



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

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**MINUTES OF PUBLIC MEETING**  
**May 7, 2020**

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Members Present: Brian Northam, James Barnes, Drew Skeen, Amber English

Members Absent: Teresa Hayes

Staff Present: Loretta Ponton, Executive Director  
Henna Rasul, Sr. Deputy Attorney General

Public Present: None

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Brian Northam opened the Hearing on LCB File No. R075-19 at 5:37 p.m.

There were no interested parties or public present for the Hearing.

The Hearing was closed at 5:38 p.m.

Brian Northam called the meeting to order. A voice roll call confirmed a quorum was present.

**Public Comment:** There were no comments.

**Appointment of Chair and Vice Chair:** Loretta Ponton stated that the Chair position is being filled by Brian Northam as Tony Macaluso has retired and Amber English has been appointed to fill the Washoe County Health District position.

Loretta Ponton explained the Board appoints members for each position. The Chair and Vice Chair are also the signatories on the Board banking account as well as the Executive Director.

Brian Northam stated he would be open to the Chair position. After discussion of the role and duties of the Vice Chair, Amber English stated she would be accept if no other members were interested.

Drew Skeen made the motion to appoint Brian Northam as Chair and Amber English as Vice Chair. Jim Barnes seconded the motion. The motion passed unanimously.

**Approval of the Minutes:** Brian Northam asked if there were any corrections or revisions to the meeting minutes of January 21, 2020. Hearing none, called for a motion.

Drew Skeen made the motion, seconded by Jim Barnes to approve the minutes of January 21, 2020 as presented. The motion passed.

**Consideration of Public Comments – LCB File No. R075-19:** There were no public comments.

**Adoption of LCB File No. R075-19:** Brian Northam asked if there were any further questions or discussion. Loretta Ponton reported the revisions requested at the January workshop have been incorporated into the regulation. Brian Northam called for a motion.

Jim Barnes made the motion, seconded by Amber English, to adopt LCB File No. R075-19 without revision. The motion passed.

**Executive Director’s Report:** Ms. Ponton directed the members to the written report and provided a summary of registration statistics.

Financial Statements - Ms. Ponton provided a review of the Board’s FY 20 3<sup>rd</sup> Quarter financial statements as of March 30, 2020. Revenue is reported at \$27,987.50 and Expenses at \$28,794.89; net income/loss as of 3<sup>rd</sup> Quarter is (\$798.16). Cash balance as of March 30, 2020 is \$ 42,077.59.

Ms. Ponton reviewed the line item expenses incurred not included in the budget. Costs for review and drafting of the regulation R075-19 were billed at \$3,500. This cost was not known at time of budget development. In addition, the costs for fingerprinting were not budgeted due to the assumption that most new applicants would be covered by public employment requiring fingerprinting. The SNHD does not require fingerprinting, the majority of applicants are employed by the SNHD and therefore require the Board to have fingerprint background checks completed.

Ms. Ponton reported that it is projected the Board will have a loss of approximately \$4,375 at June 30, 2020 as result of the above expenses. With the adoption of the regulation, it is not anticipated there will be a need for LCB services in the next few years.

Administrative Operating Policies and Procedures and Board Policies: Ms. Ponton reported formal policies and procedures have been developed for Board administrative operations. Loretta Ponton summarized the sections of the policies and procedures and stated the document formalizes requirements for financial management, payment procedures, receipts, procurement, travel, property management and record recovery system.

Ms. Ponton reported the individual Board policies have been incorporated into a single Board Policy Manual.

Ms. Ponton stated that both documents are presented for approval by the Board.

Authorized Bank Signatories: Ms. Ponton stated the new Chair and Vice Chair will be added to the Bank account as authorized signatories and that the forms will be sent to them for signature.

Sunset Subcommittee – Special Survey: Ms. Ponton reported the Sunset Subcommittee has sent a special survey to be completed and submitted back to the Sunset Subcommittee. The survey is collecting data to address the directive in Senate Concurrent Resolution 6 to conduct and interim study of regulatory bodies and make recommendations back to the 2021 Legislature. The survey

also includes data requests related to “registration by endorsement”, “criminal history determinations” as required by Assembly Bill 319 and registration information on “military spouses”.

Brian Northam asked if there were any questions or comments. Hearing none, called for a motion.

Jim Barnes made the motion to approve the Executive Director’s report including the financial statements and policies as presented. The motion was seconded by Drew Skeen. The motion passed.

**COVID-19 Emergency Directives:** Brian Northam stated he had brought up the question on the extension of provisional registrations in lieu of the testing centers being closed. Ms. Ponton provided an update stating the Prometric testing centers are reopening effective May 1<sup>st</sup> for professions designated as essential. Environmental health has been determined to be an essential profession.

Loretta Ponton stated there are 3 trainees with provisional registrations who are nearing the 3-year term. All three have been issued authorizations to test and are awaiting scheduling at the testing centers.

The Board members discussed whether to grant an automatic extension to provisional registrations with a consensus that extensions should be considered on a case by case basis under the current authority in NRS 625A.115 as a “showing of good cause”.

Board members discussed whether a deferral of renewal fees or reduction in registration fees would be warranted due to COVID-19. Discussion included the facts that there have been no inquiries or requests from registrants, environmental health specialists are essential positions, no furloughs or lay-off are expected and it was noted that the SNHD is adding a new office which will increase the number of positions. There was a consensus that it was not necessary to consider fee reductions or deferrals at this time.

**Fiscal Year 2021 Budget:** Loretta Ponton presented the proposed Fiscal Year 2021 Budget explaining the basis for calculation of revenue and summarized each line item of expense. A comparison to the FY 20 Budget shows an increase of \$97.50 in expenses for FY 21.

Members discussed the impact of the one-time expenses in FY 20 and projected loss. Ms. Ponton explained the reserve funds policy establishes a minimum of one-year of cash for operating. The cash available for FY 21 will exceed that requirement. The FY 21 proposed budget is the best estimate of revenue and expenses based on historical and known costs. The full extent of the change in fees will be realized in FY 21 and is included in the budget calculations.

Brian Northam called for a motion.

Amber English made the motion, seconded by Jim Barnes, to approve the Fiscal Year 2021 Budget as presented. The motion passed.

**Registrations:** Brian Northam asked if there were any comments or questions on the registrations issued by staff. Hearing none, called for a motion.

Jim Barnes made the motion, seconded by Drew Skeen to ratify the registration actions taken by staff as listed in Exhibit A as presented. The motion passed.

**Report by Deputy Attorney General:** Henna Rasul stated she had no report.

**Report from Board Chair and Members:** Brian Northam stated he nothing to report and asked members if they had any comments.

Ms. Ponton asked if members would like to consider cancelling the July 13 Board. There was consensus to leave it on the calendar and Loretta will consult with Brian closer to the meeting date on whether it is necessary.

Ms. Ponton asked Jim Barnes whether he will be applying for reappointment to the Board as his term ends June 30, 2020. Mr. Barnes stated he would like to remain on the Board. Ms. Ponton stated she will send him the information to apply for reappointment.

**Public Comment:** There were no public comments.

**Adjournment:** Brian Northam adjourned the meeting at 6:27 p.m.