contractor. The Commission also discussed making the folder available just to well contractors as many counties don't have the same face-time with new well owners as the contractors drilling the well..

Commissioner Dills made a motion to table the topic. Have staff get more information on where the price breaks are in quantity.

Commissioner Champion made a motion to proceed with the order. Commissioner Whitehead made a second to the motion. A vote was taken with five in favor, and two opposed. The motion passed.

(5) Change Examination to Closed Book?

Commissioner Brown explained some applicants trying to get reciprocity with another state are not able to do so because our exam is currently open-book. Staff has looked into how other states handle their exams and the overwhelming standard appears to be closed-book. Staff commonly see applicants not bringing the allowed books, bringing the wrong books and not studying.

Commissioner Yow expressed concern over a lack of new people getting into the well contractor trade. He suggested reducing the experience requirement, possibly to six months.

The Commission discussed the possibility of using the National Groundwater Association exam. The Commission agreed that applicants would still need to understand North Carolina requirements and that a state rules exam would need to be added to the National. The Commission decided this option would make the exam process more cumbersome and costly to the applicant so it would be better to stick with the current system of one in-house exam.

Commissioner Dills made a motion to go to closed-book exams effective January 2016 and that the exams be revised for that purpose. Commissioner Brown made a second to the motion. A vote was taken and the motion passed unanimously.

The Commission is in favor of continuing to provide the calculations and well diameter reference sheets with the testing material.

(6) Inspection Jurisdiction for Pump Wiring, Well to House

Commissioner Brown brought the topic. The general understanding is the well contractor runs the wiring from the well to the tank. The electrician covers the wiring from the tank to the house.

Wilson Mize will supply an article for the Drillers Digest Newsletter to help clarify this issue.

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 February and July 2015. There were no questions by Commissioners

(2) Status of Chap. 27 (Section .0800) Rule Changes

Rule changes status presented by Joanne Rutkofske. Rule changes are complete. Effective July 1, 2015. Updated rule books have been printed and mailed to all certified well contractors. The rule books were also made available at the Commission's booth at the South Atlantic Well Drillers Jubilee event in July.

(3) Legislative Update

Update presented by Drew Morgan. House Bill 44 was reviewed.

(4) Review Committee Report

Commissioner Brown presented the Review Committee report for Committee meetings held March–July 2015. The Review Committee met every month. At the meetings applications were reviewed for 17 level A applicants, 8 level B, 8 level C, 4 level D and 6 Temporary. Thirty-one courses were reviewed with twenty-five being approved.

(3) Budget Committee Report

The Budget Committee report was presented by Commissioner Whitehead. The Committee reviewed the fees schedule to determine if it would be possible to reduce annual renewal fees. It was determined that there is not a large enough gap between annual receipts and operating expenditures to make a meaningful reduction that would not defund the program.

The Committee approved an upgrade in exam development software and requested a cost of living increase and pay grade adjustment for staff. Outreach booth at On-Site Conference and NCGWA for 2016 declined. Outreach booth at NC Health Directors conference and TWWA approved and attendance at NGWA. Staff to order T-shirts with the website and logo for use as outreach items and publish a newly developed "Well Owner's Guide" pocket folder to be made available to counties and well contractors to give to new well owners.

Commissioner Dills made a motion to have a booth at the NCGWA in January 2016. Commissioner Champion made a second to the motion. A vote was taken and the motion passed unanimously.

Commissioner Yow would like to see outreach targeted to getting more people into the well contractor trade. Possibly have booth at technical colleges job fair. Commissioner Yow also discussed lowering the experience requirement, having an apprenticeship program to lower experience requirement, or taking the exam before the experience requirement is met to get more buy-in from those new to the trade.

(5) Disciplinary Committee Report

The Disciplinary Committee report was presented by Chairman Ortiz. A certified well contractor, Level B, performing sonic drilling activities without the proper level of certification was given a Letter of Reprimand.

(5) Ethics Update

Joanne Rutkofske provided the Ethics update reminding Commissioners of the annual Statement of Economic Interest requirement and who would need required ethics training soon. A tracking list of when each Commissioner must obtain additional Ethics training was provided.

V. Upcoming Meetings

Commission Meeting – November 3, 2015@10am, 5605 Six Forks Rd., Raleigh, NC
Review Committee – September 8, 2015 @10am, 4000 Chi Rd., Raleigh, NC
Budget Committee – January 29, 2016 @10am, Greensboro, NC (@NCGWA)

VI. Closing Remarks

Chairman Ortiz thanked everyone for coming and stated that as a county environmental health professional it was his job to support his well contractors.

VI. Adjournment

With no further business or comments from Commission or Staff, the meeting was adjourned at 12:08 a.m.

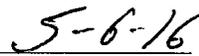
Respectfully submitted,

Joanne Rutkofske
WCC Staff

Approved by WCCC:



Daniel Ortiz, REHS
Chairman, Well Contractors Certification Commission
www.wellcontractors.nc.gov



Date