

NC Board of Licensed Soil Scientist
Meeting – October 4, 2019
5211 Western Blvd, Raleigh, NC

Meeting Minutes:

Present: Scott Greene, Walter Giese, Don Wells, Patrick Johnson, Clark Wipfield, Steve Broome, Eric Hill and Deborah Piland (Administrator).

1. Scott Greene called the meeting to order at 1:05 pm and read the Ethics statement to the Board. Scott Greene will recuse himself from considering the application of Bryan Hancock, as he is listed the as supervising soil scientist. No other Board members indicated any conflicts of interest with the agenda.
2. Agenda –Scott Greene reviewed the agenda and made the following additions; 1) to review the August 8, 2019 called meeting minutes and 2) Scott will provide an update on the task force for Wastewater Rule, (Item #4 in New Business). **No other agenda items added or modified. Clark Wipfield made a motion to accept the agenda, seconded by Walter Giese, unanimously approved.**
3. **Approval of minutes from the March 1, 2019 meeting. After a review and discussion, Steve Broome made a motion to approve the March 1, 2019 minutes, seconded by Walter Giese, unanimously approved.**
4. **Approval of minutes from the called August 8, 2019 meeting. After a review and discussion, Clark Wipfield made a motion to approve the August 8, 2019 minutes, seconded by Steve Broome, unanimously approved.**
5. **Approval of Financial Report.** Don Wells summarized the provided documents; the Profit & Loss statement, the Balance Sheet and the Year End Independent Accountant's Compilation Report (Year Ended June 30, 2019). The Profit & Loss statement and the Balance Sheet reports (green page) are from July 1, 2019 through September 15, 2019. In summary, we have a net income of \$6,350.38 and the total assets are \$78,769.69. Don encouraged everyone to review the report prepared by the CPA (Shelton Hawley) as that is in depth of all of the financial statements. After a review of the documents, the following comments and/or questions came up and were discussed. 1) Our main income is related to membership fees, we currently have 161 individuals that renewed their licenses, which is down by 20 members since last year. 2) A question came up about our expenses. Don responded that we have generally two categories of expenses, some that we can recover and some that we cannot. An example is the cost of new LSS seals or the exams, those expenses we charge or pass along to the individual requesting or needed them. The other expense items such as LSS Board Management fees, CPA fees and attorney fees, we can't recover from individuals and have to be aware of those expenses. These types of expensed fees are in line with the process but we should try to keep them to a minimum since we cannot pass along those costs to the members. After a general discussion, **Walter Giese made a motion to approve the Financial Report as presented, seconded by Clark Wipfield, unanimously approved.**

Old Business:

1. Ethics Education is required every two years. Board members can go to class or complete online training. Scott Greene will inform members who need this education.
2. Update on the 2L Rules: Don Wells informed the Board there is no status change on this item.

New Business:

1. Professional Practice Application submitted to the LSS Board.
 - a) Bryan Hancock submitted an application for full licensing. After a review and discussion of the application, it is complete. **Walter Giese made a motion to approve the application for Bryan Hancock, seconded by Patrick Johnson, all attending members voted and approved.** (Scott Greene recused himself.)
2. Advisory group to research a minimum soil reporting standard or guidelines. Walter Giese informed the Board that he suggests to write a position statement letter to be sent to all licensed

individuals referencing the current wastewater rules and guidelines related to the EOP (Engineered Option Permit) and the On-Site LSS Soil Evaluation. This is to inform the licenses our position as it relates to the soil and site evaluation process. Walter Giese will draft this letter and send to Scott for initial review.

3. Scott Greene mentioned that there are several State laws that affect Soil Scientist. They were generally discussed and are summarized below.
 - a) HB 268, THIS IS APPROVED AND SIGNED BY THE GOVERNOR.
Develops a 10 Representative task force to review our rules (possibly all of them)
Accepted systems avenue for any wastewater system
LSSOP...Licensed Soil Scientist option Permit, develops rules for the Authorized Wastewater System Evaluator to issue permits. This bill mirrors the EOP with the exception of the HD only having 5 days to act on the NOI
 - b) Task force comprised of:
Representative of the Onsite Branch
A person currently certified as a Water Pollution Control Systems Operator and actively conducting business...
Representative of NC EH Supervisor Association
Representative of the Consulting Soil Scientist of NC with experience...
Representative of the NC Board of License Soil Scientist with experience...
Representative of NC Home Builders Association
Representative of the Wastewater Contractor Inspector Certification Board
Representative of the NCLB of General Contractors
Representative of the NC Septic Tank Association
Representative of the NC Board of Examiners for Engineers and Surveyors with experience in designing...
 - c) HB 495, Notwithstanding any other provision of law, a municipality shall not prohibit or regulate by ordinance or enforce an existing ordinance regulating the use of off-site wastewater systems or other systems approved by the Department under rules adopted by the Commission when the proposed system meets the specific conditions of the approval
 - d) HB 761, The SL-2018-114 which allows LSS to submit report in which the LHD shall issue permit has the following addition:
The Department, the Department's authorized agents, or local health departments shall have no liability for wastewater systems failures that are a direct result of evaluations conducted by a licensed soil scientist or a licensed geologist pursuant to this subsection
 - e) HB 353, The minimum horizontal distance between every sanitary sewage treatment and disposal system to downslope interceptor drains, foundation drains, and stormwater diversions shall be 15 feet.15A NCAC .1950(a)(15) shall only apply to stormwater diversions with cuts of 2 feet or more in vertical height.
 - f) SB 553 Reg Reform Bill VETOED, Notwithstanding any other provision of law, a local health department may determine site suitability for a ground absorption sewage treatment and disposal system under rules adopted by the Commission or pursuant to G.S.130A-336.1 where all of the following are indicated:
(1)The system can be installed so that the effluent will be nonpathogenic, noninfectious, nontoxic, and nonhazardous.
(2)The effluent will not contaminate groundwater or surface water.
(3)The effluent will not be exposed on the ground surface or be discharged to surface waters where it could come into contact with people, animals, or vectors."
This bill also requires OLB's to study and report on Online Training for required CEU's
4. Scott Greene provided an update on the Task Force set up to review the Wastewater Rules. In August 2019, Jim Beeson was appointed by the LSS Board to represent our position. At this time, no meeting has taken place with the group, therefore no new information is provided. However, if anyone has any information or questions they want Jim to pass along then let Scott know and he will forward to Jim Beeson. Walter Giese asked Scott Greene to see if Jim could help define the minimum LSS report standards that should be in the EOP process. Scott will discuss that with Jim Beeson and get back to the Board if any other questions or comments come up.

Other Business

- . 1. Dr. Mike Vepraskas was going to reach out to other NCSU professors and see if they would help develop a study guide for individuals taking the professional exam. No additional information or update has been provided at this time.
2. Scott Greene announced that John Fowlkes is the new On-Site Branch Head.

Next meeting set for March 13, 2020 at 1:00 pm.

Motion to adjourn made by Walter Giese, seconded by Clark Wipfield, Motion carried.

Meeting adjourned at 2:04 pm.

Respectfully submitted,

Don Wells, LSS Board Secretary