

RS Board Minutes
June 20, 2003

Call to Order

The called meeting of the North Carolina Board of Sanitarian Examiners was held on Friday, June 20, 2003 in Auditorium I at the Hal Marshall Service Center, 700 N. Tryon Street, Charlotte. Dennis Salmen, Chairman, called the meeting to order at 9:25 a.m. Those in attendance were: Dennis Salmen, William E. Pierce, Ann Gilstrap, Nilla Sloop, Sheila Nichols, Mack Dendy, Dr. Trenton Davis, Tim Green and Camille Bishop. Absent: Linda Sewall.

Conflict of Interest

Mr. Salmen asked Board Members if there were any conflicts of interest or potential conflicts of interest outside of what has already been disclosed in the annual Statement of Economic Interest form. **There were no conflicts of interest stated by Board Members.**

Approval of the April 3, 2003 Minutes

Board Action: A motion was made by Mack Dendy, seconded by Dr. Trenton Davis to approve the April 3, 2003 Minutes as submitted. All votes affirmative.

Thank You Letter to Dave Ceneskie – Camille Bishop will send Dave Ceneskie a “Thank You” Letter from the Chairman, Dennis Salmen, thanking him for reprinting our 2003 renewal cards at no extra charge.

Financial Reports – March/April/May 2003

Board Action: A motion was made by Mack Dendy, seconded by Dr. Trenton Davis to approve the March, April and May 2003 Financial Reports as submitted. All votes affirmative.

Tim Green asked if the Board had ever considered having a proposed budget for the year. The Board has not adopted a proposed budget in the past. Several members felt we did not need to have a proposed budget. Mr. Green noted that it would be a good tool to manage expenses if we were in a tight budget situation. The Board will look into it at a later date. Ms. Bishop will contact Shelton Hawley to ask his opinion on the advantages and disadvantages of having a proposed budget.

Chair’s Report – Dennis Salmen

Contested Case Hearing on Jamie Camp - The Contested Case Hearing was dismissed. based on the fact that it was verified by the School of Public Health that Jamie Camp completed the Environmental Public Health Law Course on June 3-5, 2003. Mr. Camp also sent Ms. Bishop a certificate of completion of the Public Health Law Course.

Letter Regarding James Shakleton from the NC Board for Licensing of Soil Scientists.

Mr. Salmen shared a copy of a letter that was sent to James Shakeleton, RS from the NC Board for Licensing of Soil Scientists notifying him that he was providing soils consulting work without a license. The Board discussed and felt that he was not in violation of the RS rules and that the Board did not need to take any action on this matter. This is an issue for the NC Board for Licensing of Soil Scientists. (Copy will be filed with the minutes for information)

Letter of Complaint from Franc Umana & Sara Lein, homeowners from Wake County

Mr. Salmen shared a copy of the complaint letter from Franc Umana and Sara Lein with the Board. The letter was sent to Ms. Bishop asking the RS Board to address the issue. The complaint was made against a Registered Sanitarian with a private onsite wastewater consulting company out of Cary regarding an inspection report made on their property at 8004 Monitor Ct. The Board discussed at length as to whether this was a viable complaint to take action on. Mack Dendy referred to **90-A-64 Suspensions and Revocations of Certificates.** **“The board shall have the power to refuse to grant, or may suspend or revoke, any certificate issued under provisions of this Article for any of the causes hereafter**

enumerated:” (Items 1-9 are listed). It was a consensus of the Board that there are three possible misconduct issues related to this type of allegation. In order to warrant an investigation, the Board would need to determine if any of these three (3) issues could have been violated.

Also, listed under 90A-64 (c) **The board shall conduct investigations, subpoena individuals and records, and do all other things necessary and proper to discipline persons registered under this Article and to enforce this Article.”**

Board Action: A motion was made by Tim Green, seconded by Mack Dendy to proceed with the investigation based on the complaint and follow the appropriate procedures. Also, that two members of the Board be appointed by the Chairman to determine the facts of the complaint. All votes affirmative.

Dennis Salmen, Chairman, appointed William Pierce and Ann Gilstrap to investigate the complaint made by Franc Umana and Sarah Lein. Dennis Salmen will contact John Barkley regarding some formal steps in conducting the investigation. Mr. Salmen will be in contact with William Pierce and Ann Gilstrap regarding next steps. Mr. Salmen will also send a letter to Franc Umana and Sarah Lein, informing them of the Board’s action.

The Board went Out of Session

Back in Session at 10:40 a.m.

Replacements to the RS Board– Linda Sewall can no longer serve as DENR representative on the RS Board. Mr. Salmen had contacted Patrica Hawkins to find out the status of appointments and at this time, she had nothing to report. Ms. Sewall can remain on the RS Board until another someone has been appointed to replace her. Dennis Salmen will follow up.

Dr. Trenton Davis will retire as the education member and has informed the Environmental Health Section in writing. He has suggested two persons as possible replacements. Dr. Davis will serve on the RS Board until a replacement is named.

Dennis Salmen will contact the Governor’s Office regarding new appointments.

NEHA Report from State Registration Board Meeting in Reno – Dennis Salmen reported that NEHA has put out proposals for a new written Exam. NEHA expects to receive and evaluate the proposals received within 3-6 months. Other topics discussed included a uniform standard for individuals qualified to proctor the NEHA exam.

CIT Training – Mr. Salmen brought to the Board’s attention an E-mail that had gone out from DEH training on the ListServe regarding CIT training for one-day of instruction and receiving continuing education credits towards 15 hrs. of continuing education. The courses listed were for Lead Prevention, Child Care Centers, Pools and Tattoos. The Board had previously provided for approval of CIT (for subsequent times that people go back for refresher) with certain conditions being met. Mr. Salmen referred to Anna Dean’s Memo of January 22, 2002 requesting continuing education credit for CIT training. In a letter back to Anna Dean on January 27, 2002, Dennis Salmen informed Ms. Dean of the Board’s policy on CIT hours. The Board did approve completion of any one module and a single topic completion within a module may receive RS credit based on successful course completion and verification of test completion. The Board **did not** approve continuing education for a single day completion regardless of how an individual was referred. (copy of correspondence to and from Anna Dean filed with the minutes).

Nilla Sloop brought up the fact that we are disapproving ServSafe for regular RS hours unless first time teaching the course or taking the course to become a certified teacher. The average RS should already

know what is included in ServSafe to begin with. It is the same example with Centralized Training. Once you have gone through Centralized Training, you should be going to other courses for continuing education. Ann Gilstrap commented that there is a need to develop some guidelines for this.

A recommendation was made by Nilla Sloop, that the Education Committee will review the issue on CIT Training and bring a proposal back to the Board at the next meeting in August.

Education Committee – Mr. Salmen appointed Nilla Sloop to serve as Chair of the Education Committee. Ms. Sloop agreed to serve until the end of the year – 2003.

Vice-Chairman Report – None

Secretary/Treasurer's Report – Ann Gilstrap

2002 Annual Report – Ann Gilstrap handed out the Report. All of the sanitarians that took any part of the exam are included. Dennis Salmen suggested that the dates January 1, 2002 – December 31, 2002 be included and to change 2001 to 2002 under Board Members.

Legislative Committee - The Legislative Committee met. The Committee reviewed the synopsis of the old amendments to the statutes. Mr. Salmen provided a history of the rules. The Legislative Committee will meet again to see how they want to proceed. People who have opposed some of the issues may be invited in to attend some of the meetings. Other issues the committee is planning to address are the Public Health Law, problems with registration, etc. Ms. Gilstrap asked if there were other items or issues the Board wishes to address to let the Legislative Committee know.

Audit Report – It was suggested that the next Audit Report be put on the Board's Website.

Secretary to the Board's Report – Camille Bishop

- . Camille Bishop is working on the 2002 Audit. Shelton Hawley has already been contracted with.
- . The April 4 Exam Scores were approved by the RS Board.
- . Two persons who did not pass the NEHA exam and are in jeopardy for meeting the requirements for RS for 2003. One person is planning to take the exam privately and the other person has two more dates that are available for testing.
- . Public Health Law – All the persons in question have taken the EH Public Health Law Course and this has been verified by the School of Public Health. The one exception is James Rhodes whose date is 7/13/99. He has been sent a letter notifying him that he will be out of compliance on 7/13/03. Mr. Rhodes has since changed jobs in 2002 and is an unaffiliated member in the State of NC. He did renew for 2003. .

The Board discussed: Nilla Sloop commented that the law says –an RS must have completed Public Health Law within 4 years from the date of employment. Our policy states 4 years from cumulative date of employment. Mr. Dendy commented that you can be practicing as an environmental health specialist in the State of NC but not in a health department.

The Board went Out of Session

The Board went back in Session at 12 Noon.

Continuation of Public Health Law Course

Mr. Salmen reminded the Board that we had allowed Christopher Lynge, who has also not completed the Public Health Law Course to maintain his registration because he is in the military and does not reside in the State of NC. He is still registered in NC. We had advised Mr. Lynge that he did not have to meet the 4-year requirement at this time because the policy in June of 2002 was adopted to read ... **“that the date to have completed Public Health Law Course must be within 4 years from the date of cumulative employment in the State of North Carolina.”** This is where the State of NC comes from. We also did

not state in the field of Environmental Health. Mr. Lynge would have 15 months to complete Public Health Law if he returned to NC. Mack Dendy questioned that decision, in that the law reads within 4 years of employment. It does not say North Carolina or in the field of environmental health. What do we do for someone who never worked in NC. Mr. Salmen commented that for the first two years as an intern you cannot renew as an intern if you move out of NC. Mr. Dendy commented that we need to keep consistent with John Barkley's recommendation; that a registered sanitarian does not have to be a practicing Environmental Health Specialist in the State of NC or in a health department as long as they meet the requirements of our rules. We may be treating people differently. Mr. Dendy stated that we should always go back to what the law says. We need to have a consistent policy that treats everyone the same. The Board discussed at length. Mr. Salmen commented the reason we made a policy decision last year was that the law was too vague. We still need to come up with a good way to define it better.

Board Action: A motion was made by William Pierce, seconded by Ann Gilstrap that at the end of 4 years from the date of employment (7/13/99), that the Board take the necessary action to send a letter of "intent to suspend his RS license" to Mr. Jim Rhodes. Stating the cause of failure to complete the Public Health Law Course within the 4-year requirement from the date of employment. All votes affirmative.

Mr. Salmen commented on his conversation with John Barkley. Mr. Barkley basically said that you can give a notice of intent to suspend and notice of a hearing. The letter would include reference to 90A-64 (5). **"Failing to Renew Certificate as Required"**. Mr. Barkley also stated that you should give an individual a minimum of 30 days for a hearing. **Nilla Sloop, Chair of the Education Committee, to send a letter to Mr. James Rhodes.** (Mr. Salmen will send Ms. Sloop a composed draft of an appropriate letter.)

Public Health Law Policy

Board Action: A motion was made by Mack Dendy and seconded by Dr. Trenton Davis that a Registered Sanitarian must complete a Public Health Law Course within 4 years from the initial date of employment in a field of environmental health. All votes affirmative.

Website Update – Ms. Bishop reported that the directories on the website have been updated and had asked Board Members to review prior to the Board Meeting. All Board Members were in agreement that the directories looked good. We have not received a good response in getting the DENR directory on our Website.

The Newsletter will also be put on the Website. It was discussed as to whether a Newsletter should go out to members. It was the consensus of the Board that the Newsletter should go out to members.

Education Committee Report

Continuing Education Requests for June 30, 2003

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| 1. 2003 NCMVCA Annual Larval Mosquito ID Workshop, Winston-Salem, 6/24-6/26 - | 15 hr. |
| 2. Annual Adult Mosquito Identification Workshop, Washington, 4/14-4/16 - | 15 hr. |
| 3. Advanced OSWW Workshop, Mocksville, 5/21-23 - | 15 hr. |
| 4. Advanced OSWW Workshop, Fletcher, 8/6-8/8 - | 15 hr. |
| 5. Advanced OSWW Soils & Systems, Carthage, 6/3-6/5 - | 15 hr. |
| 6. Botulism in Argentina, New Bern, 6/12 - | 5.5 hr. |
| 7. Botulism in Argentina, Bayboro, 6/13 - | 5.5 hr. |
| 8. Botulism in Argentina, Elizabeth City, 6/24 - | 5.5 hr. |
| 9. Botulism in Argentina, Washington, 6/25 - | 5.5 hr. |
| 10. Botulism in Argentina, Trenton, 6/26 - | 5.5 hr. |
| 11. Botulism in Argentina, Swan Quarter, 5/28 - | 5.5 hr. |
| 12. Botulism in Argentina, Kinston, 6/18 - | 5.5 hr. |
| 13. Botulism in Argentina, Plymouth/Williamston, 6/20 - | 5.5 hr. |
| 14. Botulism in Argentina, Greenville, 5/15 | 5.5 hr. |

15. Botulism in Argentina, Clinton, 4/15	4 hr.
16. Botulism in Argentina, Warren & Franklin Co., 11-12-11-13	8 hr.
17. CIT Training, Raleigh – Pools – 4/14 – 4/21 -	5.25 hr.
18. CIT Training, Raleigh – Tattoos, 4/14 – 4/21 -	7.5 hr.
19. CIT Training, Raleigh – Child Care Centers, 4/14 – 4/21 -	7 hr.
20. CIT Training, Raleigh – Child Lead Poisoning, 4/14-4/21 -	6.5 hr.
21. Commercial Pesticide Applicator Training School, Charlotte, 5/13 -	5 hr.
22. Environmental & Hazardous Waste Law, 1/14 – 4/29 (on-line w/videotape)	15 hr.
23. Faucets to Flushes Workshop, Fletcher, 2/7 -	3 hr.
24. FDA Science Course, Washington, DC, 4/24-4/26 -	11.75 hr.
25. HPAA 135 Community & Public Health Security (UNC-CH Home Study) –1/2-4/11 -	15 hr.
26. Licensed Aquatic Facility Technician, Cherokee, 4/22 -	7.20 hr.
27. Managing Retail Food Safety, Chapel Hill, 8/12-8-14 -	15 hr.
28. NC Environmental Health Supervisors Assoc., 4/9-4/11 -	10.75 hr.
29. North Central Dist. Educ. Meeting, Roxboro, 6/3 -	4.25 hr.
30. Northeastern Dist. Environmental Health Section, Greenville, 7/11 -	4 hr.
31. OSWW; Repairing Small Systems (SOP), Lexington, 5/14-5/16 -	19 hr.
32. Outbreak Investigation & Other Pub. Health Training, Wake Co., 6/2 –6/3 -	7 hr.
33. Petroleum & Water Systems Symposium II, Norfolk, VA, 4/16-17 -	10 hr.
34. Phytotechnologies Workshop, Raleigh, 2/19-20 -	13.5 hr.
35. Principals of Epidemiology, May-Nov. 2003 – College Course UNC-SPH -	15 hr.
36. Puraflo Technical Information Seminar, Wilmington, 3/18 -	4 hr.
37. Regional Lead/Child Care Meeting, Greenville, 4/3 -	4.5 hr.
38. Sediment & Erosion Control Workshop, Raleigh, 5/16 -	6 hr.
39. Sustainable Sandhills Natural Step Training, Buies Creek, 5/5-5/8 -	15 hr.
40. Sump & Sewage Pump, Asheville, 5/5 -	1.5 hr.
41. ULV Calibration Workshops, Columbus Co., 5/1 -	3.20 hr.
42. ULV Calibration Workshops, Greenville, 5/9	3.20 hr.
43. ULV Calibration Workshops, Rocky Mount, 5/15	3.20 hr.
44. ULV Calibration Workshops, Duke Power Co. 5/22	3.20 hr.
45. Unlawful Workplace Harassment, Henderson,	3 hr.
46. West Nile Virus in the United States, New Orleans, LA, 2/9-2/11 -	15 hr.
47. West Piedmont Env. Health Section, Winston-Salem, 6/4 -	4 hr.
48. WMD: Incident Management/Unified Command, Shelby, 3/3-3/7 -	15 hr.
49. WMD: Technical Emergency Response Tr. (TERT), Alabama, 5/11-16 –	15 hr.
<u>Additions</u>	
50. Serve Safe Course – (ServSafe Food Protection Manager Certification) -	15 hr.
51. NC Environmental Health Law, Greenville, 6/3 – 6/5 -	19 hr.
52. NC Environmental Health Law, Asheville, 10/1 – 10/3 -	19 hr.
53. Fundamentals and Applied Groundwater Hydraulics, NCState, Durham, 7/9-11	15 hr.
54. Botulism in Argentina, Madison Co., Marshall, NC, 5/24 -	3.5 hr.
55. Mountain District Env. Health Section, Spruce Pine, 8/12 -	5.25 hr.
56. “Is the Sky Falling?” – Addressing Air Quality in the Triangle, RTP, 6/26 -	6.5 hr.
57. S.E. District Meeting, Fayetteville, 6/13 -	4 hr.
58. Botulism in Argentina, Raleigh, 6/2 – 6/3 -	7.25 hr.
59. Commercial Pesticide Applicator Training School, Kinston, 4/8 – 4/9 -	8.25 hr.

Board Action: Dr. Trenton Davis made the following recommendation from Committee: that we approve the Continuing Education List as presented with the following exceptions – hold #'s 39, 45, and 50 until more information is obtained. All votes affirmative.

New Intern Applications for June

<u>Intern</u>	<u>County</u>	<u>Degree</u>	<u>University</u>
Franklin M. Gardner	Cherokee	BS Natural Res. Mgmt. BS Fisheries & Wildlife	Western Carolina NC State

6.

Richard S. Gragg	Nash	MS Food Science	VA. Tech
Christopher J. Kent	Pamlico	Environmental Science	UNC-W
		Wildlife Biology	Humboldt State Univ.

Pending Transcript

William R. Rook	Craven	BS Env. Health	ECU
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Board Action: Dr. Trenton Davis made the following recommendation from Committee: that the Education Committee recommends approval of the new intern applications as listed and for William R. Rook pending receipt of his transcript. All votes affirmative.

Requests for Fast Tracking to RS Status

Melissa J. Adams requesting approval as an RS based on 4 yrs. experience

Ellen Reynolds requesting approval as an RS based on 7 yrs. experience

Dan Lasic requesting approval as an RS based on 2 yrs. experience

Board Action: Dr. Trenton Davis made a recommendation from Committee that Melissa J. Adams, Ellen Reynolds and Dan Lasic be approved for fast tracking to RS status based on 2 years and above of required experience. All votes affirmative with the exception to Tim Green who abstained from the motion.

Request for 2003 Renewal

Steve Smith and Jamie Camp

Board Action: Dr. Trenton Davis made a recommendation from Committee that Steve Smith's and Jamie Camp's registration be renewed for 2003 based on adequate continuing education credits received in 2002. All votes affirmative.

CIT Committee

Dr. Trenton Davis will continue to serve on the Centralized Intern Training Committee.

Camille Bishop's Time/Calendar - Ms. Bishop's time from July 02 – May 03 was reported to the Board. The average was approximately 104 hours per month.

Board Action: A motion was made by Mack Dendy and seconded by Ann Gilstrap to go into a Closed Session to discuss a personnel matter. All votes affirmative.

Open Session

Dennis Salmen announced that the Board, in Closed Session, discussed the current compensation of Ms. Bishop's contract and voted to extend to Ms. Bishop a \$1,500 bonus for her performance previously and expected future commitments. Mr. Salmen asked Ms. Bishop to continue keeping her time on the current activity sheets as she is currently doing. Ms. Bishop agreed to do this.

Next Meeting – August 14 & 15, 2003 in Asheville at Buncombe County Health Department & MAHEC

Respectfully submitted,

Ann Gilstrap
Secretary to the Board

Approved _____

