



**STATE OF MARYLAND**  
**BOARD OF WATERWORKS AND WASTE SYSTEMS OPERATORS**  
**MINUTES OF THE MEETING HELD ON:**  
**Thursday, September 17, 2020 At 10:00 A.M**  
**Virtual Video Conference Meeting via Google Hangouts**

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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.

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*As of March 5, 2020, the Board has been operating under a State of emergency and catastrophic health emergency proclaimed by Governor Hogan due to the COVID-19 pandemic. Therefore, the September 17, 2020 Board meeting was held by videoconference (with the conference video link and telephone number made available to the public).*

**BOARD MEMBERS PRESENT**

William Shreve	Joe Johnson
Jay Price	Bruce Darner
Partha Tallapragada	Scott Harmon

**LIASONS, GUEST & STAFF PRESENT**

Dee Settar	Acting Board Secretary
Martin Fuhr	Board Staff
Pam Franks	Board Staff
Victoria Arbaugh	Board Staff
Jennifer Bowman	Board Counsel
Rosann Ndebumado	Board Member Appointee
Ben Thompson	Board Member Appointee
Karen Brandt	MCET Liaison
Sue Houghton	MRWA Liaison
Shailaja Polasi	Guest, MDE Compliance Program
Russell Lease	Guest, Operator
John Allen	Guest, Superintendent
Scott Nipps	Guest, Operator

**Not Present**

Dominic Deludos	Board Member
Hiram Tanner	Board Member

**01. CALL TO ORDER**



## **BOARD OF WATERWORKS AND WASTE SYSTEMS OPERATORS**

Board Chair Bill Shreve called the meeting to order at 10:04 AM. Roll Call was done by Dee Settar

### **02. REVIEW AND ADOPTION OF PROPOSED MEETING AGENDA**

It was moved by Scott Harmon and seconded by Jay Price to adopt the proposed meeting agenda. Motion unanimously carried.

### **03. REVIEW AND APPROVAL OF PRIOR MEETING MINUTES**

Board Members reviewed the July 16, 2020 draft meeting minutes, it was moved by Joe Johnson and seconded by Scott Harmon to adopt the minutes as amended with corrections. Motion carried unanimously.

### **04. BOARD CHAIR'S COMMENTS**

Board Chairman Shreve thanked Board Members and Liaisons for attending today's meeting. The Board Chairman welcomed Rosann "Roxie" Ndebumado to the Board, who was appointed to represent Municipal Governments and awaiting Senate confirmation. Board members and liaisons introduced themselves and provided their background for their respective Board representation. Chairman Shreve also welcomed all guests.

### **05. SECRETARY'S REPORT**

#### **A. Report on Board Administrative Activities (Revenue & Expenditures)**

Acting Secretary Dee Settar informed the Board that appropriations for fiscal year 2021 are \$286,702.00. The revenue, expenditures and encumbrance for August 31, 2020 were not yet provided. As of July 31, 2020, expenses were \$10,847.56, the encumbrance was \$50,217.00 and the revenue was \$12,665.00. The Acting Secretary noted that the encumbrance decreases as money is spent ABC exams, and that expenses includes operating costs and staff salaries.

#### **B. Exam Updates**

Martin Fuhr presented the examination statistics by month and class, which resulted in an overall pass rate of 28% in July and 38% in August. Martin explained, in detail, recent testing limitations. In addition, Martin Fuhr opened up the discussion as to how to improve the pass rate for all classifications.

#### **C. Board Staff Initiatives – (Superintendent Training Course & Website Updates)**



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Acting Secretary Dee Settar updated the Board on initiatives to update the website and on the upcoming Superintendent Training, which will be held remotely. She addressed pending updates to application forms and requested the Board look at the website and make any requests to update and improve the website at the next meeting.

### **06. REVIEW OF APPLICATIONS**

**Russell Lease, Jr.** – Requesting Education Substitution for his class 5A Wastewater Treatment operator certification. John Allen provided a professional reference on Mr. Lease’s behalf and supported his petition to the Board. Board Staff recommended that Mr. Lease be granted 7.6 months of education substitution and granted his certification effective December 1, 2020. Scott Harmon moved to approve the Board Staff recommendation and was seconded by Joe Johnson. Motion was unanimously carried.\*

\*At this time, both John Allen and Russell Lease left the meeting. In addition, the Board Chair suggested staff update the “matrix” to reflect clarity in its applicable policies.

**Christopher Mlinaric** – Requested Experience Credit for his Water Treatment Class 3 Certification. Board Staff recommended that Mr. Mlinaric be granted twelve (12) months of experience credit towards his Water Treatment 3 Superintendent Certification. Scott Harmon moved to approve the Board Staff recommendation and was seconded by Joe Johnson. Motion was unanimously carried.

**Davide Hoglebe** – Requested Reciprocity from Delaware to be a Maryland Class 3 Water Treatment Operator. Board Staff recommended that Mr. Hoglebe be granted Reciprocity and issued his Maryland Class 3 Water Treatment Operator Certification. Scott Harmon moved to approve the Board Staff recommendation and was seconded by Jay Price. Motion unanimously carried.



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**Gregory Johnson** – Requested Reciprocity from Chester, Pennsylvania to be a Maryland Class 4 Water Treatment Operator. Board Staff recommended that Mr. Johnson be granted Reciprocity and issued his Maryland Class 4 Water Treatment Operator Certification. Joe Johnson moved to approve the Board Staff recommendation and was seconded by Scott Harmon. Motion unanimously carried.

**Elizabeth Kinderman** – Requested Reciprocity from Massachusetts to be a Maryland Class 1 Water Operator. Board Staff recommended that Ms. Kinderman be granted Reciprocity and issued her Maryland Class 1 Water Operator Certification. Scott Harmon moved to approve the Board Staff recommendation and was seconded by Jay Price. Motion unanimously carried.

After applications were reviewed, Board Chair Bill Shreve led a discussion about the jurisdiction of assigning water and wastewater plant categories. A robust discussion ensued and the matter will be further discussed with the Board Counsel at a later date.

### **07. COMMITTEE REPORTS**

#### **A. Training Review and Evaluation (TRE) Committee Recommendations**

The Board reviewed the training applications which were recommended by the TRE Committee at the September 9, 2020 meeting. There was a brief discussion of the proposed changes. Joe Johnson made a motion to approve the recommended courses and Jay Price seconded the motion. The Motion carried with Joe Johnson and Jay Price abstaining from voting on WSSC Courses.

#### **B. Training Review and Evaluation (TRE) Policy Update**

Per Board Chair request, the TRE Subcommittee met several times since the July meeting to update the TRE policy. Due to time constraints, Acting Secretary Dee Settar requested Board Members review the proposed changes and prepare to discuss at the October meeting.



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### **08. ON-GOING BUSINESS**

#### **COVID19 Update (Training & Exams)**

Acting Secretary Dee Settar advised Board Counsel provided guidance on Governor Hogan's Executive Order pertaining to administrative extension of licenses and permits, which interpreted how late fees and late renewal were to be addressed. The Board Counsel advised that the draft letter enumerating the practical impact of the referenced advice could not yet be presented to the Board. She did, however, explain that training, exams, renewal, late fees would still become due 30 days after the State of Emergency is lifted and would provide a written answer to specific inquiries.

Joe Johnson requested that MDE notify all utilities in writing of new policies arising out the Attorney General's official guidance. Acting Secretary Dee Settar advised that Water Supply Program would email an explanatory letter to all water utilities, with a recommendation for the Compliance Program to do the same. Board Counsel advised to continue the discussion in closed session.

### **10. DISCUSSION WITH BOARD LIAISONS AND GUESTS**

**Jay Price** – Advised that WSSC is continuing to offer classes for both Collection and Distribution Operators and seeking to expand classes.

**Karen Brandt** - Discussed MCETs expansion of remote offerings and virtual testing. She advised that they are adding more classes as demand arises and they are able to obtain adequate staffing. She emphasized that all virtual and on-line classes must meet adequate safety and security measures.

**Clark Howells** – Advised he had no formal updates for CWEA at this time

**Sue Houghton** – Advised that MRWA is working on new water classes and is now conducting on-line training while adding as many classes as possible. They are making every effort to expand both remote training and testing.

**Bruce Darner** – Concurred with Karen and expressed his support of efforts to expand both remote training and testing



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### **11. Board Vote to Move into Closed Session**

Pursuant to General Provisions Article (“GP”) § 3-305(b), on a motion made by Scott Harmon and seconded by Joe Johnson, the following Board members voted in favor to move into closed session on September 17, 2020 at 12:06 PM via Google Hangouts video/ teleconference for the purpose of complying with certain provisions of the Open Meetings Act: Scott Harmon, Joe Johnson, Bruce Darner, Jay Price, and Partha Tallapragada; Chairman Bill Shreve abstained. The motion carried.

Specifically, the Board discussed correspondence and violation status associated with two license holders in closed session pursuant to the General Provisions Article (“GP”) as stated below:

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

The topic of discussion related to the Governor’s Executive Order to administratively extend licenses and certifications which affects the Board’s renewal process. An Attorney-Client Privilege letter was sent to Board Members for comment.

A motion to conclude the closed session was made by Joe Johnson and seconded by Scott Harmon. The following Board members voted in favor: Joe Johnson, Scott Harmon, Bruce Darner, Partha Tallapragada; Chairman Bill Shreve and Jay Price abstained. The motion carried. The closed session was concluded at 12:41 PM and the Board returned to open session.

### **12. ADJOURNMENT**

Joseph Johnson moved to adjourn virtual conference meeting at 12:42 PM. The next meeting will be held on October 15, 2020 via Video Conference Meeting held via Virtual Google Hangouts.