

**VIRGINIA BOARD FOR
WATERWORKS AND WASTEWATER WORKS OPERATORS AND ONSITE
SEWAGE SYSTEM PROFESSIONALS**

MINUTES OF MEETING

The Virginia Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals met on July 9, 2013, at the offices of the Department of Professional and Occupational Regulation (DPOR), Perimeter Center, 9960 Mayland Drive, 2nd Floor, Board Room 4, Richmond, Virginia 23233.

The following members of the Board were present:

John Aulbach, II
Frank L. Davis, Jr.
Kornell Davis, Jr., Vice-Chair
Barry T. Dunkley
D. Perry Greene
Kristen Lentz (arrived at 9:19 a.m.)
E. Brooke Philpy, Chair
D. Wayne Staples
Ronald R. Thomas

Board members Michelle Ann Magrino and Gary Schafran were not present at the meeting.

DPOR staff present for all or part of the meeting included:

Gordon Dixon, Director
Nick Christner, Deputy Director for Licensing, Investigations and Compliance
Mark N. Courtney, Senior Director for Regulatory and Public Affairs
Trisha L. Henshaw, Executive Director
Jill Hrynciw, Board Administrator
Kristin Clay, Legal Analyst
Betty C. Jones, Administrative Assistant

Elizabeth Peay from the Office of the Attorney General was present.

Finding a quorum of the Board present, Mr. Philpy, Chair, called **Call to Order** the meeting to order at 9:02 a.m.

Ms. Henshaw advised the Board of the emergency evacuation **Emergency**
procedures. **Evacuation**
Procedures

Mr. F. Davis moved to approve the agenda. Mr. Staples seconded **Approval of**
the motion which was unanimously approved by: Aulbach, F. **Agenda**
Davis, K. Davis, Dunkley, Greene, Philpy, Staples, and Thomas.

Mr. F. Davis moved that the Board approve the minutes of the **Approval of**

following meetings:

Minutes

- Board Meeting Minutes, April 11, 2013
- Informal Fact-Finding Meeting Minutes, April 11, 2013
- Informal Fact-Finding Meeting Minutes, April 16, 2013
- Informal Fact-Finding Meeting Minutes, April 25, 2013
- Onsite Sewage System Professional Workgroup Meeting Minutes, April 25, 2013
- Informal Fact-Finding Meeting Minutes, May 16, 2013
- Informal Fact-Finding Meeting Minutes, May 21, 2013

Mr. Greene seconded the motion which was unanimously approved by: Aulbach, F. Davis, K. Davis, Dunkley, Greene, Philpy, Staples, and Thomas.

Mr. Philpy opened the floor for public comment. Mr. Jeff Walker, a certified professional soil scientist and onsite soil evaluator, addressed the Board during the Public Comment Period. Mr. Walker expressed his concern about ethics requirements for onsite sewage system professionals, as well as concerns that the Virginia Department of Health (VDH) has a gap in what is expected and who is to be licensed. He specifically referenced discussions from the Onsite Sewage System Professionals Workgroup regarding the lack of the Board's jurisdiction over unlicensed installers. He asked the Board to write a letter to VDH referencing Title 54.1 of the Code of Virginia, with emphasis on provisions that contain standards for licensees.

**Public Comment
Period**

Mr. Dan Richardson, an authorized onsite soil evaluator, addressed the Board during the Public Comment Period. Mr. Richardson, who works for VDH but is not speaking for VDH, would like clarification regarding the responsibilities and duties between license types, including such responsibilities and duties as they relate to the preparation of onsite soil evaluator designs and substitutions by installers. He indicated that the authority of VDH and the authority of the Board is not clear regarding onsite sewage systems. He concluded by stating that the Board should bear the responsibility for telling licensees what they can and cannot do.

Mr. F. Davis and Staples recused themselves from the meeting and were not present during the discussion or vote due to their professional relationship with the respondent.

**File Number 2013-
00425, Douglas J.
Crooks**

In the matter of **File Number 2013-00425, Douglas J. Crooks**, the Board members reviewed the record of the Informal Fact-Finding Conference, which consisted of the investigative file, transcript, and exhibits, and the Summary of the Informal Fact-Finding

Conference, as well as the recommendation of the presiding officer. Mr. Crooks was present and addressed the Board. He thanked the Board for allowing him to speak. He stated he lost the purpose of what his job was and put the quality of drinking water at risk, and he fully understood the severity of his action.

Ms. Lentz arrived at 9:19 a.m.

**Arrival of Board
Member**

Mr. Crooks continued to address the Board. He indicated he has 30 years of experience and stated this will never happen again. After discussion, Ms. Lentz moved to accept the Summary of the Informal Fact-Finding Conference as to the facts, which cites the following violations of the Board's regulations: 18 VAC 160-20-140.3 (Count 1) and 18 VAC 160-20-140.7 (Count 2). Mr. Greene seconded the motion which was unanimously approved by: Aulbach, K. Davis, Greene, Lentz, Philpy, and Thomas.

Mr. Aulbach moved to amend the recommendation contained in the Summary of the Informal Fact-Finding Conference as to the sanctions and impose the following: suspend Mr. Crooks' license for six months, followed by increasing the recommended probation to five years for Count 1 and Count 2. Mr. K. Davis seconded the motion which was approved by: Aulbach, K. Davis, Greene, Philpy, and Thomas. Member voting in opposition to the motion was Ms. Lentz. The motion failed.

After further discussion, Ms. Lentz made a motion to revoke Mr. Crooks' license for the violation of Count 1 and Count 2 due to the severity and egregiousness of Mr. Crooks' actions and the continued and willful pattern of disregarding the safety and welfare of the public as evidenced by the documents incorporated in the record, and impose the following monetary penalties:

- Count 1: \$1,250.00
- Count 2: \$1,250.00

Mr. Aulbach seconded the motion which was unanimously approved by: Aulbach, K. Davis, Greene, Lentz, Philpy, and Thomas. As the presiding Board member, Mr. Dunkley recused himself from the meeting and was not present during the discussion or vote.

In the matter of **File Number 2013-02107, Michael A. Brown**, the Board members reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Presiding Officer's Summary and

**File Number 2013-
02107, Michael A.
Brown**

Recommendation. Mr. Brown was not present. Mr. K. Davis moved to accept the recommendation of the Presiding Officer and approve Mr. Brown's Class 4 wastewater works operator application and issue Mr. Brown's license as a Class 4 wastewater works operator after he has completed the Virginia Department of Corrections (DOC) Apprenticeship Program, met all entry requirements contained in 18 VAC 160-20-90 of the Board's regulations, and passed the examination. Mr. Thomas seconded the motion which was unanimously approved by: Aulbach, F. Davis, K. Davis, Dunkley, Greene, Lentz, Philpy, Staples, and Thomas.

In the matter of **File Number 2013-02318, Karl Humphrey**, the Board members reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Presiding Officer's Summary and Recommendation. Mr. Humphrey was present and addressed the Board. He asked the Board for a variance in the law to be able to obtain his conventional onsite sewage system installer license. He stated he has never violated the law and has a good record.

File Number 2013-02318, Karl Humphrey

After consideration of Mr. Humphrey's work experience and other professional qualifications, Mr. K. Davis moved to deny Mr. Humphrey's application for licensure as his experience does not meet the requirements of 18 VAC 160-20-97 C.1. Mr. Staples seconded the motion which was unanimously approved by: Aulbach, F. Davis, K. Davis, Dunkley, Greene, Lentz, Philpy, Staples, and Thomas.

In the matter of **File Number 2013-02656, Robert C. Archer**, the Board members reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Presiding Officer's Summary and Recommendation. Mr. Archer was present and addressed the Board. Mr. F. Davis moved to accept the recommendation of the Presiding Officer and approve Mr. Archer's application for a Class 3 wastewater works operator license. Mr. Dunkley seconded the motion which was unanimously approved by: Aulbach, F. Davis, K. Davis, Dunkley, Greene, Lentz, Philpy, Staples, and Thomas.

File Number 2013-02656, Robert C. Archer

The Board recessed for a break at 10:23 a.m. and reconvened at 10:36 a.m.

Break

In the matter of **File Number 2013-02090, John L. Stancil**, the Board members reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Presiding Officer's Amended Summary and Recommendation. Mr. Stancil was not present. Mr.

File Number 2013-02090, John L. Stancil

K. Davis moved to accept the recommendation of the Presiding Officer and approve Mr. Stancil's Class 4 wastewater works operator application and issue Mr. Stancil's license as a Class 4 wastewater works operator after he has completed DOC Apprenticeship Program, met all entry requirements contained in 18 VAC 160-20-90 of the Board's regulations, and passed the examination. Mr. Staples seconded the motion which was unanimously approved by: Aulbach, F. Davis, K. Davis, Dunkley, Greene, Lentz, Philpy, Staples, and Thomas.

In the matter of **File Number 2013-02091, Jule D. Smith**, the Board members reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Presiding Officer's Amended Summary and Recommendation. Mr. Smith was not present. Ms. Clay asked that it be noted on page 289 of the Agenda, under Item 6, Mr. Smith's ages should be "20-39" not "20-34", and under Item 7, should be "three years have elapsed" not "eight".

File Number 2013-02091, Jule D. Smith

After discussion, Mr. Dunkley moved to accept the recommendation of the Presiding Officer and approve Mr. Smith's Class 4 wastewater works operator application and issue Mr. Smith's license as a Class 4 wastewater works operator after he has completed the DOC Apprenticeship Program, met all entry requirements contained in 18 VAC 160-20-90 of the Board's regulations, and passed the examination. In addition, Mr. Dunkley further moved that Mr. Smith's license be subject to an Agreement for Licensure wherein Mr. Smith agrees to provide a quarterly report from his probation officer for a period of two years or until he has been released from probation, whichever occurs first. Such report shall include but is not limited to verification of his compliance with the terms of his probation, a report of any new convictions for which the time for appeal has expired, and compliance with the terms of his court costs/fines repayment agreement. If Mr. Smith fails to return the executed Agreement within 30 days of receipt of the Agreement, he will receive a final order denying his application for examination and licensure as a Class 4 wastewater works operator. Mr. Greene seconded the motion which was unanimously approved by: Aulbach, F. Davis, K. Davis, Dunkley, Greene, Lentz, Philpy, Staples, and Thomas.

In the matter of **File Number 2013-02092, Travis R. Myrick**, the Board members reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Presiding Officer's Amended Summary and Recommendation. Mr. Myrick was not present. Mr. Dunkley moved to accept the recommendation of the Presiding

File Number 2013-02092, Travis R. Myrick

Officer and approve Mr. Myrick's Class 4 wastewater works operator application and issue Mr. Myrick's license as a Class 4 wastewater works operator after he has completed the DOC Apprenticeship Program, met all entry requirements contained in 18 VAC 160-20-90 of the Board's regulations, and passed the examination. Mr. Staples seconded the motion which was unanimously approved by: Aulbach, F. Davis, K. Davis, Dunkley, Greene, Lentz, Philpy, Staples, and Thomas.

In the matter of **File Number 2013-02093, Jermaine V. Niblett**, the Board members reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Presiding Officer's Amended Summary and Recommendation. Mr. Niblett was not present. Mr. Robbie Jones, Treatment Plant Supervisor with the DOC, was present and addressed the Board. Mr. Jones is Mr. Niblett's direct supervisor and he stated that Mr. Niblett has earned a degree and is an excellent candidate for a license. Mr. F. Davis moved to accept the recommendation of the Presiding Officer and approve Mr. Niblett's Class 4 wastewater works operator application and issue Mr. Niblett's license as a Class 4 wastewater works operator after he has completed the DOC Apprenticeship Program, met all entry requirements contained in 18 VAC 160-20-90 of the Board's regulations, and passed the examination. Mr. Greene seconded the motion which was unanimously approved by: Aulbach, F. Davis, K. Davis, Dunkley, Greene, Lentz, Philpy, Staples, and Thomas.

File Number 2013-02093, Jermaine V. Niblett

In the matter of **File Number 2013-02095, Jo'veon H. Blowe**, the Board members reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Presiding Officer's Amended Summary and Recommendation. Mr. Blowe was not present. Mr. Robbie Jones, Treatment Plant Supervisor with the DOC, was present and addressed the Board. Mr. Jones is Mr. Blowe's direct supervisor and stated that Mr. Blowe has a good attitude, is enthusiastic, will be released soon, and is an excellent candidate for a license. Mr. Staples moved to accept the recommendation of the Presiding Officer and approve Mr. Blowe's Class 4 wastewater works operator application and issue Mr. Blowe's license as a Class 4 wastewater works operator after he has completed the DOC Apprenticeship Program, met all entry requirements contained in 18 VAC 160-20-90 of the Board's regulations, and passed the examination. Mr. Dunkley seconded the motion which was unanimously approved by: Aulbach, F. Davis, K. Davis, Dunkley, Greene, Lentz, Philpy, Staples, and Thomas.

File Number 2013-02095, Jo'veon H. Blowe

In the matter of **File Number 2013-02096, Earnest J. Robertson**,

File Number 2013-

the Board members reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Presiding Officer's Amended Summary and Recommendation. Mr. Robertson was not present. Mr. Robbie Jones, Treatment Plant Supervisor with the DOC, was present and addressed the Board. Mr. Jones is Mr. Robertson's direct supervisor and stated that Mr. Robertson is working on other credentials, does an excellent job, and is an excellent candidate for a license. Ms. Lentz moved to accept the recommendation of the Presiding Officer and approve Mr. Robertson's Class 4 wastewater works operator application and issue Mr. Robertson's license as a Class 4 wastewater works operator after he has completed the DOC Apprenticeship Program, met all entry requirements contained in 18 VAC 160-20-90 of the Board's regulations, and passed the examination. Mr. Staples seconded the motion which was unanimously approved by: Aulbach, F. Davis, K. Davis, Dunkley, Greene, Lentz, Philpy, Staples, and Thomas.

02096, Earnest J. Robertson

In the matter of **File Number 2013-02094, Bobby R. Dupree**, the Board members reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Presiding Officer's Amended Summary and Recommendation. Mr. Dupree was not present. Mr. K. Davis moved to accept the recommendation of the Presiding Officer and approve Mr. Dupree's Class 4 wastewater works operator application and issue Mr. Dupree's license as a Class 4 wastewater works operator after he has completed the DOC Apprenticeship Program, met all entry requirements contained in 18 VAC 160-20-90 of the Board's regulations, and passed the examination. Mr. Greene seconded the motion which was unanimously approved by: Aulbach, F. Davis, K. Davis, Dunkley, Greene, Lentz, Philpy, Staples, and Thomas.

File Number 2013-02094, Bobby R. Dupree

In the matter of **File Number 2013-02103, Dennis Greene**, the Board members reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Presiding Officer's Summary and Recommendation. Mr. Greene was not present. Mr. Dunkley moved to accept the recommendation of the Presiding Officer and approve Mr. Greene's Class 4 wastewater works operator application and issue Mr. Greene's license as a Class 4 wastewater works operator after he has completed the DOC Apprenticeship Program, met all entry requirements contained in 18 VAC 160-20-90 of the Board's regulations, and passed the examination. Mr. Staples seconded the motion which was unanimously approved by: Aulbach, F. Davis, K. Davis, Dunkley, Greene, Lentz, Philpy, Staples, and Thomas.

File Number 2013-02103, Dennis Greene

In the matter of **File Number 2013-02104, Shawn Miles**, the Board members reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Presiding Officer's Summary and Recommendation. Mr. Miles was not present. Mr. Staples moved to accept the recommendation of the Presiding Officer and approve Mr. Miles' Class 4 wastewater works operator application and issue Mr. Miles' license as a Class 4 wastewater works operator after he has completed the DOC Apprenticeship Program, met all entry requirements contained in 18 VAC 160-20-90 of the Board's regulations, and passed the examination. Mr. Greene seconded the motion which was unanimously approved by: Aulbach, F. Davis, K. Davis, Dunkley, Greene, Lentz, Philpy, Staples, and Thomas.

File Number 2013-02104, Shawn Miles

In the matter of **File Number 2013-02105, Ronald Ladner**, the Board members reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Presiding Officer's Summary and Recommendation. Mr. Ladner was not present. Mr. Dunkley moved to accept the recommendation of the Presiding Officer and approve Mr. Ladner's Class 4 wastewater works operator application and issue Mr. Ladner's license as a Class 4 wastewater works operator after he has completed the DOC Apprenticeship Program, met all entry requirements contained in 18 VAC 160-20-90 of the Board's regulations, and passed the examination. Mr. F. Davis seconded the motion which was unanimously approved by: Aulbach, F. Davis, K. Davis, Dunkley, Greene, Lentz, Philpy, Staples, and Thomas.

File Number 2013-02105, Ronald Ladner

In the matter of **File Number 2013-02108, Dimitrius Truesdale**, the Board members reviewed the record which consisted of the application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Presiding Officer's Summary and Recommendation. Mr. Truesdale was not present. Mr. F. Davis moved to accept the recommendation of the Presiding Officer and approve Mr. Truesdale's Class 4 wastewater works operator application and issue Mr. Truesdale's license as a Class 4 wastewater works operator after he has completed the DOC Apprenticeship Program, met all entry requirements contained in 18 VAC 160-20-90 of the Board's regulations, and passed the examination. Mr. Dunkley seconded the motion which was unanimously approved by: Aulbach, F. Davis, K. Davis, Dunkley, Greene, Lentz, Philpy, Staples, and Thomas.

File Number 2013-02108, Dimitrius Truesdale

In the matter of **File Number 2013-02111, Jim B. McGavran**, the Board members reviewed the record which consisted of the

File Number 2013-02111, Jim B.

application file, transcript, and exhibits from the Informal Fact-Finding Conference, and the Presiding Officer's Summary and Recommendation. Mr. McGavran was not present. Ms. Clay asked that it be noted that the Summary of the Informal Fact-Finding Conference should read "Class 4 Wastewater Works Operator" and not "Class 4 Waterworks Operator". Mr. Staples moved to accept the recommendation of the Presiding Officer and approve Mr. McGavran's Class 4 wastewater works operator application and issue Mr. McGavran's license as a Class 4 wastewater works operator after he has completed the DOC Apprenticeship Program, met all entry requirements contained in 18 VAC 160-20-90 of the Board's regulations, and passed the examination. Mr. Aulbach seconded the motion which was unanimously approved by: Aulbach, F. Davis, K. Davis, Dunkley, Greene, Lentz, Philpy, Staples, and Thomas.

McGavran

Ms. Henshaw gave an update on the current status of the regulatory review process for the Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals Regulations.

**Update on
Regulatory Activity**

The standard regulatory process action amending the definitions related to supervision and entry requirements for installers is currently undergoing review by the Governor's office.

The proposed amendment to the Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals Regulations made pursuant to the Governor's Regulatory Reform Initiative are in the Notice of Intended Regulatory Action stage. The public comment period began March 11, 2013 and ended April 10, 2013. The Board will review the public comments and adopt responses.

The exempt action that amended the regulations to allow wastewater works operators to sit for the conventional onsite sewage system operator exam pursuant to the passage of House Bill 1482 became effective on July 1, 2013.

The Board members were provided with the public comments received during the public comment period on the regulatory action pursuant to the Governor's Regulatory Reform Initiative, as well as a draft of the Board's response prepared for each comment. The comments were received during the public comment period of March 11, 2013 through April 10, 2013. After review and discussion, Mr. Staples moved to adopt the draft responses prepared by staff as the Board's responses to the comments. Mr. Dunkley seconded the motion which was unanimously approved by: Aulbach, F. Davis, K. Davis, Dunkley, Greene, Lentz, Philpy,

**Review Summary
of Public
Comments and
Adopt Board
Response**

Staples, and Thomas.

Mr. K. Davis made a motion to adopt the draft amendments to the Regulations as proposed regulations. Mr. Staples seconded the motion which was unanimously approved by: Aulbach, F. Davis, K. Davis, Dunkley, Greene, Lentz, Philpy, Staples, and Thomas.

**Adopt Proposed
WWWOSSP
Regulations**

Ms. Henshaw provided a memorandum and gave a report from the Onsite Sewage System Professionals Workgroup. The purpose of this Workgroup was to identify issues and concerns that have been raised by onsite sewage system professionals regarding specific requirements affecting their practice, and to recommend possible solutions to address such issues and concerns.

**Report from Onsite
Sewage System
Professionals
Workgroup**

The Workgroup met on April 25, 2013, to discuss issues and concerns in accordance with the Board's directive. The Workgroup was provided with a history of the regulation of onsite sewage systems professionals, along with an overview of the agencies, stakeholders, and laws and regulations impacting onsite sewage systems in Virginia. After the presentations, the Workgroup discussed several issues and concerns. In summary, they are:

- Private sector and public sector (VDH) work practices and products
- Potential conflicts of interest with VDH staff members serving as regulator and regulant
- Privatization of design work
- Standards of practice for onsite sewage system professionals
 - Repeal of Authorized Onsite Soil Evaluator Regulations
 - "Transfer" of certain standards in AOSE Regulations to WWWOSSP Board Regulations
- Submission of plans and permitting process
 - Material changes and professional review and approval of changes
 - Substituted systems
 - "Black box" designs
 - Owners' ability to sign their own permits
 - Consider seal requirements for onsite soil evaluators
- VDH stakeholder committee and review of core responsibilities

VDH has two ongoing efforts that significantly impact many of the issues and concerns voiced by the Workgroup members. First, VDH is in the process of adopting emergency regulations to address chamber and bundled expanded polystyrene effluent

distribution systems pursuant to House Bill 1726. The draft regulations, which were developed with the assistance of a group of stakeholders, will be presented to the Board of Health for adoption on September 12, 2013. Also as provided in House Bill 1726, a committee has worked on the development of regulations governing drip dispersal systems, which may also be presented for adoption to the Board of Health.

Second, VDH staff announced at the Workgroup meeting that it would begin the process of reviewing its core responsibilities, including maximizing private sector participation in the provision of onsite sewage services, while still providing adequate oversight to protect public health and the environment. VDH has indicated that it plans to have significant stakeholder involvement in this process, and has contracted with a third party to assist with facilitation and planning towards this effort. In addition, a website is being developed specific to this initiative.

It is staff's recommendation that in light of these two ongoing efforts, it would be premature and possibly redundant for the Workgroup to continue meeting until such time as there is a better understanding of the results of these efforts and whether there is any impact on the Board or its programs. While the Workgroup may be reconvened by the Board in the future, for the present time staff will monitor the progress of VDH's efforts and be available as a resource, as well as identify any areas that may affect the Board or its programs. The Board had no objections to the recommendation by staff.

Ms. Henshaw provided a memorandum to the Board discussing Board approval of certain training courses pursuant to 18 VAC 160-20-90.D.2 of the Board's Regulations. The Board office has received a request for training course approval from a university approved by the State Council of Higher Education for Virginia. The applicant requested that the application for training course approval be reviewed and approved in order for it to be placed on the document entitled "Specialized Training Programs and Courses Approved by the Virginia Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals." The submittal of this application for review and approval is consistent with submittal of such applications by other agencies and schools.

**Discuss Board
Approval of
Certain Training
Courses Pursuant
to 18 VAC 160-20-
90.D.2 of the
Board's
Regulations**

The Board's regulations clearly carve out an exception to Board review and approval of training courses for federal or state agencies, institutions, and schools and universities approved by the State Council of Higher Education for Virginia. The practice of requiring these entities to go through the training program approval

process that is required for other types of organizations (that do not fall into the exception) in order to appear on the Board's list of approved programs is redundant and burdensome. It would appear that these entities can be placed on the Board's list of approved programs because training courses for federal or state agencies, institutions, schools and universities approved by the State Council of Higher Education for Virginia, for which continuing education units are awarded, are approved by regulation.

Staff proposed the following:

- Eliminate the practice of requiring federal and state agencies, institutions, and schools and universities approved by the State Council of Higher Education for Virginia, for which continuing education units are awarded to submit an application for training course approval and proceed through the review and approval process, including review by the Education and Training Committee.
- A federal or state agency, institution, or school or university approved by the State Council of Higher Education for Virginia that wishes to appear on the list of Board-approved training courses would need to submit materials related to the class (i.e., course syllabus and summary) and contact information, along with the continuing education units to be awarded, but would not go through the application review and approval process.
- An applicant for licensure that submits documentation of a training course provided by a federal or state agency, institution, or school or university approved by the State Council of Higher Education for Virginia that does not include the continuing education units awarded for course completion will be subject to further review and will delay the approval of the application.
- Board staff may request additional information as needed from a federal or state agency, institution, or school or university approved by the State Council of Higher Education for Virginia in order to ensure that the training course completed by an applicant is relevant to the category and classification of license being sought.

Mr. Aulbach made a motion to adopt the proposals made by Board staff. Mr. Thomas seconded the motion which was unanimously approved by: Aulbach, F. Davis, K. Davis, Dunkley, Greene, Lentz, Philpy, Staples, and Thomas.

The following resolution was presented for consideration by the Board.

**Consideration of
Resolution for**

Service

RESOLUTION FOR

Michele Atkinson

WHEREAS, **Michele Atkinson** has faithfully and diligently served the Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals from 2009 to 2013;

WHEREAS, **Michele Atkinson** has devoted generously of her time, talent and leadership to the Board;

WHEREAS, **Michele Atkinson** has endeavored at all times to render assistance and advice to the Board with fairness and good judgement in the best interest of the citizens of the Commonwealth; and

WHEREAS the Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals wishes to acknowledge its gratitude for devoted service of a person who is held in high esteem by the members of the Board and the citizens of the Commonwealth;

NOW THEREFORE BE IT RESOLVED, by the Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals this ninth day of July 2013, that **Michele Atkinson** be given all honors and respect due her for her outstanding service to the Commonwealth and its citizens; and

BE IT FURTHER RESOLVED, that this Resolution be presented to her and be made a part of the official minutes of the Board so that all may know of the high regard in which she is held by this Board.

Mr. F. Davis made a motion to adopt the resolution. Mr. Greene seconded the motion which was unanimously approved by: Aulbach, F. Davis, K. Davis, Dunkley, Greene, Lentz, Philpy, Staples, and Thomas. The Board extended its appreciation to Ms. Atkinson for her service to the Board.

Ms. Henshaw discussed the upcoming waterworks continuing professional education (CPE) audit. The Board agreed by consensus to table this item until the fall.

Discuss Upcoming
Waterworks CPE
Audit

Mr. Aulbach announced a new VDH program regarding veterans.

Update Regarding

VDH staff will coordinate with Board staff to provide a **New VDH Program for Veterans** presentation regarding avenues for veterans to gain experience in the WWOOSP field at the next Board meeting.

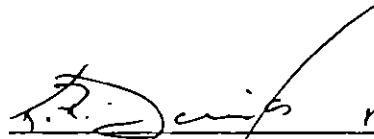
The following meeting dates have been scheduled:

Future Meeting Dates

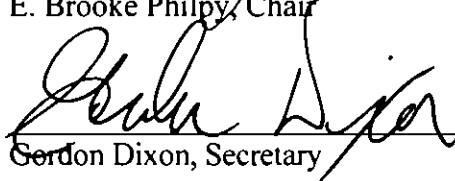
- Thursday, October 10, 2013
- Thursday, January 16, 2014
- Thursday, April 10, 2014
- Thursday, July 24, 2014
- Thursday, October 16, 2014

The Board members were reminded to complete their conflict of interest forms and travel vouchers. **Conflict of Interest Forms and Travel Vouchers**

There being no further business, the meeting was adjourned at **Adjourn** 11:34 a.m.



E. Brooke Philpy, Chair



Gordon Dixon, Secretary

STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

1. Name: John Aulbach, II
2. Title: Board Member
3. Agency: WWWOSSP Board
4. Meeting/IFF Date: Board Meeting July 9, 2013

5. I have a ^{professional} personal interest in the following transaction:

Douglas Crooke

Nature of Personal Interest Affected by Transaction:

A Director of ODW I am responsible for regulatory administration of all veterans of California


I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.


Signature

7/9/13
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Kornell R. Davis, Jr.
2. Title: Board Member
3. Agency: WWWOSSP Board
4. Meeting/IFF Date: Board Meeting July 9, 2013

5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction:

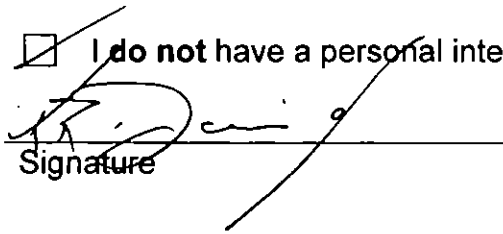
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.



Signature

7-9-13

Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Frank L. Davis, Jr.
2. Title: Board Member
3. Agency: WWWOSSP Board
4. Meeting/IFF Date: Board Meeting July 9, 2013

5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction:

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

I SERVED ON THE DPOR BOARD WITH MR. DOUG CROOKS.

I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.

Signature

Frank L. Davis, Jr.

Date

7-9-2013

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Barry T. Dunkley
2. Title: Board Member
3. Agency: WWWOSSP Board
4. Meeting/IFF Date: Board Meeting July 9, 2013

5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction:

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

Hearing Officer for IFF for Douglas Cook

I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.

Barry T. Dunkley
Signature

7-9-13
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

- 1. Name: Douglas Perry Greene
- 2. Title: Board Member
- 3. Agency: WWWOSSP Board
- 4. Meeting/IFF Date: Board Meeting July 9, 2013

5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction:

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.

Douglas Perry Greene
Signature

7/9/13
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

- 1. Name: Kristen Lentz
- 2. Title: Board Member
- 3. Agency: WWWOSSP Board
- 4. Meeting/IFF Date: Board Meeting July 9, 2013

5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction:

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.

Signature

Kristen M. Lentz

Date

7/9/13

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

- 1. Name: E. Brooke Philpy
- 2. Title: Board Member
- 3. Agency: WWWOSSP Board
- 4. Meeting/IFF Date: Board Meeting July 9, 2013

5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction:

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

VA Assoc. of Professional Soil Scientists (VAPSS); VA On-site Wastewater Recycling Assoc. (VOWRA)

I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6. I **do not** have a personal interest in any transactions taken at this meeting.

E. Brooke Philpy
Signature

7/9/13
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

- 1. Name: Donald Wayne Staples
- 2. Title: Board Member
- 3. Agency: WWWOOSSP Board
- 4. Meeting/IFF Date: Board Meeting July 9, 2013

5. I have a personal interest in the following transaction:

Disciplinary action against Douglas J. Crooks

Nature of Personal Interest Affected by Transaction:

I have a personal and professional relationship with
the regulator.

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.

Donald Wayne Staples
Signature

7/9/13
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

- 1. Name: Ronald R. Thomas
- 2. Title: Board Member
- 3. Agency: WWWOSSP Board
- 4. Meeting/IFF Date: Board Meeting July 9, 2013

5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction:

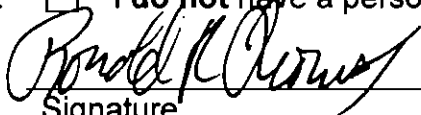
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

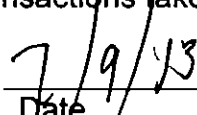
I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.


Signature


Date