

# **BOARD FOR PROFESSIONAL AND OCCUPATIONAL REGULATION**

## **MINUTES**

The Board for Professional and Occupational Regulation met on Monday, November 16, 2009, at the Department of Professional and Occupational Regulation, 9960 Mayland Drive, Richmond, Virginia. The following members were present for all or part of the meeting:

Laurie Buchwald  
Elizabeth G. Cake, Vice-Chair  
Walter Fore  
Daniel Nix  
William Alfred Tucker

Board members Julie Clifford, James Demmel, Heather Martin and Deborah Icenhour were not present at the meeting.

The following staff was present for all or part of the meeting:

Jay W. DeBoer, Director  
Mark N. Courtney, Deputy Director for Licensing and Regulation  
Kate Nobsch, Executive Director  
Steven P. Jack, Assistant Attorney General  
Amy Goobic, Administrative Assistant

In the absence of Mr. Demmel, Chair, Ms. Cake, Vice-Chair, called the meeting to order at 10:04 a.m.

**Call to Order**

Ms. Cake introduced Mr. Nix and welcomed him to the Board.

**Welcome &  
Introduction of  
New Board  
Member**

Ms. Nobsch advised the Board of the emergency evacuation procedures.

**Emergency  
Evacuation  
Procedures**

Mr. Tucker made a motion to approve the agenda as presented. Mr. Fore seconded the motion, which was unanimously approved by members: Buchwald, Cake, Fore, Nix and Tucker.

**Agenda Approval**

Mr. Fore made a motion to approve the September 14, 2009, minutes as amended. Mr. Tucker seconded the motion, which was unanimously approved by members: Buchwald, Cake, Fore, Nix and Tucker.

**Approval of  
Minutes**

There were no public comments made to the Board.

**Public Comment**

Mr. DeBoer welcomed the Board members and reminded them that this was the last board meeting under the Kaine administration. Mr. DeBoer reported that, the most recent budget bill passed by the General Assembly included a provision to assess agencies 10% of their administrative budget, this is taken from the agency reserve fund.

**Jay W. DeBoer,**  
**Director's Report**

Mr. DeBoer reported that the office expansion on the first floor of the building was complete. DPOR Customer Service, the Contractors Board and the Administration & Finance department have moved to the new space in September. Mr. DeBoer stated that the agency currently has 205 employees, and that due to new regulatory action, the agency should continue to grow.

Mr. DeBoer also reported that there will be two new phases of the EAGLES licensing system launching in the near future.

Mr. DeBoer informed the Board that with the upcoming General Assembly, the agency would be monitoring the session for legislation that would impact the DPOR.

At the conclusion of Mr. Deboer's report, Mr. Fore stated that he would like to have a letter sent to Governor-elect McDonnell, requesting that Mr. DeBoer remain as the Director of DPOR after the change in administration. Ms. Buchwald commented that with the economic climate, it would seem to be inefficient to make a change at this time. Mr. Fore moved to have a letter drafted stating the Board's request. Ms. Buchwald seconded the motion and was unanimously approved by members: Buchwald, Cake, Fore, Nix and Tucker. Mr. Courtney offered to draft a letter.

Pamela Kamalakkannan, Finance Director, reported on the APA (Auditor of Public Accounts) Audit for the years ended June 30, 2008, and June 30, 2009. The audit summary for these years found proper recording and reporting of transactions in the Commonwealth Accounting and Reporting System and the Department's internal licensing system. It also mentioned matters involving internal control and operations necessary to bring to management's attention; and it found instances of non-compliance with applicable regulations that are required to be reported.

**APA Audit**  
**Report**

The audit recommended that DPOR reevaluate all agency systems and determine if they support critical functions or contain sensitive data. Based on the evaluation, DPOR should update or complete Risk Assessments for each system.

Ms. Martine gave a presentation on the Real Estate Appraiser Board.

**Christine Martine**  
**- Executive**  
**Director, Real**  
**Estate Appraiser**  
**Board**

Mr. Courtney provided the Board members with training on the roles and responsibilities of members of the Board.

**Board member**  
**Roles &**  
**Responsibilities**  
**Training**

Board members were given an updated list of the board liaison assignments for 2009-2010. Additionally, Ms. Goobic will provide Board members with a complete calendar of all board meetings.

**Board Liaison**  
**Assignment**  
**Review**

The Board members further discussed the proposed letter to the gubernatorial transition team. The Board requested the members be copied on the letter.

**Other Business**

Mr. Tucker moved to adjourn. Mr. Fore seconded the motion, which was unanimously approved by members: Buchwald, Cake, Fore, Nix and Tucker. The meeting adjourned at 11:40 a.m.

**Adjournment**

Board members Laurie Buchwald, Elizabeth Cake and Daniel Nix participated in the Conflict of Interest Act training as they were not in attendance at the September 14 meeting. The training is required of all board members. Board members signed certificates verifying that they had completed the course.

**Conflict of**  
**Interest Act**  
**Training**

  
James M. Demmel, Chair

  
Jay W. DeBoer, Director

**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1. Name: Walter Fore  
2. Title: Board Member  
3. Agency: Board for Professional & Occupational Regulation  
4. Meeting/IFF Date: Board Meeting November 16, 2009

5. I have a personal interest in the following transaction:

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Nature of Personal Interest Affected by Transaction:

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I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

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I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6.  I do not have a personal interest in any transactions taken at this meeting.

Walter M. Fore  
Signature

11/16/09  
Date

**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1. Name: Laurie Buchwald  
2. Title: Board Member  
3. Agency: Board for Professional & Occupational Regulation  
4. Meeting/IFF Date: Board Meeting November 16, 2009

5. I have a personal interest in the following transaction:

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Nature of Personal Interest Affected by Transaction:

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I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

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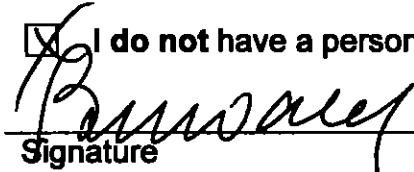
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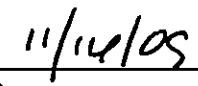
I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6.  I do not have a personal interest in any transactions taken at this meeting.

  
Signature

  
Date

**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1. Name: William Alfred Tucker
2. Title: Board Member
3. Agency: Board for Professional & Occupational Regulation
4. Meeting/IFF Date: Board Meeting November 16, 2009

5. I have a personal interest in the following transaction:

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Nature of Personal Interest Affected by Transaction:

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I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

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I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6.  I do not have a personal interest in any transactions taken at this meeting.

*William A. Tucker*  
Signature

*11/16/09*  
Date

**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1. Name: Elizabeth Garrett Cake  
2. Title: Board Member  
3. Agency: Board for Professional & Occupational Regulation  
4. Meeting/IFF Date: Board Meeting November 16, 2009

5. I have a personal interest in the following transaction:

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Nature of Personal Interest Affected by Transaction:

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I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

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I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6.  I do not have a personal interest in any transactions taken at this meeting.

Elizabeth A. Cake  
Signature

11.16.09  
Date

**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1. Name: Daniel Nix
2. Title: Board Member
3. Agency: Board for Professional & Occupational Regulation
4. Meeting/IFF Date: Board Meeting November 16, 2009
5. I have a personal interest in the following transaction:

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*Nature of Personal Interest Affected by Transaction:*

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I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

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I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6.  I do not have a personal interest in any transactions taken at this meeting.

  
Signature

11/16/09  
Date