



# TEXAS BOARD OF PROFESSIONAL GEOSCIENTISTS

## **Board Meeting**

*November 18, 2011, 9:00 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 9:20 a.m. on November 18, 2011 in room 100 of the Hobby Building.
- B. Roll was called and a quorum was certified. Members present were Board Chair 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, Judy Reeves, P.G., Ph.D., Barbara Roeling, P.G., and Greg Ulmer, J.D.
- C. The minutes from the August 12, 2011 and the November 7, 2011 Board Meetings were approved as written.
- D. Public comments were presented by Pete Rose, Ph.D., on behalf of himself and the Austin Geological Society, Bruce Darling, P.G., Ph.D., Mark Gallagher, P.G., on behalf of himself and the American Association of Petroleum Geologists Division of Professional Affairs, P.G., John Mikels, P.G., on behalf of himself and the Austin Geological Society, Michael Young, Ph.D., Roland Baker, P.G., Philip Bennett, P.G., Ph.D., on behalf of the University of Texas Jackson School of Geosciences, Susan Havorka, P.G., Ph.D., Eric Potter, P.G., and Matthew Cowan, P.G., on behalf of himself and the Texas Association of Professional Geoscientists, and the Houston Geological Society.

The Board next considered Agenda item K.

- K. Regarding draft Advisory Opinion (AOR #6) involving geoscientific research performed at universities and practice of geoscience as it relates to exemptions to the Texas Geoscience Practice Act, the Board considered the public comments received and public testimony given. The Board unanimously approved taking no formal action on this item. The Board instead referred the draft Advisory Opinion (AOR #6) back to the General Issues Committee for follow up with the academic community and/or state and local professional organizations to develop a recommended response to the question posed in AOR #6.

The Board then resumed its agenda as posted.

- E. Regarding Robert's Rules of Order training, the Board reviewed parliamentary procedure for Board meetings.
- F. Chairman's Report: TBPG Chair Ron Kitchens gave the Chairman's Report and addressed the recent issue with the Continuing Education audit, the Advisory Opinion process, and the upcoming TBPG newsletter.
- G. Executive Director's Report: TBPG Executive Director Charles Horton gave the Executive Director's report. He addressed recent public comments regarding the Executive Director, changes in the staff and performance of the agency in recent years, provided an overview of agency staff members and their current responsibilities, and clarified that the role of the Executive Director and staff is to support the Board's work administratively and implement the Act, and TBPG rules and policies.
- H. Regarding Committee Reports:
  - The Application Review and Continuing Education Committee Report was given by Committee Chair Tom Hallmark, who addressed applicant requests for exam

equivalency, requests to take the ASBOG® examination, and the request by California regarding the Texas Geophysics exam.

- The Compliance and Enforcement Committee Report was addressed by Committee Chair Barbara Roeling. The committee had not met; no report was given.
- The Financial Review and Strategic Planning Committee Report was addressed by Committee Chair Greg Ulmer. The committee had not met; no report was given.
- The General Issues Committee Report was given by Committee Chair Kelly Krenz-Doe, who reported on the portion of the Committee meeting held earlier that day, including the Committee's review of written public comments and public testimony regarding both Advisory Opinion Request #6 and the recently proposed rules. Member Krenz-Doe also reported that the Committee was in recess and would reconvene in the Hobby Building Room 100 directly after the Board meeting.
- The Legislative Committee Report was addressed by Committee Chair Ron Kitchens. The committee had not met; no report was given.
- The Joint Committee with TBPE Report was addressed by Committee Co-Chair Barbara Roeling. The committee had not met; no report was given.

I. Regarding Staff Reports:

- The Licensing Report was given by Licensing Coordinator Elsa Wofford, who addressed the current licensing numbers and the recent ASBOG® exam.
- The Financial Report was given by Chief Financial Officer Leticia Kappel, who addressed the recent State Office of Risk Management audit, the upcoming Texas Workforce Commission audit, the Operating Budget, travel vouchers, current expenditures and revenue, and total revenue for Fiscal Year 2011.
- The Enforcement Report was given by Investigator Alberto Jimenez, P.G., who addressed the recent complaints reviewed by the TBPG Complaint Review Team, and recent outreach activities at the University of Texas El Paso.

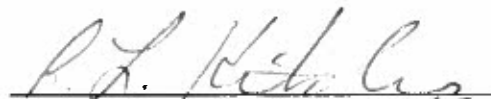
J. Regarding public comments and action on the following proposed amendments:

- a. §851.32 "Continuing Education Program": The Board unanimously approved to withdraw the proposed amendment to 22 TAC 851.32.
- b. §851.104 "Dishonest Practice": The Board unanimously adopted the amendment to 22 TAC 851.104 as edited.
- c. §851.108 "Criminal Convictions": The Board unanimously adopted the amendment to 22 TAC 851.108 as proposed.
- d. §851.152 "Firm Compliance": The Board unanimously approved to withdraw the proposed amendment to 22 TAC 851.152 for further consideration.
- e. §851.156 "Geoscientists Seals": The Board unanimously adopted the amendment to 22 TAC 851.156 as edited.

L. Regarding the Application Review Committee's proposed amendment to §851.29 regarding "cooperative licensure" or "portability of licensure", per TOC §1002.257, the Committee recommended to postpone this item for further review. No action was taken.

M. The next regularly scheduled Board meeting will be held on February 17, 2012.

N. The meeting of the Texas Board of Professional Geoscientists was adjourned at 2:27 p.m.



Ron Kitchens, TBPG Chairman