

## **RS Board Minutes August 14, 2003**

### **Call to Order**

The called meeting of the North Carolina Board of Sanitarian Examiners was held on Thursday, August 14, 2003 at 12:00 noon at the Buncombe County Health Department Board Room, Asheville. Dennis Salmen, Chairman, called the meeting to order at 12:20 p.m. Those in attendance were: Dennis Salmen, William E. Pierce, Ann Gilstrap, Nilla Sloop, Sheila Nichols, Mack Dendy, Dr. Trenton Davis, Tim Green, Linda Sewall and Camille Bishop.

### **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**

### **Shellfish Sanitation Registration** - Wayne Mobley

Mr. Mobley, Director of Shellfish Sanitation, made a presentation to the RS Board regarding registration of Shellfish Sanitation employees. Mr. Mobley requested the Board to look at the Shellfish Sanitation Regional Environmental Health Specialist positions, etc. and rule if in fact they must be registered. These positions do not require authorization to perform inspections. Chapter 90A-51 definitions only include: Food, Lodging and Institutional Sanitation, On-Site Sewage Treatment and Disposal, and Milk and Dairy Sanitation. Mr. Mobley shared a list of issues with the Board. (These issues are filed with the minutes.) He also shared some difficulties with hiring and State Personnel. Frequently, he cannot hire the type of people he needs because of the RS requirement. Salaries are also an issue. The Board discussed at length. In regards to "authorization", Dennis Salmen stated that requirements on authorizations are DEH's not the RS Board. The RS Board also does not have any authority over State Personnel. The comment made by the Education Committee is that the current policy that is in place is that those operating in Shellfish are required to be registered by the Board. The Education Committee feels that the Board needs to get an opinion from the Attorney General's office on this issue.

### **The Board went out of Session at 1:15 p.m.**

### **The Board went Back in Session at 1:25 p.m.**

Shellfish Sanitation Registration discussion continued. Dennis Salmen will contact the Attorney General's Office regarding Shellfish Sanitation Registration with appropriate job descriptions and report back to the Board at the next meeting.

### **Approval of the June 20, 2003 Minutes** - Several changes were made.

**Board Action: A motion was made by Linda Sewall and seconded by Tim Green that the June 20, 2003 Minutes be approved as amended. All votes affirmative.**

### **Financial Reports – June/July**

**Board Action: A motion was made by Mack Dendy, seconded by Linda Sewall to approve the June and July Financial Reports. All votes affirmative.**

**STIF Account** – Camille Bishop brought up the question of how the Board could access the STIF account if the Board wanted to transfer money from the STIF account to our First Citizens Bank account. Dennis Salmen and Camille Bishop will follow up.

### **Chair's Report** – Dennis Salmen

Mr. Salmen reported that Sara Allen is the new contact person for the Office of Boards and Commissions. She replaced Ashley Bell. Mr. Salmen has not heard anything on new appointments to the Board.

Mr. Salmen is still working on the Closed Session minutes from the last meeting. He will present them at the next meeting.

Closed Sessions – Mr. Salmen informed the Board that the Board should go into closed sessions to discuss complaints, and/or any action against an individual who is registered with the Board. Mr. Salmen has discussed this with John Barkley and he will contact him again regarding the policy on Closed and/or Executive Sessions and report back to the Board.

**Secretary to the Board's Report**– Camille Bishop

. Public Health Law Course – Four Registered Sanitarians will need to complete the Public Health Law Course in 2004 –

Ms. Bishop has sent out reminder letters to appropriate persons.

. Website is helping a lot with phone calls, etc. (Mr. Salmen will get a hit-count on the Website from Andre Pierce and Ms. Bishop will send out to Board Members electronically. Mr. Salmen will also contact Mr. Pierce on some other Website issues and his contract.)

. Ms. Bishop contacted Shelton Hawley regarding a proposed annual budget for the RS Board. Mr. Hawley stated that most of the boards he works with has an annual proposed budget. They usually look at the audit from the previous year and develop their budgets rounding off figures. This does not mean you have to stick to each line item, but is a good tool to manage budgets. (Ann Gilstrap & Camille Bishop to follow up.)

. Audit is being completed. Mr. Hawley is waiting on a letter from the Attorney General's office. Mr. Hawley will send the completed audit electronically so it can be put on the Board's Website.

**Old Business**

**The Board went into Closed Session at 2:05 pm to discuss a complaint against a Registered Sanitarian**

**Open Session at 2:15 pm**

Ms. Gilstrap informed the Board that based on the advice of the Attorney General's office that a report on the investigation will not be made at this time. The Investigation Team will continue their investigation and tentatively plan to report back to the Board at their October 23 meeting if the investigation is complete.

Ms. Gilstrap presented a complaint procedure form that could possibly be revised and put on the Board's Website. Mr. Green had some concerns with the form being put on our Website, that we may be flooded with complaints. Mr. Salmen will contact the Attorney General's office for his opinion and will bring back to the next meeting.

Legislative Committee – Ms. Gilstrap reported that the Legislative Committee met today, August 14. The Committee reviewed the rules and General Statutes. The Committee will be looking at some proposed changes to the statutes. Some items will need John Barkley's interpretation. Ms. Gilstrap asked if anyone else on the Board would like to be present at the Legislative Committee meetings. The Legislative Committee will be meeting prior to our next Board meeting in September. Other interested parties will be invited, i.e. NCPHA member, health director, RS, and a member from Supervisor's Association. We also need to get sponsors for bills in the Legislature. The Committee will also look at ways to improve our professionalism through the rules.

**Public Health Law – Intent to Suspend a Registration License.**

Nilla Sloop reviewed the background information. A reminder to take the Public Health Law Course was sent to Mr. Rhodes on 12/30/02 that he needed to take the Public Health Law Course by 7/13/03. A

certified notice of “Intent to Suspend” registration and notice of hearing was sent to the Mr. Rhodes 7/17/03. Ms. Sloop received the certified receipt back and Mr. Rhodes has not responded.

### **Closed Session Regarding “Intent to Suspend” a Registration License**

**Open Session** - Any further action from the Board is pending a response from the sanitarian in question, who has until August 20 to respond. The Board will then take action on whatever response is received.

### **CIT Training**

The Board discussed at length. Mr. Salmen read the current policy. Nilla Sloop commented from the Education Committee that the courses for CIT training are mainly focused on entry level audiences and do not meet the requirement for practicing environmental health specialists.

**Board Action: Nilla Sloop made a recommendation from Education Committee that the RS Board not allow continuing education hours for experienced registered sanitarians attending CIT Training, effective date 8/14/03. All votes affirmative with the exception of Mack Dendy who abstained.**

### **Continuing Education Requests for August**

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|--|-----------|
| 1. Childhood Lead Poisoning Prevention Program Mgmt Workshop, Kentucky, 6/3-6/5 -  | 15 hr.    |
| 2. Botulism In Argentina, Murphy, 6/24 -   | 3 hr.     |
| 3. Respiratory Protection Training, Yadkinville, 6/17 , 7/31, 8/12, 8/13,8/27.8/28, 9/24, 9/26-<br>(all sites) -                         | 3.5 hr.   |
| 4. NC Dairy Conference, Salisbury, 2/26 -  | 4.75 hr.  |
| 5. Milk Pasteurization Controls and Tests, Raleigh, 3/10-12 -  | 15 hr.    |
| 6. Product Security and Integrity Guidance, Hickory, 3/13 -  | 1.5 hr.   |
| 7. Food-Related Provisions of the Bioterrorism Act, Hickory, 1/29 -  | 2 hr.     |
| 8. Dairy Foods Safety and Quality Conference, Salisbury, 2/25 -  | 4 hr.     |
| 9. Fourth National Workshop on Constructed Wetlands/Banks for Nutrient Reduction &<br>Costal Water Protection, Wilmington, NC, 6/23-25 - | 15 hr.    |
| 10. Environmental Health Disease Control at Special Events (SOP), Wilmington, 6/25-27 -  | 18.75 hr. |
| 11. Basic Private Wells Workshop, (SOP), Wilmington, 7/9-11  | 19.25 hr. |
| 12. Supervision of Lead-Based Paint Abatement Projects -Update” Savannah, GA., 6/25 -  | 5 hr.     |
| 13. Inspecting for Lead-Based Paint, Savannah, Ga., 6/26 -   | 5.25 hr.  |
| 14. Lead-based Paint Risk Assessment Update, Savannah, GA, 6/27 -  | 5.5 hr.   |
| 15. 2003 Southern Env. Leadership Summit, Raleigh, 5/19-21 -   | 15 hr.    |
| 16. Food Service Training, Bolivia, 9/13-17 -  | 15 hr.    |
| 17. Sustainable Sandhills Natural Step Training, Buies Creek, 5/5-8 (from last meeting) -  | 15 hr.    |
| 18. Health & Environmental Risk, VA., 7/8-10 -   | 15 hr.    |
| 19. Product Certification (NSF/ANSI Standards), Raleigh, 9/9 -   | 5.75 hr.  |
| 20. MEERT (CBO Training & Issues Forum), Southern Pines, 6/19-20 -   | 8 hrs.    |
| 21. Response to “Dirty Bomb” Incident, 6/19 – 20 -   | 4 hrs.    |
| 22. Indoor Air Quality, Duke Univ., Durham, 8/22 -   | 5 hr.     |
| 23. West Piedmont Environmental Health Section, Yadkinville, 9/3 -   | 4 hr.     |
| 24. Environmental Health Supervisors’ Assoc., Greenville, 8/21 -   | 3.25 hr.  |
| 25. Decentralized On-Site Community Wastewater Workshop, Pittsboro, 8/26 -   | 8.75 hr.  |
| 26. Wastewater Inspector Training, Cary, 9/22-9/26 -   | 15 hrs.   |
| 27. Performance Evaluations of Wastewater Treatment Facilities, Raleigh, 3/5-3/6 -   | 11 hr.    |
| 28. North Central Environmental Health Dist., Burlington, 9/5/03 -   | 5 hr.     |
| 29. Wastewater Treatment Plant Operator Grade I & II Co mbined Class, (College Course) –<br>1/13 – 4/28 (Certification of Completion) -  | 15 hr.    |
| 30. Management Academy for Public Health, Chapel Hill, 7/27-7/31 -   | 15 hr.    |
| 31. Basic Mathematics in Environmental Health (Home Study Course by CDC) -   | 15 hr.    |
| 32. Local Response to Terrorism: Lessons Learned from the 9/11 Attack on the Pentagon,<br>Arlington, VA, 7/28-30 – (first 2 days) -      | 15 hr.    |

33. Mold, Moisture & Remediation Workshop, Cincinnati, Ohio, 9/22-25 -	15 hr.
34. Bioterrorism Response Training, Edenton, 9/16 -	3.5 hr.
35. Rabies: Old Yeller vs. the Raccoons (SOP), Asheville, 8/6-8/8 -	17.25 hr.
36. Public Health 8 hr. Hazmat Awareness Training, Lexington, 5.20 -	7.5 hrs.
37. CDC Managing Elevated Blood Lead Levels, Kentucky, June 2 -	6.75

**Board Action: Nilla Sloop made a recommendation from the Education Committee that the Continuing Education Requests list be approved with the following exceptions - #1 – change to 15 hrs and #17 is denied. All votes affirmative.**

#### **CEU's Recommendation**

**Board Action: A motion was made by Nilla Sloop, seconded by Ann Gilstrap that the RS Board will accept CEU's when there is an equivalency measure for contact hours, the classes are appropriate, and there is a Certificate of Completion included. All votes affirmative.**

**Request from Nancy Deal** requested through E-mail to Camille Bishop that the instructors from the Fletcher Sub-surface school held June 11-13, 2003 be able to receive continuing education hours for teaching the class. Ms. Bishop had responded to Ms. Deal that they could if it was their first time teaching the class. Another E-mail sent to Ms. Bishop from Nancy Deal asking if the instructor taught the class 4 or 5 years ago, could they still get CE hours for teaching the course this year. The Education Committee disapproved this request and will approve any instructors teaching it for the first time within the year they teach the course. Ms. Bishop will inform Nancy Deal of this decision.

#### **Approval of New Intern Applications & Transcripts for August.**

<b><u>Intern</u></b>	<b><u>County</u></b>	<b><u>Degree</u></b>	<b><u>University</u></b>
Lori R. Morrison	Cumberland	BS-Biology/Chem.	Fayetteville State
Jason K. Riggsbee	Davidson	BS Food Science	NC State
Allison L. Costa	Davie	BS Biology & Politics	Wake Forest
Frank Prince, Jr.	Caldwell	BS Forest Management	Clemson
Ronald Keith Hill	Cumberland	BS Environmental Health	Western Carolina
Robert L. Phelps	Catawba	BS Physical Science	Bridgewater College

**Board Action: Nilla Sloop made a recommendation from the Education Committee that the new intern application list be approved. All votes affirmative.**

#### **Request for 2003 Renewal and Reinstatement as a RS – Kenneth Sykes**

Nilla Sloop reviewed Mr. Sykes request and background information with the Board. Mr. Sykes was grandfathered in 1983 as an RS. In 1985 he was employed by NC Department of Agriculture and Consumer Services as a food regulatory specialist where he is currently working. He had submitted a renewal application to Ms. Bishop and is requesting to be reinstated by the RS Board as a Registered Sanitarian. Mr. Sykes has not renewed his application for R.S. since 1987.

**Board Action: Nilla Sloop made a recommendation from the Education Committee that Mr. Sykes' application for reinstatement be denied, that he can make application as an intern and once he has taken the required NEHA, oral and essay exams, the Board would consider his application for fast tracking. All votes affirmative.**

#### **NEHA, Oral and Essay Exams**

The Board, by a consensus, voted in 1998 to accept January 1, 1998 as the date for retaking the NEHA exam, adopting the same policy as NEHA. The PES exam was no longer accepted after this date. The Board did not vote on any acceptable date for retaking the oral or essay exam.

**Board Action: Nilla Sloop recommended from the Education Committee that the RS Board would not accept oral or essay exam scores after 5 or more years from the last date of taking the oral or essay exam. All votes affirmative.**

5.

**NEHA Exams** – Mr. Salmen stated that the Board actually did not take a formal vote on adopting the NEHA policy for retaking the NEHA exam, that it was only by consensus vote as was found in the minutes of January 1998.

**Board Action: A motion was made by Nilla Sloop, seconded by Mack Dendy, that the Board formally recognize the policy, that by consensus has been in place since January 1, 1998 to adopt the NEHA policy regarding the NEHA exam to be formally recognized as Board Policy. All votes affirmative.**

**Exam Participants for August 15, 2003** – Camille Bishop reported that there are 12 participants taking the exam on August 15.

**Next Meeting Date - September 16, 2003** – Adams Mark, Winston Salem – 4:00 – 6:00 pm. Dennis Salmen will follow up with Deborah Rowe in securing a room for the meeting. Camille Bishop will will contact Adams Mart and surrounding hotels regarding state rates.

**Board Action: A motion was made by Dennis Salmen, seconded by Tim Green that if there is no economic savings at staying at another hotel close to Adams Mark, that the Board would approve the standard conference room rate at that time. All votes affirmative.**

**Meeting Adjourned.**

Respectfully submitted,

Ann C. Gilstrap, Secretary Treasurer  
NC State Board of Sanitarian Examiners

Approved \_\_\_\_\_