

**THE VIRGINIA BOARD FOR
WATERWORKS AND WASTEWATER WORKS OPERATORS**

MEETING MINUTES

The Virginia Board for Waterworks and Wastewater Works Operators met on Wednesday, September 19, 2007 at the offices of the Virginia Department of Professional and Occupational Regulation, Perimeter Center, Board Room 3, 2nd Floor, 9960 Mayland Drive, Richmond, Virginia 23233.

The following members of the Board were present:

Harold W. Walker, Chair
Frank L. Davis, Jr. Vice-Chair
Eileen M. Leininger
Douglas J. Crooks
Marcia J. Degen
Charles B. Bott
Kornell R. Davis Jr.
E. Brooke Philpy

Dr. J. Wesley Kleene and Ron Thomas were unable to attend.

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

Jay W. DeBoer, Director
Karen O'Neal, Deputy Director for RPD
David Dick, Executive Director
Earlyne Perkins, Legal Analyst
Marilyn Cohn, Administrative Assistant
David Dehetre Office Manager

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

Others who attended the meeting included:

Jacob Baker, Respondent
Alexander Echols, Respondent
Curtis Moore, VA Onsite Waste Water Recycling Assoc.
Mark Anderson, Virginia Department of Health

Chairperson Harold W. Walker, finding a quorum of the Board present, called the meeting to order at 8:35 AM.

Call to Order

David Dick introduced the new board members, Marcia J. Degen, Kornell R. Davis Jr., E. Brooke Philpy and Charles B. Bott.

**Introduction of
New Board
Members**

Ms Leininger moved to approve the agenda. Mr. Davis seconded the motion which was unanimously approved by the following board members: Walker, Leininger, Davis, Crooks, Degen and Bott. Mr. K. Davis and Mr. Philpy were present, but did not vote since by statute they are ineligible to vote on matters unrelated to Onsite Sewage System Professionals until July 1, 2009.

Adopt Agenda

Ms Leininger moved that the Board approve the minutes of its June 20, 2007 meeting and the IFF minutes of July 5, July 26, and September 13, 2007. Mr. Davis seconded the motion which was unanimously approved by the following members: Walker, Leininger, Davis, Crooks, Degen and Bott. Mr. K. Davis and Mr. Philpy were present, but did not vote since by statute they are ineligible to vote on matters unrelated to Onsite Sewage System Professionals until July 1, 2009.

Approval of Minutes

Chairperson Walker opened the floor for public comment. There were no public comments.

Public Comment Period

In the matter of **File Number 2007-04970, Alexander Echols**, the Board reviewed the record which consisted of the application file, transcript and exhibits from the IFF and the presiding officer's summary and recommendation. Alexander Echols (Respondent) was present and addressed the Board. Ms Leininger moved that the Board accept the presiding officer's summary. Mr. Davis seconded the motion which was unanimously approved by the following members: Walker, Leininger, Davis, Crooks, Degen and Bott. Mr. K. Davis and Mr. Philpy were present, but did not vote since by statute they are ineligible to vote on matters unrelated to Onsite Sewage System Professionals until July 1, 2009.

File Number 2007-04970

Ms Leininger moved that the Board approve the applicant to sit for the examination as the applicant's degree encompassed the academic study an individual would complete with a degree in physical, biological or chemical science. Mr. Davis seconded the motion which was unanimously approved by the following members: Walker, Leininger, Davis, Crooks, Degen and Bott. Mr. K. Davis and Mr. Philpy were present, but did not vote since by statute they are ineligible to vote on matters unrelated to Onsite Sewage System Professionals until July 1, 2009.

In the matter of **File Number 2008-00131, Jacob L. Baker**, the Board reviewed the record which consisted of the application file, transcript and exhibits from the IFF and the presiding officer's summary and recommendation. Jacob L. Baker (Respondent) was present and addressed the Board. Mr. Davis moved that the Board accept the presiding officer's summary and allow Mr. Baker to renew his license. Ms Leininger seconded the motion which was

File Number 2007-00131

unanimously approved by the following members: Walker, Leininger, Davis, Crooks, Degen and Bott. Mr. K. Davis and Mr. Philpy were present, but did not vote since by statute they are ineligible to vote on matters unrelated to Onsite Sewage System Professionals until July 1, 2009.

In the matter of **File Number 2007-05162, Jacob L. Baker**, the Board reviewed the record which consisted of the application file, transcript and exhibits from the IFF and the presiding officer's summary and recommendation. Jacob L. Baker (Respondent) was present and addressed the Board. Ms Leininger moved that the Board accept the presiding officer's summary, and find no violation in both the first and second count. Mr. Davis seconded the motion which was unanimously approved by the following members: Walker, Leininger, Davis, Crooks, Degen and Bott. Mr. K. Davis and Mr. Philpy were present, but did not vote since by statute they are ineligible to vote on matters unrelated to Onsite Sewage System Professionals until July 1, 2009.

File Number
2007-05162

In the matter of **File Number 2008-00836, Katie Lynne Suggs**, the Board reviewed the record which consisted of the application file, transcript and exhibits from the IFF and the presiding officer's summary and recommendation. Katie Lynne Suggs (Respondent) was not present. Dr. Bott moved that the Board accept the presiding officer's summary. Mr. Davis seconded the motion which was unanimously approved by the following members: Walker, Leininger, Davis, Degen and Bott. Mr. K. Davis and Mr. Philpy were present, but did not vote since by statute they are ineligible to vote on matters unrelated to Onsite Sewage System Professionals until July 1, 2009.

File Number
2008-00836

Dr. Bott moved that the Board approve the applicant to sit for the examination as the applicant's degree meets the educational intent of the regulations. Mr. Davis seconded the motion which was approved by the following members: Walker, Leininger, Davis, Degen and Bott. Mr. Crooks voted no. Mr. K. Davis and Mr. Philpy were present, but did not vote since by statute they are ineligible to vote on matters unrelated to Onsite Sewage System Professionals until July 1, 2009.

Association of Boards of Certification (ABC) Proposed changes to the bylaws. The Board considered and took no action.

Other Business

Association of Boards of Certification (ABC) Election of 2008 Board of Directors. The Board considered and took no action.

Mr. Walker appointed two committees. The first committee was for NOIRA General Regulation Review with the following committee

NOIRA

members: Leininger, F. Davis, Bott and Walker. The second committee was for NOIRA Onsite Sewage System Professionals Regulations with the following committee members: Kleene, Degen, Crooks, Vanderland, Thomas, Philpy and K. Davis.

David Dick reviewed with the Board the results of the responses to the Waterworks Operator CPE Audit. Out of 67 selected for the audit, 52 have completed the audit, 6 have an incomplete response and 9 have not responded.

CPE Audit Report

Mr. F. Davis moved that the Board adopt the following resolution:

Resolution

**Department of Professional and
Occupational Regulation**

**Board for Waterworks and
Wastewater Works Operators**

Resolution To

John W. Vanderland

WHEREAS, John W. Vanderland, has faithfully and diligently served as a member of the Board for Waterworks and Wastewater Works Operators from July, 2004 until July, 2007; and

WHEREAS, John W. Vanderland, has devoted generously of his time, talent and leadership to the Board; and

WHEREAS, John W. Vanderland, has endeavored at all times to render decisions with fairness, good judgment, and in the best interest of the Board; and

WHEREAS, the Board for Waterworks and Wastewater Works Operators wishes to acknowledge its gratitude and deepest appreciation 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 this 19th day of August, 2007 that John W. Vanderland be given all honors and respect due him for his outstanding service to the Commonwealth

and its citizens and the Board for Waterworks and Wastewater Works Operators; and

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

Ms Leininger seconded the motion which was unanimously approved by the following members: Walker, Leininger, Davis, Crooks, Degen and Bott. Mr. K. Davis and Mr. Philpy were present, but did not vote since by statute they are ineligible to vote on matters unrelated to Onsite Sewage System Professionals until July 1, 2009.

Future Board Meeting Dates:

December 5, 2007
March 5, 2008
June 25, 2008

**Future Meeting
Date**

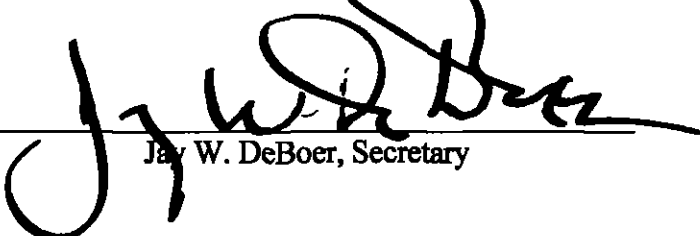
Board members completed their conflict of interest forms and travel vouchers.

**Conflict of
Interest Forms**

The Board adjourned at 11:00 A.M.

Adjournment


Harold W. Walker, Chairperson


Jay W. DeBoer, Secretary

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

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

1. Name: Douglas J. Crooks
(Name of Board Member)
2. Title: Board Member
3. Agency: Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals
(Name of Board)
4. Meeting Date: September 19, 2007
(Date)

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

(Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

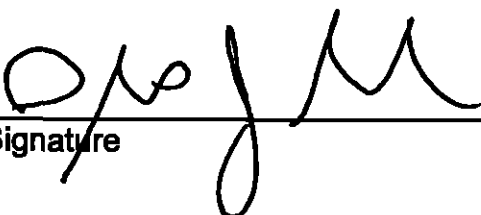
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

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

9/19/07
Date

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

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

1. Name: Harold W. Walker
(Name of Board Member)
2. Title: Board Member
3. Agency: Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals
(Name of Board)
4. Meeting Date: September 19, 2007
(Date)

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

(Agenda Item)

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.

Harold W. Walker
Signature

9/19/07
Date

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

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

1. Name: Eileen M. Leininger
(Name of Board Member)
2. Title: Board Member
3. Agency: Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals
(Name of Board)
4. Meeting Date: September 19, 2007
(Date)

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

none
(Agenda Item)

Nature of Personal Interest Affected by Transaction: none

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

water industry

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.

Eileen M. Leininger
Signature

9/19/07
Date

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

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

1. Name: E. Brooke Philpy
(Name of Board Member)
2. Title: Board Member
3. Agency: Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals
(Name of Board)
4. Meeting Date: September 19, 2007
(Date)

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

N/A
(Agenda Item)

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.

E. Brooke Philpy
Signature

9/19/07
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.
(Name of Board Member)
2. Title: Board Member
3. Agency: Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals
(Name of Board)
4. Meeting Date: September 19, 2007
(Date)

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

(Agenda Item)

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

9-19-07
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.
(Name of Board Member)
2. Title: Board Member
3. Agency: Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals
(Name of Board)
4. Meeting Date: September 19, 2007
(Date)

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

(Agenda Item)

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.

Frank L. Davis, Jr.
Signature

9-19-07
Date

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

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

1. Name: Marcia J. Degen
(Name of Board Member)
2. Title: Board Member
3. Agency: Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals
(Name of Board)
4. Meeting Date: September 19, 2007
(Date)

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

(Agenda Item)

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.

Marcia J. Degen
Signature

9/19/07
Date