

**THE VIRGINIA BOARD FOR
WASTE MANAGEMENT FACILITY OPERATORS
MEETING MINUTES**

The Virginia Board for Waste Management Facility Operators met on Friday, December 18, 2009, at the offices of the Department of Professional and Occupational Regulation, Perimeter Center, 9960 Mayland Drive, Richmond, Virginia.

The following members of the Board were present:

Joyce M. Doughty
Debra A. Jacobs
Debra A. Miller
Thomas H. Wade

The following members of the Board were not present:

Mark E. Brandon
W. A. Dennison
Daniel Miles

The following members of DPOR staff were present during some or all of the meeting:

Jay W. DeBoer, Director
Mark N. Courtney, Deputy Director of Licensing and Regulation
David E. Dick, Executive Director
Justin Garofalo, Board Administrator
Michele Atkinson, Board Administrator
Michelle E. Gowen, Administrative Assistant
Ilona LaPaglia, Legal Analyst

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

Mr. Wade, Acting Chair, finding a quorum of the Board present, called the meeting to order at 10:00 a.m.

Call to Order

Mr. Dick introduced staff members Michele Atkinson, Board Administrator and Ilona LaPaglia, Legal Analyst.

Introduction of Staff

Ms. Doughty moved to approve the agenda. Ms. Miller seconded the motion which was unanimously approved by members: Doughty, Jacobs, Miller, and Wade.

Approval of Agenda

Ms. Miller moved to approve the following minutes:

Approval of Minutes

October 29, 2008 – Board Meeting;
October 15, 2009 – IFF Minutes; and
November 19, 2009 – IFF Minutes.

Ms. Jacobs seconded the motion, which was unanimously approved by members: Doughty, Jacobs, Miller, and Wade.

There were no comments made to the Board.

Ms. Doughty recused herself from the meeting.

Regarding **File Number 2010-00972, William H. Funk**, the Board members reviewed the application file containing the transcript and exhibits from the Informal Fact-Finding Conference, and the Presiding Officer's Summary and Recommendation. Mr. Funk was present to address the Board. Ms. Miller moved to accept the recommendation, as amended, of the Presiding Officer and approve Mr. Funk's license application. Ms. Jacobs seconded the motion which was approved by members: Jacobs, Miller, and Wade. Ms. Doughty was not present during the discussion or vote.

Ms. Doughty returned to the meeting.

Regarding **File Number 2010-01792, Jennifer K. Allison**, the Board members reviewed the application file containing the transcript and exhibits from the Informal Fact-Finding Conference, and the Presiding Officer's Summary and Recommendation. Ms. Allison was present to address the Board. Ms. Miller moved to amend the recommendation, as amended, of the Presiding Officer and approve Ms. Allison's license application contingent upon Board staff receiving written confirmation from Ms. Allison's employer confirming they are aware of Ms. Allison's conviction history within 30 days of the Board meeting. Ms. Jacobs seconded the motion which was approved by members: Doughty, Jacobs, and Miller. Mr. Wade voted in opposition of the motion.

The Board was presented with a fast-track regulation language proposal by the Board Staff. The proposed language would relate the cost of the examination to fees determined by the Virginia *Public Procurement Act*, eliminate the language for bad check fees, and correct two improper references in 18VAC155-20-140 of the regulations. Ms. Doughty moved that the Board adopt the proposed changes made by staff to be submitted as a fast-track regulation. Ms. Miller seconded the motion which was unanimously approved by members: Doughty, Jacobs, Miller, and Wade.

Public Comment Period

Recusal of Ms. Doughty

File Number 2010-00972, William H. Funk

Return of Ms. Doughty

File Number 2010-01792, Jennifer K. Allison

Other Business

Ms. Jacobs moved that the Board perform a periodic review of the regulation pursuant to 18VAC155-11-110 of the Board's Public Participation Guidelines. Ms. Doughty seconded the motion which was unanimously approved by members: Doughty, Jacobs, Miller and Wade.

The Board members completed the annual *Conflict of Interest Act* training.

Ms. Adams provided the Board members with an overview of the Compliance and Investigations Division.

Mr. Courtney provided the Board members with training on the Roles and Responsibilities of Board members.

The Board agreed by consensus that the next meeting date would be at the call of the Chair.

The Board members completed their conflict of interest forms and travel vouchers.

**Conflict of Interest
Forms**

There being no further business to conduct the meeting adjourned at 12:15 p.m.

Adjournment

Thomas H. Wade, Acting Chair

Jay W. DeBoer, Secretary