



STATE OF MARYLAND
BOARD OF WATERWORKS AND WASTE SYSTEMS OPERATORS
MINUTES OF THE MEETING HELD ON:
Thursday, November 17, 2022 At 10:00 A.M
Virtual Video Conference Meeting via Google Hangouts

MISSION OF THE MARYLAND BOARD OF WATERWORKS & WASTE SYSTEMS OPERATORS

The Treatment Systems that provide drinking water for our citizens and handle the wastes generated by our daily activities play an important role in protecting Public Health and the Environment of Maryland. Through the Certification Program established by State Law, the “Board of Waterworks and Waste Systems Operators” sets the education, experience and examination standards for Operators and Superintendents who work in these vital systems.

BOARD MEMBERS PRESENT ADOPTED

Jay Price	Sanitary Districts; Board Chair; CSAWWA Liaison
Benjamin Thompson	County Governments; Board Vice-Chair
Bruce Darner	Agriculture; WWOA Liaison
Joseph Wright	Maryland Environmental Service
Eric Dutrow	Public-At-Large
Doug Abbot	Water Supervision
Ed Hogan	Industrial Superintendents
Connie Luffman	Wastewater Supervision
Tony Sierra	Maryland Department of the Environment
Clark Howells	Municipal Governments; CWEA Liaison

BOARD MEMBERS NOT PRESENT

Hiram Tanner	Public-At-Large
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LIASONS, GUEST & STAFF PRESENT

Dee Settar	Board Secretary
Jennifer Bowman	Board Counsel
Pamela Franks	Board Staff
Martin Fuhr	Board Staff
Victoria Arbaugh	Board Staff (arrived 10:10 am)
Tara Jones	Liaison - MCET
Scott Harmon	Liaison- MRWA
Bill Shreve	Liaison- TRE Committee

01. CALL TO ORDER

Board Chair Jay Price called the meeting to order at 10:00 AM. Roll Call was done by Dee Settar. The Board meeting was conducted online using Google Meet.

02. REVIEW AND ADOPTION OF PROPOSED MEETING AGENDA

Board Members reviewed the November 17, 2022 Draft Agenda. Bruce Darner moved to adopt the proposed meeting agenda with amendments. Ben Thompson seconded the motion. The motion carried unanimously with Board Chair Jay Price abstaining.

03. REVIEW AND ADOPTION OF DRAFT OCTOBER 20, 2022 OPEN MEETING MINUTES

Board members reviewed the draft minutes and made several changes. Doug Abbot made a motion to adopt the minutes with changes. Joe Wright seconded the motion. The motion carried unanimously with Board Chair Jay Price abstaining.

04. BOARD CHAIR’S COMMENT & GUEST INTRODUCTIONS

Board Chair Jay Price opened the meeting by thanking everyone for taking time from their busy schedules to attend the meeting and acknowledged the important role that operators fulfill in the water and wastewater industry.

05. BOARD STAFF’S REPORTS

A. Revenue & Expenditures Update

Dee Settar presented the report as of October 31, 2022. She explained the that the revenue for September and October were still unreconciled. After the presentation, Dee opened the floor to inquiry and comment. The Board had no questions or comments.

FY2023 Appropriations	\$250,711.00
Un-Reconciled Cumulative Revenue as of 9/30/2022	\$46,857.00
Un-Reconciled Cumulative Revenue as of 10/31/2022	\$61,707.00
Reconciled Cumulative Expenses as of 9/30/2022	\$44,093.33
Encumbrance as of September 30, 2022	\$34,681.97

B. Board Initiatives & Inquiries

Ben Thompson is resigning from Anne Arundel County Dept of Public Works and taking a position with WSSC. He will be resigning from Board since he is the County Member. It was determined that the election for Vice Chair will be during the next meeting. Jay noted Hiram may be interested in the position. Dee noted the next meeting is in person and will have a catered lunch to present Plaques to former Board Members.

06. REVIEW OF APPLICATIONS RECEIVED

Martin Fuhr presented the applications for Education Substitution for Experience and Reciprocity.

Martin presented Amanda Lo's application to the Board. He explained that she recently passed the 5A and wants to substitute education for her experience for the W5A Certificate. Bill Shreve noted she is a lab tech in Aberdeen. As a result, we should confirm she is doing more than simple lab tech work prior to granting a full certification. It was determined that she would need to provide a job description and this application will be held until next week.

The Board then entered into a discussion of documentation of relevant experience. Dee advised that the process should be improved upon and possibly include job descriptions for all applicants requesting experience credit towards full operator certification. Ben Thompson noted that for automation purposes the job descriptions should be included in the application. Joe Wright noted that many operators do both lab and operator work. Ben responded that anyone exclusively working in a lab should not earn operator experience credit for that work.

Dee discussed the fact that every utility operates differently so the Board could not generalize based on personal experiences. Ben agreed with Dee but emphasized that lab techs with little to no work in the actual plant should not be issued experience credit towards a certification. He reminded everyone that the objective was to prevent those who are not "actual" water or wastewater operators from becoming certified as operators. Pam Franks noted that a job description should be included / attached with each OIT application. Jay Price explained that in his experience, many people obtain the certificates to pad their resume or obtain a higher pay grade and to deny them certification could result in economic injury due to the pay structure at different utilities.

Martin presented the reciprocity application from Mr. Brad Crim / City of Frederick including diagrams, etc. Mr. Crim was already granted his Wastewater 5 Certificate and is still petitioning for reciprocity for his Wastewater A Certificate. He has worked at several plants in California and provided that information to the Board. Martin is concerned that he never included the word "anaerobic" in the application packet. Bill Shreve noted he did see anoxic, SBR and methanol feeders on one diagram. Ed Hogan, Jay Price, and Bruce Darner all concurred and revisited the Tular and Toledo Domestic Plant slide. Ed Hogan made a motion to grant the Wastewater A Certificate via reciprocity. Bruce Darner seconded the motion to grant the certification. There were no objections. The motion passed unanimously with the Board Chair abstaining.

Martin presented the application for reciprocity for Mr. Nicholas Pietrefesa. It came in late yesterday with most information but without all the required schematics. Ed Hogan recommended that we wait for the diagrams prior to making a determination on this petition for reciprocity. He also noted that he could not pull up the permit based on the number that the applicant provided. Doug Abbott mentioned that his credentials do meet all requirements. However, he noted, we need his correct permit number in order to make a final determination.

Dee Setter confirmed that the permit number the applicant provided does not come up under MDE's database. Dee wondered if he has a county permit and that is the number which was provided. Jay Price explained that until we can properly determine the plant classification, we cannot grant the reciprocity. Ed Hogan noted that he would be eligible for a W3 certificate based on his experience but we need to know the current plant's class. Joe Wright noted that MES looked at the facility a while back and he was able to provide a discharge permit number, which was the same permit number provided on the application and not included in MDE's permit portal. After reviewing all available information, the Board determined that Martin will investigate the permit and confirm the data to revisit at the next Board meeting.

07. NEW BUSINESS

Adopt CY2023 Meeting Schedule (Vote)

The Board discussed the schedule. There was a decision to mark the August 2023 meeting as tentative. The Board also discussed the May 2023 meeting and Jay Price suggested using a free County Park on Kent Island since there is a fee for the use of Wye Island. Jay will investigate to see if the Chesapeake Heritage & Visitor's Center on Kent Island can be reserved free of charge. Dee asked if the Board preferred to continue meeting virtually. The Board members had no objection to holding most meetings virtually. Joseph Wright made a motion to adopt the schedule as amended and it was seconded by Ben Thompson. There were no objections and it passed unanimously with the Board Chair abstaining

Applications

Dee Settarr suggested that the application discussion of applications should be continued at this time. Dee is concerned about the job description requirement proposed by Pam for OIT applications. She suggested the applications include a definition of tasks and verification of completion of those tasks in an effort to keep the application processed streamlined. However, it is up to the Board to determine whether they believe a full job description is necessary and appropriate for the OIT applications. There was a vigorous discussion. Doug Abbott suggested we mirror what is required by COMAR. The discussion was tabled until the next Closed Session so both Board Counsel and Board members could prepare for the discussion.

08. OLD BUSINESS

Referral to ECU

Jen opened the floor to questions and asked that the member review the referral and be prepared to discuss during the December closed meeting. She advised she will accept questions via email. She also explained that ECU stated that they could not provide a turnaround time.

Proposed Regulation Update Priority (Vote)

Dee advised that the only update she had was that all of our proposed regulations will most likely be held until next year's legislative session. Board counsel from all three Boards will be meeting on 12/2/2022 to discuss. Dee and Jen will have an update on regulation proposals at the December meeting.

09. TRE SUBCOMMITTEE REPORT

Martin presented the TRE proposals and noted that there was a large volume of submissions from Baltimore City. Dee Settar noted that this was encouraging since so many renewing operators from the facility claim to have difficulties in completing continuing education. Dee noted she was working with Zoe Goodson to assist Baltimore City with their training programs and retention of operators. Jay Price noted that Billy Dove is leaving which is a great loss for the system. Tara Jones noted that she was happy to assist with training issues and had heard scuttle that training participants in the water apprenticeship program were not engaged and perhaps a different approach may be of assistance. Eric Dutrow noted that MWRA offered several courses which would be of great benefit to Baltimore City operators. He added that they are eligible for those courses. Eric also added that he is personally willing to assist anyone regardless of the size of the system. The Board returned to the TRE recommendations and had no questions regarding the committee proposal. A motion to adopt proposal was made by Ben Thompson and second by Ed Hogan. The motion passed with the Board Chair abstaining.

10. DISCUSSION WITH BOARD LIAISONS AND GUESTS

Bruce Darner advised that the main body meeting was held yesterday in Frederick, MD with 16 people in attendance. They discussed tri-con proceeds and want to offer more training, STEM awards and refunds on membership. The budget for 2023 will be discussed during the January Meeting. He noted some Short Court attendees advised that they never received a letter form MDE reporting exam scores. Some are upset that they are being denied raises or promotions due to failure to provide results. They are working to address this issue. Board staff discussed the protocol for notifying operators of exam scores.

Clark Howells advised that he has not yet received the meeting minutes but will provide an update at the next WWSO Board meeting. However, he wanted to convey that CWEA is happy to provide assistance to the Board and industry from the Short Course to many other issues.

Tara Jones advised that MCET is having a "Train the Trainer" session on February 14, 2023 and would like to invite Board Staff and Members to attend.

Eric Dutrow advised that there will be a new energy efficiency person on board by next year to assist small systems to save on energy costs. They are doing live classes. He will be teaching a course "Workplace in a Box" in December. He also thanked Board Staff for our assistance.

Jay Price advised that CSAWWA held a strategic planning meeting. They re-aligned committees and looked at long-term goals. He also reported that the Mid Atlantic Utility Conference was a huge success.

Bill Shreve advised the Board that WWOA again requested approval be granted to provide water sampler certification training at Member meetings, similar to that provided by MRWA. He also thanked Board Staff for our efforts. Dee Settar responded that the sampler certification training content was not a matter to be considered by this Board and that a discussion with the Water Supply Program's Safe Drinking Water Act Implementation Division would be arranged.

11. BOARD VOTE TO MOVE INTO CLOSED SESSION

At 11:50 am , the Board Chair read the closed session statement. Pursuant to General Provisions Article ("GP") § 3-305(b), on a motion made by Ben Thompson and seconded Bruce Darner, the following Board members voted in favor to move into closed session on November 17, 2022 at 11:51 AM via Google Meet video/ teleconference for the purpose of complying with certain provisions of the Open Meetings Act: Ben Thompson, Doug Abbott, Ed Hogan, Bruce Darner, Joseph Wright, Eric Dutrow, Connie Luffman, Clark Howells and Tony Sierra. The Board Chair, Jay Price, abstained. The motion carried. (Dee please confirm accuracy.)

12. ADJOURNMENT

Bruce Darner moved to adjourn the open meeting at 11:52 AM. The next meeting will be held on **December 15, 2022 Video Conference Meeting held via Google Meet.**

CALL TO ORDER AND PURPOSE OF CLOSED MEETING

With a quorum present, Chairman Jay Price called the meeting of the closed session to order at 12:00 PM to perform administrative functions, pursuant to the following provisions of GP § 3-305(b):

GP § 3-305(b)(2) - To protect the privacy or reputation of individuals concerning a matter not related to public business

GP § 3-305(b)(7) - To consult with Board Counsel to obtain legal advice

During the closed meeting, the following Board members were present: Chairman Jay Price, Vice-Chairman Ben Thompson, Doug Abbott, Ed Hogan, Bruce Darner, Eric Dutrow, Connie Luffman, Clark Howells and Tony Sierra. The following MDE staff were also present during the closed meeting: Jenn Bowman, Dee Settar, Pam Franks, Martin Fuhr, and Victoria Arbaugh. The following Board Members were note present: Hiram Tanner.

TOPICS DISCUSSED DURING CLOSED MEETING

Board Members reviewed Minutes from the August 18 and November 17, 2022 Closed Sessions

The November 17, 2022 Open Meeting Minutes were approved by the WWSO Board on December 15, 2022