



TEXAS BOARD OF PROFESSIONAL GEOSCIENTISTS

Board Meeting

May 18, 2012, 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 9:36 a.m. Roll was called and a quorum was certified. In attendance were Board Chairman Ron Kitchens, Vice-Chair Charles Knobloch, P.G., J.D., Secretary/Treasurer Kelly Krenz-Doe, P.G., Tom Hallmark, P.G., Ph.D., Becky Johnson, P.G., Justin McNamee, and Barbara Roeling, P.G. Members Greg Ulmer, J.D., and Chris Mathewson, P.G., P.E., Ph.D., were not present.
- B. The minutes from the February 17, 2012 Board Meeting were approved as written.
- C. Public comments: Mr. Matthew Cowan, P.G., as President of the Texas Association of Professional Geoscientists and as an observer for the Houston Geological Society, offered comments against the proposed adoption of an amendment to §851.29. Mr. Cowan also offered comments against the General Issues Committee's recommendation of a possible proposal of amendment to §851.104, and offered general comments in favor of the General Issues Committee's recommendation of a possible proposal of amendment to §851.156.
- D. Chairman's Report. Chairman Ron Kitchens reported that TBPG now has a newly appointed Board Member, Chris Mathewson, P.G., P.E., Ph.D, who is unable to attend this meeting; TBPG's new Enforcement Coordinator is Wes McCoy, P.G.; and George Noelke, J.D., is TBPG's new Assistant Attorney General. The Chairman also mentioned the upcoming newsletter.
- E. Executive Director's Report. Executive Director Charles Horton addressed the addition of Wes McCoy as Enforcement Coordinator; the agency's new Assistant Attorney General; the recent awarding of TCEQ's "EnviroMentor of the Year" award for 2012 to TBPG Board Member Becky Johnson; the upcoming newsletter which should be out in July; TBPG's revenue numbers; long-term licensing projections; the recent meeting with the Performance Review Board; and the upcoming Senate Committee meeting for Business and Commerce.
- F. Regarding Committee Reports:
- The Application Review and Continuing Education Committee report, given by Committee Chair Tom Hallmark, addressed the review of international academic transcripts for PG applicants; the Committee's review of TBPG's exam waiver policy; the review of the waiver acknowledgement form; the review of the continuing education audit policy; the review of "qualifying work experience" for PG licensure; the review of the requirements for PGs in responsible charge at each branch location; and clarification of the process for a GIT to become a PG license holder.
 - The Compliance and Enforcement Committee report, given by Committee Chair Barbara Roeling, addressed the Committee's review of the website's Frequently Asked Questions; the update of the "Compliance and Enforcement Outreach Plan"; and a possible draft position statement.
 - The Financial Review and Strategic Planning Committee report, given by Member Justin McNamee, addressed the Committee's recommendation for updates to the Strategic Plan. The Committee also reviewed other fiscal items that were to be presented later in the meeting.
 - The General Issues Committee report, given by Committee Chair Kelly Krenz-Doe, mentioned that its recommendations will be considered later in the agenda under items L, M, and N. Also, at its recent Committee meeting on March 30, members of TCEQ and

the RRC were in attendance and gave information regarding their respective agencies' requirements regarding underground injection control and CO2 sequestration.

- The Legislative Committee had not met; no report was given. Chairman Kitchens mentioned that a meeting will be scheduled in the coming months.
- The Joint Committee with TBPE had not met; no report was given.

G. Regarding Staff Reports:

- The Licensing Report, given by Licensing Coordinator Elsa Wofford, addressed current licensing numbers; the recent ASBOG® exam results; and new PG licenses recently issued.
- The Financial Report, given by Chief Financial Officer Leticia Kappel, addressed TPBG's expenditures; revenue; and the current deficit.
- The Enforcement Report, given by Enforcement Coordinator Wes McCoy, addressed the recent Complaint Review Team meeting where they processed 14 complaints; recent outreach efforts at the Houston Geological Society and the TCEQ Trade Fair; and the status of current complaints.

H. Regarding the Application Review Committee's recommendation regarding a waiver request of the ASBOG® Fundamentals Examination for Louis Mazzullo, the Board considered the individual's qualifications and the committee's recommendations. The Board unanimously approved the waiver of ASBOG® FG exam for Mr. Mazzullo.

I. Regarding Strategic Plan 2013-2017, the Board reviewed the Committee's recommended draft Strategic Plan. The Board unanimously approved the committee's recommendations to the Strategic Plan with edits.

J. Regarding the Legislative Appropriations Request (LAR) Fiscal Years 2014-2015, Chairman Kitchens mentioned that TBPG has not yet received the instructions from the Legislative Budget Board; the LAR is due for submission in July; and TBPG will not be requesting any exceptional items. The Board voted unanimously to delegate authority to the Chairman to work with staff to submit the LAR on behalf of TBPG.

K. Regarding the proposed amendment to §851.29 regarding "cooperative licensure", the Board reviewed the public comments received regarding the proposal. After discussion, the Board unanimously adopted an amendment to §851.29 as posted to the Texas Register.

L. Regarding 22 TAC §851.104, regarding Dishonest Practice, the Board reviewed the General Issues Committee's recommendation for a proposal of amendment to §851.104. After discussion, it was moved to keep section (d), and strike only the words "or agency" from the rule. The Board unanimously approved a proposal of amendment to §851.104 as edited for posting to the Texas Register for public comment.

M. Regarding 22 TAC §851.152, regarding Firm Compliance, the Board unanimously approved the proposal of amendment to §851.152 for posting to the Texas Register for public comment.

N. Regarding 22 TAC §851.156, regarding Professional Geoscientist's Seals, the Board unanimously approved a proposal of amendment to §851.156 for posting to the Texas Register for public comment.

O. Regarding the proposed Agreed Board Orders (ABO):

- The Board unanimously approved the proposed ABO for Complaint Case No. 2011-053.
- The Board unanimously approved the proposed ABO for Complaint Case No. 2011-023.

P. The next Board meeting was scheduled on August 24, 2012.

Q. The meeting was adjourned at 12:53 p.m.


Ron Kitchens, TBPG Chairman