



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

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Draft Minutes of 09/25/2024

Board	Stacy Stuart, Chair	Division	Jessica Spoja, Executive Officer
Members	Bryson Ellsworth, Vice-Chair	Staff:	Jill Randolph, Legal Counsel
Present:	Jerri Henry		Erin Einarsson, Board Support Specialist
	Laurelei McVey		Jeana Graff, Human Resource Specialist
	Kyle Marine		
	Niki Summers		

The meeting was called to order at 9:04 AM MT by Chairman Stacy Stuart.

APPROVAL OF THE 05/22/2024 and 07/17/2024 MEETING MINUTES

A motion was made and seconded to approve the 05/22/2024 and 07/17/2024 minutes as presented. The motion carried unanimously. Board Member Laurelei McVey requested that additional detail be included in future meeting minutes.

DIVISION BUSINESS

Respectful Workplace Training: The Respectful Workplace Training was presented by Human Resource Specialist Jeana Graff.

Finance Report: Executive Officer (EO) Jessica Spoja presented the Preliminary Financial Plan Status Report as of June 2024. The Legislative Services Office recently conducted an audit of DOPL and has modified the way administrative staff and agency's time is billed to each of the licensing boards. As a result, the 4th quarter personnel expenses were lowered and there is a positive net income of \$7,113.83. EO Spoja noted that at the July 17, 2024 Board Meeting, Financial Officer (FO) Wendy Gutierrez indicated that a 100% fee increase would be necessary to achieve a positive operative expense. However, EO Spoja will be meeting with the BCRE Bureau Chief and other executive officers on September 27, 2024 to review the five-year projections for each of the licensing boards. EO Spoja suggested that the board postpone the discussion of fee changes until the next board meeting when the projections can be presented and FO Gutierrez will be available to answer any questions. Board Member McVey requested additional information on licensing metrics including how many new and reciprocal licenses are issued annually as well as the total number of licenses issued. This topic will be addressed at the November 20, 2024 meeting.

OASIS Update: With the launch of the OASIS licensing system in July of 2024, DOPL has received feedback from licensees and Board members about issues they have faced when using the system. EO Spoja highlighted a few key aspects that are currently being addressed by the programming team including significant changes to the Drinking Water and Wastewater application process and licensee classifications. Currently DOPL staff can add the operator level to a licensee under the privilege category. However, the OASIS system does not have the option to search by privilege and the license

operator level is not displayed when conducting a public search. Additionally, licensees need to be able to enter their work experience hours at any time and split those hours within Drinking Water and Wastewater. These items are being addressed by the programming team and will be included in the Phase II launch on November 4, 2024. Board Member McVey requested that any licenses issued between the Phase I and Phase II launch are updated and that the class type be reflected in the license number. EO Spoja noted that the seven digit license number is consistent across all licenses issued through DOPL and that the alpha prefixes are no longer being used. Board Member Jerri Henry asked if a numerical value could be assigned to each license type so that, for example, the first 3 digits of a license number would be an identifier. EO Spoja asked if the Board would like licenses to be identified by licensing board or by licensing type. Board Member McVey emphasized that being able to identify licenses by their operator level is imperative and that not being able to identify the operator level on a license is a public health concern. EO Spoja replied that she would bring that request to the programming team.

With regards to the application process, Board Member McVey noted that with the previous application, applicants were required to split their hours based on wastewater and drinking water experience. However, with the current system there is a loophole where licensees can apply their total hours to both. Chairman Stacy Stuart agreed adding that when reviewing applications, Board Members are required to form their decisions based only on the information they are presented with and that if the hours of experience are not differentiated, the application is not accurate. Board Member McVey stressed that this places the Board in a vulnerable position because there is currently no way to differentiate work experience on application beyond possibly looking at a job title.

Board Member McVey added that licensees have identified that adding continuing education units (CEU) to their license renewals is problematic. Providers would like to have their classes added to the drop-down list so that applicants are not required to upload their certificates for approval. EO Spoja suggested removing the pre-approved classes from the drop-down list and only including the Board Approved Backflow Assembly Tester (BAT) courses. Board Member McVey agreed that would alleviate the confusion. Board Member McVey asked if DOPL had provided answers to those who had submitted questions about the CEU process and EO Spoja responded that she intended to post them to the Q&A section of the website. With regards to calculating responsible charge, Board Member McVey noted that on the previous application the license levels would include the date each level was awarded. With the current system Board Members cannot access licenses levels or dates awarded and they cannot calculate responsible charge time without that information. Board Member McVey added that users have experienced confusion when uploading CEUs, specifically because the courses are quantified by credits whereas the OASIS system requires hours. However, if the uploading of certificates is no longer necessary, this will no longer be an issue.

Board Member Henry expressed concern that the seven digit license numbering system may run out of numbers, especially considering that a license number cannot be reused, and suggested using a three-digit identifier at the front of each license.

Board Member Niki Summers discovered a broken link on the DOPL WWP website. Under Continuing Education, the link to “approved training courses” is broken and instead links to the DOPL online services pages. Board Member Summers also noted that the new licensing system is cumbersome for larger organizations where administrative staff are responsible for managing multiple staff licenses.

EO Spoja shared some features of the licensing system including the ability to associate multiple license accounts to one account. This enables a single individual to make changes and updates to the multiple accounts associated with it and is especially helpful for employees who are responsible for managing multiple licenses. Board Member McVey requested that instructions on how to associate accounts be placed on the WWP website.

Chairman Stuart requested Veolia Water Idaho employee Jennifer Balester provide feedback on her experiences working with OASIS. Ms. Balester noted that within her account on OASIS, the link to associate more licenses does not work. Instead, she can only associate the accounts by going into each individual licensee's account and selecting the "more" button. Additionally, Ms. Balester shared that users are noticing that their licenses are showing as lapsed, when in fact they have advanced to the next class level. Ms. Balester added that she has received kickbacks for applications asking for the Department of Environmental Quality (DEQ) approval when that has already been answered in the questionnaire. Ms. Balester also noted that CEUs, work experience, job description and ABC testing scores are all required during the application process, but the OASIS online application does not provide space to enter that information. Ms. Balester provided an application number so that Ms. Spoja can review the errors and the functionality with the development team.

EO Spoja thanked the Board Members and the public for their feedback on OASIS issues. Additionally, EO Spoja provided the board with additional contacts, including Licensing Supervisor Jesama Rosensweig and Board Support Specialist Erin Einarsson, and encouraged everyone to send any issues or errors they encounter to DOPL staff with as much detail as possible. Board Member Henri asked how issues are prioritized with the development team. EO Spoja shared that each bureau has a list of items they need fixed. From that list, issues that are creating a barrier to conducting business, need to meet federal mandates and public health concerns are prioritized. Additionally, problems that affect every group within DOPL, such as renewals and CEU requirements are prioritized.

Vice-Chairman Ellsworth commented that the current online application review process, due to the discussed missing elements, is taking a significantly longer period of time as compared to paper application. EO Spoja suggested reviewing the online application step-by-step with the Board at the next meeting and discussing where additional clarifications or descriptive language is needed to improve the process. Board Member McVey also suggested analyzing the applications that are processed and discussing the information and changes necessary for the reviewers.

BOARD BUSINESS

Cross-Connection Control Specialist: The Board agreed to table this agenda item for a future meeting.

Reciprocal Agreements: Board Member McVey noted that requirements such as Responsible Charge and System Classification are more stringent in Idaho than in neighboring states. These current differences could create potential problems if the board enters into any reciprocal agreement with another state and suggested that this topic be addressed during negotiated rulemaking before any reciprocal agreement is drafted. The Board agreed to table this agenda item for a future meeting.

Negotiated Rule Making: At the previous meeting, the Board had discussed the zero-based regulation process and highlighted several items with the rules that they would like to re-address. EO Spoja has a list of those items and will send that to the Board for their review. EO Spoja will also send a copy of the rules and asked the Board to review them and prepare discussion topics for the January 15, 2025 meeting. EO Spoja reviewed the negotiated rulemaking process, noting that the Board will begin in the spring of 2025 and present to the legislature during the 2026 session. Board Member McVey asked if it were possible to complete the changes this year for the 2025 legislative session. EO Spoja clarified that the negotiated rulemaking process, including scheduling requirements such as public hearings and posting in the Idaho Administrative Bulletin prevents the Board from completing this process in 2024. Board Member McVey requested a schedule for the negotiated rulemaking dates that can be shared with their stakeholders and asked what challenges they could encounter if the Board adds additional rules. EO Spoja responded that the Board would need to be very clear in their intent for why anything is added. Board Member Kyle Marine agreed that the Board should take the time to examine the rules, discuss potential changes and review the time frame at the next Board meeting.

Felony Delegated Authority: A motion was made and seconded to approve the Felony Delegated Authority as amended. The motion carried unanimously.

Public Comments: There were no public comments.

Schedule 2025 Meetings: The Board approved the following meeting dates for 2025: January 15, March 26, May 21, July 16, September 17 and November 19.

EXECUTIVE SESSION – APPLICATION(S) & DISCIPLINE

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: Chairman Stuart–aye, Vice-Chairman Ellsworth – aye, Board Member Henry–aye, Board Member McVey–aye, Board Member Summers–aye, and Board Member 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) RESULTING FROM THE EXECUTIVE SESSION

Motion(s) re: Application(s): A motion was made and seconded to approve application #1381717. The motion carried unanimously. A motion was made and seconded to approve, pending receipt of requested information, application #1318593. The motion carried unanimously.

Motion(s) re: Discipline(s): There were no discipline cases.

ADJOURNMENT

There being no further business, the meeting adjourned at 11:52 AM.