

TEXAS BOARD OF PROFESSIONAL GEOSCIENTISTS

Meeting of April 23, 2004
William P. Hobby Jr. Building
333 Guadalupe, Texas Department of Insurance Hearing Room 100
Austin, Texas

Summary of Minutes

The Chairman called the meeting to order at 10:15 a.m. April 23, 2004 as per Agenda Item A.

The roll was called by Secretary/Treasurer, Rene Pena. Members present were Chairman W. Kevin Coleman, Secretary/Treasurer Rene Pena, Kelly Krenz-Doe, Murray Milford, Kimberly Phillips, Gordon Ware, Shiela Hall, and Danny Perkins. A quorum was certified by the Secretary/Treasurer as per Agenda Item B. Vice Chairman, Edward Miller was absent. No motion was made to excuse Vice Chairman Miller for his absence.

Agenda Item C, approval of the minutes of the April 23, 2004 board meeting was postponed until after lunch.

As per Agenda Item D, faculty representatives from Lamar University, Roger and Dee Anne Cooper, licensed geologists were introduced. Ms. Cooper thanked the Board for the opportunity to address them and then she gave a briefing on the work she and her husband had done in providing the Texas Board of Professional Geoscientists (TBPG) display which they had prepared for viewing in the lobby of the William P. Hobby Jr. building.

As per Agenda Item E, Alan Martin and Phil Barrett, representatives from the Department of Information Resources (DIR's) TexasOnline Division, briefed the Board on the agency's implementation of the TexasOnline licensing system.

Agenda Item F – Briefing of requirements of the Open Records Act to be presented by Frank Knapp of the Office of the Attorney General was cancelled as a result of schedule conflict. TBPG General Counsel, Lisa Mims, briefed the board regarding rule changes to fees, the raising of fees, standards for applicants, limitations of applicant questioning; the checklist of questions for applicants, and procedures for denied applicants.

As per Agenda Item G, Michael Hess, Executive Director of TBPG, Vince Houston, Chief Financial Officer of TBPG, along with Phil Barrett and Alan Martin of DIR briefed the Board as to the advantage of utilization of the TexasOnline licensing system. A motion was made by Rene Pena and seconded by Kelly Krenz-Doe to contract with TexasOnline and change fees as necessary. The motion passed by unanimous vote.

As per Agenda Item H, Michael Hess, Executive Director of TBPG addressed the board by emphasizing that most of the agency's progress had already been covered by the previous agenda items. Mr. Hess, added that each Board member's personal financial statement was due at the end of the month on April 30, 2004 and that he sent each Board member that information along with an extension form request that would allow each member an additional two months if the April 30, 2004 deadline could not be met. He asked that each member review the new brochure which had been created by agency staffers and printed by CopyPro for distribution at the upcoming TCEQ Trade Fair to be held on May 3-5, 2004.

As per Agenda Item I, Vince Houston, Chief Financial Officer gave the agency's financial report which included current year expenditures up to date for the agency's seven month operation.

As per Agenda Item J, the Chairman addressed the Board and stated that election of officers would take place at the next regular board meeting. He added that Ms. Polly Sowell of the Governor Appointment's Office had mentioned the position of the Governor's office to reappoint those members with expiration terms of 2005. The three members with expiration terms of 2005 were Chairman W. Kevin Coleman, Vice Chairman, Edward G. Miller, and member Kimberly Phillips.

As per Agenda Item K, Strategic Plan, member Gordon Ware presented to the Board four pages under Tab K indicating modifications made to the agency's current Strategic Plan that were for Board review but required no action be taken at the present time. He requested that each member submit any comments to either himself or member Danny Perkins by the end of May because the Strategic Plan was due in the Governors Office by June 18, 2004. Also per Agenda Item K, Kelly Krenz-Doe, Chairman of the Geophysics Exam Committee recommended either certificates of appreciation or plaques recognizing the geophysicists who assisted in development of the agency's geophysics exam. A favorable discussion ensued and Chairman Doe was to gather more information on types of awards to be presented.

As per Agenda Item L, Vince Houston briefed the Board on modifications to the Legislative Appropriations Request (LAR) referencing the last page of Tab I labeled Financial Report and emphasized that the base reconciliation had to be completed before the LAR could even be started. He informed the Board that this base reconciliation was to be submitted to the Legislative Budget Board (LBB) by June 4, 2004.

As per Agenda Item M, a discussion to raise the FTE staffing levels for the Texas Board of Professional Geoscientists was led by Mike Hess, Executive Director of the agency. Mr. Hess informed the Board that at least one more full time employee would be necessary if the agency was to continue to operate efficiently without working extended hours. He noted that the agency has had to rely on temporary staffers in the past to help the agency achieve its objectives, and that the agency currently had one part-time employee assisting Vince Houston with his accounting and financial responsibilities. A motion was made by member Rene Pena and seconded by member Shiela Hall to authorize the executive director to proceed with planning for an increase of the agency's current staffing level through the hiring of two additional full time employees. After discussion led by Murray Milford, the motion passed by record vote. Those voting aye were recorded by the Secretary/Treasurer, and included Gordon Ware, Shiela Hall, Murray Milford, Kelly Krenz-Doe, Secretary/Treasurer Rene Pena, Kimberly Phillips and Danny Perkins.

As per Agenda Item C, the minutes of the February 23, 2004 board meeting were reviewed. A motion was made by member Danny Perkins to approve the minutes and seconded by member Kimberly Phillips. The vote passed unanimously.

As per Agenda Item N, discussion was held regarding establishment of a Board policy that would require timely submittal of agenda items to the Executive Director for compilation, followed by subsequent review and modification by the Chairman was led by Michael Hess. He suggested to the Board that agenda items be submitted two weeks (14 days) prior to the actual Board meeting. A motion was made by member Rene Pena to adopt this policy of submitting agenda items 14 days prior to each scheduled board meeting and seconded by member Murray Milford. The vote passed unanimously.

As per Agenda Item O, discussion of out-of-state travel to attend a meeting of the Council of Soil Science Examiners (CSSE) to be held Seattle, Washington October 31 through November 4, 2004 was led by Michael Hess, Executive Director. He informed the Board that the agency had requested funding of expenditures not to exceed \$3,000.00 for one Board member and one staff member to attend this meeting and that those attending would be Murray Milford and himself. A motion was made by Kimberly Phillips and seconded by Secretary/Treasurer Rene Pena for Murray Milford and Michael Hess to attend this meeting. After discussion, the vote passed unanimously.

As per Agenda Item P, discussion of out-of-state travel to attend the National Association of State Boards of Geology (ASBOG) to be held in Boise, Idaho on November 1-7, 2004 was led by Michael Hess, Executive Director. He informed the Board that the agency had requested funding of expenditures not to exceed \$3,000.00 for one Board member and one staff member to attend this meeting and that those attending would be the Vice Chairman, Ed Miller and himself. A motion was made by member Rene Pena and seconded by member Gordon Ware to approve. The vote passed unanimously.

As per Agenda Item Q, discussion regarding licensing pursuant to §851.108 was led by General Counsel, Lisa Mims. The Chairman suggested that this agenda item be tabled until next meeting. A motion to table action regarding §851.108 was made by member Danny Perkins and seconded by Rene Pena. The motion passed unanimously.

Agenda Item R, discussion of Board Vision “Where do we go from here?” was opened by the Chairman. After a brief discussion, it was decided to address this issue later at a later date.

As per Agenda Item S, a Committee Report regarding the Strategic Plan was led by Gordon Ware, chairman of the Strategic Plan Committee, who noted that his issue had been discussed and that he is coordinating elements of the Strategic Plan with Rene Pena to resolve any possible conflicts with the LAR. Shiela Hall, chairman of the Applications Review Committee emphasized that the Board needed to start discussing continuing education soon. A Continuing Education Committee was appointed by the Chairman. The committee members named were Shiela Hall (Chairman of the new Continuing Education Committee), Kelly Krenz-Doe, Murray Milford and Ed Miller.

As per Agenda Item T, Legal Council presented proposed changes to rule 851.80 (fees) to repeal examination fees for geologists and soil scientists. The purpose was to allow license candidates to apply directly to the National Association of State Boards of Geology (ASBOG) and the Council of Soil Science Examiners (CSSE) to take examinations. A motion was made by Kimberly Phillips and seconded by Rene Pena to repeal the examination fees for geologists and soil scientists. After discussion, the motion passed unanimously.

As per Agenda Item U, discussion and possible action on the following waiver requests pursuant to §6.09 of the Act.

- 1) **Lawrence C. Liu** - Remanded back to staff by the Applications Review Committee for transcripts.
- 2) **Nicki Atkinson** - Kimberly Phillips made a motion to approve and the motion was seconded Danny Perkins. The motion passed unanimously.

- 3) **Philip J. Towle** - Murray Milford made a motion to approve and the motion was seconded Gordon Ware. The motion passed unanimously.
- 4) **Mohammed A. Siddioui** - Kimberly Phillips made a motion to approve and the motion was seconded by Kelly Krenz-Doe. The motion passed unanimously.
- 5) **Thorbjorn H. Pederson** - Gordon Ware made a motion to approve and the motion was seconded by Danny Perkins. The motion passed unanimously.
- 6) **Oluqafemi S. Oyeyemi** - Shiela Hall made a motion to approve and the motion was seconded by Murray Milford. The motion passed unanimously.
- 7) **Mohd A. Ansari** - Danny Perkins made a motion to approve and the motion was seconded by Kimberly Phillips. The motion passed unanimously.
- 8) **Angel F. Callejon** - Murray Milford made a motion to approve and the motion was seconded by Kelly Krenz-Doe. The motion passed unanimously.
- 9) **Alex J. Marshall** - Shiela Hall made a motion to approve and the motion was seconded by Gordon Ware. The motion passed unanimously.
- 10) **Helen E. Farrell** - Murray Milford made a motion to approve and the motion was seconded by Danny Perkins. The motion passed unanimously.
- 11) **Adel M. H. Abdel Aziz** - Murray Milford made a motion to approve and the motion was seconded by Rene Pena. The motion passed unanimously.

The Applications Review Committee was unable to review applications from Agenda Item U sections (b) through (e), and committee chairman Shiela Hall requested postponement until the next Board meeting. Gordon Ware made motion to table the Agenda Item U sections (b) through (e) until the next meeting and Danny Perkins seconded the motion. The vote carried unanimously.

As per Agenda Item V, the Chairman called for recommendation for agenda items for the next meeting. Agenda items recommended for the next board meeting were the Legislative Appropriations Request (discussion and possible action), changes to the Strategic Plan (discussion and possible action), adoption of proration rules, tabled agenda item U sections (b) through (e) not yet reviewed by the Applications Review Committee, and Board officer elections. It was the general consensus that all Board members should be present for officer elections.

As per Agenda Item W, the Chairman called for recommendations for the date, time and location of the next Board meeting. All members present confirmed lack of conflicts for May 24, 2004 at 10:00 A.M., and that date and time were selected for the next Board meeting.

As per Agenda Item X, Shiela Hall moved that the meeting be adjourned and it was seconded by Gordon Ware. The vote passed unanimously.

W. Kevin Coleman, Chairman
Texas Board of Professional Geoscientists