

BOARD FOR PROFESSIONAL AND OCCUPATIONAL REGULATION

MINUTES

The Board for Professional and Occupational Regulation met on Monday, September 8, 2008, 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
Julie Clifford
James Demmel, Vice Chair
Maxime A. Frias
Walter Fore
Heather L. Martin
William Alfred Tucker

The following members were absent for all or part of the meeting:

Ronald Lushbaugh

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

Jay W. DeBoer, Director
Mark N. Courtney, Deputy Director for Licensing and Regulation
Kathleen R. Nosbisch, Executive Director
Christine Martine, Executive Director
Trisha Henshaw, Executive Director
Steven P. Jack, Assistant Attorney General
Judy Spiller, Executive Secretary

Chair Frias welcomed everyone, thanked Vice-Chair Demmel for presiding at the last meeting in his absence, and called the meeting to order at 10:04 a.m., noting that a quorum was present.

Call to Order

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

Agenda
Approval

Mr. Tucker made a motion to approve the June 2, 2008, minutes, as presented. Mr. Fore seconded the motion, which was unanimously approved by members: Buchwald, Cake, Clifford, Demmel, Frias, Fore, Martin, and Tucker.

Approval of
Minutes

There was no public comment made to the Board.

Public
Comment

Chair Frias welcomed new Board member Heather L. Martin, who introduced herself to the Board. Her introduction was followed by introduction of members present, which included a welcome to the new Executive Director for the Board, Kathleen R. (Kate) Nosbisch.

Welcome to Heather L. Martin and Kathleen R. Nosbisch

Director DeBoer welcomed everyone to the meeting and apologized for the exceptionally warm greeting – 90 plus degrees in the building. He explained that employees could take liberal leave, but the Department would maintain a skeletal staff for those coming to Customer Service to obtain licenses.

Jay W. DeBoer, Director's Report: Warm Greeting

Governor Kaine has instructed state agencies to provide teleworking opportunities and alternate work schedules for employees. Currently, 197 staff members are employed by the Department, in part due to the influx of people to support the new Common Interest Community Board. Heather Gillespie has been hired as the Ombudsman for the new Board.

Teleworking/ Alternate Work Schedules

All state agencies have been directed to prepare three budgets with 5%, 10%, and 15% cuts. As a non-general fund agency, the Department is not as affected by the budget shortfall as general fund agencies, but it has had to limit travel, leave some positions vacant, and hire with the permission of the Secretary of Commerce and Trade.

Budget Shortfall

Mark Courtney, Deputy Director for Licensing and Regulation, updated the Board on the Study of Sign Language Interpreters and Transliterators and distributed CD's and notebooks with background information to board members so they might review the information before the next board meeting in November. Dates have not been set for the five public hearings to be held across Virginia, as this needs to be coordinated with the Department for the Deaf and Hard-of-Hearing. Board members will assist with the public hearings closest to their homes and will receive another CD of the hearing transcripts following the public hearings.

Agency Reports: Study of Sign Language Interpreters and Transliterators Update– Mark Courtney, Deputy Director for Licensing and Regulation

Christine Martine, Executive Director of the Real Estate Board, gave a presentation of the Board Academy for the Real Estate Board. This board is the second largest board in number of licensees behind the Board for Contractors. The Real Estate Board consists of nine members, seven of whom must be a licensee. There are three classifications of licensees and three classifications of applications – Salesperson, Broker, and Firm. The Real Estate Board manages the Real Estate Transaction Recovery Fund to financially assist those persons who have been victimized by real estate professionals.

Real Estate Board – Board Academy – Christine Martine, Executive Director

The Common Interest Community (CIC) Board held its first meeting on September 4, 2008, with all 11 board members in attendance. Trisha Henshaw, Executive Director, updated the Board and stated that there would be another CIC Board meeting on September 15, 2008, to work on Board regulations.

CIC Board – Executive Director Trisha Henshaw

Director DeBoer conducted the election of officers. A motion was made by Mr. Tucker to accept Chair Maxime A. Frias and Vice-Chair James Demmel for a second term. The motion was seconded by Mr. Fore and, as there were no objections to closing the nominations, Chair Frias and Vice-Chair Demmel were elected by acclamation.

Other Business:
Election of
Officers

The Board considered the proposed board meeting dates for 2009: March 2, 2009; June 8, 2009; September 14, 2009; and November 16, 2009. Mr. Tucker made a motion to accept the proposed board meeting dates for 2009. The motion was seconded by Mr. Fore, which was unanimously approved by members: Buchwald, Cake, Clifford, Demmel, Frias, Fore, Martin, and Tucker.


Adoption of
Proposed Board
Meeting Dates
for 2009

A Resolution for Board Member Nancy Finley Barbour was read, thanking her for her service to the Board and the Department. A motion was made by Mr. Tucker to adopt the Resolution for Ms. Barbour and have it made a part of the minutes. The motion was seconded by Mr. Fore, which was unanimously approved by members: Buchwald, Cake, Clifford, Demmel, Frias, Fore, Martin, and Tucker.

Adoption of
Resolution for
Board Member
Nancy Finley
Barbour

Mr. Fore moved to adjourn. Mr. Demmel seconded the motion, which was unanimously approved by members: Buchwald, Cake, Clifford, Demmel, Frias, Fore, Martin, and Tucker. The meeting adjourned at 10:57 a.m.

Adjournment


Maxime A. Frias, Chair
James Demmel, Vice-Chair


Jay W. DeBoer, Director



Commonwealth of Virginia

BOARD FOR PROFESSIONAL AND OCCUPATIONAL REGULATION

RESOLUTION TO

Nancy Finley Barbour

WHEREAS, Nancy Finley Barbour, did faithfully and diligently serve as a member of the Virginia Board for Professional and Occupational Regulation from 2004 to 2008;

WHEREAS, Nancy Finley Barbour, did devote generously of her time, talent and leadership to the Board;

WHEREAS, Nancy Finley Barbour, did endeavor at all times to render decisions with fairness and good judgment in the best interest of the citizens of the Commonwealth and these professions; and

WHEREAS, the Virginia Board for Professional and Occupational Regulation wishes to acknowledge its gratitude for devoted service of a person who is held in high esteem by the members of the Board and the citizens of the Commonwealth;

NOW THEREFORE BE IT RESOLVED, by the Virginia Board for Professional and Occupational Regulation this 8th day of September, 2008, that Nancy Finley Barbour, be given all honors and respect due her for her outstanding service to the Commonwealth and its citizens; and

BE IT FURTHER RESOLVED, that this Resolution be presented to her and be made a part of the official minutes of the Board so that all may know of the high regard in which she is held by this Board.