



# **TEXAS BOARD OF PROFESSIONAL GEOSCIENTISTS**

## **Board Meeting**

*August 18, 2017, 9:00 a.m.*

William P. Hobby, Jr. Building  
333 Guadalupe Street, Tower III, Room 102  
Austin, Texas 78701

## **AGENDA**

*The Board may discuss and take action regarding any of the following agenda items.*

- A. Call to order, roll call, certification of quorum, order of business
- B. Approval of minutes from the April 28, 2017 Board Meeting
- C. Public comment (limited to five minutes per person; more time may be allotted as needed at the discretion of the Board Chair)
- D. Chairman's Report: Sunset review planning
- E. Executive Director's Report: Fiscal and budgetary matters; use of staff resources; 85<sup>th</sup> Texas Legislative session
- F. Reports on recent Committee meetings and activities
  1. Application Review and Continuing Education Committee meeting (8/17/17)
    - Discussion regarding an additional ASBOG® Examination administration site in the West Texas area
    - Development of consumer information/publications to be available on the website and general distribution in other settings
  2. Compliance and Enforcement Committee meeting (8/17/17)
    - Review of documents that TBPG uses and displays related to complaint procedures including: draft revisions to the Complaint Investigation and Enforcement Standard Operating Procedures (SOP), draft complaint process flow diagram, draft set of information provided to Complainants and Respondents, draft revision of "How the TBPG Resolves a Complaint," and current "TBPG Penalties and Suggested Sanctions" to be consistent with proposed rule changes that would affect TBPG complaint procedures
  3. General Issues Committee meeting (8/17/17)
    - Report on activities related to the review of statute and rules allowing geoscientists to use power equipment for extraction of soil and geologic samples
  4. Financial Review and Strategic Planning Committee meeting (8/18/17)
    - Financial review and analysis of expenditures for FY 2017 ending 8/31/2017
    - Report on TBPG's appropriation set by the 85<sup>th</sup> Texas Legislative Session
    - Report on Comptroller post payment audit
    - New travel reimbursement guidelines
- G. Staff Reports:
  1. Licensing Report, including licensing data, examination statistics, and efforts to enter into reciprocity agreements with other jurisdictions
  2. Financial Report, including revenues, expenditures, travel updates
  3. Enforcement Report, including current enforcement numbers, Complaint Review Team (CRT) meeting highlights, recent outreach opportunities, staff dismissal of complaints, cases awaiting a hearing at SOAH

- H. Applications for P.G. license received from the following individuals:
- a. John M. Seeley: Review of applicant's request for waiver of the ASBOG® Fundamentals of Geology and Practice of Geology examinations
  - b. Jimmy Hall: Review of applicant's request for waiver of the ASBOG® Fundamentals of Geology and Practice of Geology examinations
  - c. Madelyn A. Flannagan: Review of applicant's request for waiver of the ASBOG® Fundamentals of Geology examination
  - d. Donnie Windland: Review of applicant's request for waiver of the ASBOG® Fundamentals of Geology and Practice of Geology examinations
  - e. Meghan Espinoza: Review of applicant's request for waiver of the ASBOG® Fundamentals of Geology examination
  - f. Chad Copeland: Review of applicant's request for licensure by reciprocity with Louisiana Board of Professional Geoscientists, a formal request for waiver of the education requirement for licensure, and request for waiver of the Council of Soil Science's Fundamentals and Practice of Soil Science examinations
  - g. Cristian Astorga: Review of applicant's requests for considerations available under Texas Occupations Code, Chapter 55 (Benefits for Military Veterans) and/or waiver requests
- I. Complaints recommended for dismissal by TBPB's Complaint Review Teams
1. Complaint Case No. 2013040
  2. Complaint Case No. 2017039
- J. Proposed Agreed Board Orders
1. Complaint Case No. 2017024
  2. Complaint Case No. 2017030
- K. Proposed Default Final Orders
1. Complaint Case No. 2015031, SOAH Docket #481.17.3847
  2. Complaint Case No. 2016037, SOAH Docket #481.17.3848
  3. Complaint Case No. 2016047, SOAH Docket #481.17.3849
- L. Review of proposal for decision for SOAH Docket #481-17-1971 and possible adoption of a disciplinary Board Order
- M. Application Review And Continuing Education Committee's recommendation to the full Board regarding proposal of amendment to 22 TAC §851.21, Licensing Requirements-Examinations, for posting to the Texas Register for public comments
- N. Application Review And Continuing Education Committee's recommendation to the full Board regarding:
- Adoption of amendment to 22 TAC §851.20, Professional Geoscientist Licensing Requirements and Application Procedures
  - Adoption of amendment to 22 TAC §851.23, Qualifying Experience Record
  - Adoption of amendment to 22 TAC §851.25, Education
  - Adoption of amendment to 22 TAC §851.80, Fees
- O. General Issues Committee's recommendation to the full Board regarding:
- Adoption of amendment to 22 TAC §851.10, Definitions
  - Adoption of amendment to 22 TAC §851.30, Firm Registration
  - Adoption of amendment to 22 TAC §851.80, Fees



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- P. Compliance and Enforcement Committee's recommendation to the full Board regarding:
- Adoption of amendment to 22 TAC §851.157, Complaints and Disciplinary Actions
  - Adoption of repeal of current rule 22 TAC §851.158, Actions Against Non-License Holders
  - Adoption of new rule 22 TAC §851.158, Procedures
  - Adoption of new rule 22 TAC §851.159, Sanctions
  - Adoption of amendment to 22 TAC §851.203, Defaults
  - Adoption of new rule 22 TAC §851.220, Judicial Review Procedures
- Q. Discussion and possible action regarding a recommendation to the Appointed Board regarding the employment, evaluation and salary of the Executive Director
- R. Date and agenda items for next meeting
- S. Adjournment

The Board may meet in closed session on any agenda item listed above as authorized by the Texas Open Meetings Act, Texas Gov. Code Chapter 551. If you require auxiliary aids, services or material in an alternate format contact the Texas Board of Professional Geoscientists, at least five (5) working days prior to the meeting date. Listed below are the helpful numbers should assistance be required. Phone: (512) 936-4400, Fax: (512) 936-4409, E-mail: [chorton@tbp.state.tx.us](mailto:chorton@tbp.state.tx.us) 1-800-relay-VV (for voice), 1-800-relay-TX (for TDD).