



TEXAS BOARD OF PROFESSIONAL GEOSCIENTISTS

TBPG BOARD MEETING

February 11, 2022, at 8:30 a.m.

Hobby Building, 333 Guadalupe Street, Room 102
Austin, Texas 78701

MINUTES


1. The regularly scheduled meeting of the Texas Board of Professional Geoscientists was called to order at 8:40 a.m. Roll was called, and a quorum was certified. Board Members in attendance were TBPG Chair Becky L. Johnson, P.G., Vice Chair W. David Prescott, III, P.G., Secretary/Treasurer Mark N. Varhaug, P.G., CPG, and Board Members Margon Dillard, Steven Fleming, P.G., Ed Janak, P.G., and LaFawn Thompson. Members Bereket Derie, Ph.D, P.G., and Brandon Stowers were not in attendance.
2. The minutes from the November 19, 2021 Board Meeting were unanimously approved as written.
3. Public comment. TBPG Chair Becky Johnson received a comment in email form regarding additional licensing opportunities that was provided to Board Members. Chair Johnson requested that the General Issues Committee add this inquiry as a discussion item the next Committee meeting agenda.
4. Chair's Report: TBPG Chair Becky Johnson addressed the importance of interagency communication, and the work the agency has done to facilitate communication and referrals of complaints. She also mentioned her goal to encourage input and participation from people in the industry to share their stories, experiences and opinions. Board Business Continuity was also addressed as Board membership changes.
5. Executive Director's Report: TBPG Executive Director gave an update on agency operations and open staff positions; the upcoming office move; the upcoming Agency Risk Assessment; and Business Continuity.
6. Reports on recent Committee meetings.
 - A. The Application Review and Continuing Education Committee Meeting Report from 2/10/22 was given by Committee Chair Mark Varhaug. The Licensing Report was outlined by TBPG's Licensing Coordinator Elsa Paynes, who reviewed licensing data, ASBOG exam statistics, TGE exam statistics, CSSE exam. Chair Varhaug also reported on the Committee's recommendation of the new waiver policy for the Texas Geophysics Exam; the Board unanimously adopted the policy as edited. There were no updates on the status of Advisory Committee related to licensing opportunities. Potential outreach initiatives were discussed.
 - B. The Compliance and Enforcement Committee Meeting Report from 2/10/22 was given by Committee Chair David Prescott. The Compliance Report was summarized by Molly Roman, who reviewed current compliance program statistics; complaints dismissed by staff; and enforcement penalties collected for General Revenue. Chair Prescott addressed the ongoing item related to the review of Firm Registration. The Committee had unanimously recommended that the Board adopt a clarifying motion to the motion adopted at the last Board meeting. The Board at that time had unanimously approved not eliminating firm registration and to follow the

- recommendations outlined in the Firm Registration Advisory Report. The Board reviewed this information and the clarifying motion, and the Board unanimously adopted the clarifying motion that the Board continue to review the firm registration program annually, including 1) reviewing the sunset recommendation to eliminate firm registration; and 2) reviewing the firm registration program in general. It will continue to be reviewed by the Compliance and Enforcement Committee. Potential outreach initiatives were also discussed.
- C. The General Issues Committee Meeting Report from 2/10/22 was given by Committee Chair Ed Janak. He mentioned that there was no quorum, so a brief meeting was held, but no action was taken. There was discussion related to the public inquiry related to licensing, but that no action was needed at this point. Potential outreach initiatives were also discussed.
- D. The Financial Review/Strategic Planning Committee Meeting Report from 2/10/22 was given by Committee Member Margon Dillard, who was substituting for Committee Chair Brandon Stowers, who was not in attendance. The Financial Report for FY 2022 was given by Financial Officer Pamela Parks. Also discussed at Committee were the 2021 Annual Financial Report, the 2021 Annual Report of Non-Financial Data, and the 2022 Operating Budget.
7. Applications for P.G. license, including requests for waivers and substitutions.
- A. Dr. Chima Nzewunwah: Applicant for P.G. licensure requesting a waiver of the ASBOG Fundamentals and Practice of Geology examinations. The Board unanimously approved the applicant's waiver request for both exams.
- B. Michael Nibert: Applicant for P.G. licensure requesting a waiver of the ASBOG Fundamentals of Geology examination. No action was taken.
- C. Craig Williams: Applicant for P.G. licensure requesting a waiver of the ASBOG Fundamentals and Practice of Geology examinations. The Board unanimously approved the applicant's waiver request for both exams.
- D. Keri Solon: Applicant for P.G. licensure requesting a waiver of the ASBOG Fundamentals and Practice of Geology examinations. The Board unanimously approved the applicant's waiver request for both exams.
8. Adoption of amendments and repeals to the following rules:
- 22 TAC 850.10, 850.61, 850.62, 850.63, 850.65.
 - 22 TAC 851.10, 851.20, 851.21, 851.22, 851.28, 851.29, 851.30, 851.31, 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.
- The Board unanimously adopted these amendments and repeals without changes as posted in the Texas Register.
9. Adoption of amendment regarding fee for temporary firm registration, including 22 TAC 851.80. The Board unanimously adopted this amendment without changes as posted in the Texas Register.
10. Proposed Agreed Board Order for Complaint 2020-00007. No action was taken.
11. Potential public/private outreach initiatives. Recent and upcoming outreach was discussed.
12. Future Board meetings, including dates, arrangements, and agenda items. The next Meetings are scheduled to be on April 28-29, 2022.



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13. Board Member Annual Training 2022. Presentation by Assistant Attorney General Melissa Juarez. The Board went into Executive Session at 10:04 a.m. as authorized by Government Code 551.071 to seek legal counsel and training. At 10:48 a.m., the Board resumed open session of the board meeting. No action was taken in closed session.
14. Adjournment. The meeting was adjourned at 10:48 a.m.


Mark Varhaug, P.G., TBPB Chair
Texas Board of Professional Geoscientists