



State of Nevada
Board of Registered Environmental Health Specialists

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MINUTES OF PUBLIC MEETING
February 25, 2019

Members Present: Larry Law, Bob Stulac, James Barnes, Tony Macaluso
Members Absent: Drew Skeen
Staff Present: Loretta Ponton, Executive Director
Henna Rasul, Sr. Deputy Attorney General
Public Present: Brian Northam, REHS, SNHD

BOARD MEETING

Tony Macaluso called the meeting to order at 10:00 a.m. A voice roll call confirmed a quorum was present.

Public Comment: None

Approval of the Minutes: Tony Macaluso asked if there were any corrections or revisions to the meeting minutes of September 17, 2018 and October 25, 2018. Hearing none, called for a motion.

Jim Barnes made the motion, seconded by Larry Law to approve the minutes of September 17, 2018 and October 25, 2018. The motion passed.

Registrations: Tony Macaluso asked if there were any comments or questions on the registrations issued by staff. Hearing none called for a motion.

Bob Stulac made the motion to ratify the new registrations issued by staff as presented. Jim Barnes seconded the motion. The motion passed.

Bob Stulac made the motion to ratify the trainee conversions to REHS registrations issued by staff as presented. Jim Barnes seconded the motion. The motion passed.

Governor's Executive Audit Committee, Follow-up Status Report: Loretta Ponton summarized the 6 Month Audit Status Report issued December 14, 2018. Ms. Ponton stated the follow-up report provides the status of the findings and recommendations, noting that nine (9) Boards had indicated no action on Finding #1, salary statutes and guidelines pending the AGO on the applicability of NRS 281.

Ms. Ponton reported that the second Boards2 audit is still pending with an estimated release date in June or closely thereafter. Ms. Ponton reported she participated in an interview on January 23, 2019 with the auditors to clarify the Board's response to the informational request.

Department of Public Safety Audit: Ms. Ponton reported the Civil Applicant Audit of the Board's fingerprint process was issued October 1, 2018 and contained two (2) items requiring action: a current authorized personnel list and procedures regarding criminal history record information. Ms. Ponton stated she submitted the required documents and the Audit was closed December 26, 2018.

Ms. Ponton reviewed the internal document "Procedures Regarding Criminal History Record Information" with members, explaining the process for that fingerprinting process, the use, retention and destruction requirements of criminal history documents and the confidentiality of those records.

Tony Macaluso called for a motion. Bob Stulac made the motion, seconded by Jim Barnes to approve the "Procedures Regarding Criminal History Record Information". The motion passed.

Legislative Report - BDR 669 - Tony Macaluso asked Loretta Ponton to provide an update on the Board's bill and legislative matters.

Loretta Ponton reported that BDR 669 has been drafted as AB175. A comprehensive comparative review has conducted to ensure all the changes/revisions submitted were included in AB175. The first hearing on AB175 is schedule in the Assembly Commerce and Labor Committee on March 4, 2019.

Ms. Ponton stated an amendment to AB175 may be advisable to address "industrial hemp" in Sec 5 similar to the medical and recreational marijuana exemption and that the Department of Agriculture has been contacted regarding this amendment. A meeting is scheduled to discuss if there is a need for an amendment.

Ms. Ponton reported that LCB added language to Sec 24 which is duplicate of Sec 26, paragraph 4 and is recommended for deletion by amendment.

A draft of a proposed amendment has been developed and will be finalized after discussions with the Department of Agriculture and further review of the bill language.

Members discussed the proposed amendments and revisions and were in consensus with the recommended amendments to Sec 5 and Sec 24 as discussed.

Tony Macaluso stated that Loretta has done a great job and due to the short time before the Assembly hearing, called for a motion to authorize Loretta to make any amendments deemed necessary to clarify the intent and language in the Bill.

Bob Stulac made the motion, seconded by Jim Barnes to authorize Loretta Ponton to submit any necessary amendments on behalf of the Board as stated. The motion passed.

Ms. Ponton stated she will be presenting testimony at the hearing and that Jim Barnes has agreed to attend the hearing representing the Board.

Report on FARB Conference - Jim Barnes reported on his attendance at the FARB Conference stating it was the best conference he has participated in and would highly recommend a member attend each year. The conference content was applicable across all professions and the conference was attended by legal counsel, board members and administrative personnel of regulatory agencies.

Executive Director's Report: Ms. Ponton directed the members to the written report and provided a summary of registration statistics.

Financial Statements - Ms. Ponton provided a review of the Board's FY 19 financial statements ending December 31, 2018 and January 31, 2019.

Administrative Office - Ms. Ponton reported that Board of OT lease expires July 31, 2019 and they are looking at options for relocation. There will be costs for relocation of telephone lines and possibly other small costs if the office is relocated. Any costs for relocation will be included in the FY 20 Budget.

Executive Director Contract - Ms. Ponton reported the independent contract expires August 31, 2019, and the Board will need to consider issuing a new RFP or Solicitation for Executive Director Services. The last solicitation was issued by the Attorney General's Office on behalf of the Board.

Members discussed the timeline for issuing a solicitation and the process for recruitment.

Tony Macaluso called for a motion to approve the Executive Director's report.

Larry Law made the motion, seconded by Jim Barnes to approve the Executive Director's Report and to move forward with a solicitation for the executive director. The motion passed.

Report for Deputy Attorney General: Henna Rasul stated she had no report.

Report from Board Chair: Tony Macaluso confirmed the meeting schedule for the balance of the year, which are May 6, 2019, July 8, 2019, September 16, 2019 and December 16, 2019.

Future agenda items will include status update on AB175, the solicitation for Executive Director Services and the status of the administrative office location.

Ms. Ponton reminded Larry Law his term expires June 30, 2019 and directed him to the on-line application on the Governor's website if he wishes to reapply.

Public Comment: Tony Macaluso asked if there was any public comments.

Brian Northam stated he has concerns with AB175, Sec 27 that reduces from 90 days to 30 days the time in which a trainee must submit an application to the Board. Mr. Northam stated his concern is it would be a financial hardship to a new trainee. A new trainee may have just graduated and would have only received one paycheck during the 30 days.

Ms. Ponton explained the Board's concern in reducing the time is practice without a valid registration and that there are options for payment such as use of a credit card.

Mr. Northam stated he is interested in applying for the SNHD position on the Board, and he will be attending the hearing on March 4th.

Adjournment: Tony Macaluso adjourned the meeting at 11:15 a.m.