

**Minutes**  
**Well Contractors Certification Commission Meeting**  
May 4, 2021 10:00 AM

The regularly scheduled meeting of the Well Contractors Certification Commission was called to order on Tuesday, May 4<sup>th</sup>, 2021 at 10:02 AM at 400 W. Market St., Greensboro, NC, Rm. 320 with Chairman Doug McVey presiding. The following persons were in attendance for the meeting:

Commission Members

Justin Barefoot (absent)  
David Brown  
Chris Deal  
Laura Honeycutt  
Doug McVey (via telephone)  
Todd Muench  
Doug Young (absent)

WCC Staff

Andrew Morgan

DHHS Staff

Wilson Mize (via telephone)

Legal Staff

John Barkley

Guest

None

**I. Preliminary Matters**

(1) Chairman Doug McVey called the meeting to order and requested cellular telephones be silenced.

(2) Chairman McVey 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. The Chairman asked if any member knows of a conflict of interest or appearance of a conflict. No conflict of interest noted.

(3) 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.

(4) Notation of Any Revisions or Additions to the Agenda

## **II. Action Items**

(1) Approval of Minutes

The Commission reviewed the February 2, 2021 meeting minutes. Vice-Chairman Muench made a motion to approve the February 2, 2021 minutes. Commissioner Brown seconded the motion. A roll call vote was taken and the motion passed unanimously.

(2) Election of new Commission Chairman

Vice-Chairman Muench volunteered to fill the Chairman position. Mr. Barkley suggested a nomination be made. Commissioner Deal made a motion to nominate Vice-Chairman Muench for the Chairman position with an effective date of June 1, 2021. Commissioner Brown seconded the motion. A roll call vote was taken and the motion passed unanimously.

(3) Election of new Commission Vice-Chairman

Chairman McVey made a motion to nominate Commissioner Honeycutt to fill the Vice-Chairman position effective June 1, 2021. Vice-Chairman Muench seconded the motion. A roll call vote was taken and the motion passed unanimously.

(4) Committee Appointments

Vice-Chairman Muench made a motion to nominate Commissioner Deal to fill the vacancy on the Budget Committee due to Chairman McVey's second appointment ending. Commissioner Brown seconded the motion. A roll call vote was taken and the motion passed unanimously.

Vice-Chairman Muench made a motion to nominate Commissioner Young to fill the vacancy on the Review Committee due to Chairman McVey's second appointment ending. Commissioner Brown seconded the motion. A roll call vote was taken and the motion passed unanimously.

(5) Commissioner McVey Replacement

Commissioner Brown stated he will contact a couple of environmental health specialists he knows and ask if they are interested in the appointment.

(6) Commissioner Honeycutt re-appointment

Senator Berger's office has already contacted Commissioner Honeycutt regarding her re-appointment, and she would like to be re-appointed.

(7) Contacting Legislature about Independence

Mr. Barkley advised the Commission that legislation regarding independence from State government needs to be added to a bill before crossover on May 13, 2021. Commissioner Honeycutt stated she will contact Senator Berger's office.

(8) Retaining external legal counsel

Mr. Barkley is researching if the Commission can retain external counsel while still in State government. If the Commission becomes independent from State government, there would still be the option of utilizing DOJ counsel.

(9) Vent Pipe Removal (DEQ/DWR interpretation)

The Commission discussed recent email from Wilson Mize regarding the DEQ/DWR interpretation regarding removal of vent pipes from the well seal. DEQ/DWR is stating that removal of the vent pipe is not breaking the well seal and well disinfection is not required when a sonic measuring device is used, therefore vent pipe removal is not a well contractor activity when tooling is not inserted into the well. DEQ/DWR will be issuing a written position statement in the future. Proposed civil penalty assessments for vent pipe removal have not been issued at this time pending the written position statement from DEQ/DWR. 2C rule interpretations must come from DEQ/DWR as they are the custodian for said rules. Commissioners do not agree with the DEQ/DWR interpretation and a rule change may be required to clearly settle this matter. Once DEQ/DWR releases their written position statement this matter may again be addressed.

### III. Information Items

(1) Staff Report

The staff report was presented by Drew Morgan, for activities that occurred from November 2020 to January 2021:

1) Exam Reviews	3
2) Exams	16
3) Field Observations	8
4) Civil Penalty Assessments	0

Commissioner Barefoot assisted Mr. Morgan with the February 23, 2021 written examination and Commissioner Young assisted with the April 15, 2021 written examination. Commissioner Young has volunteered to assist with the July 30, 2021 written examination. Commissioner Brown asked how the written examination will be conducted in July if Mr. Morgan is not allowed to travel and if Commissioners can administer the written examination. Mr. Mize and Mr. Barkley advised Commissioners that after July 1, 2021 travel should not be a problem. Chairman McVey stated Vice-Chairman Muench and Commissioner Brown should administer the July 30, 2021 exam if Mr. Morgan is not allowed to travel. Commissioner Honeycutt asked for the CP2020 exam statistics which Mr. Morgan accessed and read to the Commission. Commissioner Brown would like to use the Franklin Electric AIM manual instead of the NEC code book for the written examination. Mr. Barkley advised that using a proprietary book for the written examination may not be possible.

(2) Review Committee Report

Commissioner Brown presented the Review Committee report for meetings held in February, March and April 2021. The Review Committee has reviewed 12 applications for certification level A, 2 for level B, 1 for level C and 0 for level D. The Committee did not review any continuing education courses for pre-approval.

(3) Ethics Update

Mr. Barkley reminded the Commissioners to complete their Ethics Training when due. Commissioners McVey and Honeycutt still need to file their 2021 SEIs.

**IV. Upcoming Meetings**

Commission Meeting – Aug. 3, 2021 @ 10am, 400 W. Market St., Greensboro, NC

Review Committee – June 1, 2021 @ 10:00am, at 501 Millstone Dr., Hillsborough, NC

Budget Committee – July 31, 2021 2101 N. Oak St., Myrtle Beach, NC

**V. Adjournment**

With no further business or comments from Commission or Staff, the meeting was adjourned at 11:25 AM

Respectfully submitted,  
Andrew Morgan, REHS  
WCC Staff

Approved by WCCC:

Todd Muench

Todd C. Muench, NCWC  
Chairman, Well Contractors Certification Commission  
**[www.wellcontractors.nc.gov](http://www.wellcontractors.nc.gov)**

8/10 /2021

Date