

BOARD FOR PROFESSIONAL SOIL SCIENTISTS, WETLAND PROFESSIONALS and  
GEOLOGISTS MEETING MINUTES

The Board for Professional Soil Scientists, Wetland Professionals and Geologists met on June 28, 2022 at the Department of Professional and Occupational Regulation (DPOR), 9960 Mayland Drive, Richmond, Virginia, with the following members present for all or part of the meeting:

Citizens

Robin Jones

Geologists

Michael Lawless

Drew Thomas

David Spears

Soil Scientists

David Hall

Alexis Jones

Wetland Delineators

Robin Bedenbaugh

Justin Brown

Board members Warren “Ted” Dean, Bennette Burks, Larry Giannasi, Molly Parker, and Doug DeBerry were not present at the meeting with regrets.

Staff present for all or part of the meeting were:

Demetrios Melis, Director

Kishore Thota, Chief Deputy Director

Kathleen (Kate) R. Nosbisch, Executive Director

Breanne Henshaw, Administrative Coordinator

Elizabeth Peay, Assistant Attorney General, was present from the office of the Attorney General.

Mr. Thomas, Vice Chair, called the meeting to order at 10:03 a.m.

Call to Order

Mr. Thomas advised the Board of the emergency evacuation procedures.

Emergency  
Evacuation

Ms. Nosbisch stated that Mr. DeBerry, Ms. Parker, Mr. Giannasi, Mr. Burks, and Mr. Dean send their regrets. Ms. Nosbisch introduced Mr. Melis, DPOR Director, to the Board. Mr. Melis informed the Board of current initiatives being taken on by DPOR, including upgrading technology and, therefore, efficiency by better meeting customer service needs. Ms. Nosbisch also introduced Jennifer Sayegh, DPOR’s new Policy and Legislative Affairs Manager, and Shannon Webster, Director of Examinations and Workforce Development Director.

Announcements

Mr. Lawless moved to approve the agenda. Ms. A. Jones seconded the motion, which was unanimously approved by members: Bedenbaugh, Brown, Hall, A. Jones, R. Jones, Lawless, Spears, and Thomas.

Approval of  
Agenda

Ms. R. Jones moved to approve the minutes from the February 19, 2020, Board

Approval of

for Professional Soil Scientists, Wetland Professionals, and Geologists meeting. Mr. Bedenbaugh seconded the motion, which was approved by members: Bedenbaugh, Brown, Hall, A. Jones, R. Jones, Lawless, and Spears. Mr. Thomas abstained.

**Minutes**

Mr. Spears moved to approve the minutes from the March 29, 2022, Board for Professional Soil Scientists, Wetland Professionals, and Geologists meeting. Mr. Bedenbaugh seconded the motion, which was unanimously approved by members: Bedenbaugh, Brown, Hall, A. Jones, R. Jones, Lawless, Spears, and Thomas.

There was no public comment.

**Public Comment Period**

Ms. Nosbisch informed the Board that nominations for the ASBOG Executive Committee were due on May 31, 2022. Ms. Nosbisch congratulated Mr. Thomas on his appointment to the ASBOG Ethics Committee.

**ASBOG Executive Committee Nominations – Email sent May 9, 2022**

Mr. Brown submitted an email on June 7, 2022 with an inquiry from DEQ regarding guidance and clarification needed on the qualifying experience for their employees who are in the Virginia Water Protection Program. DEQ would like to know what type of documentation of the 30 delineations required by 18VAC145-30-50.2. would be acceptable. Mr. Brown stated the Wetland Delineators have not yet received an applicant who is applying based on this information, but it would be helpful to gain insight from the Board on this inquiry. The Board discussed the broadly written regulation, 18VAC145-30-50.2., and how this would not prevent DEQ's staff from applying based on their wetland delineation determination experience. The Board discussed the fact that not all DEQ permit writers will conduct a site visit in the field and it would be important for them to have this experience if they were to leave DEQ after having obtained the wetland delineator certification. The Board concluded that Ms. Nosbisch will submit a response to DEQ on behalf of the Board, which states any professional documentation on any surface water determination done within the last two years will be reviewed based on 18VAC145-30-50.2. Ms. Nosbisch will send a draft of the response to Mr. Bedenbaugh and Mr. Brown for review before forwarding the information on to DEQ.

**Virginia DEQ Inquiry – Wetland Delineation**

Mr. Brown offered draft language for the DPOR website in regards to the Wetland Delineation Training. The Board discussed this language and concluded that they will list the following question and answer under the FAQ page: "Does the course in state and federal wetland delineation methods need to contain an instructor led field component? The course must have a field component. It is strongly recommended that a course with an instructor led field component is

**Wetland Delineation Training – Draft Language for the DPOR Website**

taken to ensure appropriate procedures are learned.”

Ms. Nosbisch informed the Board that according to the usual rotation, the vice chair can assume the position of chair and then a board member from the next position/seat is elected vice chair to ensure each seat on the Board has an opportunity to be represented.

**Election of Officers**

Ms. Nosbisch opened the floor for nominations for Board Chair. Mr. Bedenbaugh nominated Mr. Thomas, current vice chair, for the position of Chair. As there were no other nominations from the floor, Ms. Nosbisch closed the nominations. Mr. Spears seconded the motion. The motion was unanimously approved by members: Bedenbaugh, Brown, Hall, A. Jones, R. Jones, Lawless, Spears, and Thomas.

Ms. Nosbisch opened the floor for nominations for Board Vice Chair. Mr. Bedenbaugh nominated Ms. R. Jones for the position of Vice Chair. As there were no other nominations from the floor, Ms. Nosbisch closed the nominations. Mr. Spears seconded the motion. The motion was unanimously approved by members: Bedenbaugh, Brown, Hall, A. Jones, R. Jones, Lawless, Spears, and Thomas.

Ms. Nosbisch informed the Board that the 2022 meeting dates are on the agenda as tentative meeting dates if the Board has business. Mr. Bedenbaugh informed the Board of Mr. DeBerry’s scheduling conflict with Tuesdays and asked Ms. Nosbisch to provide the dates to Mr. DeBerry for review as well. Ms. Nosbisch confirmed that she will discuss the dates with Mr. DeBerry. Ms. A. Jones moved to approve the 2022 meeting dates. Mr. Bedenbaugh seconded the motion, which was unanimously approved by members: Bedenbaugh, Brown, Hall, A. Jones, R. Jones, Lawless, Spears, and Thomas.

**Consideration of 2022 Meeting Dates**

The Board reviewed the 2023 meeting dates. Ms. A. Jones moved to approve the 2023 meeting dates. Mr. Lawless seconded the motion, which was unanimously approved by members: Bedenbaugh, Brown, Hall, A. Jones, R. Jones, Lawless, Spears, and Thomas.

**Consideration of 2023 Meeting Dates**

Ms. Nosbisch informed the Board that there were no public comments received during the public comment period for the fee increase regulatory action previously approved by the Board. The Board was presented with the draft language for the fee increase for submission to the Registrar’s Office as it moves to the second (proposed) phase of the process. Ms. A. Jones moved to approve the fee increase action. Mr. Lawless seconded the motion, which was unanimously approved by members: Bedenbaugh, Brown, Hall, A. Jones, R. Jones, Lawless, Spears, and Thomas.

**Fee Increase**

Ms. Nosbisch informed the Board of the upcoming Board Member Training

**Board Member**

Conference, which will take place in Williamsburg, VA. Ms. Nobsisch asked the Board members that were present at the previous conference to speak on their experience. Mr. Spears indicated it was time well spent at the previous conference. Mr. Spears continued by stating he learned a lot about how the government worked and how the Board's regulations fit into that. Mr. Lawless concurred with Mr. Spears' assessment of the previous conference and added that it was great meeting members of other regulatory boards in order to understand how they operate. Mr. Thomas and Mr. Brown shared the same sentiment as those shared by Mr. Spears and Mr. Lawless.

**Conference –  
October 13 –  
October 14, 2022**

Ms. Nobsisch reviewed the licensee counts as of June 1, 2022: Soil Scientists – 80; Wetland Delineators – 117; Geologists – 909.

**Licensed and  
Certified  
Population**

Ms. Nobsisch informed the Board that the financial statements were included for informational purposes.

**Financial  
Statements**

Ms. Nobsisch informed the Board that Mr. Dean will conclude his second term with the Board on June 30, 2022. Ms. Nobsisch stated Board members are to serve until a new Board member is appointed. Mr. Brown's first term will expire on June 30, 2022 and he will be eligible for reappointment.

**Other Business**

Conflict of Interest forms and travel vouchers were completed by all board members present.

**Conflict of Interest  
Forms/Travel  
Vouchers**

There being no further business, the meeting was adjourned at 10:47 a.m.

**Adjournment**

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R. Drew Thomas, Chair

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Demetrious Melis, Secretary

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

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

1. Name: Robin Bedenbaugh
2. Title: Board Member
3. Agency: Board for Professional Soil Scientists, Wetland Professionals and Geologists
4. Meeting/IFF Date: Board Meeting June 28, 2022

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.

Robin L. Bedenbaugh  
Signature

6/28/22  
Date

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

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

1. Name: Michael D. Lawless
2. Title: Board Member
3. Agency: Board for Professional Soil Scientists, Wetland  
Professionals and Geologists
4. Meeting/IFF Date: Board Meeting June 28, 2022

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

6/28/22  
\_\_\_\_\_  
Date

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

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

1. Name: Justin T. Brown
2. Title: Board Member
3. Agency: Board for Professional Soil Scientists, Wetland Professionals and Geologists
4. Meeting/IFF Date: Board Meeting June 28, 2022

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:

\_\_\_\_\_

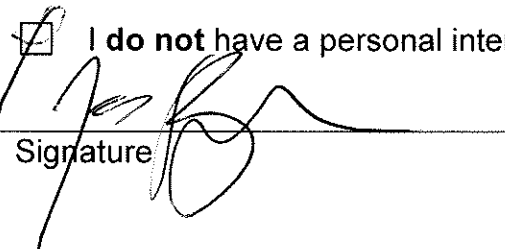
I am able to participate in this transaction fairly, objectively, and in the public interest.

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

6/28/2022

STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT

TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government

1. Name: Robin Jones
2. Title: Board Member
3. Agency: Board for Professional Soil Scientists, Wetland Professionals and Geologists
4. Meeting/IFF Date: Board Meeting June 28, 2022

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

N/A

Nature of Personal Interest Affected by Transaction:

N/A

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

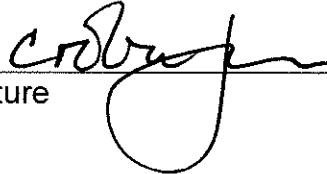
I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

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

Signature



Date

6/28/22



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

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

1. Name: R. Drew Thomas
2. Title: Board Member
3. Agency: Board for Professional Soil Scientists, Wetland Professionals and Geologists
4. Meeting/IFF Date: Board Meeting June 28, 2022

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.

R. Drew Thomas  
Signature

6.28.2022  
Date

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

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

1. Name: David Spears
2. Title: Board Member
3. Agency: Board for Professional Soil Scientists, Wetland Professionals and Geologists
4. Meeting/IFF Date: Board Meeting June 28, 2022

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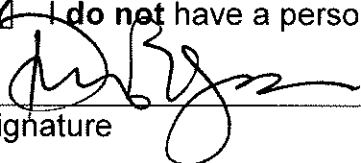
I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

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

Signature



Date

6/28/2022

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

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

1. Name: David Hall
2. Title: Board Member
3. Agency: Board for Professional Soil Scientists, Wetland Professionals and Geologists
4. Meeting/IFF Date: Board Meeting June 28, 2022

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:

\_\_\_\_\_

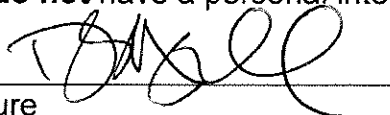
I am able to participate in this transaction fairly, objectively, and in the public interest.

or

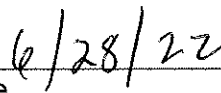
I did not participate in the transaction.

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

Signature



Date



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

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

1. Name: Alexis E. Jones
2. Title: Board Member
3. Agency: Board for Professional Soil Scientists, Wetland Professionals and Geologists
4. Meeting/IFF Date: Board Meeting June 28, 2022

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:

\_\_\_\_\_

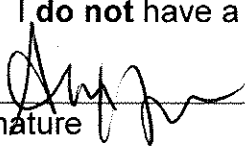
I am able to participate in this transaction fairly, objectively, and in the public interest.

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

June 28, 2022