

Staff Report
Board Meeting Date: July 25, 2024

DATE: July 18, 2024

TO: District Board of Health

FROM: David Kelly, Environmental Health Specialist Supervisor
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SUBJECT: Recommendation for the appointment to the Sewage Wastewater and Sanitation Hearing Board. Staff recommends the reappointments of Matt Buehler as a member and Matt Smith as an alternate, and the appointments of Chris Reede as a member and Julianne Zotter as an alternate for three-year terms beginning on August 1, 2024, and concluding on July 30, 2027. Other applicants include Robert Sweeney.

SUMMARY

The appointment of Mr. Matt Buehler (chair) as a member and Matt Smith as an alternate of the Sewage, Wastewater, and Sanitation Hearing Board (SWS Board) expired on June 30, 2024. Additionally, Mr. Frank Kurnik, Jr. voluntarily resigned from his position as a member. Mr. Ron Anderson has been non-responsive to all communication from staff for over a year, and staff recommends replacing him as an alternate. All submitted applications are attached. The new three-year terms would begin on August 1, 2024, and end on July 31, 2027.

EHS staff is recommending that the District Board of Health (DBOH) re-appoint Mr. Matt Buehler as a member and Mr. Matt Smith as an alternate for three-year terms to the SWS Board. Additionally, staff is recommending the initial appointment of Chris Reede as a member and Julianne Zotter as an alternate for a three-year term beginning August 1, 2024, and ending on July 31, 2027.

District Health Strategic Priority supported by this item:

- 2. Healthy Environment:** Create a healthier environment that allows people to safely enjoy everything Washoe County offers.

PREVIOUS ACTION

The last SWS Board member appointments occurred in April 2022. During the April 2022 meeting, the DBOH agreed with the staff's recommendations for the following initial appointments:

- Appointment of Mr. Carnes, P.E., Frank Kurnik Jr., Kenneth Lund, and John Adams for a three-year term (May 1, 2022 – April 30, 2025).

BACKGROUND

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The SWS Board, as established in the sewage, wastewater, and sanitation regulations, considers appeals of actions taken by Northern Nevada Public Health (NNPH) and assesses petitions for variances authorized by the regulations. Over the years, staff have sought professionals in these fields to provide valuable expertise to support and enhance the technical knowledge provided by program staff. The SWS Board consists of five members and two alternates, who will act as voting members if the regular members are unavailable. Appointments to the board are for three-year terms and require the board to have the following minimum qualifications:

- One member of the SWS Board shall be an attorney admitted to practice law in this state.
- One member of the SWS Board shall be an engineer registered in this state.
- One member of the SWS Board shall be a person who is not an employee of the Health Authority and:
 - a. Has at least two (2) years of experience in sanitary engineering or public health sanitation; or
 - b. Is knowledgeable in the construction and operation of on-site sewage disposal systems.
- The members of the SWS Board and alternates shall be residents of the Health District

The SWS Board meets when an appeal or request for a variance is filed. Over the last several years, this has been approximately 2-3 times a year. Here is the current list of SWS board members:

Member	Qualification	Term Expires
Matthew Buehler	Long term Board member and community activist with a degree in Biomedical Engineering and an advanced degree in Biology	June 24, 2024
Kenneth R. Lund	Real Estate Attorney	April 29, 2025
John Adams	Owner of a local construction company	April 29, 2025
Chad E. Carnes, P.E.	Local engineer with experience in septic design	April 29, 2025
Frank Kurnik, Jr.	Owner of local well drilling company	April 29, 2025
Matt Smith (Alternate)	General manager of a local septic company	June 24, 2024
Ronald J. Anderson, P.E. (Alternate)	Local engineer with experience in septic design	April 29, 2025

Solicitation for interest in serving on the SWS Board is an ongoing and open recruitment process that allows applicants wishing to serve on the SWS Board to directly apply using instructions on the EHS website. Since the two members' terms concluded on June 30, 2024, EHS staff sent out a notice of the upcoming position vacancy via an NNPH press release announcing the openings on the SWS Board.

To date, EHS staff have received five (5) applications, which have been attached to this report. Due to the technical nature of this advisory board, staff used the following criteria when making the recommendation to the board:

- Knowledge of regulations pertaining to septic systems and well construction.
- Knowledge/Experience in construction trades.
- Knowledge/Experience in real estate.
- History in community / Board experience

Staff reviewed the applicant pool and recommended the following candidates to the Board for reappointment/appointment:

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- Mr. Buehler has served on the SWS board since 2015. He has been the chair of the Board since May 2022. As such, he brings a lot of historical knowledge of the workings of the Board. His tenure has seen multiple variance petitions for different reasons and appeals of NNPH actions. Mr. Buehler is a long-term resident of Washoe County and is active in the community.
- Mr. Smith has extensive experience in the septic industry as an employee of the largest septic company in Washoe County. He has submitted multiple septic plans to NNPH for review and installed septic systems according to NNPH regulations. His knowledge of the regulatory requirements and the challenges of septic construction makes him an ideal candidate.
- Mr. Reede owns a local well drilling company, Double R Water Well Services. He is a licensed driller with knowledge and experience in the well-drilling industry. The SWS Board also hears appeals and petitions for variances in the regulations governing Well Construction, and having a representative from the well industry on the Board is very important.
- Ms. Zotter is an engineer who works with Robison Engineering. Her work includes submitting designs for new septic installations for NNPH to review. Staff have worked with Ms. Zotter extensively and are confident in her understanding of the septic regulations in Washoe County.

Staff are confident the applicants being recommended for reappointment and appointment to the SWS Board will continue to provide a wide range of experience, knowledge, and expertise to help address septic and well construction issues in Washoe County and will represent our community interests well.

The recommended candidates' appointments will completely fill the SWS Board, including alternates. Currently, no SWS Board meeting is scheduled; however, one variance application is waiting to be heard, so the appointment of candidates to the Board is considered time-sensitive to avoid delaying any necessary hearings.

FISCAL IMPACT

As these are voluntary positions, the reappointments will not impact Northern Nevada Public Health fiscally.

RECOMMENDATION

Staff recommends that the board reappoint Matt Buehler as a member and Matt Smith as an alternate and appoint Chris Reede as a member and Julianne Zotter as an alternate for three-year terms beginning on August 1, 2024, and concluding on July 30, 2027.

POSSIBLE MOTION

Should the Board agree with the recommendation, a possible motion would be:

1. "Move to reappoint Matt Buehler as a member and Matt Smith as an alternate and appoint Chris Reede as a member and Julianne Zotter as an alternate for three-year terms beginning on August 1, 2024, and concluding on July 30, 2027, to the Sewage, Wastewater, and Sanitation Hearing Board."

Or, should the Board wish to consider an alternative motion, the possible motion may be:

1. "Move to appoint (*name of applicant*) to the Sewage, Wastewater, and Sanitation Board three-year term beginning August 1, 2024, and concluding on July 31, 2027" or

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2. "Move to continue the item to the next meeting to allow for additional consideration by the Board."