

RS BOARD MEETING MINUTES

3/31/05

Called Board Meeting

The called meeting of the N.C. State Board of Sanitarian Examiners was held on Thursday, March 31, 2005 at 11:00 a.m. in Classroom 3 at MAHEC, 501 Biltmore Avenue, Asheville, N. C. Those in attendance were: Nilla Sloop, Malcolm Blalock, Ann Gilstrap, Terry Pierce, Dr. Burton Ogle, Tim Green, Sheila Nichols, Perry Solice, Mack Dendy and Camille Bishop.

Called to Order – Nilla Sloop, Chairman, called the meeting to order at 11:00 a.m.

Conflict of Interest Statement – Nilla Sloop asked Board Members if there were any conflicts of interest or potential conflicts of interest outside of what had already been disclosed in the annual Statement of Economic Interest form. There were no conflicts of interest stated. It was noted that members still had not received their new “Conflict of Interest” forms.

Approval of the February 18, 2005 Minutes

Tim Green made one change on Page 1 of the Minutes under Legislative Committee. It should read – “Tim Green reported from the Health Directors’ meeting that the Environmental Health Committee and Health Directors’ Association did endorse the revisions of the proposed laws.”

Board Action: A motion was made by Malcolm Blalock, seconded by Perry Solice to approve the February 18, 2005 Minutes with the proposed change by Tim Green. All votes affirmative.

Financial Report

Ann Gilstrap pointed out the different ways we are now documenting our expenses to identify which areas we are spending our money. She asked Ms. Bishop to make a couple of changes in the report.

Board Action: A motion was made by Tim Green and seconded by Terry Pierce to approve the Quarterly Financial Report as presented. All votes affirmative.

Chair’s Report – Nilla Sloop

Ms. Sloop referred her report to Malcolm Blalock who reported on the NEHA survey report sent out on RS Boards across the nation. Ms. Sloop had sent a copy to Mr. Blalock. Mr. Blalock had reviewed the report and had noticed a number of errors. He reviewed some of the errors with the Board. Mr. Blalock is working with Christy Robb to change the errors. Nilla Sloop emphasized that there had been no contact at all from NEHA to our Board before putting out this report.

Vice-Chair’s Report - Terry Pierce

Mr. Pierce discussed the cumbersome process involved with the current way a recommendation for an appointment is made to the Governor’s Office for the Health Director position on the Board. He explained that the Environmental Health Section is supposed to make recommendations to the Governor’s Office for replacement of all positions on the Board. Mr. Pierce said this is not practical and that a clause to allow the Health Directors Association to make the recommendation for the Health Director Position appointment should be included in the proposed legislative changes. After some discussion by Board Members regarding the process of appointment, Ms. Gilstrap said she would incorporate language into the proposed amendments of the General Statutes which will limit recommendations of appointments by the Environmental Health Section of NCPHA to the four practicing sanitarians representing the Western, Piedmont, and Eastern Regions of the State and the Sanitarian at Large, the public-spirited citizen and the Educator representative from a college or university.

Secretary/Treasurer’s Report – Ann Gilstrap

Department of Commerce

Under Bill 143B-431, the Business License Information Office of the Department of Commerce is now requiring us to submit a quarterly report to them to update their website. Information has been updated and the first quarter’s report has been completed and will go in at the end of March. We will also be able to add

our website address to this information. Ms. Gilstrap will be given a password and will be able to go directly to the site and update information.

Revised 2005 Budget Proposal – Ms. Gilstrap handed out copies of the revised 2005 Budget proposal and noted the changes. (a copy is filed with the minutes). The Budget is now a balanced budget. Mr. Blalock reported that the laptop/software is on hold at this time until the middle of summer.

Board Action: A motion was made by Malcolm Blalock, seconded by Tim Green to adopt the 2005 Budget. All votes affirmative.

Titles and Classifications - An intern brought to Ms. Gilstrap's attention that in the Directory of EH specialists listed on the DENR website had some errors. They are listing Registered Sanitarian Interns as Environmental Health Specialist Interns. Their certification is a Registered Sanitarian Intern. Ms. Gilstrap feels we need to be consistent with our titles and classifications across the board.

Secretary to the Board's Report

Ms. Bishop reported that two interns had not completed their public health law course and three interns whose time will expire this year who have not yet met the RS requirements. She will keep the Board informed.

Old Business

Legislative Committee – Ann Gilstrap

Policy on Complaints on RS's & RSI's & when to inform Health Directors – Ms. Gilstrap handed out a draft policy. (copy filed with the minutes.) Ms. Gilstrap noted that we should not be informing health directors and supervisors until we feel the complaint is valid. Board Members discussed how the Board could recoup some of the cost of investigations/hearings. Mr. Blalock commented that other Boards have fees they can access. Other discussion followed. Ms. Gilstrap feels we should not put anything in our rules re-write at this time. We do not want negative comments. Tim Green commented that he feels that this issue does have some merit and should be considered at some future point. Dr. Burton Ogle also feels we need to investigate this issue in the future. We will need to clarify with John Barkley on penalties and charging for costs.

Ms. Gilstrap asked for any changes to the policy. Changes: Under 3 (b) add "as a courtesy" after "complaint will be given to the Health Director/Supervisor." Take "Notification will be verbal" out. Ms. Gilstrap will get John Barkley to look at this policy. Mr. Blalock asked about putting the policy on the Website. Ms. Sloop will see that Policies and Procedures get added to the Website. Ms. Gilstrap will revise policy and send out to Board Members.

Laws/Rules Revisions – Ms. Gilstrap has not contacted a sponsor as yet, but plans to do so in the near future. She plans to talk to Pryor Gibson and Scott Thomas. She had received some more comments regarding the statues with suggested changes and shared these with the Board. She is now cleaning up and making final changes to the laws/ rules. Ms. Gilstrap noted some of the changes and discussed. The Board discussed "Oath of Office" at some length. One question was whether or not this should be a state oath or county oath. Also can it be transferred from County to County? Ms. Gilstrap will discuss issues involving "Oath of Office further with John Barkley. Other issues discussed were Reciprocity, Code of Ethics, Public Health Law, Moral Turpitude, military hardship cases, etc. **Follow-up:** Ms. Gilstrap will contact sponsors for the proposed statutory amendments in the next couple of weeks and send a final revision of the rules/laws to Board Members. John Barkley will be contacted about some of these issues.

Out of Session at 12:30 PM

Back In Session at 1:15 PM

Report on the Gerald Strickland Hearing – Nilla Sloop

Ms. Sloop has talked with John Barkley. He is still working on the “findings of fact”. There is no appeal at this time. Mr. Barkley will get back to us in the next couple of weeks. All parties have been notified.

Closed Session

Board Action: A motion was made by Ann Gilstrap, seconded by Mack Dendy to go into Closed Session to discuss the settlement agreements on Fred Smith and Marshall Brothers. All votes affirmative

Open Session at 1:50 PM

Report on Pending Hearing on Fred Smith and Marshall Brothers

Malcolm Blalock reported that they are still in the process of entering into settlement agreements with Marshall Brothers and Fred Smith. This should be completed in the next couple of weeks. Mr. Blalock will inform the Board when this has been completed.

Follow-up on Matt Deaton, Public Health Law Course

Nilla Sloop reported that a letter was sent to Matt Deaton informing him of his hearing date of June 17, 2005. He is expected to take the Public Health Law course schedule the latter part of May.

Dickson SeSe

Nilla Sloop reported that a letter had been sent to Dickson SeSee regarding a request for reciprocity in N.C. Ms. Sloop informed him that the Board had no record of showing that a formal application for reciprocity had been received from him. Without an application from him there was no basis for an administrative hearing. She informed him that he would have to submit a formal application to the Board and the Board would then provide a response.

Approval of Exam Scores

The Board discussed the current practice of approving exam scores at a public meeting prior to these scores being reported to the interns. Camille Bishop provided a copy of G.S. 143-318.18 which grants exceptions to the Public Records Law and exempts boards from this law when performing certain activities. One of these exemptions is found in GS 143-318.18 (6) (i) which states, “while preparing, approving, administering, or grading examinations.” It was the consensus of the Board that approval of exam scores at a public meeting is not required prior to releasing the scores to the individual interns, since this was only a report of the exam scores and not RS status approval. RS status changes will be approved by the Board prior to notification being sent to the interns.

Board Action: A motion was made by Terry Pierce, seconded by Mack Dendy, that beginning April 1, 2005; the Secretary to the Board may report the exam scores to the participants without review or approval of the Board. The Secretary to the Board will provide a report of these scores to the Board at the next meeting following the exam date. All votes affirmative. Ms. Bishop will draft new letters to go to participants and send the drafts to Nilla Sloop and Terry Pierce for review before sending the letters to the interns.

Common Database – Terry Pierce

Terry Pierce reported on plans to develop a common database for RS Board, CIT and authorization. Mr. Pierce has met with Rodney Long, Malcolm Blalock, Chris Joyce and Andre Pierce to discuss the details of this database. The database would be housed at in DENR/DEH and would be a central storehouse for information regarding environmental health professionals. The goal is to have an individual electronic file for each person registered with the Board, which would contain the information regarding Continuing Education/SOP, CIT, and Authorization. One common identifier, i.e. the RS number, could be used throughout the career of an individual. The prospect of converting to IBEAM, an internet-based framework supported by DENR, was also discussed. Mr. Pierce proposed to stay with ACCESS for the present and merge the ACCESS databases for the RS Board, CIT and Authorization before converting to IBEAM. Discussion followed by Board Members. Ms. Gilstrap asked about costs and time involved. Andre Pierce and Rodney Long will make a presentation on this issue at the June 17 meeting in Raleigh. Mr. Pierce

plans to have another meeting with Rodney Long and the group before the next meeting to review some of the issues involved.

New Business

CIT Committee Report – Sheila Nichols

Ms. Nichols reported that the Committee has not met. She did receive a call from Chris Joyce wanting to ask the Board to consider continuing education for some portions of CIT. She gave him some contacts to call – Terry Pierce and Malcolm Blalock. Mr. Joyce will probably come to the June meeting in Raleigh to discuss.

SOP Committee – Terry Pierce/Mack Dendy

Terry Pierce and Mack Dendy attended the SOP Committee meeting on March 3. The SOP Committee discussion focused on the various upcoming courses. Terry Pierce reported on the RS Board activities and solicited comments on the proposed law and rule changes. He also encouraged the Committee members to get their comments to Len Gilstrap as soon as possible.

Continuing Education Requests – Malcolm Blalock

<u>Workshop/Meeting</u>	<u>Location</u>	<u>Dates</u>		<u>CE Hrs.</u>
1. Stormwater Technology Fair	Beaufort	03/08/05	03/08/05	5.00
2. Eastern District-NCPHA	New Bern	05/11/05	05/13/05	6.25
3. North Central Environmental Health Dist. Me	Burlington	03/15/05	03/15/05	4.50
4. Food Security Tabletop Exercise	Greensboro	01/20/05	01/20/05	5.50
5. Dairy Foods Safety & Quality Conference	Salisbury	02/22/05	02/22/05	3.00
6. NC Dairy Conference	Salisbury	02/23/05	02/23/05	4.25
7. Certified Pool Operator Course	Chapel Hill	01/06/05	01/07/05	12.00
8. Southeastern Educational District Meeting	Fayetteville	03/11/05	03/11/05	4.00
9. Soil Science Society of North Carolina	Raleigh	01/18/05	01/19/05	11.00
10. Eastern NC Environmental Health Supv.	Greenville	03/04/05	03/04/05	3.00
11. Public Health Epidemiologist Program	Elizabeth Cty	02/15/05	02/15/05	1.50
12. Regulations Under the Bioterrorism Act	Greensboro	05/10/05	05/10/05	3.00
13. Weapons of Mass Destruction –Awareness	Charlotte	03/13/05	03/13/05	4.00
14. Weapons of Mass Destruction –Awareness	Charlotte	02/11/05	02/11/05	3.50
15. What's Broke; Why It is Broke; How to Fix It	Asheboro	02/23/05	02/25/05	19.00
16. Regional PH Preparedness & Response HD	Fayetteville	02/23/05	02/23/05	3.75
17. ENVR 101, Environmental Health	Chapel Hill	01/06/05	03/04/05	15.00
18. A Basic Well is Anything But Basic	Black Mtn.	03/09/05	03/11/05	19.00
19. State Health Director's Conference (2005)	Raleigh	01/27/05	01/28/05	6.00
20. Tech 100: Basics of On-Site Sewage	Raleigh	03/29/05	03/29/05	6.00
21. Tech 102: On-Site System Technologies	Raleigh	03/30/05	03/30/05	6.00
22. O&M 210: Advanced LPP&Pump System	Raleigh	03/31/05	04/01/05	12.00
23. Install 110: Installation Field Practicum	Raleigh	05/06/05	05/06/05	6.00
24. GIS 100: Introduction to GPS & GIS	Raleigh	05/17/05	05/17/05	6.00
25. GIS 110: Using GIS Resources on Internet	Raleigh	05/18/05	05/18/05	3.00
26. GIS 100: Introduction to GPS & GIS	Raleigh	07/12/05	07/12/05	6.00
27. O&M 201: Pumps and Controls	Wingate	03/08/05	03/08/05	6.00
28. Soils 100: Getting the Dirt on Soils	Greensboro	04/05/05	04/05/05	6.00
29. Tech 200: Septic System Opt./ Difficult Sites	Greensboro	04/06/05	04/07/05	12.00
30. Soils 120: Redoximorphic Features, Soil Wet.	Greensboro	04/12/05	04/12/05	6.00
31. Soils: 130: Soil Structure	Greensboro	04/19/05	04/19/05	6.00
32. Soils 200: Water Movement/ Treatment- Soils	Greensboro	05/24/05	05/24/05	6.00
33. Soils 210: Saturated Hydraulic Conductivity	Greensboro	05/26/05	05/26/05	6.00
34. Install 100: Installation of Gravity Systems	Chapel Hill	05/04/05	05/04/05	6.00
35. Install 101: Installation of Advanced Systems	Chapel Hill	05/05/05	05/05/05	6.00
36. Forensic Epidemiology	Raleigh	03/22/05	03/22/05	7.00
Forensic Epidemiology	Wrightsville	03/28/05	03/28/05	7.00

Forensic Epidemiology	Charlotte	04/05/05	04/05/05	7.00
37. Food Service Plan Review Workshop	Raleigh	05/23/05	05/25/05	15.00
38. Northeastern Dist. Quarterly Meeting	Greenville	04/08/05	04/08/05	4.00
39. Quantum Lakes Pump Repair Schedule		05/17/05	05/22/05	15.00
40. Computers & Management - BUS 241	Greensboro	01/09/05	04/24/05	15.00
41. Conducting Risk-Based Inspection	PHTIN Sites	05/03/05	05/04/05	10.25
42. Navy Occupat.Health/Preventive Med.	Port.,VA	02/12/05	02/18/05	15.00

Malcolm Blalock presented the Continuing Education List. Added to the list was #42 – Navy Occupational Health and Preventive Medicine held in Portsmouth Va. on 2/12/05 to 2/18/05. The Board discussed #40 – “Computers & Management – Business 241 at length. The request was submitted by an individual not in the mainstream of Environmental Health. The concern was how relevant was this type of course to the work of an environmental health specialist? How much time should be allowed? The committee also discussed developing a policy for someone outside the mainstream of environmental health. The Board already has a policy on non-traditional courses, i.e. Spanish, etc. Ms. Gilstrap read from the policy that “such training should be technical in nature and have some relation to the environment and environmental health and improving the practice of such.” Mr. Blalock commented that this computer course could possibly fit in this area as it is related to environmental health. How much time should be allotted was also discussed.

Dr. Burton Ogle will work on a policy to address this issue. He may get one of his students to do a survey of environmental health specialists to find out how what percentage of their time is spent on computers.

Board Action: A recommendation was made by Malcolm Blalock, from the Education Committee, to approve the Continuing Education List with the following exceptions – Change #1 to 5.00 hrs., #2 – 6.25 hrs., #4 - Deny until an agenda can be provided, #17 – 15 hrs., #19- 6.00 hrs., #22 –approval pending getting an agenda, #37 – change to 14.75 hrs. #39 – recommend 15 hrs., #40 – on hold for Board policy. All votes affirmative.

Intern Requests for March 31, 2005

<u>Intern</u>	<u>County</u>	<u>Degree</u>	<u>College</u>
Jeffery D. Stepp	Henderson	BS Geology	Appalachian State

Board Action: A recommendation was made by Malcolm Blalock, from the Education Committee, to approve Jefferey D. Stepp’s application for intern status. All votes affirmative.

Request for Permanent RS Approval

Richard S. Gragg, Nash County, **RS Date – 4/1/2005**
 Christopher J. Kent, Pamlico County, **RS Date – 5/27/05**
 Frank T. Prince, Jr., Caldwell County, **RS Date – 6/30/05**
 Allison L. Costa, Davie County, **RS Date – 7/01/05**

Board Action: A recommendation was made by Malcolm Blalock, from the Education Committee, to approve Richard Gragg and Christopher J. Kent for RS Status. All votes affirmative. Frank Prince and Allison Costa were not approved at this time.

Exam Participants – Camille Bishop

Ms. Bishop handed out copies of the exam participants. There are a total of 31 participants expected to take the exam on April 1, 2005.

Secretary’s Position and Contract – Nilla Sloop

Ms. Bishop, present Secretary to the Board will terminate her contract effective June 30, 2005. Copies of the Secretary’s contract, RS Board Administrator Duties and Posting Notice Vacancy were sent out to the Board for review prior to the Board Meeting. The Board reviewed and discussed these documents. Several changes were made on the “Posting Notice Vacancy”. It was felt by several members that the salary range should be posted and requirements of the job. A suggested salary range was \$14,000 to \$17,000. Office Space requirements will be added to the “Posting Notice Vacancy”. It was the consensus of the Board to supply all office equipment, telephone line and internet access. This will be added under “Administrative Duties” – under the heading of “Maintain Office for the Board.” Other discussion followed. Ms. Sloop will make the suggested changes and revise the documents before they are sent out. It is planned to interview the candidates individually and vote on them by secret ballot. The “Posting Notice Vacancy” will go out on the

ListServe. Resumes and Letter of Interest should be submitted to Ann C. Gilstrap by April 18, 2005. A committee of Dicke Sloop, Terry Pierce, Malcolm Blalock and Ann Gilstrap will meet on April 27, 2005 to choose three applications to be interviewed based on their qualifications, etc. The entire Board will meet on May 4th at Parker Lincoln Building at 9:30 a.m. with the interviews starting at 10:00 a.m. The chosen applications and interview questions will be sent to Board Members prior to the meeting.

Motion to Adjourn.

Respectfully submitted,

Approved _____

Ann C. Gilstrap, Secretary/Treasurer