



MEETING OF THE UTILITY OPERATOR CERTIFICATION ADVISORY BOARD

Thursday January 11, 2024

9:37 A.M.

HELD VIRTUALLY VIA CISCO WEBEX MEETING

AGENDA ITEM 1. ROLL CALL AND INTRODUCTION OF GUESTS

Members present: Cathie Eisen, Chair

Dale Graham

Maria Gilvarry

Sydney Hoke

Craig Byers

Rick Mitchell

Absent: Bobby Towle

Filiberto Aguirre, Jr.

Ivan (Michael) Abell

Guests: Eric Hall, NMED-UOCP Team Lead

Anita Tavasci, NMED-DWB UOCP

Nile Carver, NMED-DWB UOCP

Kendall Crowe, NMED-DWB UOCP

Jen Olson, NMED-OGC

Bethany Anderson, NMED-DWB Water Conservation Fund Manager

Tanya Trujillo, NMED-DWB-SWIG Group Manager

Jason Herman, NMED-GWQB

Avery Young, NMED-GWQB

Susan Lucas-Kamat, NMED-SWQB

Jason Martinez, NMED-SWQB

Mingcheng Ren, NMED-SWQB

Issac Martinez, NMED-SWQB

Lilla Reid, Souder Miller & Assoc.

Eric Garcia

Cherie Barker, Rio Rancho

Paul Coleman, Santa Fe County Facilities Director

ACTION: Roll was called, a quorum was present

AGENDA ITEM 2. REVIEW AND APPROVAL: MEETING AGENDA

DISCUSSION: Chair Eisen asked the Board if everyone had looked at the agenda and if anyone has any suggestions or changes.

ACTION: Member Byers made the motion to approve the agenda as written. Member Graham seconded the motion. Chair Eisen took a voice vote. The motion carried unanimously.

AGENDA ITEM 3. REVIEW AND APPROVAL October 12, 2023 MEETING MINUTES

49 **DISCUSSION:** Chair Eisen asked the Board if everyone had read the draft meeting minutes and if anyone
50 has any comments or changes. There were no comments or changes provided.

51

52 **ACTION:** Chair Eisen asked for a motion to approve the October 12, 2023 meeting minutes. Member
53 Gilvarry made a motion to approve the minutes as written. Member Byers seconded the motion. Chair
54 Eisen took a voice vote. The vote carried unanimously.

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56 **AGENDA ITEM 4. NOMINATION AND ELECTION OF ADVISORY BOARD CHAIR AND VICE CHAIR PERSONS**

57

58 **ACTION:** Chair Eisen asked for nominations for the Chair of the Utility Operator Certification Advisory
59 Board. Member Graham nominated Cathie Eisen for the Chair position. Cathie Eisen accepted the
60 nomination. Member Byers made a motion for Cathie Eisen as Chair person. Member Graham
61 seconded the motion. A voice vote was taken. The motion passed unanimously. Chair Cathie Eisen
62 thanked everyone on the Board for their faith in her to act in the Chair position of the Board. Chair
63 Eisen asked for a nomination for the Vice Chair position of the Utility Operator Certification Advisory
64 Board. Member Graham nominated Ivan Abell for Vice Chair position. Chair Eisen asked the Board if
65 anyone else had any other nominations. Member Byers suggested the nomination and vote could be
66 contingent on Ivan Abell's acceptance of the position. Chair Eisen asked for a motion for Ivan Abell to sit
67 as the Utility Operator Certification Advisory Board Vice Chair contingent on his acceptance of the
68 position. Member Graham made a motion for Ivan Abell. Member Byers seconded the motion. Chair
69 Eisen took a voice vote on the motion. All voted in favor and none opposed. The motion passed
70 unanimously.

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72 **AGENDA ITEM 5. UOC ADVISORY BOARD OPEN MEETINGS ACT RESOLUTION**

73

74 **DISCUSSION:** Chair Eisen explained that annually the Board is required to adopt a resolution of the
75 procedure to conduct Advisory Board meetings. Chair Eisen gave a summary of the resolution and asked
76 the Board members if they had read the resolution.

77

78 **ACTION:** Member Graham made a motion to accept the 2024 Open Meetings Act Resolution as written.
79 Member Mitchell seconded the motion. Chair Eisen called for a voice vote on the motion. All members
80 voted in favor, none opposed. The motion passed unanimously.

81

82 **AGENDA ITEM 6. NOMINATION AND ELECTION OF 2 WATER QUALITY CONTROL COMMISSION,**
83 **(WQCC), REPRESENTATIVES FOR 2024**

84

85 **DISCUSSION:** Chair Eisen explained that there needs to be 2 persons to sit as Representatives on the
86 WQCC panel when the Advisory Board meets with them. She asked for nominations for those positions.
87 Member Byers nominated Bobby Towle. Eric Hall stated that persons that have a term expiration this
88 year cannot be representatives for those positions. Mr. Hall gave the names of persons who are
89 available to serve as representatives. Member Gilvarry asked if Member Graham and Member Hoke
90 would want to sit as representatives. Members Graham and Hoke both agreed to be nominated for the
91 positions. Member Gilvarry then made a motion for Member Dale Graham and Member Sydney Hoke.
92 Chair Eisen stated that she has a motion for Dale Graham and Sydney Hoke to sit as Utility Operator
93 Certification Advisory Board Representatives for the WQCC in the year of 2024. Member Byers
94 seconded the motion. Chair Eisen called for a voice vote on the motion. All votes were in favor, none
95 opposed. Chair Eisen stated that the motion carries.

96

97 **AGENDA ITEM 7. DRINKING WATER BUREAU UPDATE**

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99 **DISCUSSION:** Tanya Trujillo stated that we have a new data management program, Certemy, to replace
100 the current operator database. Tanya mentioned that Eric Hall will be the point of contact for any
101 questions about the new program. Tanya stated that the Bureau has new PFAS data that is uploaded to
102 the Environment Department’s PFAs webpage. The most recent data will be for private home-owners
103 and if anyone would like information about that to please contact her and she will direct them to the
104 correct person to provide assistance. Chair Eisen asked Tanya to provide a brief insight what the home-
105 owner’s aspect of the data is. Tanya replied that the USGS had done some PFAs sampling of private
106 wells, listed by county, that is a discreet dataset. She went on to say that if anyone has any questions
107 that are more specific she could put them in-touch with Andy Jochems who is the Source Water
108 Protection Team Lead and is the expert of drinking water PFAs. Chair Eisen thanked Tanya for the
109 information. Tanya stated that the Drinking Water Bureau will continue with public water systems and
110 the UCMR5 is still in effect. Bethany Anderson’s team has been conducting a majority of that sampling
111 for the Drinking Water Bureau to support the EPA in that research.

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113 **AGENDA ITEM 8. NEW MEXICO WATER AND WASTEWATER ASSOCIATION UPDATE**

114

115 **DISCUSSION:** Member Craig Byers stated that Lorenzo Sanchez is not present at the meeting and he
116 could give an update if the Board approves. Member Byers stated that the New Mexico Water and
117 Wastewater Association had held their annual election and there are some new officers to announce.
118 Member Byers stated that Martin Lopez is President, Cynthia Arnold is the Vice President, Lyman Waller
119 is the Director, Gene Salazar is the Secretary Treasurer and Craig Byers is the President Elect. Craig
120 Byers tells of an Executive Board meeting next week at the Annual School in Las Cruces which does have
121 fantastic vendors and class instructors for that school.

122

123 **AGENDA ITEM 9. NM SURFACE WATER QUALITY BUREAU-POINT SOURCE POLLUTION PROGRAM**
124 **UPDATE**

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126 **DISCUSSION:** Susan Lucas-Kamat provided the updates. She said the first one is some upcoming
127 trainings where Jason will be presenting in the basic and advanced tracks at the New Mexico Water and
128 Wastewater Association’s Annual school next week. He will be providing the NPDES reporting and
129 NPDES presentation. Susan went on to state that they are having the final training for nutrient
130 optimization, provided by Daniel B Stephens and Associates, in Portales the 24th and 25th. Susan stated
131 that the big news is that as of Monday they are fully staffed in the Point Source Regulation Section. The
132 Section had been reorganized which now has a Permitting and Certification Team and a Compliance
133 Enforcement Team. Susan introduced Jason Martinez as the Permit and Certification Team Lead. Jason
134 Martinez stated that they have added 2 additional people, Mengcheng Ren and Issac Martinez. Both
135 Mengcheng and Issac gave a brief description of their backgrounds and what they currently do. Chair
136 Eisen congratulated both persons. Susan Lucas-Kamat said that they have a new program that works on
137 state permitting program. She said that they had 2 appropriations the last legislative session to look at
138 promulgating rules and regs related to a state permitting program. Susan went on to say that they had a
139 survey in the fall and there will be updates to the state permitting webpage on Tuesday when the
140 legislative session starts. If anyone has questions Susan will be happy to answer them and on their
141 webpage there are frequently asked questions, (FAQ), and there is a distribution list that we will send
142 updates to. Chair Eisen thanked Susan for the information.

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144 **AGENDA ITEM 10. NM GROUND WATER QUALITY BUREAU-DOMESTIC WASTE TEAM UPDATES**

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146 **DISCUSSION:** Jason Herman provided the update, (most of the audio portion of the update was
147 inaudible due to connectivity issues). Highlights of what was discernable; Avery Young is not able to be
148 here today, in Albuquerque. Still have Robert George on contract providing technical training for
149 operators. After February the new contract with Robert should be for another 2 years. If anyone knows
150 of a system that needs technical training to please contact Melanie Sandoval, Industrialized Team Lead
151 or himself. The Ground Water Quality Bureau had petitioned the legislature on Tuesday for a regulation
152 revision concerning indirect and direct water reuse feasibility studies. For the water reuse the
153 Department will need many more level 4 water and wastewater certified operators. (inaudible)
154 Facilities to designate an operator of record for the ground water discharge permits. Chair Eisen
155 informed Jason Herman that his audio is very garbled and for the importance of the topics being
156 discussed she will coordinate with Eric Hall. Mr. Herman went on to say that currently they are in the
157 first step by updating the regulations to provide for feasibility studies. They have currently contracted
158 with a consulting firm and engineering firm to work on the next phase of the rules to treat brackish
159 water and possibly regulations for gray water. Chair Eisen asked if the University of California,
160 Sacramento is being utilized for information. Jason Herman stated that they are looking at California,
161 Texas, Colorado and Arizona, who are just finishing their regulatory process for direct and indirect reuse.
162 The work includes a white paper and a meta-study of those states, (inaudible). Chair Eisen thanked
163 Jason for his update and she will probably contact him directly to stay up to date on the process.

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165 **AGENDA ITEM 11. NEW MEXICO OPERATOR CERTIFICATION PROGRAM UPDATE**
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167 **DISCUSSION:** Eric Hall, Team Lead for the Program, shared his excitement of the new certification
168 management database, (Certemy), that Tanya Trujillo had spoken of earlier. Mr. Hall said the projected
169 roll-out date for the new database will be in June. Mr. Hall stated that the Program members will be
170 teaching and making a presence at the New Mexico Water and Wastewater Association’s Annual School
171 in Las Cruces this month. Eric stated that Anita will be teaching the “Operator Essentials”, he will be
172 presenting the “New Mexico Operator Regulations” and Kendall and Nile will be providing in-person
173 operator assistance. That school is usually a large turn-out of attendance. Mr. Hall stated that the
174 Program is still working on the regulation revisions. Chair Eisen asked Mr. Hall where the program is on
175 the regulation revisions. Mr. Hall replied that there are a couple things that have been found in the
176 statutes that need to be addressed and a timeframe at this moment on regulation revisions would be
177 difficult to provide.

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179 **AGENDA ITEM 12. BENJAMIN MENCHEGO REGULATORY ENFORCEMENT DISCUSSION**
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181 **DISCUSSION:** Jennifer Olson, lawyer for the NMED Office of General Council, stated that it is required to
182 seek the advisement of the Advisory Board when pursuing actions on the Code of Professional Conduct.
183 She stated that both Eric Hall and Bethany Anderson are available today if anyone has questions on the
184 factual issues. She is not intending to do an evidentiary hearing today, that will come later. Jennifer
185 wants to present what is believed to be the facts and what is intended to be presented to the Secretary
186 and most likely a contractual hearing officer. The intent with Benjamin Menchego and Eric Garcia is to
187 proceed with revocation of the certifications they currently have. Once the cases have been set we will
188 give notice, obtain a hearing officer, they will have the full opportunity to present evidence and
189 arguments as will NMED before a hearing officer who will ultimately decide these issues. Ms. Olson
190 stated that the issues come from 20.7.4.16 NMAC, the Code of Professional Conduct. Ms. Olson recited
191 the Code of Professional Conduct and stated that neither Mr. Menchego nor Mr. Garcia acted with the
192 requisite professional behavior which warrants revocation of their certifications. Ms. Olson added that

193 there are other violations of law and regulation in addition to the Code of Professional Conduct but that
194 is what is before you today. They had also violated the Uniform Licensing Act and the Utility Operator
195 Certification Act which permits revocation of certifications for gross incompetence, dereliction of duties
196 and deceptions among other grounds. Those issues will be raised before a Hearing Officer once those
197 proceedings are under way. Ms. Olson stated that she will explain those 2 cases factually and asked if
198 there are any questions at this time. Chair Eisen stated that she does not have any questions at this
199 point but would like to show her appreciation that the Code of Professional Conduct is playing strongly
200 in this discussion. Jennifer stated that the items that are listed in the NMAC she had just cited to you,
201 (the Board), arise to gross incompetence and gross incompetence in the statutory scheme is a grounds
202 to revoke. For this reason the Code of Professional Conduct is important and there will be issues that
203 will be raised before a Hearing Officer. Jennifer Olson said she will start with Mr. Menchego. He
204 currently has a Water Supply level 2 certification and sat for the Water Supply level 3 exam and while
205 taking the exam he was caught by the proctor using his phone which is against rules and is an indication
206 of cheating by Mr. Menchego. Obviously cheating on an exam is a serious allegation that would warrant
207 the revocation of his certification. Jennifer Olson stated what will be asked of the hearing officer is that
208 Benjamin Menchego's Water Supply 2 certification be revoked and Mr. Menchego not be given the
209 Water Supply level 3 because of the cheating that NMED alleges had occurred during the testing. In the
210 Department's opinion that behavior, and of course NMED will have to bear the burden of proof before
211 the Hearing Officer and these are only allegations at this point, violates the Code of Professional
212 Conduct, the Uniform Licensing Act and the Utility Operator Certification Act. Jennifer stated that those
213 allegations gives the Department grounds with an intent to revoke. Jennifer went on to say that is the
214 basis of the allegations and if anyone has questions about the facts about what proof the Department
215 has Eric Hall is present to answer any of those questions. Jennifer went on to add that what is being
216 asked of the Board to take a position on is the Department would like to seek revocation of Mr.
217 Menchego's certifications for a period of 25 years. Chair Eisen wanted to make the point that, while in
218 the discussion, these will need to be addressed under separate agenda items. Benjamin Menchego is
219 item 12 and Eric Garcia is agenda item 13 and the Chair asked that these be presented separately for a
220 motion. Jennifer stated that she will and that concludes her presentation on Mr. Menchego. She again
221 stated that if there are any questions Mr. Hall can address them factually and if not she would call for a
222 motion at this time and what she is asking for is the Board's position in support of NMED moving
223 forward with a revocation of Mr. Menchego's certifications for a period of 25 years. Member Byers
224 asked if the 25 years is written or if that is what was decided upon. Jennifer replied that duration is
225 what was suggested to her by her client as appropriate for these circumstances but that is open for
226 discussion by this Board. Jennifer went on to say that if the Board decides through their discussion if
227 NMED should proceed with a different period of time, NMED will proceed as the Board decides. Chair
228 Eisen opened the discussion to the Board and stated that personally the 25 years will come close to this
229 individual's lifetime in this career and she does not have an issue with that length of time. Chair Eisen
230 was unsure what the difference would be between a permanent block of them coming back into the
231 industry but would like to hear the Board member's opinions. Member Byers stated that it goes to the
232 evidence of cheating versus the 25 year revocation. Jennifer Olson stated that what will be presented at
233 the hearing will be the testing proctor's testimony of the use of the cell phone. She went on to state
234 that Mr. Menchego was invited to this meeting and he could have presented any defenses that he has.
235 Mr. Hall stated concerning the 25 year revocation that if he cheated on a test what else would Mr.
236 Menchego do. Mr. Hall went on to state that NMED would not like that kind of person in the field and
237 there is solid evidence that he did cheat on the test. Member Gilvarry wanted to concur with a
238 statement that Chair Eisen made; she is not sure what the difference between a permanent revocation
239 or for a duration of 25 years. Member Gilvarry went on to state, after being involved with other
240 investigations, that the evidence is presented before a Hearing Officer who will make a determination

241 whether the information provided is sufficient. Member Gilvarry asked if the Board is being asked for
242 input on the 25 years or is there something else that is being asked. Jennifer Olson stated that the
243 Board is being asked about moving forward with revocation under the circumstances that have been
244 alleged as well as the relief that is being asked for today which is the 25 years. Member Gilvarry stated
245 that if there is enough proof that this had occurred then her recommendation would be the person to
246 lose their license and they would never have the option to regain that license in the state of New
247 Mexico. Chair Eisen referenced back to the Code of Professional Conduct which was added to the
248 regulations for a similar situation where an individual that was on the Utility Operator Certification
249 Advisory Board had committed an infraction and they initially developed the Code of Conduct for the
250 Board then expanded it to the Utility Operator Certification regulations to cover everybody to clarify the
251 requirements of being a certified operator. Chair Eisen's recommendation is that this person be
252 permanently barred from certification if he is found guilty of what he is being accused of doing. Member
253 Gilvarry stated that she is interested in comments from the other Board members to get their thoughts.
254 Member Gilvarry went on to state that we had all taken these exams and we know how hard we have
255 worked to make sure that cell phones do not go into the exams. Member Gilvarry continued to state
256 that this individual had taken multiple tests so he would know that cell phones are not allowed-in while
257 taking an exam and this would make it pre-meditated on his part. Member Gilvarry stated if all of the
258 accusations are accurate she would not trust that individual at any facility.

259
260 **ACTION:** Member Gilvarry would like to make a motion that NMED make the relief be permanent for
261 revocation of Mr. Menchego's certifications and the inability to regain those certifications. Member
262 Hoke agrees with Member Gilvarry's permanent revocation and went on to state that we need ethics in
263 this profession especially with the previously mentioned re-use of water and wastewater. Chair Eisen
264 did state that this is contingent on the hearing but wanted to clarify the stance as to how the
265 proceedings will go forward. Member Byers agrees with the statements made by Members Gilvarry and
266 Hoke. Member Graham made a second to the motion that Member Gilvarry had made. Chair Eisen
267 asked for any other comments and she asked Jennifer Olson if the motion is clear enough as placed to
268 satisfy her request to the Board. Jennifer Olson responded by stating that the motion made is that
269 NMED proceed with revocation for Mr. Menchego with a request for relief of permanent revocation
270 without an opportunity to apply for further certifications. Member Gilvarry replied that is the correct
271 motion she had made. Chair Eisen clarified that she has a motion and a second then asked the Board if
272 there were any other comments before she places this on the table for a vote. Chair Eisen stated that
273 Member Gilvarry had made a motion and it was seconded by Member Graham. The Chair took a voice
274 vote. All votes were in favor and none opposed. The motion carried unanimously.

275
276 **AGENDA ITEM 13. ERIC GARCIA REGULATORY ENFORCEMENT DISCUSSION**

277
278 **DISCUSSION:** Lawyer Jennifer Olson stated that Eric Garcia is a former NMED employee and has a Water
279 Supply level 4, (WS4), and a Wastewater Systems level 2, (WW2), and he had recently applied to take a
280 Wastewater Systems level 3, (WW3). As an employee of NMED he was involuntarily terminated from
281 NMED in the Fall of 2020. Jennifer stated that for additional questions Bethany Anderson and Eric Hall
282 are available to answer them. Jennifer went on to state the reason for the termination was a very highly
283 documented case, with technical evidence including using the state vehicle for personal use during the
284 workday, being at locations during the workday that were not work related, he used the state's WEX gas
285 card for a personal capacity and also falsified water samples. The water samples that were brought back
286 from places that he allegedly took the samples from but the GPS data for that vehicle did not show the
287 vehicle at those locations. Ms. Olson stated for that reason Mr. Garcia created a public health situation
288 where NMED was unsure after looking at the GPS records and use of the state vehicle if he was actually

289 sampling at the places Mr. Garcia said the samples were taken. As you all know working in this industry
290 that uncertainty does not contribute to public health, it created a difficult situation for NMED and
291 ultimately resulted in his termination. Jennifer stated that she does have extensive evidence of these
292 accusations that will not be brought up at this time but will be presented to the Hearing Officer. Ms.
293 Olson stated that there are elements of the allegations that are illegal, wrongful and a threat to public
294 health. She doesn't think that there is any question that the behavior that was brought up violates the
295 code of Professional Conduct, gross misconduct and also violates the Utility Operator Certification Act.
296 With those violations there is grounds to revoke Mr. Garcia's certifications, NMED intends to proceed
297 with that. Jennifer stated that Mr. Garcia was given notice of the hearing today and she did not hear
298 him on the role call and he had an opportunity to present his position to you today. He will have that
299 opportunity to do that in front of the Hearing Officer during a full blown hearing with due process so all
300 of these factual issues will get fleshed-out in a structured way in front of a Hearing Officer. At this time,
301 given your last discussion, you may have additional discussion on this case but the position that she had
302 been asked to present to you is both your moving forward with revocation based on the facts as
303 presented and a revocation for a minimum of 25 years. Obviously the Department would be open to a
304 permanent revocation under the circumstances if that is where the Board's discussion takes it. So,
305 again, those are the two requests that she is making with regards to Mr. Garcia. Eric Garcia stated that
306 he is actually present. Jennifer asked Chair Person Eisen if Mr. Garcia would like to present a defense
307 what he intends to present before the Hearing Officer and before the Board that he permitted to do
308 that so the Board will have both sides of the story. Chair Person Eisen responded that she is open to Mr.
309 Garcia presenting his side of this issue so that the Board can make a fair decision. Chair Eisen asked Mr.
310 Garcia to introduce himself. Eric Garcia stated his name and went on to say that when all of this was
311 happening during COVID, he firmly disagrees with the GPS, that it was not recording correctly and he
312 stated that he brought this up to Bethany (Anderson), at the time. Obviously the State is going to go
313 with what they have, they fired me, (Mr. Garcia), I accepted the termination and what I don't
314 understand is that a year and one half has passed. If that was the case why was not my revocation
315 called for as soon as I was terminated. I still disagree with the accusations. I have been doing this
316 profession for the last 10 to 12 years. I do take my certifications seriously; they are hard to come by. I
317 don't understand if that was the case why the state allowed me to even pursue my level 4 at this point.
318 I would not jeopardize my licenses like that, the livelihood that my family depends on or the public
319 health. Chair Eisen thanked Mr. Garcia and asked Jennifer if the Board could question Mr. Garcia.
320 Jennifer replied that if more information is needed from him you can ask questions but this is not the
321 forum that he can present full evidence but if you have questions to ask that is fine if that helps you to
322 move forward with your position. Jennifer went on to say that this is just the allegation stage and we
323 will be prepared with full documented evidence in front of the Hearing Officer in a more formal manner.
324 Chair Eisen asked if the accusations of him using the vehicle for personal use and the use of the WEX
325 card would be hinged off of the GPS data. The Chair stated that her questions will be verified with
326 evidence in the hearing and in front of the Hearing Officer who will explore it thoroughly. Member
327 Gilvarry stated that she does not have any questions for Mr. Garcia but addressed him directly. She
328 stated to Mr. Garcia if the state does have the information to prove these accusations, especially the
329 ones related to water quality, theft is a concern of ethics, misappropriation of time where the
330 community is paying for you being in one place when you are in another place that is a theft of time but
331 for her the concern would be anything inappropriate with anything to do with water quality testing that
332 is not up to the Board to decide but up to the Hearing Officer to decide.

333

334 **ACTION:** Member Gilvarry stated that she is comfortable making a motion for NMED to continue with
335 the process that if the determination is found that these accusations are proven accurate that we would
336 also move for complete revocation with no option to reinstate his certifications. Member Gilvarry went

337 on say those are serious accusations. She said if the accusations are incorrect and there is enough
338 information that he did not do this then the Hearing Officer will be able to address that but the Board
339 can give NMED the leeway to move forward with complete revocation as they had done with the
340 previous person. Member Gilvarry stated that she is making a motion for that. Member Byers agrees
341 with Maria and would like to second her motion. Chair Eisen asked the Board if there were any other
342 comments before the motion is placed on the table. No other comments were made. Chair Eisen stated
343 that there is a motion on the table from Maria Gilvarry as stated, in summary, that the state can move
344 forward with the process for a hearing for revocation and if the allegations are proven legitimate that he
345 would be facing permanent revocation and being barred from further testing for a utility operator
346 certifications. Chair Eisen stated that she has a second by Craig Byers then asked the Board for all in
347 favor say Aye. All were in favor and no Board Member opposed. The motion passed unanimously and it
348 carries. Chair Eisen asked Jennifer Olson if the Board had met her needs. Jennifer replied that they had
349 and she is open for any questions from the Board. There were no additional questions.
350

351 **AGENDA ITEM 14. OTHER BUSINESS INCLUDING NEXT MEETING DATE**

352
353 **DISCUSSION:** Chair Eisen wanted to state that she and Maria Gilvarry had attended the New Mexico
354 Infrastructure Conference in Las Cruces. She stated that there was a lot of discussion on the need for
355 more utility operators and the different means of laying the ground work to bring more people into the
356 industry. Chair Eisen asked the Board to keep this topic in discussion and to send her emails for any
357 ideas on this. The Chair said she had made an outline on this subject that she had shared with Danielle
358 Shuryyn. Chair Eisen went on to state that she plans to revisit the outline and at the time of writing it she
359 had envisioned working with the Department of Work Force Solutions and developing the means to
360 really help support the Department of Work Force Solutions in the industry to grow new operators.
361 Chair Eisen asked Mr. Hall, depending on what the next agenda looks like, to couple this conversation
362 with the Apprenticeship Program from the New Mexico Rural Water Association and possibly a brief
363 update from Craig Byers on how successful their efforts, (New Mexico Water and Wastewater
364 Association), are so we could put a little more force behind the Operator-In-Training certification. Chair
365 Eisen asked for any additional comments on this. Mr. Hall stated that it sounds like a good idea. Chair
366 Eisen asked if anyone else had any other comments or any other business. There were no other
367 comments. Mr. Hall is looking at his calendar for the next meeting date. Mr. Hall proposed the next
368 meeting date to be on Thursday March 7th, 2024. All present Board Members said that date would work
369 fine. Chair Eisen asked Mr. Hall about Filiberto Aguirre and Bobby Towle's attendance of the last 2
370 meetings. She is concerned that 3 meetings in a row will put them at risk. Mr. Hall said he will contact
371 them. Chair Eisen asked everyone on the Board that when the Program puts an application review
372 request or anything else they are working on before the Board that she would appreciate a rapid
373 response so the Program can move forward on those items. Mr. Hall said he will reach-out to Filiberto
374 and Bobby. Chair Eisen stated that she will contact Bobby if Eric will get in touch with Filiberto.
375

376 **AGENDA ITEM 15. THE ADVISORY BOARD WILL RECEIVE PUBLIC COMMENTS**

377
378 **DISCUSSION:** Chair Eisen asked if there were any public comments. There were none.
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380 **AGENDA ITEM 16. ADJOURNMENT BY ROLL CALL**

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382 **ACTION:** Chair Eisen asked for a motion and a second to adjourn the meeting of the January 11, 2024
383 Utility Operator Certification Advisory Board at 11:06am. Member Graham made a motion to adjourn
384 the meeting. Member Byers seconded the motion. Chair Eisen proceeded with the roll call. Dale

385 Graham: yes, Sydney Hoke: yes, Maria Gilvarry: yes, Rick Mitchell: yes, Craig Byers: yes. Chair Eisen
386 stated that the motion carries and thanked all of the Board Members for their input.