



TEXAS BOARD OF PROFESSIONAL GEOSCIENTISTS

Board Meeting

April 19, 2013, 9:30 a.m.

William P. Hobby, Jr. Building
333 Guadalupe Street, Room 100
Austin, Texas 78701

MINUTES

- A. The regularly scheduled meeting of the Texas Board of Professional Geoscientists was called to order at 9:44 a.m. Roll was called and a quorum was certified. Members present were Board Chairman Charles Knobloch, PG, JD, Vice-Chairman Charles Thomas Hallmark, PG, PhD, Secretary-Treasurer Kelly Krenz-Doe, PG, Justin McNamee, Becky Johnson, PG, Christopher Mathewson, PG, PE, PhD, Joseph P. DeWoody, and W. David Prescott II, PG. Member Greg Ulmer was absent.
- B. The minutes from the January 14, 2013 Board Meeting were approved as written.
- C. Comments were given by Matthew Cowan, representing himself and the Texas Association of Professional Geoscientists. He made comments regarding the amendment to §851.30 and its possible adoption, and other comments related to Senate Bill 138.
- D. Chairman's Report. Chairman Knobloch addressed the importance of Robert's Rules of Order and outlined some suggestions regarding motions and discussion during Board meetings.
- E. Executive Director's Report. Executive Director Charles Horton welcomed the two recently appointed Board Members, Joseph P. DeWoody and David Prescott, II, P.G. and reappointed Board Member Charles Thomas Hallmark, P.G., Ph.D. He also addressed that much of TBPG's work is done through the Committees, and then it is reviewed and possibly approved by the Board. He mentioned TBPG's ongoing staff tasks relative to the Board's regulatory goals; the upcoming Texas Commission on Environmental Quality (TCEQ) Trade fair on April 30, 2013 through May 1, 2013; the recent outreach lectures at academic institutions by Dr. Mathewson. He also relayed a recent request from a Professional Geoscientist for an inactive license status and a request to reduce the continuing education requirement for license holders over the age of 65. Regarding the legislative session, Mr. Horton relayed information to the Board regarding how to track legislation online.
- F. Committee Reports:
- The Application Review and Continuing Education Committee Report, given by Committee Chair Tom Hallmark, mentioned rule proposals, the Geophysics exam, revisiting reciprocity agreements with other states, renewal of licenses and the issue of PGs working as sole proprietors.
 - The Compliance and Enforcement Committee Report, given by Member Becky Johnson, addressed the update of the FAQs on the TBPG website, updating the Firm Guidance document, revising the Complaint Procedures, and the ongoing work regarding the statutory academic exemption.
 - The Financial Review and Strategic Planning Committee had not met; no report was given.
 - The General Issues Committee Report, given by Committee Chair Kelly Krenz-Doe, discussed revising the PG seal requirements related to electronic sealing, the issue of voluntarily relinquishing a license, and licensing trends.
 - The Legislative Committee had not met; no report was given.

- The Joint Committee with TBPE had not met; no report was given.

G. Staff Reports:

- **Licensing.** Licensing Coordinator Elsa Paynes addressed current licensing numbers: 35 Geoscientists-in-Training; 4,745 Professional Geoscientists; 361 Registered Firms.
- **Financial.** Chief Financial Officer Leticia Kappel discussed TBPG's current expenditures and revenue. Expenditures are on track and the current revenue deficit is approximately \$40,000, which is what the agency expected.
- **Enforcement.** Enforcement Coordinator T. Wesley McCoy, PG mentioned that two complaint cases have been referred to the State Office of Administrative Hearings (SOAH). He also addressed complaints for the last fiscal year, and recent and upcoming outreach opportunities.

H. Regarding the Application Review Committee's recommendation regarding a request for waiver of the ASBOG® Fundamentals examination for James Sorrells, the Board reviewed his request and noted that he met all of the requirements set out in policy for the waiver. The Board unanimously approved his waiver request.

I. Regarding the employment and evaluation of the Executive Director, the Board went into executive session at 10:38 a.m. to discuss personnel issues. The Board resumed open session at 12:06 p.m. No action was taken on this item.

Member Prescott left the meeting at 12:00 p.m. A quorum of the Board members remained in attendance.

J. Regarding possible adoption of the proposed amendment to 22 TAC §851.30, regarding Firm Registration, public testimony was received from former TBPG Board Chair Y. Lynn Clark, PG. He addressed his concerns with the rule change, but mentioned that those concerns had been alleviated after discussion regarding the changes to the rule. The Board reviewed public comments and testimony, and unanimously adopted the amendment as posted to the Texas Register.

K. Regarding possible adoption of the proposed amendment to 22 TAC §851.152, regarding Geoscience Firm Compliance, the Board reviewed public comments and testimony regarding this amendment and unanimously adopted the amendment as posted to the Texas Register.

L. Regarding a Committee recommendation for proposal of amendment to 22 TAC §851.20, Professional Geoscientist Licensing Requirements and Application Procedure, and regarding the first renewal of a license, the Board unanimously proposed the amendment for posting to the Texas Register for public comment.

M. Regarding a Committee recommendation for proposal of amendment to 22 TAC §851.28, Professional Geoscientist License Renewal and Reinstatement, and regarding the first renewal of a license and the late renewal of a license, the Board unanimously proposed the amendment for posting to the Texas Register for public comment.

N. Regarding a Committee recommendation for proposal of amendment to 22 TAC §851.32, Continuing Education Program, regarding the continuing education requirement for a license renewed for less than one year, the Board unanimously proposed the amendment for posting to the Texas Register for public comment.

O. Regarding a Committee recommendation for proposal of amendment to 22 TAC §851.156, Professional Geoscientist's Seal, regarding electronic sealing requirements, the Board unanimously proposed the amendment for posting to the Texas Register for public comment.

P. The Board approved the proposed Agreed Board Orders for the following cases:



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- Complaint Case No. 2012014. The Board approved the Order in a vote of 5-0, with Members Mathewson and Johnson not voting.
- Complaint Case No. 2012020. The Board approved the Order in a vote of 5-0, with Members Hallmark and Mathewson not voting.

Member Krenz-Doe left the meeting at 1:00 p.m. A quorum remained in attendance.

- Q. Regarding future Committee Board Member assignments and prioritizing of regulatory goals, the Board discussed each Member's preference regarding Committee assignments. Preferences were noted and assignments will be forthcoming. Board member regulatory goals for the upcoming year were discussed.
- R. The next Board meeting is scheduled on August 9, 2013. Chairman Knobloch mentioned that there could be a need for the Board to meet prior to that meeting, in which case an additional Board meeting date may be scheduled.
- S. The meeting was adjourned at 1:17 p.m.

A handwritten signature in black ink, appearing to read "Charles Knobloch", written over a horizontal line.

Charles Knobloch, P.G.
TBPG Board Chairman