

# TEXAS BOARD OF PROFESSIONAL GEOSCIENTISTS

## *BOARD MEETING* *December 5, 2008, 9:00 a.m.*

### Summary of Minutes

- A. The meeting was called to order at 9:00 a.m.
- B. Roll was called. All members were present, including Kelly Krenz-Doe, PG, Vice-Chairman Rene Peña, CPA, Gordon Ware, PG, Chairman Y. Lynn Clark, PG, Secretary/Treasurer Glenn Lowenstein, PG, Gregory Ulmer, Esq., Tom Hallmark, PG, Barbara Roeling, PG, and Ronald Kitchens. A quorum was certified.
- C. Minutes from the September 5, 2008 Board Meeting were approved as written.
- D. There were no comments from the public.
- E. Executive Director's Report was given by Mr. Vincent Houston, Acting Executive Director, who addressed the status of the request for an additional FTE; a preliminary budget meeting was held in September; the status of Executive Director LTC Hess; the 81<sup>st</sup> legislative session begin January 13<sup>th</sup>; a legislative tracking service will be used during the legislative session; the annual ASBOG® conference was held last month.
- F. Staff Reports:
- Licensing- Annita Herrera, Director of Licensing, addressed the current licensing numbers; the recent ASBOG® exam results; the number of new licensees; the number of ASBOG® first-time test-takers compared to those who have taken it multiple times; 216 firms are currently registered.
  - Compliance and Enforcement- Investigator Alberto Jimenez, PG addressed recent outreach events; recent letters were sent out to 198 firms with expired registrations; a complaint received October 2008 and its status.
  - Financial- Accountant Leticia Kappel addressed current travel and other expenditures; a line was added to reflect revenues; fiscal year 2008 money returned; updates were made to Performance Measures at request of the Legislative Budget Board.
- G. Committee Reports:
- Application Review Committee Report- Given by Committee Chair Tom Hallmark, who addressed the meeting highlights. There were no waiver requests; they are not currently pursuing a policy for permanently expired licensees seeking re-licensure; reciprocity agreements are under consideration with California and Wyoming; Idaho doesn't have authority for reciprocity; and Tennessee is now licensing geoscientists. Firm registration issues will be handled in the future by the Application Review Committee.
  - Compliance and Enforcement Committee Report- Given by Committee Chair Krenz-Doe, who addressed several initiatives that have been developed and prioritized, including the recent complaint, firm registration outreach, oil and gas outreach, other states that license oil and gas; local government outreach; the importance of licensees enforcing each other and infractions of the Act; P.G. seal enforcement letters; permanently expired licensees; adding continuing education links from the TBPG website; compiling a list of items that require a P.G. seal; future creation of a business plan to address the high priority of the groundwater districts.
  - Financial Review and Strategic Planning Committee Report- Given by Committee Chair Ron Kitchens. The Committee is waiting for the Legislative Session to begin; there are no items to report at this time.

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- General Issues Committee Report- Given by Committee Chair Barbara Roeling. Two committee items will be discussed later in the agenda; the committee will address Firm Registration fees at their next meeting.
  - Legislative Committee Report- Given by Committee Chair Y. Lynn Clark, who addressed legislative updates. The sponsor for TBPG legislation was defeated in the last election; TBPG is seeking a new sponsor.
  - Joint Committee with TBPE- Given by Member Gordon Ware. The Committee has not met since the last Board meeting. Recent accomplishments included the MOU and the Joint Statement. There are no current joint enforcement items. The Advisory letter sent out to firms that practice both engineering and geoscience can be used by the agency for firms that don't recognize their need to be registered as a geoscience firm.
- H. The amendment to 22 TAC 851.30, Firm Registration, was unanimously approved as written for posting to the Texas Register.
- I. The amendment to 22 TAC 851.32, Continuing Education, was unanimously adopted as written.
- J. The amendment to 22 TAC 851.80, Renewal fees, was unanimously adopted as written.
- K. The Board went into Executive Session at 10:40 a.m. to discuss the appointment and hiring of an Interim Executive Director. The Board ended its Executive Session at 11:46 p.m. and continued in open session. The Board unanimously appointed Charles Horton as Interim Executive Director of TBPG effective January 1, 2009. His employment is considered "at-will" and his appointment will last until LTC Michael Hess returns to TBPG as Executive Director, or notifies the Board in writing of his decision not to return as the Board's Executive Director.
- L. The Board elected new officers: Mr. Y. Lynn Clark was elected as Chairman, Ms. Barbara Roeling as Vice-Chair, and Mr. Glenn Lowenstein as Secretary/Treasurer, all by unanimous consent. Officer Elections may be held again once the Legislative session ends, at the request of the Chairman.
- M. The next Board meeting will be held March 27, 2008. Future agenda items will include Legislative Appropriations Request matters and other legislative issues.
- N. The meeting was adjourned at 12:10 p.m.

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Y. Lynn Clark, Chairman