

Minutes
Louisiana Committee of Certification
October 31, 2014
Bienville Building
Baton Rouge, Louisiana

Meeting was called to order at 10:05 AM.

ROLL CALL:

A. Determination of Quorum.

Committee Members in attendance were: Dirk Barrios, Chairman, Dennis McGehee, Vice-Chairman, Mayor Vern Breland, Tom Owens, Tom Walton, Greg Shelden, and Jake Causey.

Absent members were: Camille Mize, and Grant Magnon.

A quorum was achieved.

Recognition of Visitors and Others:

Visitors in attendance: Rusty Reeves, Brandon Dardeau, Dan Lemoine, Amber Foott, Justin Edwards, and Pat Credeur.

DHH staff in attendance: David McCay, Laurie Jewell, Steve Hoss, Amanda Laughlin, Chris Soileau, Stacy Williams, McDonald Volentine, Silas Corkern, and Jim Mooring.

B. Announcements: There were no announcements.

MINUTES:

The minutes from the September 23, 2014 meeting were distributed and reviewed. A motion to accept the minutes with a correction to limit the use of a 32 hour class for more than one closed exam session to those taking 3 level 3-4 exams was made by Tom Walton and seconded by Jake Causey. The motion passed.

CHAIRMAN'S REPORT:

Mr. Barrios suggested that part of "Old Business" be considered next to accommodate Mr. Dardeau.

OLD BUSINESS:

A packet of information regarding Mr. Dardeau was given to the Committee and to Mr. Dardeau for their review to include: original list of violations, a letter to Grand Prairie Water System, his certifications, training information, the exams he has taken, facts related to the exams, and information received from Chris Soileau and Kimberly Theriot (DHH regional staff) including a violation maintenance list. Attorney David McCay swore in all who will give, or had already given testimony. The attorney also informed Mr. Dardeau that it is his right to ask questions of anyone offering testimony.

Mr. Dardeau stated that his hire date with the system was 6/24/09. He stated that many of the listed violations preceded his employment with the System and that he did become aware of these violations. He also stated that he was unaware of any violations that occurred after his employment until he received the letter from the Committee. Mr. Soileau stated that an enforcement survey was conducted in 2013. Mr. Dardeau said that he believed this survey was in regards to the preceding violations and that addressing violations was not

delegated to him as part of his duties. He also stated that CENLA is now performing all sampling for the System with the exception of daily disinfection monitoring.

Mr. Causey verified with staff that the System has approved TCR and DBP monitoring plans in effect and that DBP sampling has been performed. The TCR monitoring plan, due on January 1, 2014, was submitted at the end of June. Mr. Causey asked why the plan was submitted so late. Mr. Dardeau responded that he did not know about it. Mr. Causey then asked if it is true that Mr. Dardeau was unaware of the Emergency Disinfection Rule until June of 2014? Mr. Dardeau affirmed that he did not know until he was contacted and was not certain of that time frame. Next Mr. Causey asked when Mr. Dardeau began taking daily chlorine residuals at the point of entry and the point of maximum residence time? The answer was not until the plan was put in place after June 2014. Rusty Reeves informed the Committee that they had contacted the System administrative contact, Mr. Fontenot, several times regarding the monitoring plan and were told that it would be taken care of.

Ms. Laughlin stated that the monitoring plan was begun in January with Mr. Dardeau as the “user” but it was not submitted until June 26 by CENLA. Mr. Dardeau stated that he had no knowledge of user credentials being created for him in January. Mr. Walton asked about the system’s chlorine residual. Mr. Dardeau said he tries to keep it at 0.5 at the farthest site. He was cautioned that, since the emergency rule, “try” is not an option. Mr. Dardeau said that CENLA would call and ask him to flush the line before they take Bac-T samples to have a good chlorine residual. He was cautioned that flushing only to make sure the Bac-T sample is right is not ok. The residual is to be maintained at all times. Mr. Causey advised him that flushing a tap for numerous hours prior to taking a Bac-T sample for the sole purpose of raising the chlorine residual for that sample is not at all appropriate, as the sample is supposed to be representative of the system; however, flushing a line to maintain a chlorine residual is appropriate. Mr. Walton suggested that Mr. Dardeau consult with LRWA and have them conduct a review of the System and recommend corrective actions.

Mr. Causey stated that his problems with Mr. Dardeau’s performance as an operator are: DBP samples were not collected in 2009, 2010, 2011, 2012, 2013 and that he was made aware of this in 2013 with no follow-up action to see that the samples were being collected; the emergency rule was issued but it was not complied with until June of 2014; and no daily chlorine monitoring at point of entry and MRT was done until June of 2014. Mr. Dardeau stated that since these issues have come to his attention he has been meeting regularly with Mr. Fontenot, that the Board now holds monthly meetings which Mr. Dardeau attends, and that he has the authority to open mail addressed to the water system to be aware of any issues.

Mr. Causey stated that CENLA is now doing all the sampling for the System, Mr. Dardeau is collecting the daily chlorine residuals, and that contracting out the sampling does not relieve the system’s operator of responsibility for those samples. Mr. Dardeau stated that he is in contact with CENLA concerning the sampling and that they coordinate everything through him. Mr. Causey responded that he would like to see, in writing from Mr. Dardeau and the System: that he is meeting regularly with CENLA; that all sampling is coordinated by him; as the certified operator, he is responsible for the seeing that the sampling is completed; and that the sample results are provided to him.

Mr. Causey made the motion, contingent upon the above mentioned letter, to place Mr. Dardeau on two years of probation, require 32 hours of education, to be approved by the Chairman and related to the violations the System has incurred, in addition to the required 16 hours of continuing education required for certificate renewal. Mr. Walton asked that, if they agree, to have an LRWA circuit rider visit the System to recommend corrective actions.

Mr. Credeur stated that LRWA will be willing to help the System. The motion, seconded by Mayor Breland, carried.

A motion to return to the regular order of the meeting was made by Mr. Causey, seconded by Mayor Breland and approved.

CHAIRMAN'S REPORT:

No report.

ADMINISTRATOR'S REPORT:

Dr. Mooring reminded the Committee that two operators from St. John Parish were indicted for malfeasance and falsifying records. He stated that he had sent a letter to LMA requesting three nominees with biographic information to replace Mr. Magnon but has received nothing yet. Also, he had not received any nominees regarding the seats held by Mr. Shelden and Mr. McGehee.

TRAINING OFFICER'S REPORT:

The Committee reviewed exam statistics presented by Mr. Hoss. The stats from all 2014 exams to that date were provided along with exam totals from 2009 to that date.

SECRETARY'S REPORT:

No report

ASSOCIATION REPORTS:

Louisiana Conference: Mr. Tom Walton reported that the Conference is working on the 2015 Short Course in Alexandria in conjunction with LWEA and that the agenda is complete. There will be two, special, two day tracks for LWEA.

LELAA: Steve Hoss reported that one person tested in October but did not pass and 2 people have requested lab exams in November.

LETA: No report.

LRWA: The Conference will be held in July in Lake Charles. He understood that Holiday Inn is purchasing the Alexandria Fulton and will remodel it. If that happens the 2016 Conference will probably be held in Alexandria.

LWEA: Tom Walton reiterated his previous statements and added that there will be an operator's challenge held during the Conference.

OLD BUSINESS:

A position statement, drafted by attorney David McCay at the request of the Committee, was presented to the Committee for review. It was also supplied to the public present at the meeting. The public was asked for comment 3 times with no response. A motion to accept the position statement was made by Mr. McGehee and seconded by Mr. Shelden. The motion carried.

NEW BUSINESS

Kyle Gray:

Dr. Mooring provided the Committee with a packet of material for Kyle Gray which included violations issued to Dixie Gardens and CWM Mobile Home Community, Kyle Gray's certifications, and classes. Tom Walton made the motion to send Mr. Gray a letter

informing him that disciplinary action is being considered. Mayor Breland seconded the motion which carried.

Lawrence Lewallen:

Next Dr. Mooring informed the Committee that Lawrence Lewallen wished to reciprocate his Georgia certificates. He did not take exams in Georgia, but did take exams in Florida and reciprocated his certificates to Georgia. The Committee asked the administrator to seek a legal opinion.

Justin Edwards:

Justin Edwards was present to appeal staff's opinion to deny certification based upon his not having met the minimum educational policy. A packet of information was provided to the Committee and to Mr. Edwards. Included were: a document of graduation from Springfield Preparatory School, a letter denying his certification which had been returned to us with handwritten notes, letters from three institutions stating that they do accept graduates from Springfield Preparatory School, a home study approval notification that had been redacted, a screen shot from Advanc Ed showing that the school is not accredited by them, and email correspondence with SBESE. Mr. Causey stated that it is apparent that Mr. Edwards has not completed a SBESE approved home study program. Mr. Walton asked Mr. Edwards if he did, in fact, complete 12th grade curriculum and Mr. Edwards responded that he did. Mr. Walton and Mr. Causey agreed that Mr. Edwards should contact SBESE regarding Home Study Program approval. If he is able to present such approval, he will meet the requirement for certification.

OLD BUSINESS:

The Committee returned to Old Business to hold the hearing for Arad L Brown. Dr. Mooring informed the Committee that he had received a phone call from Mrs. Brown stating that her husband is incarcerated and will not be able to attend the hearing but that he does not want to lose his certifications. She was asked to provide that request in writing, USPS or email, but no such correspondence has been received. A packet of information regarding Mr. Brown was provided for review. The packet included his certificates, records of his previous arrest, current arrest record, indictment record, plea of guilty to 5 counts of malfeasance in office, and sentencing record. A motion to ask Dr. Guidry to revoke Mr. Brown's certificates was made by Mayor Breland and seconded by Mr. Walton. The motion carried.

COMMENTS FROM PUBLIC

Rusty Reeves stated that LRWA gives a presentation including information on sampling and monitoring and the operator's responsibility.

NEXT MEETING DATE

The next scheduled meeting will be held at 10 AM on December 4, 2014 in conjunction with the LA Conference Board meeting at the Best Western Hotel in Alexandria.

ADJOURNMENT

A motion to adjourn by Mr. McGehee was seconded by Mr. Walton and was approved.