

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

The Board for Professional Soil Scientists, Wetland Professionals and Geologists met on February 19, 2020, at the Department of Professional and Occupational Regulation, 9960 Mayland Drive, Richmond, Virginia, with the following members present:

Citizens

Robin Jones
Molly Parker

Geologists

Warren “Ted” Dean
Michael Lawless

Soil Scientists

Larry Giannasi
David Hall
Alexis Jones

Wetland Delineators

Robin Bedenbaugh
Justin Brown

Board members Bennette Burks, Doug DeBerry, David Spears, and Drew Thomas, were not present at the meeting.

Staff present for all or part of the meeting were:

Mary Broz-Vaughan, Director
Kathleen (Kate) R. Nosbisch, Executive Director
Jeff Waite, Financial Services Director
Cathy Clark, Administrative Assistant

Josh Laws, Assistant Attorney General, was present from the office of the Attorney General.

Mr. Giannasi, Chair, called the meeting to order at 10:00 a.m.

Call to Order

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

**Emergency Evacuation
Procedures**

Ms. Nosbisch introduced Mr. Jeff Waite, DPOR Financial Services Director, LaTonya Washington, Budget Analyst, and Cathy Clark, Administrative Assistant to the Board for Barbers and Cosmetology who is assisting with the minutes for this meeting.

**Welcome and
Introductions**

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

Approval of Agenda

Mr. Dean moved to approve the minutes from the November 19, 2019, Board for Professional Soil Scientists, Wetland Professionals and Geologists meeting. Ms. A. Jones seconded the motion, which was

Approval of Minutes

unanimously approved by members: Bedenbaugh, Brown, Burks, Dean, Giannasi, Hall, A. Jones, R. Jones, Lawless, and Parker.

There was no public comment.

Public Comment Period

Ms. Nosbisch invited Mr. Waite to provide an overview of the proposed fee increases and to explain the fee structure and financial position of the Board. Mr. Waite also provided an explanation of the Callahan Act and how it is used to determine fee adjustments and to ensure that revenues are sufficient to cover expenses, but not excessive.

Fee Increase

After Board discussion, Ms. Nosbisch conducted an informal poll of the members to determine the Board's position on each of the three proposed fee structures (see Addendum 1). The poll indicated that the Board was unanimously in favor of Proposal A.

Ms. Nosbisch then explained the Notice of Intended Regulatory Action (NOIRA) process that will be the next step toward approval of the fee increase.

Ms. A. Jones moved to approve fee structure Proposal A. Mr. Hall seconded the motion, which was unanimously approved by members: Bedenbaugh, Brown, Dean, Giannasi, Hall, A. Jones, R. Jones, Lawless, and Parker.

Ms. Nosbisch advised the Board that there were no bills pending in the current General Assembly session that affect the Board's professions. Upon questions from the Board, Ms. Nosbisch indicated that this session of the General Assembly was an even-year long session that will adjourn on March 7, 2020.

General Assembly Update

Ms. Nosbisch reported to the Board that the Board for Professional and Occupational Regulation (BPOR) discussed and approved a preliminary report required by the JLARC Report at its December 9, 2019, board meeting. The report was filed to the General Assembly prior to the December 31, 2019 deadline. The report evaluated the need for continued regulation of certain professions and occupations. The professions/occupations to be studied are: Professional Soil Scientists, Waste Facility Management Operators, Landscape Architects, Common Interest Community Manager Employees, Certified Interior Designers, Backflow Prevention Device Workers and Wetland Delineators. She further advised that the next step for the recommendations is to hold public hearings and receive comment. She stated that there would be five public hearings across the state:

JLARC Study Update

- March 20 - DPOR, Board Room 2, 10:00:00 am
- March 23 – JMU, Harrisonburg, Student Center/Allegheny Room, 10:00 am

- April 17 – Virginia Highlands Community College, Abingdon Student Center 130, 9:00 am
- May 21 – Chesapeake, City Hall Council Chambers, 10:00 am
- May 27 – Fairfax, City Hall Annex Council Chambers, 10:00 am

The final report on the recommendations is due December 31, 2020.

Ms. Nosbisch advised that the Agency is still in process of reducing regulations by 25% as required by action taken during the 2018 General Assembly Session with a deadline of 7/1/21, however, it appears that the Agency may be receiving two additional professions to regulate if the bills continue to progress as they are through the 2020 General Assembly Session.

Mandatory Regulatory Reduction Update

Ms. Nosbisch reviewed the licensee counts as of January 1, 2020: Soil Scientists –92; Wetland Delineators –116; Geologists – 946

Licensed and Certified Population

Mr. Waite reviewed the Financial Statements with the members following the conclusion of the fee increase discussion and voting that took place earlier in the meeting. Ms. Nosbisch advised the Board that the Financial Statements were for informational purposes.

Financial Statements

Ms. Nosbisch informed the Board members of the upcoming National Association of State Boards of Geology (ASBOG) Spring Workshop that will take place in April. Mr. Dean and Mr. Lawless expressed interest in the workshop. Ms. Nosbisch advised that she would be in touch with those interested and the two geologist members who were not present at the meeting to provide additional information.

ASBOG

Ms. Nosbisch reminded the members that all Conflict of Interest (COIA) Training and Financial Disclosure Statements should have now been completed by all members. She indicated that those who attended the Board Member Training Conference in October 2019 and completed the COIA training provided were not required to repeat the training online.

Other Business

Ms. Nosbisch shared information from a February 2020 article from the NCEES Licensure Exchange regarding Arizona introducing universal recognition for out-of-state licenses. Ms. Broz Vaughan pointed out to the Board that Virginia's requirements for individuals coming from out of state are less restrictive as Virginia does not have a one-year residency requirement as does Arizona.

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 11:00 a.m.

Adjournment

Larry Giannasi, Chair

Mary Broz-Vaughan, Secretary