

**BOARD FOR PROFESSIONAL SOIL SCIENTISTS AND WETLAND PROFESSIONALS
MEETING MINUTES**

The Board for Professional Soil Scientists and Wetland Professionals met on October 12, 2011, at the Department of Professional and Occupational Regulation, 9960 Mayland Drive, Richmond, Virginia, with the following members present:

Robert B. Atkinson
Nancy Barker
Douglas S. Davis
Charles E. Nelson
H. Thomas Saxton
Angela C. Whitehead

Board member Angie Hall was not present at the meeting.

Staff present for all or part of the meeting were:

Gordon N. Dixon, Director
Mark N. Courtney, Deputy Director of Licensing and Regulation
Kathleen R. Nobsch, Executive Director
Justin Garofalo, Board Administrator
Amy Goobic, Administrative Assistant
Sharon Sweet, Director of Examinations

There was no representative from the Office of the Attorney General present.

Finding a quorum of the Board present, Ms. Barker, Chair, called the meeting to order at 10:00 a.m.

Call to Order

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

**Emergency Evacuation
Procedures**

Ms. Whitehead moved to approve the agenda as amended. Mr. Davis seconded the motion which was unanimously approved by members: Atkinson, Barker, Davis, Nelson, Saxton and Whitehead.

Approval of Agenda

Dr. Atkinson moved to approve the minutes from the following meeting:
- July 19, 2011, Board Meeting

Approval of Minutes

Mr. Nelson seconded the motion which was unanimously approved by members: Atkinson, Barker, Davis, Nelson, Saxton and Whitehead.

Public Comment Period – There were no comments made to the Board.

Public Comment Period

Ms. Nobsch informed the Board that the Notice of Intended Regulator Action (NOIRA) had been filed and the public comment period for the NOIRA is October 10 through November 9, 2011. The Board will discuss any public comments at its meeting January 10, 2012.

Regulatory Update

Sharon Sweet, DPOR Director of Exams; Dawn Ferris of the Soil Scientist Society of America (SSSA); and Lexie Jones, President, Virginia Association of Professional Soil Scientists (VAPSS), were all present to participate in the discussion of the soil scientist exam.

Discussion of Soil Scientist Exam

Ms. Jones addressed the Board and stated that VAPSS supports the use of the SSSA/CSSE exam.

Ms. Ferris provided background information on the Council of Soil Scientist Examiners (CSSE), of the Soil Science Society of America, and the national exams they write and administer. She explained that the exam questions are based on performance objectives; the fundamentals exam is 150 multiple choice questions; the professional practice exam is taken after 5 years of experience and is scenario based with 120 multiple choice questions. Ms. Ferris stated that all but two states that offer soil scientist licensing, use the CSSE exam, however those two states do use the fundamentals exam, but not the professional practice exam. Ms. Ferris stated that a national exam is beneficial for reciprocal and comity licensing in other states.

Ms. Sweet provided the Board information on the current state exam offered to applicants. Ms. Sweet explained that the exam was developed several years ago, so it is not as up-to-date as the CSSE exam. Ms. Sweet remarked that there would be advantages to the CSSE exam such as: reciprocity or comity with other states; more current exam content, as CSSE updates exams every two years; less expensive because there would be no development cost; no geographical bias as the exam writers come from all over the country. However, there are some disadvantages such as the Board not having the ability to review the exam questions; the Board could not control the cut score or exam schedule; and the exam fees would be set by CSSE.

Discussion was held on the cost of the CSSE exam versus the state owned exam. Ms. Ferris informed the Board that there is a \$2,000.00 per year fee, but no additional cost to have CSSE set up test site and proctors. Test sites are typically at a university or college and Proctors are usually volunteer professors or faculty members. The cost for each exam is \$150.00, application fees would be determined by the Board. Ms. Sweet stated that the one-time cost to develop the state owned Soil Science exam was \$22,000 and the Wetland exam was \$10,000. The

exams were developed in 2007.

Discussion was held on the determination of the cut score and dissemination of exam scores. Ms. Ferris stated that the exams are reviewed by the CSSE and a thorough statistical analysis is performed to determine the cut score. Exam results are sent to the Board in approximately six weeks.

Mr. Courtney stated that if the Board agreed to a national exam, they would need to put out a Request for Proposal (RFP).

Ms. Nosbisch informed the Board that she received an email from Mr. Paul Pitera, asking if the Board has discussed a seal for Professional Wetland Delineators (PWD).

Discussion of Professional Wetland Delineator Seal

Discussion was held on the use of a PWD seal. As there is nothing prohibiting the use of a seal in the Board's regulations, it would be up to the PWD to ensure the seal does not misrepresent the certification or other information. Mr. Davis commented that wetland delineation can be very subjective, so a PWD would need to be careful with sealing documents. The Board agreed by consensus to take the matter under advisement for further discussion.

The Board members were provided with the Board financial statements for informational purposes. Ms. Nosbisch will obtain information from the Finance Department regarding the financial impact of the \$2000.00 per year fee for the CSSE exam and present to the Board at its January 2012 meeting.

Review of Financial Statements

Ms. Nosbisch informed the Board that she had been contacted by Mr. Robin Bedenbaugh, Virginia Association of Wetland Professionals (VAWP), inquiring about WD applications that had been denied due to not meeting the years of experience under a PWD. Mr. Bedenbaugh stated that he knows of several individuals who have not applied as they could not meet the experience requirement. To date, the Board has two applications that have not met the years of experience criteria. Discussion was held on the difficulty to obtain the required experience under a PWD. Mr. Courtney informed the Board that the requirement was in statute.

Other Business

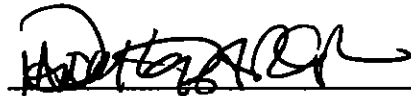
There being no further business, the meeting was adjourned at 11:44 a.m. At the conclusion of the meeting, Dr. Atkinson stayed to complete the Conflict of Interests Act Training.

Adjournment

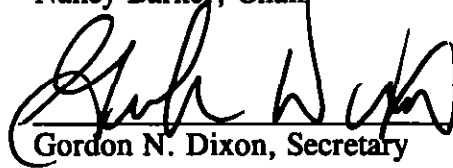
Board for Professional Soil Scientists and Wetland Professionals

October 12, 2011

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Nancy Barker, Chair



Gordon N. Dixon, Secretary

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

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

1. Name: Charles E. Nelson
2. Title: Board Member
3. Agency: Board for Professional Soil Scientists and Wetland Professionals
4. Meeting/IFF Date: Board Meeting October 12, 2011

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

Nature of Personal Interest Affected by Transaction:

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

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.

Charles E. Nelson
Signature

Oct 12, 2011
Date

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

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

1. Name: Dr. Robert B. Atkinson
2. Title: Board Member
3. Agency: Board for Professional Soil Scientists and Wetland Professionals
4. Meeting/IFF Date: Board Meeting October 12, 2011

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

NA

Nature of Personal Interest Affected by Transaction:

NA

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


NA

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

October 12, 2011
Date

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

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

1. Name: Douglas S. Davis
2. Title: Board Member
3. Agency: Board for Professional Soil Scientists and Wetland Professionals
4. Meeting/IFF Date: Board Meeting October 12, 2011

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

Nature of Personal Interest Affected by Transaction:

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

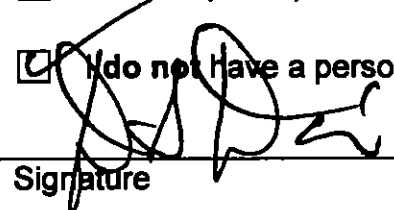
I am able to participate in this transaction fairly, objectively, and in the public interest.

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

12 Oct 11

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

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

1. Name: Angela C. Whitehead
2. Title: Board Member
3. Agency: Board for Professional Soil Scientists and Wetland Professionals
4. Meeting/IFF Date: Board Meeting October 12, 2011

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

NA

Nature of Personal Interest Affected by Transaction:

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

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.

Angela Whitehead
Signature

10/12/11
Date

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

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

1. **Name:** Tom Saxton
2. **Title:** Board Member
3. **Agency:** Board for Professional Soil Scientists and Wetland Professionals
4. **Meeting/IFF Date:** Board Meeting October 12, 2011

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

Nature of Personal Interest Affected by Transaction:

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

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

10-12-11
Date

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

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

1. Name: Nancy G. Barker
2. Title: Board Member
3. Agency: Board for Professional Soil Scientists and Wetland Professionals
4. Meeting/IFF Date: Board Meeting October 12, 2011

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

N/A

Nature of Personal Interest Affected by Transaction:

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

N/A

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.

Nancy G. Barker
Signature

10/12/2011
Date