

Approved Minutes  
Operator Certification Board Meeting  
March 31, 2003  
Pierre Ramkota

Members Present: Del DeBoer, Greg Merrigan, Clint Jost, Jim Zeck, Tom Lesselyoung, John Scheltens

Others Present: Rob Kittay, Secretary to the Board; George Vansco, SDARWS; Bill Sarringer, Harvey Aberle, and Gary Tobin-Mid-Dakota RWS; and Jerry Hemeyer, SDARWS.

Call to Order by Chairperson Zeck at 2:00 pm.

The Board introduced themselves to those present.

Approval of Agenda: DeBoer moved that Item #9 concerning a Mid-Dakota RWS operator be moved up in the agenda to after Approval of the Minutes. Merrigan seconded. Motion passed. Scheltens moved to approve the amended agenda. Jost seconded. Motion passed.

Approval of Minutes: The minutes from the September meeting were distributed on the web and thru email. Lesselyoung moved to approve the minutes. Jost seconded. Motion passed.

Eligibility for Exam-Gary Tobin of Mid-Dakota RWS: Gary Tobin submitted an application for a Class III WD exam. He has one year/seven months DRC from work at Mid-Dakota RWS. He wanted to use "on-call" experience from Gettysburg as DRC. The Class III, in this case, would need four years DRC. The Board had an extensive discussion on the issue.

Minnesota allows on the actual time an operator is called out to be used as DRC. Just carrying a pager cannot be counted as DRC. ABC did not offer a definitive opinion on the subject. SD offers two definitions of DRC-small systems and large systems. Merrigan pointed out that the definition says "active" on-site direction. He said that just carrying a pager would not be active direction.

Merrigan moved that Tobin's application to take the Class III exam be denied based on the fact he does not have enough DRC. DeBoer seconded.

There was some question as to whether it would be correct to allow "on-call" to be counted in 24 hours per day as Tobin had done. It was offered that some percentage of "on-call" time could be counted as DRC unless an operator showed actual proof that he was called out more than the standard percentage.

To change the DRC requirements for a certificate or the substitutions, a regulation change would have to be made. Merrigan made a quick calculation of the actual call in time his operators had during a 60 hour "on-call" weekend. He thought perhaps four hours or roughly 6% of the time. Zeck wondered if DRC is still an acceptable idea in 2003 and what was the history behind it. Merrigan offered that Class III/IV exams were for foreman, supervisors, etc.

The question was called. Motion passed.

Merrigan moved that Kittay gather the following information for the September 2003 meeting-

- How do other states consider “on-call” as DRC
- Do other states allow DRC from one exam category to be used for another category
- Other states DRC requirements

DeBoer seconded. Motion passed.

Reciprocity Cases: *Gene Boone*-Has Class A WT certificate from CO. Kittay recommended that a South Dakota Class II WT be issued based on a comparison of the requirements for each certificate. No DRC is required for any certificates in CO. DeBoer moved to issue the certificate as recommended by Kittay. Lesselyoung seconded. Motion passed. Boone also had a Class 1 WD certificate from CO; however, only one month of experience was needed for this certificate so no SD certificate could be issued.

Formal Hearings: *Parkston*-The City submitted a letter indicating that they have hired another operator who should be able to get certified. Scheltens moved that this case be turned over for enforcement on August 1 if all three certificates are not gained. Motion died for lack of a second.

Merrigan moved that the case be turned over for enforcement on August 1 if one certification exam is not passed. Jost seconded. Scheltens offered an amendment that if the case is not turned over that it is then continued to the September meeting. Lesselyoung seconded. Amendment passed. Motion passed.

*Bancroft*-The City sent a letter stating that it is in the process of being declared a non-PWS. Scheltens moved to continue this hearing to the next meeting. Merrigan seconded. Motion passed.

*Country Club Property Owners-Belle Fourche*-The system sent a letter that it had hired Jeff Rutz (a restricted certified operator) to take the water samples until Linda Fuller could pass the WD I exam. Kittay had responded to the letter stating his restricted certificate could not be used for this system and that a contract for just water sampling could not satisfy certification issues. DeBoer moved that this case be turned over for enforcement in September if a Class I WD is not obtained. Lesselyoung seconded. Motion passed.

*High Meadows Ranchettes-Rapid City*-This system had an operator pass an exam; however, he passed a WT exam that another operator already had. They sent a letter stating that they would be testing for the WD certificate. DeBoer moved that this case be turned over for enforcement in September if a Class I WD is not obtained. Jost seconded. Motion passed.

*Twin Brooks*-The operator is lacking contact hours to renew his certificate. Merrigan moved that this case be turned over for enforcement in September if the certificates are not renewed. DeBoer seconded. Motion passed.

*Wolsey*-Kurt Pfeifle had called Kittay concerning Wolsey wanting Mid-Dakota RWS to take their samples. Kittay informed Pfeifle that sampling by Mid-Dakota would be OK; however, it would not satisfy the Wolsey certification requirements. Merrigan moved that this case be turned over for enforcement in September if the certification is not gained. DeBoer seconded. Motion passed.

*Corson Sanitary District*-CSD is lacking a SWT I certificate. Mike Stoterau sent a letter stating that he would be taking the exam on May 15. Scheltens moved that this case be turned over for enforcement in September if the certification is not gained. DeBoer seconded. Motion passed.

*Valley View-Sioux Falls*-This system lacks a SWT operator. Valley View sent a letter stating that the exam would be taken on May 15. Jost moved that this case be turned over for enforcement in September if the certificate is not obtained. Lesselyoung seconded. Motion passed.

Informal Hearings: *Claremont*-This system lacks a WD I operator. Their operator received a grandfathered certificate but then quit. They have hired a new operator. DeBoer moved to hold a formal hearing at the September meeting. Scheltens seconded. Motion passed.

*Florence*-This system lacks a WD I operator. Florence submitted a letter to the Board. The operator needs to attend a class to renew his restricted certificate. DeBoer moved to hold a formal hearing at the September meeting. Merrigan seconded. Motion passed.

*Peever*-Peever is lacking a SWT I operator as they have a chlorinator. Their current operator has a WD I only. They submitted a contract for an operator to run their chlorinator. Scheltens moved to disapprove the contract as it does not meet the criteria used by the Board to approve contracts. Merrigan seconded. Motion passed. Jost moved to hold a formal hearing at the September meeting. Lesselyoung seconded. Motion passed.

*Raymond*-This system lacks a WD I operator. Their operator received a grandfathered certificate but then quit. They have hired a new operator. DeBoer moved to hold a formal hearing at the September meeting. Jost seconded. Motion passed.

*Pactola Water Association*-PWA submitted a contract with Al Sage. Merrigan moved to approve the contract. DeBoer seconded. Motion passed.

*St. Onge Livestock Café*-This system lacks a SWT I operator as they chlorinate. A letter was submitted to the Board. DeBoer moved to hold a formal hearing at the September meeting. Lesselyoung seconded. Motion passed.

*Wickiup Village*-This system lacks a SWT I operator as they chlorinate. A letter was submitted to the Board. DeBoer moved to hold a formal hearing at the September meeting. Jost seconded. Motion passed.

*Geddes*-This system lacks a WD I operator. Their operator received a grandfathered certificate but then quit as he refused to go to training in order to renew his certificate. They have hired a new operator. Jost moved to hold a formal hearing at the September meeting. Lesselyoung seconded. Motion passed.

*Monroe*-A contract with Robin Dykstra of Parker was submitted for WT I and WD I for the town. Merrigan moved to approve the contract. Scheltens seconded. Motion passed.

*Pukwana*-Pukwana has a contract with Chamberlain to do their sampling-Not to be their certified operator. The Mayor had called Kittay a number of times on this. DeBoer moved to hold a formal hearing at the September meeting. Sheltens seconded. Motion passed.

*Roslyn*-Roslyn submitted an informal agreement with another operator to run their system. Scheltens moved that Roslyn clarify what is intended with the submitted agreement and if they are contracting with an operator that a formal contract be submitted by the next meeting. DeBoer seconded. Motion passed.

*Summit*-This system lacks a SWT I and WD I operator. Their operator received a grandfathered WD I certificate but has not attended training in order to renew his certificate. Jost moved to hold a formal hearing at the September meeting. Scheltens seconded. Motion passed.

*Boulder Canyon Country Club*-This system lacks a SWT I operator as they chlorinate. A letter was submitted to the Board. Scheltens moved to hold a formal hearing at the September meeting. Jost seconded. Motion passed.

*Slash J Bar and Grill @ Piedmont*-This system lacks a SWT I operator as they chlorinate. No response to letters was made. DeBoer moved to hold a formal hearing at the September meeting. Scheltens seconded. Motion passed.

*Colman*-The City is currently lacking a WWC I. Don Bennett retired on January 1, 2003. The City hired Grant Gross who has passed two exams. Merrigan moved to continue this informal hearing to the next Board meeting. DeBoer seconded. Motion passed.

Contract Review: Bill McClellan and Valley Motel-Valley Motel needs a SWT I operator. A contract was submitted. Scheltens moved for approval of the contract. Merrigan seconded. Motion passed.

*Jay Chittim and Cavalry Trails*-A contract was submitted for the operation of this system. Chittim currently operates a number of systems via contract. Merrigan moved for approval of the contract. Lesselyoung seconded. Motion passed.

*Don Karas and Mountain Plains II*- A contract was submitted for the operation of this system. Karas currently operates a number of systems via contract. Vansco spoke about contracting in general. He had met with Board members from this system. Jost moved for approval of the contract. Lesselyoung seconded. Motion passed.

New Systems for Enforcement: The board examined materials indicating the present certification status of water and wastewater systems. Merrigan moved that the following systems be scheduled for an informal hearing at the next regular Board meeting:

Artesian School	VSWS I
Brentwood Colony	VSWS I
Chamberlain	WW III
COE-Cottonwood Springs	SWT I
Conde	WD I
CRM Well Company	VSWS I
D & J MHP	SWT I/WD I
GFP-Bear Butte Outlet	SWT I
GFP-Bear Butte Visitors Center	SWT I
Long Lake Colony	VSWS I
Morristown	VSWS I
Pearl Creek Colony	VSWS I

Pine Cone Estates	VSWS I
Ranch at Black Gap	WD I
Triple T TC	VSWS I
Valhalla Housing	SWT I/WD I

Jost seconded. Motion passed.

Other Business: None

Next Meeting: The next regular meeting will be held at the Spearfish Holiday Inn on September 9, 2003 at 2:00 pm. This will be just prior to the SDWWA Conference.

Scheltens moved for adjournment. Lesselyoung seconded. Motion passed. Meeting adjourned at 4:45 pm.



April 9, 2003

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Rob Kittay

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Date