

Advisory Board to the State Environmental Commission (SEC) On Certification for Operators of Public Water Systems

Summary minutes of the meeting of March 11, 2008

The meeting began at 1:00 pm at the Nevada Rural Water Association Conference, Harvey's Hotel and Casino, South Lake Tahoe, Nevada.

1. Call to Order and Roll Call (Chairman Cameron McKay)

Members Present: Cameron McKay, Chairman; Chet Auckly; Lynn Forsberg; Harvey Johnson.
Absent: Marcellus Jones; Marie Pollock.

Counsel to the Board: Janet Hess, Nevada Deputy Attorney General.

Representing the SEC: John Walker, Executive Secretary. Robert Pearson of the SEC staff served as recording secretary. Representing the Nevada Division of Environmental Protection (NDEP): Jennifer Carr, Chief, Bureau of Safe Drinking Water; Steve Brockway, Bureau of Safe Drinking Water.

2. Approval of minutes – September 14, 2007 Meeting

Motion: Mr. Auckly moved to approve the minutes as presented, the motion was seconded by Mr. Forsberg and the vote was unanimous in favor.

3. Recognition of Service Award to Darrin Price

Chairman McKay spoke about the long service of Mr. Price on the Board and how his expertise in the water business has benefitted the Board. Due to the demands of his new job as General Manager of the Sun Valley Water District Mr. Price recently stepped down from the Board. Mr. Price was presented with a gift in recognition of his contribution and service.

4. Replacement of Vacancies on the Board

Counsel advised that by statute the board would normally make recommendations to the SEC for replacements, but since the next SEC meeting on March 18 contains an agenda item regarding dissolving the Advisory Board and replacing it with a Forum, she recommended that no action be taken on this item at this time, that if the Forum came into being that would be the time to consider the membership. By unanimous consent the Board agreed.

5. Report on December 2007 Exam Analysis

A memo regarding the results of the December exam was distributed. Mr. McKay asked about consistency with California—were the same topics being missed? He noted that Water Quality seems to continue being the subject with the most problems.

6. Update on Coordination with the Board of Certification for Wastewater Treatment Plant Operators

Mr. Johnson said there had been a meeting in January and the contract with NWEA and NDEP was pretty much finalized. NWEA is handling certification for wastewater operators through the contract with NDEP. He spoke of the plans for online certification and testing by the beginning of 2009 (at the latest), through the use of H&R Block offices in Reno and Las Vegas. These offices have secure computers for use in testing. He noted that the cost of the examination will not increase. Sign up is still through NWEA.

The quarterly written testing will still be available, this is a supplemental option. There is instant feedback on pass/fail, and if the test is failed there will be a 30-day wait for a retest.

7. Discussion - White Paper "Nevada Certified Drinking Water Operators Forum" (see attached)

Ms. Carr presented the "White Paper" that had been prepared by her with the assistance of Mr. Auckly, who had a few preliminary comments, saying that he believed it was the direction that the Board should go and that he "liked it a lot."

Ms. Carr gave some background, saying that NDEP had put the proposal on the table in September 2007 as a proactive step in case the SEC did not reappoint the Board at the March 2008 meeting. The White Paper (attached to the agenda available to the Board and audience) gives some background and history on the Advisory board and the NDEP's appreciation of the assistance the board has given to the Division. With the changing circumstances over time the Forum concept would continue that assistance and exchange of information without the various legal formalities and restrictions caused through board status.

Mr. McKay asked about the number of members proposed in the White Paper—Ms. Carr had put it at eight, but the clarification was that the charter members of the Forum might be the current Advisory Board members, but the Forum would not have the legal requirements so there would be more flexibility in terms of membership.

Mr. Walker noted that the only time legal requirements would come into effect is if the SEC decided in the future that it needed to reauthorize and reappoint the Advisory Board; Chairman McKay added that he thought that topic should be brought up at the SEC meeting, that the Board could come back into being if desired by the SEC. Mr. Walker said that it was a good idea that the noted representatives in the statute might be appointed to the Forum to make any transition back easy.

Chairman McKay noted the savings to the state with the Forum. Mr. Forsberg asked if the members of the Forum would be appointed by name, or region, or other? Chairman McKay said that appointing members who fulfilled the statute was the way to go in view of what Mr. Walker had said. Ms. Carr agreed.

Mr. Walker added that NDEP staff would continue to support the Forum through hosting and updating the web site.

Mr. Auckly reiterated his support for the Forum proposal. Chairman McKay thanked Mr. Auckly for his work with Ms. Carr on the proposal. Ms. Carr noted that NDEP would be listening to the Forum on any future changes needed or desired in operator certification and testing, so there is continuity and a continued voice in that area. Mr. Johnson thought the document was very well thought out. Chairman McKay wondered whether the Forum could continue to use the videoconferencing equipment, and Ms. Carr said that yes, it could use the NDEP conference rooms to connect to other facilities.

When there was no further discussion Chairman McKay moved down the agenda to:

8. Advisory Board Recommendation to the State Environmental Commission (i.e., conversion of the advisory Board to an independent forum as detailed in the above referenced "White Paper")

Given that the discussion had been completed under the previous item, Chairman McKay asked for a motion on a recommendation to the SEC.

Motion: Mr. Auckly moved to approve a conversion of the Advisory Board to a Forum as detailed in the White Paper previously discussed; Mr. Johnson seconded, and the vote was unanimous in favor.

9. Public Comments

Chairman McKay said he had a comment to NDEP; that when receiving renewal of certification he would request a written receipt to be able to reimburse operators. Mr. Brockway said that changes in accounting procedure had resulted in a receipt needing to be formally requested. So they will be so requested in the future when needed.

10. Schedule next meeting

The meeting of the proposed Forum (pending SEC action on March 18) was scheduled for June 20, 2008 at 10:00 am. at the NDEP offices in Carson City and by teleconference. NDEP will publish an agenda and notify participants.

Adjournment: Mr. Auckly moved to adjourn, seconded by Mr. Johnson, and the vote was unanimous in favor. Meeting adjourned.