



State of Nevada  
**Board of Registered Environmental Health Specialists**

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**MINUTES OF PUBLIC MEETING**  
**March 13, 2017**

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Members Present: Tony Macaluso, Larry Law, Bob Stulac, Drew Skeen, Erika Marquez  
Members Absent: None  
Staff Present: Loretta Ponton, Executive Director  
Henna Rasul, Sr. Deputy Attorney General  
Public Present: Darren Zinser

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**PUBLIC HEARING - LCB File No. R049-16**

Loretta Ponton, Executive Director opened the Public Hearing at 10:02 a.m.

Ms. Ponton asked if there were any public comments on the proposed regulation.

Hearing no comments, the Public Hearing was closed at 10:33 a.m.

**BOARD MEETING**

Tony Macaluso, Chair called the meeting to order at 10:03 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 comments or revisions to the minutes of the January 23, 2017 meeting. Hearing none, called for a motion. A motion was made by Bob Stulac, seconded by Larry Law to approve the minutes of the meeting of January 23, 2017. The motion passed.

**Consideration of Public Comments:** Ms. Ponton explained that the Board must consider all public comments prior to taking action. There were no public comments.

**Consideration of Adoption of Regulations; LCB File No. R049-16:** Tony Macaluso asked if there were any Board comments on the proposed regulation. Bob Stulac commented that on page 2 Section 9 LCB summary, it states 12 hours and asked if that should read 24 hours. Ms. Ponton clarified the 12 hours referred to a unit of CE. Hearing no further comments, Tony Macaluso called for a motion.

Larry Law made the motion to adopt LCB File No. 049-16, revised proposed regulation as presented. Bob Stulac seconded the motion. The motion passed.

**Applications for Registration:** Loretta Ponton stated she had reviewed the applications of Erik Sumera, Larisa Sunita Dang, Amanda Sokolowsky, and Nancy Chu for EHS trainee registration and recommends approval. The applicants have submitted the required documentation, fingerprinting results are clear and registration fees have been paid.

Tony Macaluso asked if there were any comments or questions, hearing none call for a motion.

Larry Law made a motion, seconded by Erika Marquez to approve the Environmental Health Specialist Trainee applications as listed. The motion passed.

Loretta Ponton stated she has reviewed the applications of Allen Abad and Brianna Crutcher for registration as Environmental Health Specialist Trainees. The applicants have submitted all required documents, fingerprints have been submitted to the Department of Public Safety for processing, and fees have been paid. It is recommended the applications be approved contingent and effective upon receipt of clear fingerprint results.

Tony Macaluso asked if there were any questions or comments on the applications, hearing none called for a motion.

Bob Stulac made the motion, seconded by Erika Marquez to approve, contingent upon receipt of clear fingerprint results from the Department of Public Safety, the applications for environmental health specialist trainee registrations for Allen Abad and Brianna Crutcher,. The motion passed unanimously.

**Consideration of EHST Application - Darren Zinser:** Mr. Zinser was present and waived his right to a closed session.

Ms. Ponton stated that Mr. Zinser has a positive background/ fingerprint result for misdemeanor convictions, which were disclosed on the application. The convictions were in 1990, 1991 and 2000, all more than 15 years prior. There have been no re-occurrences and all convictions are cleared.

Tony Macaluso asked Mr. Zinser if he wished to make any comments. Mr. Zinser declined.

Tony Macaluso asked if there were any questions by the Board, hearing none called for a motion.

Bob Stulac made the motion, seconded by Drew Skeen to approve the application for EHS Trainee registration. The motion passed.

**Consent Agenda - Registrations Issued by Staff** - Loretta Ponton reported that Dianna Karlick and Daniel Isler submitted documentation of completion of their two-year trainee periods and passed the National Environmental Health Association examination. Their registrations have been converted to full Registered Environmental Health Specialists.

Tony Macaluso called for a motion. Erika Marquez made the motion, seconded by Bob Stulac to ratify the registrations issued by staff. The motion passed.

**Board Policy 01 - Registration:** Loretta Ponton explained the purpose of Board policies is to provide standardization for processes and procedures and establish authority for actions taken under the authority of the Board. Ms. Ponton stated Policy 01 is to establish the general procedures and processes related to administration of applications and issuance of registrations.

This policy delineates the role of the Executive Director as the authorized representative of the Board and delegates to the Executive Director the authority to take action in approving and issuing registrations that meet the minimum requirements established by the Board.

The Policy also establishes the process, procedure and timeline for conversion of a trainee certificate; establishing the period during which a trainee may request to take the NEHA examination, the process and cost to re-take the examination; and clarifies that a registration fee is required in order to obtain the REHS certificate.

Discussion was heard regarding delegating to the Executive Director the authority to approve and issue registrations. Ms. Ponton stated that there is a State and Legislative effort to streamline and expedite professional licensing (registrations). The Board's current process of bringing all new applications before the Board for approval could result in a delay in issuance due to the timing of Board meetings. In addition, applicants for EHS trainee have 90 days from date of employment to submit their application for registration which, when combined with meeting schedules, could result in someone working for up to 6 months without a current registration.

Addition discussion was heard regarding whether an applicant with a positive fingerprint result that is very old should be required to be brought before the Board for consideration of their application. There was a consensus that an additional Policy should be developed to address this subject.

The effective date of reinstatement of a suspended registration is currently the date of reinstatement; the Policy changes that to be retroactive to the end date of the previous license. After discussion, there was consensus that the Attorney General's office should be asked if a suspended registration can be retroactive. There was consensus to remove the effective date of registration paragraph pertaining to reinstatement of registrations from the policy until clarification can be obtained.

Tony Macaluso called for a motion on the delegation of authority to approve applications and issue registrations.

Larry Law made the motion to delegate the authority to approve applications and issue registrations that are in compliance with Board establish eligibility requirements to the Executive Director; Bob Stulac seconded the motion. The motion passed.

Tony Macaluso called for a motion on the approval of Policy 01 - Registration.

Bob Stulac made the motion, seconded by Erika Marquez to approve Policy 01 - Registration as revised. The motion passed.

**Executive Director's Report:** Loretta Ponton reported on registration statistics as of March 1, 2017; sixteen (16) individuals did not renew their registration. The Board has registered 17 new individuals for a total of 228 current registrants, including those approved at the meeting.

Ms. Ponton reported that credit card payments are now accepted on the website. The first payment made by credit card has been received.

Ms. Ponton stated the Board does not have a credit card; it is a requirement by the credit card portal Voluson to establish automatic payment of monthly fees to a credit card. Voluson also maintains the SSL security certificate for the payment site. Ms. Ponton requested approval by the Board to obtain a business credit card for use for Board expenses as needed.

Larry Law made a motion, seconded by Bob Stulac, to approve Loretta Ponton to obtain a Board credit card for business use. The motion passed.

Ms. Ponton continued, stating follow-up with the State regarding REHS status for marijuana inspectors, has determined that it is the State's intent that all Marijuana Inspectors would be REHS and that new employees would be registered and trained through the EHST training program. The Board is not required to take action at this time.

Ms. Ponton provided a brief overview of several bill drafts and bills; there are none that directly affect the REHS practices, additional administrative requirements are being proposed that will affect operations of the Board office and increasing reporting requirements to the State.

Loretta Ponton concluded the executive director's report with a summary of the FY 2017 financial statements as of February 28, 2017, reporting a cash balance of \$45,030 and a net income for the fiscal year to date of \$9,163. A comparison to prior year was provided.

Tony Macaluso call for a motion on the Executive Director's report.

Bob Stulac made the motion, seconded by Erika Marquez to approve the Executive Director's report as presented. The motion passed.

**Report from Board Chair:** Tony Macaluso identified future agenda items as follows:

- Policy on criminal convictions
- Discussion of need for NRS law revisions

The Board agreed to hold an in-person meeting in Reno on Monday, June 12<sup>th</sup>.

**Report from Legal Counsel:** Heena Rasul stated she had nothing to report.

**Public Comment:** There was no public present at this time.

Tony Macaluso adjourned the meeting at 11:14 a.m.