



STATE OF MARYLAND
BOARD OF WATERWORKS AND WASTE SYSTEMS OPERATORS
MINUTES OF THE MEETING HELD ON:
Thursday, December 17, 2020 At 10:00 A.M
Remote 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

William Shreve	Wastewater Superintendents; Board Chair
Joe Johnson	Water Superintendents; Board Vice-Chair
Jay Price	Sanitary Districts
Partha Tallapragada	MES
Hiram Tanner	Public At-Large

BOARD MEMBERS NOT PRESENT

Dominic Deludos	Industrial Superintendents
Bruce Darner	Agriculture

STAFF, LIAISONS AND GUESTS PRESENT

Dee Settar	Board Secretary (Acting); Recused Board Member- MDE
Jennifer Bowman	Board Counsel
Martin Fuhr	Board Staff
Pam Franks	Board Staff
Victoria Arbaugh	Board Staff
Ben Thompson	Board Member Appointee, County Governments
Rosann “Ndebumado	Board Member Appointee, Municipal Governments
Tara Jones	MCET Liaison
Sue Houghton	MRWA Liaison
Scott Harmon	MRWA Liaison
Clark Howells	CWEA Liaison
Chris Carski	MDE Staff- Water Supply Program
John Smith	MDE Staff- Water Supply Program

01. CALL TO ORDER

Board Chair called the meeting to order at 10:04 AM. Roll Call was done by Dee Settar, Acting Board Secretary. The Board meeting was conducted virtually via Video conference in lieu of the state of emergency proclaimed by Governor Larry Hogan due to the COVID-19 pandemic.

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02. REVIEW AND ADOPTION OF PROPOSED MEETING AGENDA

Jay Price moved to adopt the proposed meeting agenda with corrections, including striking Item E; Joe Johnson seconded. The motion passed unanimously; Bill Shreve abstained.

03. REVIEW AND APPROVAL OF PRIOR MEETING MINUTES

Board Members reviewed the November 19, 2020 draft meeting minutes. Joe Johnson made a motion to adopt the minutes as amended with corrections; Jay Price seconded. The motion carried unanimously; Bill Shreve abstained.

04. BOARD CHAIR'S COMMENTS

Chairman Bill Shreve welcomed and thanked Board Members, Liaisons and Guests for attending today's meeting. Bill advised that he would be retiring as of July 30, 2021 and as a result, would vacate the Board's representation for Wastewater Superintendents as well as the Board Chair position. He extended his heartfelt thanks for all of the Board's service and assistance over the years, and noted that he would be volunteering to teach and participate in ongoing training and education initiatives.

Board Vice-Chairman Joe Johnson then advised that he too would soon be retiring in August of 2021 and would vacate the Board's representation for Water Superintendents as well as the Vice-Chair position. Joe also expressed his gratitude to all who served on the Board and Board Staff.

Chairman Shreve noted that Board Elections would be take place in July of 2021 and that a transition plan should be promulgated before that time. Dee Settar noted that Eric Dutrow has applied for the Public-At-Large vacancy left by Scott Harmon in October 2020.

05. SECRETARY'S REPORT

A. Revenue & Expenditures Update

Acting Secretary Dee Settar advised the Board that, as of October 31, 2020, the Monthly Revenue was \$9720.00, the Cumulative Revenue was \$45,440.00, and the Cumulative Expenditure was \$46,739.83. Dee also advised that, as of November 30, 2020, the Monthly Revenue was \$9080.00, the Cumulative Revenue was \$54,520.00, and the Cumulative Expenditure was \$60,343.00. Bill Shreve asked about the potential shortfall of revenue due to COVID-19; Dee advised she will compare the revenue in CY2019 that of CY2020 at the January 2021 meeting. Joe Johnson asked about the backlog of certification processing; Dee responded the process was hindered by US mail delivery, MDE teleworking requirements and COVID-related staffing challenges.

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B. Exam Updates

Martin Fuhr presented the examination pass / fail statistics by month and classification. He noted the overall monthly pass rate was at 37% for month of November, 2020, which was slightly above the monthly average. MDE proctored 27 exams in November, which is less than those proctored during the previous month, due to tightened and conflicting COVID-19 restrictions in the State, Baltimore City and at MDE. In addition, Martin Fuhr noted that he suggested that operators consider utilizing the ABC guides especially after multiple unsuccessful examination attempts.

Acting Secretary Dee Settar noted that additional examination dates may need to be scheduled as local ordinances have diminished capacity at various testing sites. She also asked Board members to alert operators they should not delay registering for exams as the Board anticipates a rush for exams after the State of Emergency is lifted. Jay Price noted that he intends to teach a virtual short course and gear it towards exam preparation. Clark Howells inquired about reserving the MDE auditorium for the post-short course exam. Martin Fuhr will investigate the room's availability and cost.

C. Other Board Initiatives – (Website & Database Update, Online Exams, Mandatory Training)

Acting Secretary Dee Settar advised the Board that the website is being updated monthly, including updates to the active operators list and examination schedule. She also noted the Board's website will include links to partners WWOA and CWEA websites that include job postings for utilities and operators.

Dee introduced John Smith, Water Supply Program staff, who is upgrading the Board's database. John explained his progress converting the archaic Foxpro software to an Access-based database. The update will improve data management and issuing licenses and other correspondence and has asked for input from Board Staff. He is also focused on ensuring data integrity and noted future transfer of data may occur.

Dee advised the Board that she met with representative from MDE's Office of Information Management and Technology regarding the possible use of MDE's website to proctor online certification exams. While MDE's contract with the Association of Board Certifications requires specific security measures that cannot be reproduced using the Department's website at this time, the Board may be able to utilize community colleges to proctor examinations in the future, which will expand testing options.

Finally, Dee shared an initiative to require mandatory training for all certification renewals that focuses on regulations of the Board and the Department. Staff from the WWSO Board, the Water Supply Program and the Compliance Programs have supported this initiative, which is similar endeavors required by other State operator certification programs. Dee recommended a signature requirement on all renewal applications that the mandatory course had been completed. Chairman Bill Shreve noted a similar requirement is enforced by Anne Arundel County for its pesticide licensing program. Bill asked if the mandatory course would be required in addition to the current renewal requirements. Joe Johnson noted that WSSC requires operators to take courses on both state and federal regulations and believes it is highly beneficial; he concurred that the required course is a good idea. Dee clarified MDE would own the course content and could update regularly with new regulations and other pertinent material. Jay Price emphasized the importance for all operators to understand their personal liability and the need to comply

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with pertinent regulations to avoid possible criminal liability. Dee speculated the Board could develop three separate training courses with content specific for water operators, wastewater operators, and superintendents.

06. REVIEW OF APPLICATIONS

Matthew Campbell – Requested experience credit towards his Wastewater Collection 2 Certification. Board Staff recommended Mr. Campbell be granted 11.5 months experience credit, making him eligible for his Collection 2 Certification immediately. Board Members discussed that experience under a different OIT certification should be counted; Board Staff will grant 1 year experience earned during his temporary certification as an administrative decision. No motion was made.

Davina Yutzy – Requested both education and experience credit towards her Class 5A Wastewater treatment Operator Certification. Board Staff recommended Ms. Yutzy be granted one year of experience credit and 14 months of education credit, making her eligible for her Wastewater 5A Certification immediately. Joe Johnson corrected the recommendation by stating Ms. Yutzy can only receive 12 months education credit based upon the Board's prior practice. Joe Johnson made a motion to approve 12 months of experience credit and 12 months of education experience, making Ms. Yutzy eligible for full certification as of February 1, 2021; Jay Price seconded. The motion carried unanimously; Bill Shreve abstained.

Joe Johnson offered to share the Board's experience credit log with the Board Staff and Board Members.

07. COMMITTEE REPORTS

A. TRE Committee Recommendations

Board Chair Bill Shreve opened the discussion of the TRE Committee Recommendations by advising that he may remain involved with the TRE committee after his retirement and resignation from the Board in Summer of 2021. Board Members reviewed recommendations from the December 10, 2020 TRE Committee meeting, which included conditional approvals pending receipt of information from two Training Sponsors. Chairman Shreve noted all conditional approvals were dependent on receipt of materials and verification by Board Staff. Hiram Tanner made a motion to adopt the amended recommendations of the TRE Committee; Jay Price seconded. The Motion was carried unanimously; Bill Shreve abstained.

B. TRE Policy Update (Finalize Document)

Acting Secretary Dee Settar advised the Board that the proposed policy changes are being finalized based upon Board Member's previous recommendations and requested the Board to review the updated policy. Board Chair Bill Shreve noted that the matter would be addressed at the January 2021 Board Meeting.

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08. ON-GOING BUSINESS

Acting Secretary Dee Settar advised that Heather Barthel, Deputy Director of MDE's Water & Science Administration, requested a summary of the impact of COVID-19 on the Board. Dee responded with a memorandum outlining the impacts to exam proctoring due to reduced capacity and certification issued and explained that while the frequency of examinations had remained fairly consistent, the number of attendees has greatly diminished. Dee also determined the average number of all operators who are delaying renewal under the Governor's administrative extension is approximately 10%; however, the percentage of industrial wastewater operators delaying renewal is higher at 33%. She also noted that the attendance at the remote Superintendent Training was higher than average but that was likely due to cancellation of the Training in April 2020. The Board Chair thanked both the Acting Secretary and Board Staff for their efforts in adjusting to COVID- related challenges.

09. DISCUSSION WITH BOARD LIAISONS AND GUESTS

Tara Jones (Maryland Center for Environmental Training; Water and Wastewater Operators Association of MD, DE and DC) – Advised that MCET has several new classes starting in January 2021 for collections and distribution, and that MCET is working on the virtual spring schedule. Tara will be interviewing for Karen Brant's former position with MCET in January 2021. Board Chair Bill Shreve wished her luck in the interview process. Tara also mentioned, as current WWOA President, the Association is developing additional virtual training.

Sue Houghton (Maryland Rural Water Association) – Echoed the Board Chair's well wishes for Tara Jones on her pending interview. She also advised that MRWA has an open position for a State Circuit Rider that requires a Class 3 / 4 water certification. She wished everyone Happy Holidays and a Prosperous New Year.

Scott Harmon (Maryland Rural Water Association) – Advised that MRWA had over 40 people attended the recent water sampling class and experienced good attendance for all other trainings, as well. He noted that all classes being offered, other water sampling certification, were free of charge to attendees. He wished everyone Happy Holidays and New Year from Texas.

Clark Howells (Chesapeake Water Environment Association; Short Course Chair) – Advised the upcoming Short Course will be held virtually and include exam preparation to assist operators. He noted the decreased cost estimate due to the virtual platform and expressed an interest in using the MDE Auditorium to hold exams right after conclusion of the Short Course training event.

Jay Price (Chesapeake Section American Water Works Association) – Also indicated an interest in the MDE Auditorium for exams after the Short Course and will work with Board Staff to hopefully procure. Jay also mentioned plans to hold the annual TriCon conference as a live event.

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Ben Thompson (CSAWWA; Board Nominee) – Advised the Board of the virtual CSAWWA / CWEA career fair will be held on 2/12/2021 and requested the announcement be posted on the Board 's webpage, if possible.

10. Board Vote to Move into Closed Session

Pursuant to General Provisions Article ("GP") § 3-305(b), on a motion made by Jay Price and seconded by Joe Johnson, the following Board members voted in favor to move into closed session on December 17, 2020 at 11:31AM via Google Hangouts video/ teleconference for the purpose of complying with certain provisions of the Open Meetings Act: Joe Johnson, Jay Price, Hiram Tanner, and Partha Tallapragada; Chairman Bill Shreve abstained. The motion carried.

11. ADJOURNMENT

Joe Johnson moved to adjourn the virtual conference meeting at 11:30 AM. The next meeting will be held on **January 21, 2021 Video Conference Meeting held via Virtual Google Hangouts.**

Call to Order and Purpose of Closed Meeting

With a quorum present, Chairman Bill Shreve called the meeting of the closed session to order at 11:35AM 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 certain individuals concerning a matter not related to public business.

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

GP § 3-305(b)(8) To consult with staff, consultants or other individuals about pending or potential litigation pertaining to certain individuals.

During the closed meeting, the following Board members were present: Chairman Bill Shreve, Vice-Chairman Joe Johnson, Jay Price, Hiram Tanner, and Partha Tallapragada. The following MDE staff were also present during the closed meeting: Jenn Bowman, Dee Settar (self-recused Board Member), Martin Fuhr, Pam Franks, Victoria Arbaugh and Chris Carski. The following Board Members were not present: Dominic Deludos and Bruce Darner.

Topics Discussed in the Closed Session Meeting

Board Members discussed MDE litigation and possible Board actions related to litigation and other matters. Board Members also discussed a recently received Memo from the MDE Secretary regarding Board oversight.