



TEXAS BOARD OF PROFESSIONAL GEOSCIENTISTS

Board Meeting

May 20, 2011, 9:30 a.m.

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

Minutes

- A. The meeting was called to order at 9:30 a.m.
- B. The new Board members were introduced and took their Oaths of Office. The Board welcomed new members Becky Johnson, P.G. and Judy Reeves, P.G., Ph.D.
- C. Roll was called. Members present were Chairman Barbara Roeling, P.G., Vice-Chair Ron Kitchens, Secretary/Treasurer Dr. Tom Hallmark, P.G., Becky Johnson, P.G., Kelly Krenz-Doe, P.G., Justin McNamee, and Dr. Judy Reeves, P.G. Members absent were Charles Knobloch, P.G., J.D., and Greg Ulmer, J.D.
- D. The minutes from the January 21, 2011 Board Meeting were approved as edited.
- E. Public comment was given by Matthew Cowan, P.G., as President of the Texas Association of Professional Geoscientists and the Houston Geological Association. He welcomed the new members; urged the Board to not allow the unlicensed practice of geoscience; reviewed the definition of geoscience; and addressed the political scene and legislative uncertainty.

W. Kevin Coleman submitted a written public comment to the Board at 12:58 p.m. which stated: "The Texas Section of the Association of Environmental & Engineering Geologists congratulates Barbara Roeling, P.G. on completion of her term as Chairman of the Texas Board of Professional Geoscientists, and thanks for her service. A job well done! Congratulations to Ronald Kitchens and best wishes as he assumes his position as the new Chairman. If we can be of any service, please let us know. AEG TX Section also would like to recognize Lt. Colonel Michael Hess for his outstanding contribution as Executive Director of TBPG and for his service in the Joint Special Operation Command in Iraq. Congratulations on his upcoming retirement and best wishes for an outstanding future. Thanks very much to everyone who serves on TBPG."

The Board went into Executive Session at 9:40 a.m. regarding Agenda Item K to consult with its attorney. Executive Session ended at 10:20 a.m. and the open meeting resumed.

- K. The Board then considered Agenda Item K. Ms. Amanda Breitling's waiver had been resolved at the Application Review Committee, and was not addressed by the Board. Regarding Mr. Raymond Straub's request for licensure, Chairman Roeling mentioned that the Board consulted with its attorney regarding his request. It was determined that a 2/3 vote was not required for approval of Mr. Straub's request to substitute work experience for education at the last Board meeting. The Board determined that the vote taken at the last meeting regarding Mr. Straub's request was a simple majority, which allows for a Professional Geoscience license to be granted immediately to Mr. Straub.

The Board next addressed Agenda Item F.

- F. The Executive Director's Report, given by Director Michael D. Hess. Mr. Hess thanked Board Chair Barbara Roeling for her time and dedication to TBPG; he also thanked Members Becky Johnson and Judy Reeves for joining the Board and volunteering their time. Mr. Hess indicated that the General Land Office (GLO) and the Engineering Board may not merge; he was going to meet soon with TCEQ regarding the Memorandum of Agreement; and that the Versa Regulation database is now online. Mr. Charles Horton, Deputy Executive Director, gave an update

regarding the new database; indicated that there would be a demonstration of the online renewal process after the meeting; and he explained several new features. Mr. Horton encouraged the Members to provide any feedback and/or suggestions to staff regarding the new database.

G. Committee and Work Group Reports:

- The Application Review and Continuing Education Committee Report, given by Dr. Tom Hallmark, P.G., mentioned two P.G. applications had been reviewed; both applicants were granted licensure. There have been no updates regarding reciprocity agreements. Dr. Hallmark recently attended the ASBOG® meeting in San Diego and came back with the knowledge of how intense the exam process is; the ASBOG® experts are doing a great job.
- The Compliance and Enforcement Committee Report, given by Mr. Dunfield, reported that the CRT Committee discussed 34 cases and that the majority of cases were closed with advisement letters. Mr. Dunfield indicated that there are a few cases that will be discussed later in the Board meeting.
- The Financial Review and Strategic Planning Committee Report, given by Member Kitchens, reported that the Committee had not met since the last Board meeting. However, he pointed out that the Committee is going to begin a new cycle of strategic planning while the legislature is out of session.
- The General Issues Committee Report, given by Member Kelly Krenz-Doe, reported on the recent Advisory Opinion Request (#5) submitted by Kevin W. Almaguer. The Committee has developed a draft response which will be published in the Texas Register for comments. The committee will meet again on July 29, 2011 to consider the comments received.
- Legislative Committee. Chairman Roeling mentioned that the committee had not met since the last Board Meeting.
- Joint Committee with TBPE. Chairman Roeling mentioned that the committee had not met since the last Board Meeting. She mentioned that an informal meeting with the Texas Board of Professional Engineers (TBPE) regarding HB 2480 was held, and Chairman Roeling indicated that she, Mr. Horton and Mr. Hess met with TBPE's Executive Director and Board Chair to discuss the potential merger and any possible ramifications.
- Oil and Gas Work Group. Member Krenz-Doe stated that the work group met on May 17th to draft proposed rules regarding permissive professional geoscience practice and the sealing of work. The work group is still in the process of preparing draft rules to present to the Board for final approval. Mr. Horton asked the Board to allow the final draft rules from the Oil and Gas Group to be referred to the General Issues Committee for review prior to the next full Board Meeting. Chairman Roeling approved. Chairman Roeling also mentioned that the University of Texas was granted a research project to determine if there is a connection between the presence of natural gas in drinking water wells across the country and the use of hydraulic fracturing of shale formations. The next Oil and Gas Workgroup meeting date is scheduled for August 9th.

H. Regarding Legislative issues, Deputy Executive Director Charles Horton summarized the bills that TBPG is tracking in the 82nd Regular Legislative Session.

I. Staff Reports:

- Licensing – The Licensing Report, given by Operations Manager Molly Roman, outlined the current licensing numbers, the recent ASBOG exam results, and related performance measures.



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Enforcement – The Enforcement Report, given by Professional Standards Unit Chief George Dunfield, announced a new Memorandum of Agreement with the Texas Water Development Board and reported on the improving enforcement program statistics and feedback, centralized state-wide outreach efforts with the Texas Municipal League, Texas Association of Planners, and Texas City Managers Association and results of cooperative coordination efforts with Texas Commission on Environmental Quality to include Registered Geoscience Firms as a required license type on the TCEQ webpage.

- Financial – The Financial Report, given by Chief Financial Officer Leticia Kappel, addressed current expenditures and encumbrances; TBPG revenue is below the Comptroller's estimate but close to TBPG's estimate; the bill pattern in House Bill 1 / Senate Bill 1 and TBPG appropriations for Fiscal Years 2012-2013; and key performance measures are included in the bill pattern.

J. Discussion and possible action regarding Agreed Board Orders:

- Board approved Board Orders 2011-007, 2011-017, 2011-034, 2011-044, and 2011-048 by vote of five to zero (Members Hallmark and Krenz-Doe recused).
- Complaint 2011-047 – The Complaint was closed prior to the Board meeting. No discussion or action was taken.

K. Item K had been addressed earlier in the meeting; the Board next addressed Agenda Item L.

L. The upcoming Board meeting has been scheduled for August 12, 2011.

M. Regarding Awards/Recognition, Chairman Roeling presented an award to Member Krenz-Doe for her many years of service to the Board. Member Krenz-Doe was recently re-appointed to the Board.

N. Regarding the transfer of responsibilities to the new TBPG Board Officers. Effective immediately, Ron Kitchens is TBPG's Board Chair, Charles Knobloch is Vice-Chair, and Kelly Krenz-Doe is the Secretary/Treasurer.

O. The meeting was adjourned at 1:00 p.m.

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

Ron Kitchens, TBPG Chairman