

TEXAS BOARD OF PROFESSIONAL GEOSCIENTISTS

Meeting of May 20, 2005
William P. Hobby Jr. Building
333 Guadalupe, Texas Department of Insurance Hearing Room 100
Austin, Texas

Summary of Minutes

Video of this meeting can be seen at www.tbpg.state.tx.us

Chairman Peña called the meeting to order at 10:30 a.m. May 20, 2005 as per Agenda Item A. Members present were Chairman Rene Pena, Kelly Krenz-Doe, Gordon Ware, Shiela Hall, Y. Lynn Clark, Glenn R. Lowenstein, and Dr. Danny Perkins. Ms. Kimberly R. Phillips and Dr. Murray Milford were not present. Roll call was verified as meeting quorum as per Agenda Item B.

The previous Chairman of the Board, Kevin Coleman, provided comments as per Item C of the Agenda.

Chairman Peña moved to Item D, the introduction of new Board Members: Y. Lynn Clark, PG and Glenn R. Lowenstein, PG.

Chairman Gordon Ware, Vice Chairman Kelly Krenz-Doe, and Secretary/Treasurer Rene Pena were unanimously elected as officers of the Board as per Agenda Item E. Chairman Peña continued to preside over the meeting.

The minutes of October 29, 2004 and February 7, 2005 were approved as per Item F of the Agenda.

Chairman Peña solicited public comment as per Agenda Item G and none was provided.

Committees of the Board were reorganized as follows:

Application Review Committee: Dr. Murray Milford, PG, Chair; Glenn R. Lowenstein, PG; Kimberly R. Phillips; Kelly Krenz-Doe, PG

General Issues Committee: Y. Lynn Clark, PG, Chair; Sheila B. Hall, PG, Rene Peña, CPA

Compliance and Enforcement Committee: Dr. Danny R. Perkins, Chair; Kelly Krenz-Doe, PG; Sheila B. Hall, PG

Financial Review and Strategic Planning Committee: Rene D. Peña, CPA, Chair; Gordon Ware, PG; Sheila B. Hall, PG

Legal Committee: Kimberly R. Phillips, Chair; Dr. Murray H. Milford, PG; Glenn R. Lowenstein

Legislative Committee: Gordon Ware, PG; Kelly Krenz-Doe, PG; Y. Lynn Clark, PG

Only the Joint Committee with the Engineer Board was left pending till the next meeting as per Item H.

Committee reports were provided as per Agenda Item I:

Chairman Peña presented the Financial and Strategic Planning Committee report. An analysis of the projected budget for the next biennium was presented. It identified the potential fiscal difficulties facing the Texas Board of Professional Geoscientists when the added cost of enforcement and increase in

the allowable salary caps on exempt positions are included. In order to cover the additional cost it was recommended that the renewal fee be raised \$18.00 per licensee.

The Compliance and Enforcement Committee Report was provided by Chairman Gordon Ware and referenced the adoption of the Standard Operating Procedures for the TBPG Enforcement Program.

The Executive Director provided the Applications Review Committee Report for Dr. Murray Milford; the next meeting of the committee will be June 3, 2005, in Houston, Texas.

Member Clark, Chair of the General Issues Committee provided the background on the public comments received on the 22 TAC §851.32 Continuing Education Program. Member Clark reported that the comments received were of the general nature indicating that the rule was not clearly understood by all who read it. Action: the Final Rule will be published in the Texas Register and mailed by the Licensing Section of TBPG to each licensee with an overall summary of key dates and requirements.

Member Shiela Hall provided a report on the April 2005 ASBOG meeting in Columbia, South Carolina as per Item J of the Agenda.

Item K of the Agenda referenced Board Member Liability Insurance and the discussion was tabled until the next meeting so that until Member Kimberly R. Phillips is given the opportunity to review and discuss the liability insurance with the agency CFO Mr. Vince Houston.

The Board unanimously agreed that the Standing Operating Procedures (SOP) adopted by the Compliance and Enforcement Committee would suffice to start the Enforcement program as noted under Item L.

The Board unanimously voted for adoption of 22 TAC §851.32 Continuing Education Program effective the September 1, 2006 license renewal cycle. This allows licensees from fifteen (15) to twenty-six (26) months to acquire fifteen (15) Professional Developmental Hours (PDH) before renewing their licenses in Fiscal Year 2007 as per Item M of the Agenda.

The Board under Item N unanimously voted to approve the proposed amendments to 22 TAC §851.80 Fees for:

Renewal fee: \$168.00 or as prorated under §851.28(b);

Temporary license: \$200.00;

Verification of licensure process: \$15.00.

Item O discussion and possible action on SOAH Docket #481-05-0884 was tabled till the next meeting.

The Executive Director's Report was provided under Item P of the Agenda and will be moved to Item C for the next Board meeting.

The Board, CFO, Mr. Vince Houston, provided the financial report and projected agency spending till the end of Fiscal Year 2005 as required by Agenda Item Q.

Chairman Peña moved to Agenda Item R, recommendation for agenda items for the next Board meeting. The Board agreed that they wanted the following Agenda items: updated committee reports,

adoption of 22 TAC §851.80 Fees, end of year fiscal review, enforcement report, a review of 79th Legislative Session bills that affect the agency, geophysics examinations preparation recognition ceremony, and staff reports.

Chairman Peña moved to Agenda Item S, Discussion of date, time and location of the next Board meeting. The date of August 5, 2005 at 10:30 a.m. was selected at the William P. Hobby, Jr. Building, Texas Department of Insurance, Hearing Room 100 as the requested location. A backup date of July 29, 2005 was also proposed for the next Board meeting.

A motion to adjourn as per Agenda Item T was made and was seconded. The motion passed by unanimous vote.

Gordon Ware, PG, Chairman
Texas Board of Professional Geoscientists