

**Minutes of the State of Nevada  
Board of Registered Environmental Health Specialists Meeting  
Wednesday, September 12, 2007**

**Location:** Ellis Island Casino & Brewery  
4178 Koval Lane  
Las Vegas, Nevada 89169

**Quorum Present:** Paul Klouse, REHS/CFSP, Secretary  
Cindy Ulch, REHS, Member  
Jeanne Rucker, REHS, Member  
John Kukulica, FMP, Chair  
Karen Dorsey, FMP, Member

**Other Attendees:** Pete Allen, REHS  
Connie Read, Southern Nevada Health District,  
Human Resources  
Linda Newton, Southern Nevada Health District,  
Environmental Health  
Katherine Jacobi, Nevada Restaurant Association  
Erica Ryan, Bureau of Health Protection Services,  
State of Nevada

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**1. Call to Order**

The meeting was called to order at 10:20 a.m. A quorum was present and the meeting had been duly noticed. Several items were taken out of order to accommodate the guest (other) attendees.

**2. Review, Amend and Approve Past Draft Minutes (Reno Meeting, June 13, 2007)**

It was motioned by Member Dorsey and seconded by Member Rucker to accept the minutes of the June 13, 2007 meeting as submitted. The motion carried unanimously.

**3. Review Secretary's Report**

Secretary Klouse reported that there have been no disciplinary actions since the Board last met.

The next testing date at SNHD is scheduled for September 27, 2007. Letters of admission were distributed to the applicants.

It was brought to the attention of the Board that an SNHD staff member allegedly requested that recent exam recipients write down the questions so a repository of questions could be compiled. Numerous individuals were interviewed and the

allegation could not be substantiated. This item is re-addressed in Agenda Item #10 below.

**4.\* Update on Webpage Content from Webmaster or Board Members-Jim Pierce or Board Members**

Member Dorsey provided Webmaster Pierce the additional fingerprint card information which was added to the Website.

Member Dorsey commented that she did not see a training link, or a link to the libraries on the Website. Member Dorsey will advise Webmaster Pierce so he may post updates as applicable.

**5.\* Update on Computer Function for REHS Office. Update on Purchase of USB Flash Drive and Frequency of Back-Up Activities. Daniel Maxson, Cindy Ulch**

It was motioned, seconded and carried unanimously that the Board would direct the activities of Past Member Maxson and that a schedule would be set-up for the frequency of the back-up of documentation. Member Ulch commented that all the records were now off of Past Member Maxson's computer and on the Board's computer.

**6. Status of Quarterly Disciplinary Action Report, the Audit Report Due on 12/1/07 and Certain Other Reports Due and/or Completed. Cindy Ulch**

Member Ulch reported that all reports are current. Another disciplinary report will be produced the first week of October.

Member Ulch commented that the Board is not required to have an outside audit because the Board has a budget of less than \$50,000.00.

Member Ulch noted that she believes that all financial records have been moved to the Board office. She will verify this with Past Member Maxson and report back to the Board. The checkbook has been balanced as of approximately two months ago.

**7.\* Discussion and any Necessary Action on Fingerprint Card Issues. Richard Hicks Fingerprint Issue. Cindy Ulch**

Member Ulch commented that there are a few registrants that have fingerprint cards that come back from the FBI criminal history repository because of degraded fingerprints. Some of the reasons for degraded fingerprints are occupational, chemicals, medical, etc.

One applicant, Richard Hicks, has had his cards returned three times because they are degraded. After a second rejection, there is a 90 day window to resubmit prints for a "name check only." Unfortunately, the time frame for re-submitting Mr. Hicks' prints has passed.

As a Board, we can request another set of prints from Mr. Hicks and re-submit them at the expense of the Board. Another set would probably come back as degraded. After a second submittal, the Board will request a "name check only." It is required by 625A that a background history must be completed by the repository.

Attendee Newton commented that 17 other states do not require a background check. Past Member Allen noted that the background check was incorporated into Senator Carlton's bill as standard language for the state of Nevada. Member Ulch stated she understands the frustration as she has had to file duplicate fingerprint cards with the state and federal governments.

Secretary Klouse will get with Mr. Hicks to obtain another set of prints. Upon receipt, Member Ulch will expedite the process. The Board will absorb the cost of processing the cards.

There was discussion on other registrants not completing their fingerprint card information. Carelessness is the main reason. Member Ulch commented that when she receives the cards she has to enter the ORI#, the Account # and the registering reason. If she were to correct all the other information that registrants do not enter, it could be up to six more fields. She would have to go through the files and glean information from other documents, such as their application. It is the applicant's responsibility to ensure they submit a complete and correct package to the Board.

There was a time when registrants were possibly given incorrect information by staff at SNHD. If those registrants want reimbursed for their costs, they would need to channel their request to SNHD. The specific registrants in question are Andrew Chaney, Lori Lucas and David Tatlock. It was motioned by Secretary Klouse and seconded by Member Rucker to deny the request from registrants Chaney, Lucas and Tatlock for reimbursement of the \$50.00 penalty fee for incomplete applications. The motion carried unanimously.

**8.\* Status of Development of Form and Standard Form Letters for Return and Denial of Applications from Either unqualified Individuals or Applications Submitted as Incomplete. Update on Development of Exemption Application from CEU Requirement for Retirees. Daniel Maxson and/or Board Members.**

Member Ulch commented that Past Member Maxson has completed four form letters and an exemption application for retirees. There is also a REHS Applicant Checklist, in development, for the applicant to review to ensure that they submit a complete package.

Member Ulch read a letter noting what NEHA will accept for science based classes, which is fairly consistent with what is in NRS 625A. That information is available on the NEHA Website.

**9\*. Update on Work Activities and Written Draft Contract with Daniel Maxson to Provide Board with Part-Time Administrative Assistance. Discussion and Action of Salary Negotiations, Expected Work Hours and Payment Schedule. Approval for Payment of Services From Work Accomplished Thus Far.**

Member Ulch distributed Past Member Maxson's proposal to the Board for their review. Past Member Maxson's administrative position was approved at the June 13, 2007 Board meeting. Member Ulch commented that she would like for the Board to approve payment to Past Member Maxson for services he rendered, and that are listed as a part of his timesheet, noting that it was approximately 24-30 hours. It was motioned by Member Rucker and seconded by Member Dorsey to pay Past Member Maxson for the time he has accrued on his timesheet. The motion carried unanimously.

There was discussion on whether or not the Board could sustain the salary of approximately \$400.00 per month for administrative services. Member Ulch commented that she handles the mail, answers emails, retrieves phone messages and processes all the applications and that she does not have time to do the other general administrative duties.

The administrative duties need to be done by someone that is reliable and familiar with the Board's activities. Member Rucker concurred noting that it may be necessary to raise fees to cover this cost. The fee that Past Member Maxson is charging is a bargain. Administrative help is a necessity as the Board continues to progress.

The Board discussed that at times, in the past, Past Member Maxson has not been able to get to the REHS office when he was scheduled to be there. Member Ulch commented that she believes he has a different mind set and commitment now that he is on a paid contractual basis.

It was noted that Past Member Maxson would stay on with the Board for 18 months, however, it was noted that he wants to stay only through the end of the 2008 school year. The Board would like to find someone for Past Member Maxson to train to take over the administrative duties when he leaves. It was motioned by Member Rucker and seconded by Secretary Klouse to accept Past Member Maxson's proposal as submitted. The motion carried unanimously.

**10.\* Discussion and Update on Recent Issues Regarding Testing of Applicants and Alleged Testing Violations. Board Members.**

Secretary Klouse reported that there was an allegation against a former SNHD staff member that he spoke to recent exam testers asking them to write down and supply the questions they could remember to him so the questions could be used for future training for the exam. The allegations could not be substantiated and were therefore dropped.

Secretary Klouse further discussed that new SNHD staff have been given erroneous information regarding registering with National and/or State Boards. It was alleged that they were told by a Manager and a Human Resource staff member that if they registered with National they did not have to register with State. Attendee Read confirmed that part of the misinformation did come from Human Resources and asked if there was a written protocol for the registration process. Secretary Klouse noted that the information came to Human Resources via an Environmental Health Manager. Secretary Klouse further stated that all of the registration requirements are listed on the Website.

Member Ulch commented that in the end it is the responsibility of the individuals to obtain the correct information and that information is on the Website. Secretary Klouse noted that this is a professional organization and that it is not the responsibility of the employer to provide such information. Member Ulch iterated that the Website has the fee schedule and all pertinent information for registration.

Member Ulch provided attendee Read a copy of the checklist that is posted on the Website and a copy of NAC 625A. Attendee Read noted that in the future, during new hire orientation, the Website would be supplied to the employee so they can get the information for themselves. Attendee Read thanked the Board for the documents and information.

The question before the Board was whether or not to waive the fees for the applicant's discussed above. This is addressed under Agenda Item #7 above.

There was discussion on employees identifying themselves as being an REHS when they are trainees. Member Ulch shared with the Board two business cards from SNHD staff where they had REHS after their names when in fact they are trainees. Member Rucker asked how the information came to Member Ulch's attention. Member Ulch commented that the cards were attached to their applications. The Board is working with the Director of SNHD, Environmental Health Division, to rectify this situation.

Member Ulch further commented that if a registrant is in trainee status their initials are "REHST," for Registered Environmental Health Specialist Trainee.

Secretary Klouse commented that when a registrant's status is pending the only information on the business card should be their name and the program they are working in.

Attendee Read commented that any new employee must have their application into the Board within 90 days of hire date and that perhaps a different job title may need to be instituted for those in the training period. Attendee Read will discuss this with EH Director, Glenn Savage.

**11.\* Discussion of Status of Board Checking Account Balance, Use of recently Purchase Accounting Software and Anticipated and Real Expenses Involved in Maintaining the REHS office. Budgetary Concerns for Future of Board Including Discussion and Possible Fee Increase to Support Administrative Functions. Cindy Ulch.**

Member Ulch commented that the approximate balance in the checking account is approximately \$7,600.00. Approximate real expenses are broken down as listed below (all are monthly unless otherwise stated):

- Rent \$165.00
- Administrative (Maxson) 400.00
- Recording Secretary (Bigley) 500.00 (quarterly)
- Phone/DSL 100.00
- Webmaster 80.00
- Postage 25.00 (quarterly)
- Supplies 25.00 (quarterly)

It was noted that a large sum of the balance in the checking account is reserved for the NEHA exam fee (currently \$125.00 per applicant) and the background check (currently \$45.00 per applicant). There are approximately 220 applicants. Applicants choosing "Laser Grade" testing must pay for it themselves.

There was discussion that a fee increase may be necessary, noting that many entities are increasing fees to keep up with inflation.

Member Dorsey motioned and Member Ulch seconded the motion to increase the fees as listed below. The motion carried unanimously.

1. New regular registration: \$295.00 (This includes a \$125.00 examination fee, \$50 processing fee, \$65 first year registration and a \$55.00 background check fee)
2. New trainee registration: \$295.00 (This includes a \$125.00 examination fee, \$50 processing fee, \$65 first year registration and a \$55.00 background check fee)
3. New registration by reciprocity: \$170.00 (\$50.00 processing fee, \$65.00 first year of registration, \$55.00 background check fee).
4. Regular EHS renewal: \$65.00 - CEUs are required.
5. Retired (emeritus): \$65.00. No CEUs required but can not work in career field.
6. Incomplete applications will be assessed \$50.00.

Member Rucker commented that she would like the Board to reimburse Past Member Allen for his travel expenses to attend this meeting. He has brought valuable input and insight to this Board. Member Rucker motioned and Member Dorsey seconded the motion to reimburse Past Member Allen for expenses. There was discussion regarding the expenses by other Board members for travel. Member Ulch amended the motion to reimburse Past Member Allen for

his travel expenses to attend this meeting and to also reimburse Board members for their travel expenses to attend this meeting and for travel expenses to attend future Board meetings that are outside of their living area. The motion, as amended, carried unanimously.

**12. Discussion of Status or any Updates on North and South REHS Libraries. Jeanne Rucker and Karen Dorsey.**

Attendee Jacobi, from the Nevada Restaurant Association (NRA), detailed the books, purchase by the Board, which are in the Southern Nevada Library which is housed at the NRA. Attendee Jacobi commented that people use the resources and often come back after they take the exam to let them know that the material helped them to pass. Attendee Jacobi further stated that they require credit card, or other applicable documentation, before they allow the resources to be checked out. Member Rucker noted that the Board is appreciative to the NRA for housing the library and their coordination in checking out the resources.

Member Rucker commented that the Northern Nevada Library status is the same as it was at the June 13, 2007 meeting.

**13. Discussion of Request from Southern Nevada Health District to Include Printed Names of Board Chairman and Secretary on Certificates of Registration. Paul Klouse.**

Secretary Klouse commented that a request was received from SNHD's Human Resource Department to include typed names of the Secretary and Chair on the REHS certificates.

There was discussion on this item. Member Ulch noted that one of the reasons the names are not typed is that the certificates are preprinted and there is not a process to add the typed names to the certificates. The certificates are purchased in bulk. The Board has approximately 200+ certificates on hand. There is no field on the certificates that could be used to print names. That way if there is a change in Board members, the Board does not have an additional expense of re-printing certificates with new names.

Attendee Read commented that the reason for the request was because the signed names were not legible and Human Resources didn't know who signed them. Member Rucker commented that if there is ever a question as to the authenticity of the signatures the Board can verify the information via a phone call or a letter. Member Ulch noted that Attendee Read could email her at any time if she has a concern that a certificate is valid.

There was discussion on putting an electronic signature on the Website, but the Board determined that would not be a viable solution.

Attendee Read thanked the Board for the information and clarification.

**14.\* Discussion and Possible Action on Southern Nevada Health District's Training Program. Paul Klouse**

Secretary Klouse introduced SNHD's Training Officer, Linda Newton, to present the training program that SNHD has in place.

Attendee Newton presented the Board and the Recording Secretary with copies of the Training Manual that is used by SNHD. There is a two year training process that helps staff with study materials, information and expert speakers on various aspects of environmental health. Most of the chapters in the manual are also presented via a PowerPoint presentation. Major points of training include:

- General Environmental Health
- Statutes and Regulations
- Food Protection
- Potable Water
- Wastewater
- Solid and Hazardous Waste
- Zoonoses, Vectors, Pests, and Poisonous Plants
- Radiation Protection
- Occupational Safety and Health
- Air Quality and Environmental Noise
- Housing Sanitation and Safety
- Institutions and Licensed Establishments
- Swimming Pools and Recreational Facilities
- Disaster Sanitation

Attendee Newton commented that SNHD's training program is a pilot program in the Nation.

Member Dorsey suggested to Attendee Newton and the Board that SNHD add a reference to the REHS Website to assist the trainees in the certification process and procedures.

Member Klouse questioned when the studies began. Attendee Newton commented that the sessions are 10 weeks in length and the first one began in January, 2007 and culminated in April, 2007. Of the 16 that took the exam, 14 passed. Member Ulich commented that the two that did not pass were previous registrants from the State of California and they may have had a false sense of security when they took the test.

Staff meets once a week. There are also field training trips and keynote speakers. One of the study methods used is a "flashcard" system where the answer is on one side of the card and the corresponding information on the other side.

Member Rucker asked what the field training consisted of and the time frames. Attendee Newton commented that staff goes through ServSafe and ORAU classes first. They are then paired with senior staff and get 4-6 months training before they go out on their own. They observe 10-15 inspections in any given area and are required to do at least 25 joint inspections. The new staff is assigned to a specific area/office immediately. There is also cross-training.

The Board will keep a copy of SNHD's Training Manual in the office. The Board thanked Attendee Newton for her presentation and noted that she did an excellent job on the manual.

Member Rucker motioned and Member Ulch seconded the motion to approve the training program for SNHD as presented by Attendee Newton. The motion carried unanimously.

**15\* Review, Approval or Denial of Recent Applications for Registration, Testing or Reciprocity, Including Vote on Penalty Fee Assessment for Incompleteness of Pending Applications for Registration. Cindy Ulch and/or Board Members.**

All below applications were approved or denied as listed:

1. **Andrew Chaney** – Approved as Trainee pending payment of \$50.00 for incomplete application fee. He has the experience; he just needs to sit for the exam. Member Ulch motioned and Member Dorsey seconded the motion for this approval. The motion carried unanimously.
2. **David Tatlock** - Approved as Trainee pending payment of \$50.00 for incomplete application fee. He has the experience; he just needs to sit for the exam. Member Ulch motioned and Member Dorsey seconded the motion for this approval. The motion carried unanimously.
3. **Lori Luces** – Denied. She worked for longer than 90 days and did not meet the time frames for application submittal. She needs to re-submit her application to the Board and pay \$50.00. A letter will be sent to her by Secretary Klouse with a copy to SNHD's Human Resource division. There was discussion that she had applied with National, but not with State. Member Rucker motioned and Member Ulch seconded the motion for this denial. The motion carried unanimously.
4. **Alan Croft** – Approved for Reciprocity upon receipt of his original transcripts. It was noted that his transcripts are from 1949. Copies are available and will be accepted if the originals cannot be produced. Member Ulch motioned and Member Rucker seconded the motion for this approval. The motion carried unanimously.

5. **Rebecca Fuentes** – Approved as Trainee pending receipt of affidavit of her experience from SNHD. Member Ulch motioned and Member Rucker seconded the motion for this approval. The motion carried unanimously.
6. **Gabriel C. Buenaventura** – Approved as Trainee. Member Ulch motioned and Member Dorsey seconded the motion for this approval. The motion carried unanimously.
7. **Edward Wynder** – Approved as Trainee pending payment of \$50.00 and submittal of home address on his application. Member Ulch motioned and Member Dorsey seconded the motion for this approval. The motion carried unanimously.
8. **Tamara C. Giannini** – Approved as Trainee pending payment of \$50.00 and a completed Fingerprint card. Member Ulch motioned and Member Dorsey seconded the motion for this approval. The motion carried unanimously.
9. **Mitch Semper** – Approved for Reciprocity. Member Ulch motioned and Member Rucker seconded the motion for this approval. The motion carried unanimously.
10. **Miki Sakamura-Low** – Denied. Her training in Hawaii was partially in Vector Control which is exempt under the statute. Her experience in the lab is also non-qualifying experience. Her field experience from June of 2005 to January of 2006 is not enough time to meet the experience qualifications. She will be eligible in April of 2008. Member Rucker motioned and Member Dorsey seconded the motion for this denial. The motion carried unanimously.

Ms. Nadareh Ghamssari submitted a letter to the Board requesting to test for the exam (second testing) on September 27, 2007. The letter was not necessary as Ms. Ghamssari had been approved at the June 13, 2007 meeting. However, the Board appreciated her letter.

Ms. Jessica Newberry's REHS membership card was reprinted, with the correct last name, as it was incorrect on her card.

On July 20, 2007, the Board sent a letter to Mr. Howard Murphy stating that the Board would reinstate his membership, due to his military service in the Gulf war, upon payment of \$45.00. To date Mr. Murphy has not submitted his \$45.00. Also, on or about July 20, 2007, Past Member Maxson had a phone conversation with Mr. Murphy regarding the reinstatement and fee. The Board requested that Past Member Maxson send Mr. Murphy a letter referencing the phone conversation and giving Mr. Murphy a time frame to pay the \$45.00. Member Rucker noted that failure to pay fees within 60 days results in suspension of membership.

It was noted that after this meeting Past Member Maxson will be tasked with sending out forms, etc. Past Member Maxson's duties will be prioritized by the Board.

**16. Discussion on Open Meeting Law Requirements as They Relate to Board Activities. Peter Allen-Past Board Chair and Board Members.**

Past Member Allen commented that he had attended the training that was offered at the Attorney General's (AG) office and encouraged the Board to send as many people as possible. The meeting includes the administrative process, Open Meeting Law and regulations.

There are issues that you have to be sensitive to, such as when you phone and/or email Board members. What you discuss and who you discuss it with may be in violation of the Open Meeting Law. As soon as you discuss something, via phone or email, with more than one person, or that one person discusses it with another Board member, you are in effect having a meeting. If you discuss something that is going to be an issue at a future meeting, it is in violation of the Open Meeting Law.

Member Dorsey provided the Board with a copy of the Open Meeting Law and copies of the applicable NRS and NAC.

Member Klouse commented that the Board's desire is to serve its members. Member Klouse asked Past Member Allen if a discussion item is not going to be an agenda item can the Board discuss it. Past Member Allen commented that the safest way is if it's Board business, have Member Ulch put it on an agenda.

The Board thanked Past Member Allen for all that he has done.

**17.\* Public Comment – Please Note that no Action May be Taken on any Matter Raised During the Public Comment Period, Unless Such Matter Itself has been Specifically Listed Above as an Action Item.**

Past Member Allen discussed the succession of the Board. He noted that the Board is made up of "veterans," and that they are doing many things that were not done in the past, that are now required. The contracting of Past Member Maxson will relieve some of the burden on the Board, particularly on Member Ulch.

Member Rucker commented that the Board's regulatory members have a lot of experience. The composition of the Board is mandated. Perhaps those in the regulatory field would be able to mentor new people for future positions on the Board. Member Dorsey noted that bringing someone to a public meeting is a good idea. Member Ulch stated that she believes it was 1999 when Member Dorsey joined the Board. The terms are for three years, with no limit to the number of years that can be served. Past Member Allen commented that Ms. Kathy Jacobi would be a possible future Board Member from Industry. Past

Member Allen commented that it is more complex than just mentoring someone as Industry members cannot be REHS'.

Member Rucker asked that "Strategic Planning" be an ongoing item added to the Board's agenda.

Member Ulch brought up the issue of training for Past Member Maxson's position when he no longer works for the Board. There is a temporary agency in her building that may be able to assist in securing a part-time person for that position.

Member Ulch commented that she ordered a new batch of State seals for the certificates and that the cost was \$47.00 or \$48.00. She also mentioned that there are new federal per diem rates and those can be obtained at the gsa.gov Website. The Federal rates are \$12.00 for breakfast, \$18.00 for lunch and \$31.00 for dinner and the hotel rates are not to exceed \$114.00 per night. Washoe County rates are \$9.00 for breakfast, \$13.00 for lunch and \$24.00 for dinner. Both the Federal rates and Washoe County rates allow \$3.00 per day for incidentals.

**18.\* Set Date for Next Meeting**

The next meeting date tentatively has been set for December 5, 2007 at 11:00 a.m. as a conference call meeting.

**19. Adjourn**

There being no further business, the meeting was adjourned at 2:30 p.m.

Respectfully submitted,  
Sandy Bigley, Recording Secretary