

**ARKANSAS WASTEWATER LICENSING COMMITTEE**  
**WEDNESDAY, FEBRUARY 12, 2020**  
**Room 1E09 – Conference Room**

Committee Members

Jennifer Enos, Vice-Chairman, Springdale Water Utilities  
Michael Overstreet, Jacksonville Wastewater  
Lance McAvoy, City of Fort Smith  
Jonathan Richardson, Martin Operating Partnership  
Doug Ford, Pollution Management, Inc.  
Richard Healey, Executive Secretary, ADEE  
*Rodney Williams, Chairman, Ph.D., University of Arkansas (Absent)*  
*Cecil Zolliecoffer, Ozark Water Department (Absent)*

**MINUTES**

The meeting of the Arkansas Wastewater Licensing Committee (AWLC) was called to order by Vice-Chairman Jennifer Enos, at 10:01 A.M. on Wednesday, February 12, 2020.

Public Present: Randy Harper, AR Environmental Training Academy; Susan Poe, AR Rural Water Association; Stacie Wassell, ADEE, Legal Division; Sandy Luttrell and Leslie Allen-Daniel, ADEE, Division of Environmental Quality.

Previous Minutes: After reviewing the November 13<sup>th</sup> meeting minutes, **Mr. McAvoy made a motion to accept the minutes as written, which was seconded by Mr. Ford. The motion was accepted.**

Financial Report: Ms. Luttrell presented the quarterly budget and expenditures report to the Committee.

Licensing Report: Ms. Luttrell reported the number of wastewater exams proctored and license certifications issued during in the past quarter.

Training Updates: Mr. Harper presented a training report to the Board, outlining the number of students enrolled and the training hours awarded by the Environmental Training Academy.

Ms. Poe presented the Committee with an overall assessment of courses, training hours issued and students in attendance from the Rural Water Association.

Public Comments: Ms. Luttrell informed the Committee of a conflict with the scheduled November quarterly meeting that falls on a federal holiday, Veteran's Day. The option was presented that we could hold this meeting on the first or third Wednesday of November, which worked for everyone. It will be scheduled for the first Wednesday, November 4<sup>th</sup>, to avoid conflicts with anyone's Thanksgiving holiday plans.

Ms. Luttrell also mentioned, Chairman Williams second term will end April 30, 2020. She will order his service appreciation plaque to be presented to him at the next meeting, which everyone was in agreement with.

Old Business: Mr. Healey announced that committee member Lance McAvoy, has been approved for a second term by the APC&E Commission. There is an error on the date his second three-year term ends that needs to be corrected (expires on December 31, 2022). Ms. Enos requested that a current copy of Committee Members terms be forwarded to all members for future reference.

Mr. Healey addressed the Committee regarding the issue of our January hearing to consider suspension of a wastewater operator license. He stated that the executive session that took place after the hearing closed, went against FOIA rules and should have remained open with the members taking a break and then making an official recommendation. Ms. Wassell noted that the record was not sufficient to make a ruling for revocation due to there being no record of proceedings that can be deliberated over. Therefore, the agencies Director over-ruled the Committee and approved a 6-year suspension for the Bethel Heights wastewater operator. He will have to start over after this period (suspended as of January 30, 2020) by testing to reactivate his license. Ms. Enos stated there was no deliberation they made that was controversial and that they could have left the meeting open to all. Mr. Healey took full blame for this matter and not being clear to the board as to how this matter should have been handled.

Mr. Healey presented the Board with memorandum from Mitchell Simpson, Senior Associate Director, DEQ, regarding the reciprocity for licenses and certifications administered by DEQ as it pertains to Act 820. This process expedites the issuance of wastewater operator licenses to persons with military connections, whether for the member or their families. Ms. Wassell informed the committee that this applies to all licensing divisions within our agency. Mr. Healey stated that anyone holding a Class IV level elsewhere could be recognized for Arkansas' Class IV, as long as they meet our state requirements and have obtained that license through testing by Association of Boards of Certification (ABC). These applications would be expedited as quickly as possible.

New Business: Ms. Luttrell announced that the Committee must vote to approve the stipend reimbursement amount for the new calendar year, which is always addressed at the first meeting of the year. **Mr. Ford made a motion to accept the set stipend rate, which was seconded by Mr. Overstreet. The motion was accepted.**

Mr. Healey discussed the need to establish written policies and procedures for the Wastewater Licensing Committee Members to follow. Ms. Wassell stated that another licensing division is currently working on setting up by-laws, that once they are drafted and can get approved, we may want to adopt them. We can then make changes to adapt those approved to fit the wastewater licensing division and bring that before the board to review. Ms. Enos thinks this is a great idea because things not done often can create chaos, similar to what we experienced earlier with the January hearing.

Mr. Healey announced that board member, Cecil Zolliecoffer, resigned his position on the Licensing Committee effective February 4<sup>th</sup> (email message in your packets). He plans to solicit recommendations from stakeholders for this position: "an active wastewater operator licensed by the Department" to fill the unused term left by Mr. Zolliecoffer. Ms. Enos relayed her hopes to fill this spot with someone from a facility in the areas of the state that are not represented on the committee. She understands they are from small systems and may have difficulties committing to this service, but would be so helpful to know the needs and concerns from those areas as well.

Vice-Chairman Enos announced the next scheduled meeting of this Committee: **May 13, 2020 at 10:00 a.m.**

**The meeting adjourned at 11:24 a.m.**