

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

The Board for Professional Soil Scientists and Wetland Professionals met on April 21, 2010, at the Department of Professional and Occupational Regulation, 9960 Mayland Drive, Richmond, Virginia, with the following members present:

Robert B. Atkinson  
Nancy Barker  
David Davis  
Charles Nelson  
Tom Saxton  
Angela Whitehead

Board member Penelope Melino was not present at the meeting.

Staff present for all or part of the meeting were:

Jay DeBoer, Director  
Mark N. Courtney, Deputy Director of Licensing and Regulation  
Kathleen R. Nosbisch, Executive Director  
Marian H. Brooks, Board Administrator  
Justin Garofalo, Board Administrator  
Amy Goobic, Administrative Assistant

Elizabeth Peay, from the Office of the Attorney General was present.

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

**Call to Order**

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

**Emergency Evacuation  
Procedures**

Ms. Barker 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 29, 2009, Board Meeting

**Approval of Minutes**

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

Ms. Nosbisch acknowledged Soil Stewardship Week, April 25- May 2.

**Soil Stewardship Week**

Ms. Nosbisch introduced new staff member: Justin Garofalo, Board Administrator.

**Welcome and  
Introduction of New Staff**

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

**Public Comment Period**

Ms. Nosbisch provided exam statistics for Professional Soil Scientist and Wetland Professionals from the August 2009 and February 2010 exams. Ms. Nosbisch also informed the board that as of April 20, 2010, there were 137 certified Soil Scientists and 93 certified Wetland Delineators.

**Exam Statistics**

The Board members were provided with the Board financial statements for informational purposes.

**Review of Financial Statements**

Discussion was held on the fee reduction recommendations from the Finance department. The board discussed three reduction proposals that were presented by the Finance department, taking into consideration the future costs of new exams. Mr. Davis moved to choose Proposal B, with the provision that Ms. Nosbisch would review exam costs and their cost effect. Mr. Nelson seconded the motion, which was unanimously approved by members: Atkinson, Barker, Davis, Nelson, Saxton and Whitehead.

**Financial Analysis & Fee Recommendations**

Ms. Nosbisch informed the Board that the regulation changes resulting from the exempt regulatory action pertaining to portions of statute 54.1-2206 of the Code of Virginia that had been changed by the General Assembly in 2003, were incorporated into the Soil Scientists and Wetland Professionals regulations October 1, 2009.

**Regulatory Update**

Ms. Nosbisch also gave a brief update on the 2010 General Assembly. Ms. Nosbisch informed the board that SB0474, which allows temporary licenses/certificates to be issued by DPOR had been signed by the Governor. The Executive Directors of all boards at DPOR will be meeting to further discuss the implementation of the temporary status.

Mr. DeBoer also informed the board that due to the budget shortfalls, the legislature had “captured” \$970,000 of the DPOR cash balance reserves to be applied to the general fund.

Ms. Barker moved to nominate Ms. Whitehead to serve a second term as Chair. Mr. Davis seconded the motion, which was unanimously approved by members: Atkinson, Barker, Davis, Nelson, Saxton and Whitehead.

**Election of Officers**

Mr. Davis moved to nominate Ms. Barker as to serve a second term as Vice-Chair. Dr. Atkinson seconded the motion, which was unanimously approved by members: Atkinson, Barker, Davis, Nelson, Saxton and

Whitehead.

The Board recessed from 10:45 a.m. until 11:10 a.m.

Recess

Mr. Nick Christner, Deputy Director, Compliance and Investigations, gave a presentation on the structure of the Compliance and Investigations Division and the complaint process.

Compliance &  
Investigations  
Enforcement Training

Mr. Jeff Waite, Finance Department, joined the meeting to answer questions from the board regarding exam costs and cost effects on the fee reductions. He explained that the reserve money that was "captured" from DPOR reserves was transferred from the boards dependent on the number of licensees. He also explained that the exam costs would not have any effect on the financial status of the board, as the finance department is very cautious and conservative when instituting fee reductions.

Jeff Waite – Finance  
Department

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

Board Member Roles &  
Responsibilities Training

Ms. Barker commented that applicants are submitting delineations from the Army Corps with their applications and that they might not comply with the Board's regulations. The Board asked Ms. Nobsch to draft a letter to the Army Corps of Engineers expressing the concerns of the Board.


Other Business

Ms. Nobsch acknowledged Ms. Goobic, Administrative Assistant as it was Administrative Professionals Day.

There being no further business, the meeting was adjourned at 12:19 p.m.

Adjournment

  
\_\_\_\_\_  
Angela Whitehead, 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: Nancy G. Barker
2. Title: Board Member
3. Agency: Board for Professional Soil Scientists and Wetland Professionals
4. Meeting/IFF Date: Board Meeting April 21, 2010

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

No

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.

Nancy G. Barker  
Signature

4/21/10  
Date

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

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

1. Name: David L. Davis
2. Title: Board Member
3. Agency: Board for Professional Soil Scientists and Wetland Professionals
4. Meeting/IFF Date: Board Meeting April 21, 2010

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

NONE

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:

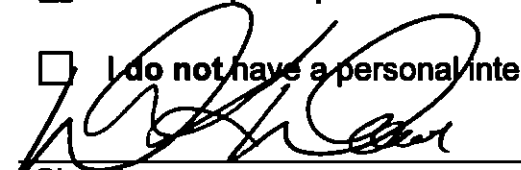
VA. ASSOC. of WETLAND PROFESSIONALS

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

04/21/2010  
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 April 21, 2010

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

April 21, 2010  
Date

**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 April 21, 2010

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:

\_\_\_\_\_

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.

Ac Whitehead  
Signature

4-21-10  
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 April 21, 2010

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

4-21-10  
\_\_\_\_\_  
Date



**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 April 21, 2010

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.

Charles E. Nelson  
Signature

4-21-2010  
Date