



State of Idaho

Division of Occupational and Professional Licenses Idaho Board of Drinking Water and Wastewater Professionals

BRAD LITTLE
Governor
RUSSELL BARRON
Administrator

11341 W Chinden Blvd.
P.O. Box 83720
Boise, ID 83720-0063
(208) 334-3233
dopl.idaho.gov

Minutes of 11/29/2023

Board Members	Stacy Stewart, Chair	Division	Jessica Spoja, Executive Officer
Present:	Bryson Ellsworth, Vice-Chair	Staff:	Katie Stuart, Admin. Bureau Chief
	Kyle Marine		Lea Kear, Legal Counsel
	Laurelei McVey		Renee Bryant, Board Support Supervisor
	Jerri Henry		Zack Trujillo, Board Support Specialist
			Kaitlin Kinne, Tech. Records Specialist

The meeting was called to order at 9:00 AM MT by Chairman Stacy Stewart.

RECOGNITION: Michael Parker and Paul Sifford were recognized for their many years of service on the Board.

INTRODUCTION: Laurelei McVey, Wastewater Representative, and Kyle Marine, Drinking Water Representative, were welcomed to the Board.

APPROVAL OF THE 09/22/2023 MEETING MINUTES

The 09/22/2023 minutes were unavailable; therefore, will be reviewed at the January 2024 Board meeting, as well as the 06/09/2023 minutes.

DIVISION BUSINESS

Finance Report: Administration Bureau Chief Katie Stuart addressed a handout of year-end cash balances from 2006 through 2018, based on the Legislative Services Office audits, and 2019 through 2023, based on internal DOPL financial system tracking.

For the next meeting, Board Member McVey would like to see the trend for license numbers and license revenue, and asked staff to pull the records of the last time licenses were increased. The last change to the licensing fees was actually a decrease. If needing historical records, Vice-Chairman Bryson Ellsworth recommended contacting former Board Member Michael Parker.

Pertaining to the topic “2024 Division Agency Legislation”, Board Member Jerri Henry asked what the renewal fees associated with a two-year license would look like. As part of the Division’s five year projection, Ms. Stuart explained that DOPL would have until 2028 to update all licensure renewals to biennial, with an expiration date to the birth month of the licensee or, for entities, the birth month of the licensee’s owner or designee.

Executive Agency Legislation: A summary of the Executive Agency Legislative System (EALS) DOPL proposes to go before the 2024 Legislature was provided. One EALS to possibly affect the WWP Board/industry is biennial licensure renewals.

BOARD BUSINESS

Elections: A motion was made and seconded that the Board amend the topic “ Elections” under Board Business; clarifying it will be an action item pursuant to Idaho Code 74-204. The justification is that there is a discrepancy in a clerical error with what was posted on the DOPL calendar and paper agenda handout. The motion carried unanimously.

A motion was made and seconded to re-elect Stacy Stewart as Chairman. The motion carried unanimously.

A motion was made and seconded to re-elect Bryson Ellsworth as Vice-Chairman. The motion carried unanimously.

Cross-Connection Control Specialist: Vice-Chairman Ellsworth explained the position of a Cross-Connection Control Specialist, and asked the Board if it would like to pursue this new license type. Multiple states already have this license. DOPL was asked to contact the American Water College to acquire information on the exam.

Board Member Henry suggested there be something written to the value of the BAT license and newer license. From a standpoint of the licenses that exist today at DOPL, the BAT requirements are from the Division of Environmental Quality (DEQ) rules, as well as the classification of the systems.

Chairman Stewart indicated there is nothing in DEQ rules that state somebody that runs a program or a municipality has to have a BAT license. It is the municipality requiring the person in that position to have a BAT license. By creating the new license, municipalities would be able to provide the individual with the option to have a specialist license since they do not normally perform tests on backflow assembly devices.

Board Member McVey would like more information on approximately how many individuals/municipalities would benefit having this license, the financial impact to the Board to take on another license type, the kind of exam it would have, and how easily is it administered.

Chairman Stewart would like to continue discussion of pursuing this specialist license. The topic “Cross-Connection Control Specialist” will be an informational item at the January 2024 Board meeting.

Public Comment: Nichole Summers, Veolia, appreciates applicants receiving their test results immediately from the testing agency, and applications are being sent to board members once a week, rather than once a month. Ms. Summers addressed the hefty rate increase by the testing agency to take exams, and stated Veolia is in full support of the Cross Connection Control Specialist.

Board Member McVey asked the minutes reflect that even though her appointment was in August 2023, she was not notified until November 2023, and therefore, did not participate in prior meetings.

Board Member Henry asked the topic “Drinking Water Treatment Updates” be added to the agenda for the January 2024 meeting.

Guidance Documents: Board Member McVey stated there are potentially two avenues for the Board to create guidance documents; 1) Internally, the Board streamline application review, and 2) Board create an external guidance document to help operators navigate the application process; i.e., Good thorough application, tips, and tricks, etc. Board Member McVey volunteered to create documents and bring them back for the Board’s review.

Vice-Chairman Ellsworth suggested contacting prior Board members regarding different flow-through models. Executive Officer Spoja will provide a direct link to another section of the Board’s website for all approved WWP courses, as well as the “Training & Studies” page.

Chairman Stewart suggested, and Gary Sievers, Technical Trainer/Circuit Rider with the Idaho Rural Water Association, offered to provide an online course titled “Application for Licensure Course”.

Upon further discussion, the Board agreed to table this topic until the January 2024 Board meeting; allowing the Board Members to look through DOPL’s website and provide any changes and/or amendments to Executive Officer Spoja.

The pending WWP rules will be published in the December 2023 Administrative Rules Bulletin. Legal Counsel Lea Kear will provide the pending rules to Board Members McVey and Marine. The new rule chapters will become effective at the sine die of the 2024 legislative session. Executive Officer Spoja will create the FAQ’s from DOPL’s website into a shared document for the Board to work out of and bring to the January 2024 meeting. Stakeholders and the public are encouraged to submit ideas, and Ms. Summers asked Executive Officer Spoja to categorize the questions.

The topic “Guidance Documents” to be tabled until the January 2024 meeting.

EXECUTIVE SESSION – APPLICATIONS

Motion to Enter Executive Session: A motion was made and seconded that the Board enter executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law, Idaho Code § 74-106(9). The purpose of the executive session is to consider documents relating to the fitness of an applicant to be granted a license or registration. Roll call: Stacy Stewart - aye; Bryson Ellsworth - aye; Jerri Henry - aye; Laurelei McVey - aye, and Kyle Marine - aye. The motion carried unanimously.

Motion to Leave Executive Session: A motion was made and seconded to leave executive session. The motion carried unanimously.

Motion(s) re: Applications: A motion was made and seconded to pend WWPA-26662 for additional information. The motion carried unanimously.

A motion was made and seconded to pend WWPA-26672 until the May 2024 meeting. The motion carried unanimously.

A motion was made and seconded to approve BATA-26575, WWPA-26455, and WWPA-26456. The motion carried unanimously.

A motion was made and seconded to approve WWPA-26609. Board Member McVey recused herself. The motion carried.

2024 MEETING DATES: The Board agreed on the following 2024 meeting dates: 01/17, 03/27, 05/22, 07/17, 09/25, and 11/20.

ADJOURNMENT

There being no further business, the meeting adjourned at 12:20 PM.

01/17/2024/krb