

**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 14, 2022, at the offices of the Department of Professional and Occupational Regulation (DPOR), Perimeter Center, 9960 Mayland Drive, 2<sup>nd</sup> Floor, Board Room 4, Richmond, Virginia 23233.

The following members of the Board were present:

James N. Brockwell  
Erica Duncan  
W. Jordan Evans  
John Ewing  
Thomas Wayne Fore, Vice Chair  
Pamela M. Pruett, Chair  
Dwayne Roadcap  
D. Wayne Staples  
Caleb Taylor

Board members Rosa-Lee Cooke and Don Riggelman were not present at the meeting.

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

Demetrios J. Melis, Director  
Kishore Thota, Chief Deputy Director  
Trisha L. Lindsey, Executive Director  
Shannon Webster, Director of Examinations  
Tanya M. Pettus, Board Administrator  
Joseph C. Haughwout, Jr., Board and Regulatory Administrator  
Breanne Henshaw, Administrative Coordinator

Joshua Laws from the Office of the Attorney General was present at the meeting.

Ms. Pruett, Chair, finding a quorum of the Board present, called the meeting to order at 9:30 a.m.

**Call to Order**

Ms. Pettus advised the Board of the emergency evacuation procedures.

**Emergency  
Evacuation  
Procedures**

Ms. Pettus corrected the Board agenda date from April 21, 2022 to July 14, 2022. Mr. Fore moved to approve the agenda as amended. Mr. Staples seconded the motion, which was unanimously approved by: Brockwell, Duncan, Evans, Ewing, Fore, Pruett, Roadcap, Staples, and Taylor.

**Approval of Agenda**

Mr. Fore moved to approve the minutes of the April 21, 2022, Board meeting and the June 29, 2022, OSSP Licensing Regulatory Review Committee meeting as presented. Mr. Evans seconded the motion, which was unanimously approved by: Brockwell, Duncan, Evans, Ewing, Fore, Pruett, Roadcap, Staples, and Taylor.

**Approval of Minutes**

There were no members of the public present who wished to address the Board.

**Public Comment Period**

Ms. Pettus introduced Jennifer Sayegh, DPOR's new Policy and Legislative Affairs Manager, and Breanne Henshaw, Administrative Coordinator. Ms. Pettus informed the Board that Ms. Lindsey and Mr. Melis would be arriving at the meeting later.

**Introduction of Staff**

Mr. Ewing recused himself from the meeting for discussion and deliberation of File Number 2022-01145.

**Recusal of Board Member**

In the matter of File Number 2022-01145, Richard Sheldon Gibson, the Board members reviewed the Consent Order. Mr. Gibson admits to a violation of 18VAC160-40-470.3 as outlined in Count 1, and consents to the imposition of Board costs of \$150.00. In addition, Mr. Gibson agrees to revocation of his Master Conventional Onsite Sewage System Installer license. Mr. Fore moved to approve the Consent Order as presented. Mr. Staples seconded the motion which was unanimously approved by: Brockwell, Duncan, Evans, Fore, Pruett, Roadcap, Staples, and Taylor.

**File Number 2022-01145, Richard Sheldon Gibson**

Mr. Ewing returned to the meeting.

**Return of Board Member**

In the matter of File Number 2022-01197, Curtis James Corns, 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. Evans moved to accept the recommendation of the Presiding Officer and approve Mr. Corns' application for a Class 2 Waterworks Operator license. Mr. Fore seconded the motion which was unanimously approved by: Brockwell, Duncan, Evans, Ewing, Fore, Pruett, Roadcap, Staples, and Taylor.

**File Number 2022-01197, Curtis James Corns**

Mr. Corns was present at the Board meeting and thanked the Board.

In the matter of **File Number 2022-01455, Adam Girard Messier**, 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. Staples moved to accept the recommendation of the Presiding Officer and approve Mr. Messier's application for a Class 4 Wastewater Operator license. Mr. Taylor seconded the motion which was unanimously approved by: Brockwell, Duncan, Evans, Ewing, Fore, Pruett, Roadcap, Staples, and Taylor.

**File Number 2022-01455, Adam Girard Messier**

In the matter of **File Number 2022-00046, Daniel Lee Gray**, 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. Evans moved to accept the recommendation of the Presiding Officer and approve Mr. Gray's application for a Journeyman Conventional Installer license. Mr. Ewing seconded the motion which was unanimously approved by: Brockwell, Duncan, Evans, Ewing, Fore, Pruett, Roadcap, Staples, and Taylor.

**File Number 2022-00046, Daniel Lee Gray**

In the matter of **File Number 2022-00525, Brandon Alexander Lofton**, 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.

**File Number 2022-00525, Brandon Alexander Lofton**

Mr. Lofton was present to address the Board. Mr. Lofton indicated he would like an opportunity to practice in the profession in order to move forward with his life.

Mr. Fore moved to accept the recommendation of the Presiding Officer and approve Mr. Lofton's application for a Class 3 Wastewater Works Operator license. Mr. Brockwell seconded the motion which was unanimously approved by: Brockwell, Duncan, Evans, Ewing, Fore, Pruett, Roadcap, Staples, and Taylor.

In the matter of **File Number 2022-00871, Louis Wayne Braxton Jr.**, 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. Evans moved to accept the recommendation of the Presiding Officer and approve Mr. Braxton's application for a Class 2 Wastewater Works Operator license. Mr. Staples seconded the motion which was unanimously approved by: Brockwell, Duncan, Evans, Ewing, Fore, Pruett, Roadcap, Staples, and Taylor.

**File Number 2022-00871, Louis Wayne Braxton Jr.**

In the matter of **File Number 2022-00999, Donald Wesley Johnston**, 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. Fore moved to accept the recommendation of the Presiding Officer and approve Mr. Johnston's application

**File Number 2022-00999, Donald Wesley Johnston**

for a Class 4 Wastewater Works Operator license contingent upon completion of the Department of Corrections (DOC) Apprenticeship Program, meeting all entry requirements contained in the Board's regulations, and passing the applicable examination.. Mr. Taylor seconded the motion which was unanimously approved by: Brockwell, Duncan, Evans, Ewing, Fore, Pruett, Roadcap, Staples, and Taylor.

In the matter of **File Number 2022-01297, Christopher David Lugiano**, 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. Fore moved to accept the recommendation of the Presiding Officer and approve Mr. Lugiano's application for a Class 4 Wastewater Works Operator license. Mr. Brockwell seconded the motion which was unanimously approved by: Brockwell, Duncan, Evans, Ewing, Fore, Pruett, Roadcap, Staples, and Taylor.

**File Number 2022-01297, Christopher David Lugiano**

In the matter of **File Number 2022-00505, Adam French**, 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. Staples moved to accept the recommendation of the Presiding Officer and approve Mr. French's application for a Class 4 Wastewater Works Operator license. Mr. Ewing seconded the motion which was unanimously approved by: Brockwell, Duncan, Evans, Ewing, Fore, Pruett, Roadcap, Staples, and Taylor.

**File Number 2022-00505, Adam French**

Mr. Haughwout provided an update on the current status of the regulatory review processes for the Board's regulatory packages:

**Regulatory Action Update**

Amendments regarding 2021 fee adjustments for Waterworks and Wastewater Works Operators Licensing Regulations and Onsite Sewage System Professionals Licensing Regulations are currently in the proposed stage as the Board reviewed and adopted the proposed amendments at the April 21, 2022, Board meeting. Submission of the amendments for Executive Branch review is pending. A Notice of Intended Regulatory Action (NOIRA) was filed on October 28, 2021, in order to complete a General Review of the Onsite Sewage System Professionals Licensing Regulations. The NOIRA is currently undergoing Executive Branch review, after which a 30-day public comment period will be held.

Mr. Haughwout gave an update regarding the OSSP Licensing Regulatory Review Committee. The Committee reviewed entry and examination requirements, definitions, and potential legislative proposals at its June meeting.

**Update on OSSP Licensing Regulatory Review Committee**

Board members who serve on the Committee shared that they are completing a line-by-line review of the regulations as they work to reduce regulations by 25% per the Governor's Executive Directive, as well as maintaining regulations

relevant to licensed professions, while also providing clarity to sections of the regulations where required.

Ms. Pettus provided a report on the 2022 waterworks operator CPE audit. The audit began on June 1, 2022 based on a random selection of 5% of current licensees.

**WWWO 2022  
CPE Audit Report**

Ms. Pettus provided the Board with waterworks and wastewater works examination statistics from January 1, 2017 through June 27, 2022, and April 21, 2022 through June 27, 2022, as well as onsite examination statistics from January 1, 2021, to June 30, 2022, for informational purposes.

**Examination  
Updates –  
Examination  
Statistics Report**

Ms. Webster advised the Board that the agency is working to offer exams in Spanish for those professions in which a need has been determined. Ms. Webster is currently working with PSI on potentially translating the six onsite examinations. Discussion was held on the costs and time requirements of implementing a Spanish language exam, as well as the parameters used to determine the need for such an exam and the potential for translations for other languages.

Discussion was also held on the possibility of offering water and wastewater exams in Spanish.

The Board discussed the feedback received in regards to the waterworks and wastewater works examinations as there are individuals who have expressed concern regarding the difficulty of the exam. Discussion was also held on the pass/fail information provided to the individuals who have taken the exam. The Board inquired as to whether it is possible to compile a report of the most common areas of weakness on the exam. Ms. Webster advised she would work with ABC to collect the data and provide an update at the next Board meeting.

The Board recessed from 10:44 a.m. to 11:19 a.m. Mr. Melis and Ms. Lindsey arrived to the meeting during the recess.

**Recess and Arrival  
of Staff**

Ms. Lindsey presented the Board with six draft legislative proposals for the Board to consider putting forward as part of DPOR's 2023 legislative package.

**Discussion of  
Potential  
Legislative  
Proposals**

Discussion was held on technical changes to definitions and licensure references, as well as changes to the Board's composition.

After lengthy discussion and review of the draft legislative proposals, Mr. Fore moved to approve the proposals for submission as amended. Mr. Ewing seconded the motion which was unanimously approved by: Brockwell, Duncan, Evans, Ewing, Fore, Pruett, Roadcap, Staples, and Taylor.

Ms. Lindsey provided the Board with the most recent financial statements for review.

**Board Financial Statements**

Ms. Lindsey and Ms. Pettus advised the Board of recent and upcoming outreach opportunities.

**Update on Outreach Opportunities**

Ms. Pettus informed the Board of Mr. Fore's recognition from VRWA at its annual conference held in April. Mr. Fore received the Friend of Rural Water award. The Board congratulated Mr. Fore on his achievement.

Ms. Lindsey advised the Board of the upcoming Board Member Training Conference, which will occur on October 13 – October 14, 2022 in Williamsburg.

**2022 Board Member Training Conference**

Ms. Lindsey advised the Board that the Board for Contractors is completing regulatory review of the contractor regulations and she will keep the Board informed of any potential changes to regulations that may have an effect on the WWOSSP Board's regulations.

**Other Business**

Discussion was held on whether a license is required for portable toilet operators. Ms. Lindsey explained that licensure with the Board is not required, but it may be necessary for the operator to hold a permit or other credential based on other state or local requirements.

Ms. Lindsey reminded the Board that the next scheduled meeting date is October 27, 2022.

**Future Meeting Dates**

Ms. Pruett reminded the Board members to complete and return their conflict of interest forms and travel vouchers.

**Complete Conflict of Interest Forms and Travel Vouchers**

There being no further business, the meeting was adjourned at 12:24 p.m.

**Adjourn**



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Pamela M. Pruett, Chair



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Demetrios Melis, Secretary







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

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

- 1. Name: John Ewing
- 2. Title: Board Member
- 3. Agency: WWWOSSP Board
- 4. Meeting/IFF Date: Board Meeting July 14, 2022

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:


ODO, Inc, VANIA, VEHA

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

7/14/2022  
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 14, 2022

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

Personal acquaintance of the father of a case member

Nature of Personal Interest Affected by Transaction:

I know the father of case participant Brandon Lofton, but have never met the son.

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

7/14/22  
Date

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

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

1. Name: James N. Brockwell  
2. Title: Board Member  
3. Agency: WWWOOSSP Board  
4. Meeting/IFF Date: Board Meeting July 14, 2022

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

7/14/22  
\_\_\_\_\_  
Date

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

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

- 1. Name: W. Jordan Evans
- 2. Title: Board Member
- 3. Agency: WWWOOSSP Board
- 4. Meeting/IFF Date: Board Meeting July 14, 2022

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.

W. Jordan Evans  
Signature

7/14/2022  
Date

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

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

1. Name: Dwayne Roadcap  
2. Title: Board Member  
3. Agency: WWWOOSSP Board  
4. Meeting/IFF Date: Board Meeting July 14, 2022

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

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Nature of Personal Interest Affected by Transaction:

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

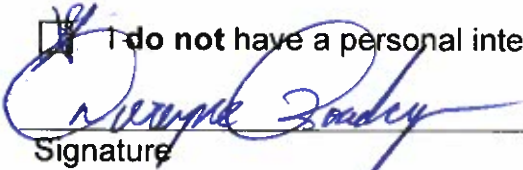
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I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

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

  
Signature

7/14/22  
Date

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

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

- 1. Name: Pamela M. Pruet
- 2. Title: Board Member
- 3. Agency: WWWOSSP Board
- 4. Meeting/IFF Date: Board Meeting July 14, 2022

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:

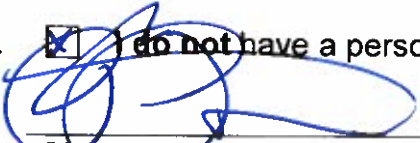
\_\_\_\_\_

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

7-14-2022  
\_\_\_\_\_  
Date

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

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

1. Name: Erica Duncan
2. Title: Board Member
3. Agency: WWWOOSSP Board
4. Meeting/IFF Date: Board Meeting July 14, 2022

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

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Nature of Personal Interest Affected by Transaction:

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

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- 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



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

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

1. Name: Thomas Wayne Fore
2. Title: Board Member
3. Agency: WWWOOSSP Board
4. Meeting/IFF Date: Board Meeting July 14, 2022

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

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Nature of Personal Interest Affected by Transaction:

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

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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

7-14-22  
Date

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

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

1. Name: Caleb Taylor
2. Title: Board Member
3. Agency: WWWOOSSP Board
4. Meeting/IFF Date: Board Meeting July 14, 2022

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

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Nature of Personal Interest Affected by Transaction:

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

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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.

Caleb M Taylor  
Signature

7/14/2022  
Date