



WEST VIRGINIA STATE BOARD OF REGISTRATION FOR FORESTERS

MINUTES APRIL 13, 2006

The April meeting of the West Virginia Board of Registration for Foresters (WVBORF) was held at the West Virginia Dept. of Agriculture's Office at the Guthrie Complex in Charleston, WV and was called to order 10:28 by Board President Ray Hicks. Board members present were: Cinda Francis, Ray Hicks, Gary Miller, Dan Parker and Tim Probert.

The Minutes of the October 13, 2005 were reviewed and Dan Parker motioned that the Board accept the minutes. Cinda Francis seconded, and motion passed. The Financial Report was reviewed – Deposits for the period totaled \$1,470.55 and Expenditures were \$3,083.59, with a balance on hand as of April 13, 2006 of \$10,447.84. Tim Probert brought to the Board's attention an error in expenditures for fiscal years 2004 and 2005, related to FICA/Medicare being paid by the Board for all part-time employees including Board members and clerical staff. Also, there was an overpayment of \$20.00 by WV Dept. of Admin. To one Board member. The 2005 ledger and balance sheet were amended to reflect the corrections in the appropriate accounts. Dan Parker made a motion and Dan Cinda Francis seconded that the Financial Report be accepted as amended.

Correspondence.

Routine correspondence was reviewed along with the meeting notice printed in the State Register and Charleston Gazette.

Board President Ray Hick's letter and WVSAF Chairman Rudy Williams' letter to Governor Manchin requesting the appointment of Cinda Francis to the Board of Foresters was noted. Both Ray Hicks and Tim Probert contacted representative of the Governor's office and were awaiting official word back from Scott Cosco of the Governor's office regarding Cinda's appointment. Governor's office was reminded that the Board had the authority to appoint a member to the Board if the Governor does not act on the recommendation made by the WVSAF within 90 days of receipt of the recommendation.

The Board received a Letter of Complaint that was sent to Michael L. McCoy, RPFT-61, regarding the language in a brochure advertising forestry consultant services provided by his forestry consulting firm, Timber Ridge Forestry, LLC. This complaint was made by an investigator for the Board of Professional Surveyors. The complaint alleges that McCoy was advertising for professional services that he is not licensed to perform, including "Boundary lines painted for future identification" and is further stated in the letter that painting boundary lines for future identification is a function of land surveying and only licensees with the WV Board of

Professional Surveyors and those exempt from licensure under the law, are legally permitted to provide this service to the public. The letter further requested McCoy to Cease and Desist from “painting boundary lines for future identification and remove the language in the company advertisement before sending any future mailings, unless McCoy can prove he is licensed or exempt from licensing. The Surveyor Board asked for a response within 30 calendar days of the Feb.2, 2006 correspondence.

President Hicks has drafted a letter to Michael McCoy and the WV Board of Professional Surveyors regarding this matter, requesting that McCoy adhere to the requests of the Board of Surveyors and remove any language in his advertising that may be misinterpreted that he is licensed to do survey work.

The Board received another Letter of Complaint from the Board of Professional Surveyors that was sent to H. Russell Richardson, RPF #263, and President of the Woodland Owner’s Association of WV, Inc. regarding the language that was in an old brochure used by the Association regarding property line maintenance. This complaint was made by an investigator for the Board of Professional Surveyors. The complaint alleges that the language in the brochure can be interpreted by the public that the landowner can establish property lines on his/her own property for future identification. Again, the Board of Professional Surveyors states that establishing boundary lines is a function of land surveying and only licensees with the WV Board of Professional Surveyors and those exempt from licensure under the law, are legally permitted to provide this service to the public. The letter further requested the Woodland Owners Association not to use the brochure as is written and remove any language in the brochure that infringes on the rights of permitted activities of professional surveyors before using it in any future mailings.

After a brief discussion by the Board of Foresters, it was decided President Hicks would draft a letter to Russ Richardson with the WV Woodland Owners Association and copy the Board of Professional Surveyors regarding the language used in the brochure and see that measures were taken by the WV Woodland Owners Association either not to use the brochure or change the ambiguous wording so it does not mislead the public or infringe on the permitted activities of professional surveyors under the law.

The Board also suggested that in a future mailing to members that a letter should go out reminding licensees to be careful how they advertise their services and that they only advertise services that they are legally qualified to perform. This notice will also be posted on the Board’s website.

Old Business.

Website- Tim Probert reported that the Board’s website is being widely used licensees and new applicants are being encouraged to use it for downloading applications and reading about the qualifications for licensure. Updates to the site are now being done by Grady Bowyer of the WV Association of Licensing Boards.

Testing - Ray Hicks and Gary Miller have received questions from experts in several disciplines of forestry. They are in the process of compiling questions for a draft of the exam to be distributed to board members by August 15, 2006 by email. Board members will be asked to review the exam and get their comments back to Ray and Gary, so they can have a finalized exam for the October 12th Board meeting. The exam will be ready to be implemented in April 2007 for new applicants. The Board discussed the implementation of the exam. To help cover the administrative costs of a test there will be a need to either raise the application fee or charge a fee for taking the exam. Also, the logistics of giving the exam will need to be worked out. The most likely locations to give the exam will be Flatwoods or Charleston, WV and the exam will be given twice a year, in April and October.

New Business.

Renewal Fee - Due to increase in expenses, the Board discussed the need to raise the renewal fee from \$20.00 to \$25.00 annually. Cinda Francis made the motion and Dan Parker seconded, motion passed. The increase in dues will go into affect in 2007.

The Board discussed the duties of the clerical position for the Board. Currently Candice Clemins is working in that capacity. Dan Parker motioned and Cinda Francis seconded, that Candice Clemins be given a greater role in her secretarial duties to the Board and title be changed to Executive Secretary, with a raise from \$10.00 per hour to \$12.00 per hour. Discussion over the change followed motion. Although Candice is part time and is used on an “as needed basis”, the Board felt she could be utilized to a greater extent with record – keeping, data base entry, data retrieval and updating, posting information to the Board website and additional correspondence; thereby easing the load of the Board Secretary. The motion passed.

REVIEW OF APPLICANTS.

Emeritus Status. There was 1 member that had applied for Emeritus Status: Leon Wilson, #58. Gary Miller made a motion to approve the licensee as Emeritus Status and Cinda seconded. Motion carried.

Applicants tabled from April 14, 2005 meeting – There were no applications to review that were tabled from the last meeting.

Reciprocity- There were no requests by foresters for reciprocity with the state of Maryland .

Forester-in-Training upgrade. The Board reviewed requests of two foresters-in-training for upgrade status. These applications were reviewed and the Board found the experience requirements had now been met by the applicants. Gary Miller motioned and Cinda Francis seconded that the licenses be issued, the motion carried.

Christopher D. Bolyard	#673
Kenneth A. Maxwell	#667

Forestry Technician-in-Training upgrade. The Board reviewed requests of one forestry technician-in- training for upgrade status. The application was reviewed and the Board found the experience requirements had now been met by the applicant. Gary Miller motioned and Cinda Francis seconded that the licenses be issued, the motion carried.

Daniel C. Hacket

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New forester and forestry technician applications were reviewed.

Five **Forester** applications were reviewed. Gary Miller motioned and Dan Parker seconded that applications were in order and licenses be issued, the motion carried.

Jason T. Bowman	#668
Micah C. Feather	#669
Paul J. Hyde	#670
Kenneth D. Smith, II	#671
Jason K. Wenrich	#672

The following applicant was reviewed and found not to meet the experience standards and lacked an additional professional forester reference. Dan Parker motioned and Cinda Francis seconded that the applicant be listed as **Forester-in-Training** pending the required number of professional forester references were received. The motioned carried.

Elizabeth C. Lee

The following applicants were reviewed and found not to meet the experience standards and lacked additional references. Dan Parker motioned and Gary Miller seconded that the applicants be listed as **Foresters-in-Training** pending the required number of references were received. The motioned carried.

Matthew S. Fridley
Daniel K. Rexrode

The following applicant was reviewed and met the experience standards but lacked an official college transcript. Dan Parker motioned and Cinda Francis seconded that the applicant be listed as **Forester-in-Training** pending receipt of an official college transcript. The motioned carried.

Rebekah C. McCune

The following applicants were not reviewed due to the lack of references. Dan Parker motioned and Cinda Francis seconded, that review of the two applicants be tabled until the October 12, 2006 meeting due to the lack of references. The motion carried.

Charles A. McNeel
Daniel A. Snider

The next scheduled meeting of the Board will be October 12, 2006 at WVDOF Office in Charleston, WV.

The meeting was adjourned at 1:40 p.m.

Respectfully submitted by: Timothy Probert, Board Secretary