



TEXAS BOARD OF PROFESSIONAL GEOSCIENTISTS

Board Meeting

May 2, 2014, 9:00 a.m.

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

MINUTES

- A. The regularly scheduled meeting of the Texas Board of Professional Geoscientists was called to order at 9:12 a.m. Roll was called, and a quorum was certified. Members present were Board Chairman Charles Knobloch, P.G., JD, Vice-Chairman Charles Thomas Hallmark, P.G., PhD, Secretary/Treasurer Kelly Krenz-Doe, P.G., Christopher Mathewson, P.G., P.E., and David Prescott, P.G. Members not in attendance were Joseph P. DeWoody, Becky Johnson, P.G., Greg Ulmer, JD, and Justin McNamee.
- B. The minutes from the November 22, 2013 Board Meeting were approved as edited.
- C. Public comment. No members of the public were present.
- D. Public hearing on TBPG's four-year rule review per Texas Government Code 2001.039 regarding Chapters 850 and 851. No members of the public were present.
- E. Regarding public input on rules review per Texas Government Code 2001.039 for Chapters 850 and 851; there was no discussion on this item, no action was taken.
- F. Chairman's Report. Chairman Knobloch expressed gratitude to the Board and the public for their input regarding the review of TBPG rules for the four-year rule review. The Appointed Board approved that this meeting be less strict regarding Robert's Rules of Order.
- G. Executive Director's Report. Executive Director Charles Horton addressed the four-year rule review, and recent staffing changes in the agency. He also publicly noted that Board Member Justin McNamee had recently passed away. The Board expressed gratitude for Member McNamee's dedicated service to TBPG, and they held a moment of silence in his honor.
- H. Committee Reports:
 - Application Review and Continuing Education Committee Report, given by Committee Chair Hallmark, addressed the waiver request for Mr. Colquitt; upcoming rule changes to incorporate Texas law code requirements; a request from Quebec for reciprocity; the status of the Texas Geophysics Exam update; and the recent meeting of the ASBOG® Council of Examiners.
 - Compliance and Enforcement Committee Report, given by Dr. Hallmark, discussed the progress regarding the implementation of Senate Bill 138.
 - Financial Review and Strategic Planning Committee Report, given by Dr. Mathewson, included their rules under the four-year rule review, and their consideration of the impact of a reduction in fees.
 - General Issues Committee Report, given by Committee Chair Kelly Krenz-Doe, addressed the rule review items, their review of common definitions, and the issue of whether P.G.s must register as sole proprietors.
 - Legislative Committee Report. Chairman Knobloch mentioned that the Legislative Committee had not met; no report was given.
 - Joint Committee with TBPE. Chairman Knobloch mentioned that the Joint Committee had not met; no report was given.
- I. Staff Reports:

- Licensing Report, given by Licensing Coordinator Elsa Paynes, addressed the current licensing numbers, the equilibrium number, and the ASBOG® examination statistics
 - Financial Report, given by Chief Financial Officer Leticia Kappel, mentioned that agency expenditures are on track. Also discussed were the licensing numbers and its effect on TBPG revenue.
 - Enforcement Report, given by Enforcement Coordinator T. Wesley McCoy, gave the quarterly numbers.
- J. Regarding the Application Review Committee's recommendations regarding the waiver request of Kellam Colquitt: his request for waiver of the ASBOG® Fundamentals of Geology examination was not considered at this time because it requires a 2/3 vote of the entire board.
- K. Regarding the proposed Agreed Board Orders:
- Complaint Case No. 2013033, the Board approved the Board Order in a vote of 3-0, with Member Mathewson being recused.
 - Complaint Case No. 2013036, the Board approved the Board Order in a vote of 3-0, with Member Mathewson being recused.
 - Complaint Case No. 2013037, the Board approved the Board Order in a vote of 3-0, with Member Mathewson being recused.
 - Complaint Case No. 2013038, the Board approved the Board Order in a vote of 3-0, with Member Mathewson being recused.
 - Complaint Case No. 2014004, the Board approved the Board Order in a vote of 3-0, with Member Hallmark being recused.
 - Complaint Case No. 2014007, the Board approved the Board Order in a vote of 3-0, with Member Hallmark being recused.
 - Complaint Case No. 2014011, the Board approved the Board Order in a vote of 3-0, with Member Hallmark being recused.
 - Complaint Case No. 2014013, the Board dismissed this complaint in a vote of 3-0, with Members Hallmark and Mathewson being recused.
 - Complaint Case No. 2014014, the Board approved the Board Order, excluding the handwritten comments submitted on the Board Order itself, in a vote of 3-0, with Members Hallmark and Mathewson being recused.
 - Complaint Case No. 2014015, the Board approved the Board Order in a vote of 3-0, with Members Hallmark and Mathewson being recused.
- L. Regarding the Board Committees' recommendations for the four-year rule review to the full Board, the Board approved posting the following rules to the Texas Register for public comment:
- Chapter 850: 850.1 Readopt
 - 850.10 Readopt with amendment
 - 850.60-850.65 Readopt with amendment
 - 850.80 Repeal
 - 850.81 Readopt
 - 850.82 Readopt with amendment
 - 850.100-105 Readopt with amendment
 - Chapter 851: 851.10 Readopt with amendment
 - 851.20-850.41 Readopt with amendment
 - 851.42 Repeal
 - 851.43-851.44 Readopt with amendment
 - 851.45-851.46 Repeal
 - 851.80 Readopt with amendment



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851.101-851.112 Readopt with amendment
851.113-850.114 Repeal
851.151-851.158 Readopt with amendment
851.201-851.202 Readopt with amendment
851.203-851.243 Repeal

- M. Regarding the requirement of a P.G. to register as a sole proprietor, this item was referred back to the General Issues Committee for further review.
- N. Regarding the Financial Review/Strategic Planning Committee's draft recommendations for the Strategic Plan for 2015-2019, the Board approved the draft Strategic Plan, as revised through discussion, for submission to the Legislative Budget Board, the Governor, and other appropriate individuals and offices.
- O. Regarding evaluation and employment of the Executive Director, the Board went into Executive Session at 10:25 a.m. The Board came out of Executive Session at 10:45 a.m. No action was taken.
- P. Regarding exceptional items request for the Legislative Appropriations Request (LAR) 2014 and its tentative approval and submission, the Board unanimously instructed Board Staff to include in the Legislative Appropriations Request a request to raise the salary authority for the Executive Director to \$92,000 and indicate that the Board is willing to raise its fees as needed to generate more revenue to cover the cost of the increase. The Board also instructed Board Staff to complete the TBPG's Legislative Appropriations Request (LAR) and request no increase in the agency's appropriation over and above the reconciled base, other than the request approved under item O. It was also approved that the Board Chairman be empowered to review the LAR to ensure that the requests approved by the Board are included, prior to signing the LAR.
- Q. Director Horton gave a short update regarding TBPG's activities related to implementation of SB 138.
- R. Regarding approval of the Compliance and Enforcement Committee's recommendations for the Disciplinary Actions Sanctions Table, no action was taken. This item will be discussed at the next Board meeting.
- S. Regarding the date for next Board meeting and future topics, no dates were scheduled at this time.
- T. The meeting was adjourned at 12:56 p.m.

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

Charles S. Knobloch, P.G., J.D.
TBPG Chairman