



# WEST VIRGINIA STATE BOARD OF SANITARIANS

P.O. Box 927  
Charleston, WV 25323

## Board Meeting Minutes December 11, 2023 10:00 A.M. Zoom Conference Meeting

- Meeting was called to order by Chairman, Brad Cochran at 10:05 am.
- Verification of Quorum
  - Attendees:
    - Brad Cochran, Chair
    - Lloyd White, Vice Chair
    - Warren Elmer – by phone
    - AJay Root
    - JJ Rose
    - Delores Cook – by phone
    - Linda Lyter, CFO
    - Michelle Cochran, Executive Director
- Minutes of Last Meeting
  - Verification that minutes of last meeting were sent to all Board members and that they had each had the opportunity to review the minutes.
  - Lloyd White made a motion to accept the minutes as presented. JJ Rose seconded the motion, motion carried.
- Finance Report
  - Linda Lyter presented the financial report. She indicated that in addition to the information presented in her written report, that Michelle had brought an additional \$1150 for deposit on 12-8-2023. It would be deposited within the next few days. Lloyd made a motion to accept the financial report. The motion was seconded by Delores. Motion carried.
  - Linda reported that she has asked permission from State Purchasing to purchase a new laptop for the Board without going through the statewide contract. A computer can be purchased for several hundred dollars less than going through the contract. If she is given permission, she will make the purchase out of her own funds and request reimbursement. She was hoping to hear a decision from purchasing soon. Brad reported that the new computer was needed as quickly as possible as the current one seems to be on its last legs, was taking forever to open programs, and frequently gave warnings that there wasn't enough memory to carry out tasks. Michelle alerted Linda that Adobe software was going to be needed on the new computer so that the annual legislative report can be compiled.

AJay shared that a program called Kofax is an alternative to Adobe. It is used by the Mineral County HD with very little problems.

- Correspondence
  - Michelle reported that she had received a call from the Tom Judy questioning why the Board had not purchased Workers Comp coverage. She had discussed the issue with Linda. Linda was going to reach out to Tom on behalf of several Boards who had received similar calls. She had never received a return call from Mr. Judy.
- Election of Chair and Vice Chair for 2024
  - Lloyd White made a motion to keep Brad Cochran in the position of Chair. No other nominations were made. Lloyd made a motion to close nominations and keep Brad as Chair, seconded by AJay. Motion carried.
  - Brad made a motion to keep Lloyd as the Vice Chair. No other nominations were made. AJay made a motion to close nominations and keep Lloyd as Vice Chair, JJ seconded. Motion carried.
- Review and Action on Complaints
  - Michelle explained that an email complaint had been received late on December 7<sup>th</sup>, so it was too late to change the agenda which indicated that no complaints had been received. Since the complaint was received by email, it was not on the official form and did not contain all the information required. Delores made a motion to go into executive session to discuss the details of the complaint as received. AJay seconded the motion. Motion carried.
  - Following discussion of the complaint details, AJay made a motion to come out of executive session. Seconded by JJ and the motion carried.
  - The actions to be taken related to the complaint are:
    - The Board directed Michelle to reach out to Judy Vallandingham, Public Health Sanitation Division Director, to informally discuss the issue, the knowledge her staff had of the issue, and any actions taken by her staff related to the issue.
    - Lloyd White will reach out informally to the Health Officer for the LHD in question to alert him to the issue and give him a chance to address the issue.
    - If the Board receives a formal complaint on the correct form with all the required information, the Board will initiate a formal investigation of the complaint allegations.
- SIT Applications Reviews and Approvals
  - Michelle presented the application of Jordan Moore who has successfully completed Sanitarian training and OJT per the letter from the State Training Officer, Suzette Dellinger. Jordan had submitted the application along with the appropriate fee. Lloyd made a motion to approve Jordan Moore for the SIT classification. AJay seconded the motion. Motion carried.
- S Reviews and Approvals
  - Michelle reported that there were no SIT's who had achieved the 2 years experience and were ready to be moved to the S level.
  - Michelle presented an application for reinstatement from Carrie Perry who had been on maternity leave for about 16 months. Lloyd made a motion to accept the

application allowing reinstatement of Carrie without need for additional training other than the 15 hrs of CEHs required for the year. Delores seconded the motion. Motion carried.

- RS Reviews and Approvals
  - Michelle presented the applications of Robert Posey and Robert Dillon for reinstatement as RS. Both of these individuals had been gone from the profession in WV for a number of years. A list of the regulations that had changed since Mr. Dillon had last been licensed was presented. Discussion determined the need for training and competency on any regulation that had changed since they were last employed. Michelle relayed the CEH's that each individual has already undertaken for the current year. Lloyd made a motion that each individual be approved with the requirement that each individual must attend training class and be able to show competency for Food, Sewage and any other regulation that had changed since they had left employment as a Sanitarian in WV. Delores seconded the motion. Motion carried.
- SIT Waivers for those being a SIT more than 3 year.
  - Michelle indicated that Brad contacted the health departments of several individuals who had been in the SIT classification for more than 3 years. All of these individuals work in other roles beside Sanitarian (for example, Threat Prep. Coordinator) and were not working enough hours as a Sanitarian to show 2 years of Sanitarian duties to be able to move them out of the SIT status.
- Legislature activity related to the Board.
  - Michelle reported that the list of Sanitarians currently licensed by the Board were uploaded to the website as required by the Legislature. The lists will be updated after the beginning of the new year and will posted on the website at that time with a goal to post updated lists quarterly.
- Presentation by Judy Vallandingham on the status of changes to Sanitarian Classifications
  - Judy Vallandingham was not present to discuss the status of changes to Sanitarian classifications being developed by the Public Health Sanitation Division and to be reviewed and approved by the Board for presentation to the Personnel Division. However, discussion was held about discrepancies in the DOP job classifications and the Board rules/regs. The Board directed Michelle to reach out to DOP to discuss the changes that need to be made to the classification descriptions to alleviate any discrepancies.
- Discussion on Executive Director position
  - Michelle indicated that she had reached out to several folks to see if they were willing to become the Executive Director since she had agreed to take on the role only in an interim basis to allow Dave Thornton to retire due to his personal illness. She has been unsuccessful in finding anyone willing to take on the role. She has concern about continuing in the role long term because her business is steadily growing, and it is becoming difficult to find adequate time to dedicate to doing the job as thoroughly as needed. She encouraged the Board to continue to search for a new Director and to consider increasing the pay for the Director to make the position more enticing. The Board should also consider making changes to antiquated processes which would make the role more efficient. Many

of the processes in place still as they were back in the 1990's and include such things include online payments, changes to the licensing database/platform, CEH submittal process, etc. Upgrades to these processes would cost the Board money to get into place but should be considered. Michelle realizes that such things cannot be afforded currently but the Board needs to consider raising the cost of each license to bring the Board into the next millennia.

- Several Board members expressed their thanks to Michelle for stepping forward to help the Board out. The Board agreed to continue to search for a permanent Director and Michelle agreed to stay on for a while longer while the search continues.
- Discussion about raising the license fees ensued. Linda Lyter shared that the Board would need to have any draft changes ready to go to the Legislature by July for introduction into the Legislature in the 2025 session.
- CEHs
  - Discussion of CEH submittal review process currently in use. Although the former Executive Director reviewed and approved CEH's, Michelle could not find anything in the rule or law that gives that authority. Therefore, Michelle has been reviewing CEH submittals and providing a recommendation for approval/denial to the Chair and Vice Chair who make the decisions. Is there a need for a 3<sup>rd</sup> person to be a part of the review process as a tie breaker if the chair and vice chair disagree about approval?
  - Brad told the Board that there had been quite a bit of pushback and concern voiced by various State and Local staff about the approval/denials of various CEH requests. He had received a request for a CEH policy from the State Training Officer. Brad presented a draft CEH guidance policy for the Board's review and consideration. The Board reviewed the draft policy and made a few minor changes to add clarity.
  - Lloyd made a motion for the Board to continue the current CEH review/approval process and to adopt the CEH policy drafted by Brad as modified during the discussion. The motion was seconded by AJay. The motion carried.
- Michelle alerted the Board that there are several policies on Board website which are out of date with incorrect code references or not signed need updated and signed. Michelle was directed to update the documents and repost them.
- Michelle questioned when and why the requirement for the submission of a transcript was removed from the application. She explained that the lack of transcripts is problematic for several reasons including the Board's need to verify degrees for approval of applications and future advancements as required in rule/law. Start dates are also needed on the applications submitted to the Board to know when future advancements are appropriate. Delores made a motion to require at least a copy of an applicants transcripts with their application and to make changes to the application requiring submission of the transcripts along with a place for applicants to fill in their start date. AJay seconded the motion. Motion carried.
- Michelle indicated that she also had questions about whether tenure started when hired or when training was completed for requirement of 2 years experience for advancement from SIT to S or S to RS (when pass the exam). She had also been receiving questions about whether people qualify for positions coming from DOP. The law/regs are

ambiguous on when the 2 years begin. Therefore, a legal opinion was sought from the Board's counsel. The opinion of the Counsel is that the 2 years begins from the start date, not when the person is approved as an SIT by the Board.

- Discussion of the number of records in the Board's possession and whether all of the records need to be kept. The Board currently has 13 or more boxes of past documents including agendas, applications, financial records, etc. The Board does not have a record retention policy. Linda explained that several Boards have record retention policies but there is nothing in Chapter 30 related to record retention. She believes that all applications must be kept but that financial documents could be destroyed after 7 to 10 years. She said that the Cultural Center may be interested in housing the older documents. Linda would explore record retention requirements from other Boards and provide it for the Board's review.
- Michelle alerted the Board to emails she had received from Grady Bowyer who currently maintains the Board's website and other websites under the Association of Boards. Grady suggested that the Board may want to obtain in independent website domain so that we are not reliant on others to update our website as needed. AJay offered to develop a website for the Board on Godaddy. The cost for a secure site would be nominal. He would develop the site and then provide access to several folks to enable updates to occur. Lloyd made a motion for AJay to develop an independent website for the Board. The motion was seconded by JJ. Motion carried.
- A motion to table the remaining topics and adjourn was made by Lloyd and seconded by Delores. Those include:
  - Discussion of possible office relocation
  - Discussion of database upgrades/Licensure platform changes – meeting with Thentia
- The next meeting was set for March 8, 2024 at 10 am. Discussion of moving back to meeting 4 times a year will be undertaken at that meeting.
- Meeting adjourned at 12:30 pm.

Meeting minutes were taken by Michelle Cochran, Interim Executive Director.



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Brad Cochran, Chairman  
WV Board of Sanitarians