



# **TEXAS BOARD OF PROFESSIONAL GEOSCIENTISTS**

## **Board Meeting**

*August 13, 2021, 1:00 p.m.*

Videoconference call – Zoom (<https://zoom.us/>)

Zoom Meeting ID: 886 4204 5119

## **MINUTES**

1. The regularly scheduled meeting of the Texas Board of Professional Geoscientists was called to order at 1:06 p.m. Roll was called, and a quorum was certified. Board Members in attendance were TBPG Chair Becky L. Johnson, P.G., W. David Prescott, II, P.G., Vice-Chair, Mark N. Varhaug, P.G., C.P.G., Secretary/Treasurer, Bereket M. Derie, PhD, P.G., Margon Dillard, Public Member, Steven Fleming, P.G., Brandon Stowers, Public Member, and LaFawn Thompson, Public Member.
2. The minutes from the April 28, 2021 Board Meeting were unanimously approved.
3. Public comment. There were no comments from the public.
4. Chair's Report: TBPG Chair Becky Johnson reported on recent outreach opportunities, the update regarding the write-up outlining "what geoscientists do," and requested Board Members to review and provide feedback on the final document. She expressed her goal for the upcoming year is to provide outreach to a number of universities in Texas.
5. Executive Director's Report: Executive Director Rene Truan addressed information on Agency Performance Reporting for the 3<sup>rd</sup> Quarter, 4<sup>th</sup> Quarter and End of Fiscal Year Planning, and Administrative Updates, including office schedules and upcoming events.
6. Reports on recent Committee meetings.
  - A. The Application Review and Continuing Education Committee meeting report (08/12/2021), given by Committee Chair Mark Varhaug, included discussion regarding a possible Waiver Policy for the Texas Geophysics Examination, the qualifying work experience requirement for P.G. licensure, the status of Advisory Committee related to licensing opportunities, and outreach initiatives. TBPG Licensing Coordinator Elsa Paynes gave the licensing report, including licensing data, ASBOG exam statistics, and TGE and CSSE exam statistics.
  - B. The Compliance and Enforcement Committee meeting report (08/13/2021), given by Committee Chair David Prescott, mentioned the Committee's discussion on implementation of Sunset recommendations, including possible future proposed rule amendments and repeals related to potential elimination of the firm registration requirement. Rebecca Funderburg, P.G., Compliance Coordinator, gave a review of current compliance program statistics, recent CRT meetings, complaints dismissed by staff, and enforcement penalties collected by the agency. The Committee also discussed outreach initiatives.
  - C. The General Issues Committee meeting report (08/13/2021) was given by Committee Chair Edward F. Janak, Jr., P.G., who outlined the Committee's discussion on recent and upcoming outreach opportunities. Some items mentioned included upcoming events at the Austin Geological Society and the South Texas Geological Society, a recent opportunity at AAPG, and also recent outreach efforts with the P.G. work group at TCEQ.

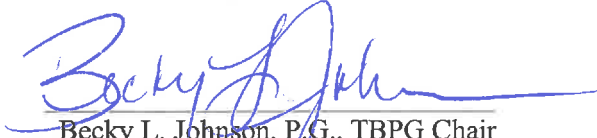
- D. The Financial Review/Strategic Planning Committee meeting report (08/13/2021) was given by Committee Chair Brandon Stowers, and it covered the Financial Report for Fiscal Year 2021, and information regarding the Legislative Session.
7. Applications for P.G. license, including requests for waivers and substitutions.
- A. Lori Bryan: Applicant for PG licensure requesting a waiver of the ASBOG FG examination. The applicant met the Board's policy for waiver of this examination. The Board unanimously granted a waiver of the FG exam.
  - B. Dr. Neil Deeds: Applicant for PG licensure requesting a waiver of the ASBOG Fundamentals of Geology examinations. The applicant met the Board's policy for waiver of this examination. The Board unanimously granted a waiver of the FG exam.
  - C. Jeffery Daugherty: Applicant for PG licensure requesting a waiver of the ASBOG Fundamentals and Practice of Geology examinations. The applicant met the Board's policy for waiver of both the FG and PG examinations. The Board unanimously granted a waiver of both exams.
  - D. Dr. Andrew Davidoff: Applicant for PG licensure requesting a waiver of the ASBOG Fundamentals and Practice of Geology examinations. The applicant met the Board's policy for waiver of both the FG and PG examinations. The Board unanimously granted a waiver of both exams.
  - E. Alfred Gomez: Applicant for PG licensure requesting a waiver of the ASBOG Fundamentals and Practice of Geology examinations. The applicant met the Board's policy for waiver of both the FG and PG examinations. The Board unanimously granted a waiver of both exams.
  - F. Anthony W Fears: Applicant for PG licensure requesting a waiver of the ASBOG Fundamentals and Practice of Geology examinations. The applicant met the Board's policy for waiver of both the FG and PG examinations. The Board unanimously granted a waiver of both exams.
  - G. Dr. Ruarri Day-Stirrat: Applicant for PG licensure requesting a waiver of the ASBOG Fundamentals and Practice of Geology examinations. The applicant met the Board's policy for waiver of both the FG and PG examinations. The Board unanimously granted a waiver of both exams.
  - H. Dr. Minoo Kosarian: Applicant for PG licensure requesting a waiver of the ASBOG Fundamentals and Practice of Geology examinations. No action was taken on this item.
  - I. Kara Posso: Applicant for PG licensure requesting that work experience obtained prior to meeting the education requirement to count towards the 5 years of qualifying work experience. The Board considered Ms. Posso's work experience prior to her graduation at her request. The Board unanimously denied her request to allow that experience to count toward the work experience requirement for P.G. licensure. The Board's policy continues to be that qualifying work experience begins once the education requirement has been met.
8. Proposed Agreed Board Orders for Complaints 2020-00007, 2021-00008, 2021-00009. No action was taken.
9. Proposed Default Board Orders for Complaints 2021-00008 and 2021-00009. No action was taken.



## TEXAS BOARD OF PROFESSIONAL GEOSCIENTISTS

10. Proposal of amendments and repeals to the following rules in 22 TAC Chapters 850 and 851. The Board unanimously approved publishing the following proposed amendments and repeals to the Texas Register for public comment:
  - 22 TAC 850.10, 850.61, 850.62, 850.63, 850.65
  - 22 TAC 851.20, 851.21, 851.28, 851.29, 851.32, 851.40, 851.43, 851.83 (repeal), 851.85, 851.101, 851.102, 851.103, 851.104, 851.105, 851.106, 851.108, 851.109, 851.111, 851.112, 851.113, 851.151, 851.152, 851.153, 851.154 (repeal), 851.156, 851.157, 851.158, 851.159, 851.203, 851.204, and 851.220
11. Proposal of amendment to rules regarding TBPB's waiver policy for publishing to the Texas Register for public comment, including 22 TAC 851.22. The Board unanimously approved publishing the amendment to 22 TAC 851.22 to the Texas Register for public comment.
12. Proposal of amendment to rules regarding firm registration for publishing to the Texas Register for public comment, including 22 TAC 851.30. The Board unanimously approved publishing the amendment to 22 TAC 851.30 to the Texas Register for public comment.
13. Proposal of amendment to rules regarding definitions for publishing to the Texas Register for public comment, including 22 TAC 851.10. The Board unanimously approved publishing the amendment to 22 TAC 851.10 to the Texas Register for public comment.
14. Proposal of amendment to rules regarding temporary firm registration for publishing to the Texas Register for public comment, including 22 TAC 851.31. The Board unanimously approved publishing the amendment to 22 TAC 851.31 to the Texas Register for public comment as presented.
15. Adoption of amendment to 22 TAC 851.41, regarding Geoscientist-in-Training certification requirements and application procedures. The Board unanimously adopted the amendment to 22 TAC 851.41.
16. Adoption of amendment to 22 TAC 851.80, regarding fees. The Board unanimously adopted the amendment to 22 TAC 851.80.

The Board then went back and re-considered Agenda Item 6B, regarding the Compliance and Enforcement Committee Report. Under the subject of "proposed rule amendments and repeals related to the potential elimination of the firm registration requirement," the Board proposed an amendment to 22 TAC 851.80, regarding the addition of a fee for temporary firm registration. The Board unanimously approved the amendment for posting to the Texas Register for public comment once the currently proposed amendment to the rule has become effective.
17. Agency response related to the COVID-19 pandemic. Executive Director Truan reported that the temporary policy in place for the pandemic had expired on June 30, 2021. He thanked the Board for its support of the policy.
18. Potential public/private outreach initiatives. No action was taken on this item.
19. Future Board meetings, including dates and agenda items. The next meetings are scheduled to be held on November 18 and 19, 2021.
20. The meeting was adjourned at 4:08 p.m.

  
Becky L. Johnson, P.G., TBPB Chair