

Nebraska State Board of Geologists
Board Meeting Minutes
August 12, 2010
215 Centennial Mall South, Fifth Floor, Large Conference Room, Lincoln, NE

PUBLIC HEARING ON THE PETITION TO REVOKE THE LICENSE OF SANFORD KAPLAN

The hearing was held at 215 Centennial Mall S, 5th Floor, Large Conference Room, Lincoln, NE. Chairperson Shroder called the hearing to order at 1:15pm. The hearing adjourned at 2:15pm.

BOARD MEETING CALL TO ORDER

The meeting was held at 215 Centennial Mall S, 5th Floor, Large Conference Room, Lincoln, NE. Chairperson Shroder called the meeting to order at 2:26pm and informed the public of the location of the Open Meeting Act.

Roll Call: Dennis Anderson, Thomas Correll, Ralph Martin, Martha (Marty) Link, John (Jack) Shroder, David Svingen, Emeritus Member Nan Lindsley-Griffin (non-voting); Absent: Andrew Grimm

Staff Present: John Wilbeck, Executive Director (EX); Sandra Weaver, Administrator; Tyler Kohtz, Compliance Officer (CO); Jean Lais, Administrative Assistant (AA).

Public Comments/Appointments

None scheduled

Agenda Items

No corrections or adjustments were made

A Consent Agenda

1 Meeting Minutes

April 22, 2010 meeting minutes approved as presented

2 Organizational Practice – Certificate of Authorizations

Alpha Geological Services Inc, CAG0054; Brown and Caldwell Inc, CAG0055; Kennedy/Jenks Consultants Inc, CAG0056

Approval of Consent Agenda

Action Motion by Anderson, second by Link to approve the Consent Agenda. Voting Yes: Anderson, Correll, Martin, Svingen, Link, Shroder; Voting No: None; Absent: Grimm

B Financial Reports/Matters

1 Budget Status Report – April, May, June 2010

Enterprise One reports provided for review. Administrator Weaver noted the base appropriation was reduced by \$812 and was transferred from the Cash Fund to the State General Fund on June 15, 2010, as mandated by LB 1 and LB 3, 101st Legislature, First Special Session, 2009.

2 MTD General Ledger Detail – April, May, June 2010

Enterprise One reports provided for review.

3 Fund Summary Report – April, May, June 2010

Enterprise One reports provided for review.

4 Financial Profile Report – April, May, June 2010

Database report provided for review.

5 Fiscal Activity Report – FY 09/10

Trends in Licensure – FY 09/10

Database reports provided for review

6 Other Financial Matters

FY 2009/2010 Fund Transfer Transaction

On June 15, 2010, \$812 was transferred from the Cash Fund to the State General Fund.

FY 2010/2011 Fund Transfer Schedule and Memo from the State Budget Division

Transfers from the Cash Fund to the State General Fund for FY 2210/2011 will be \$825 on December 15, 2010, and \$825 on June 15, 2011.

FY 2010/2011 Budget Status Worksheet

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Worksheet for FY 2010/2011 Budget was provided including the appropriation rollover and mandated fund transfers. Total appropriation for the fiscal year is \$43,168.71.

2011-2013 Biennium Budget Discussion

ED Wilbeck provided a worksheet for the proposed 2011-2013 Biennium. The worksheet included an increase for Memorandum of Understanding(MOU) services with the Nebraska Board of Engineers and Architects (NBEA). The cost of services is a 3% increase over the previous cost analysis. The majority of the budget increase is due to the increased MOU cost. Svingen questioned the reduction on most of the other line items. ED Wilbeck explained the numbers were derived through an analysis of actual costs over the past biennium and reviewed with Administrator Weaver and AA Lais. The final biennium budget must be submitted by September 15, 2010. ED Wilbeck encouraged members to contact him with any questions or suggestions.

7 Contract Review and Approval – None at this time

ED Wilbeck and Administrator Weaver left the meeting at 2:45pm

Approval of Financial Matters

Action Motion by Anderson, second by Correll to accept the Financial Matters. Voting Yes: Anderson, Correll, Martin, Svingen, Link, Shroder; Voting No: None; Absent: Grimm

C Applications

1 Application Overview Sheet

Form provided

2 Licensure/Examination

Applications for Licensure by Reciprocity

Approved: Leah Calvert, IA; Aaron Payne, CO; Robin Dornfest, CO; Thad Kuntz, NE; Brian Martinek, CO

Applications for Licensure Reinstatement – None

Applications for Geologist-Intern by ASBOG FG Exam – None

Applications for Licensure by FG/PG ASBOG Exam – None

Applications for Licensure by PG ASBOG Exam

Approved: Jennifer Abrahamson, NE

Appeals - None

Approval of Licensure/Examination Applications

Action Motion by Anderson, second by Martin to accept the recommendations on applications as discussed. Voting Yes: Anderson, Correll, Martin, Svingen, Link; Voting No: None; Absent: Grimm

ED Wilbeck and CO Kohtz entered the meeting at 3:00pm

ED Wilbeck introduced CO Kohtz to the board. CO Kohtz is filling the position vacated when ED Wilbeck was named Executive Director of the NBEA.

D Compliance Cases

1 Logs - None at this time

2 New Cases – None at this time

3 Pending Cases

10.01 Summary – At the public hearing held prior to the Board Meeting, the members voted to revoke the license of the Respondent and issued a Final Order to that existent. The Respondent may reapply for licensure as per the requirements found in Neb. Rev. Stat. §§ 81-3501 through 81-3541 and Title 171. Svingen inquired if the Respondent has the right to an appeal. ED Wilbeck and CO Kohtz will follow up with the Attorney General's office and advise the members.

4 Case Recommendations – None at this time

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5 Compliance Issues – None at this time

ED Wilbeck and CO Kohtz left the meeting at 3:05pm

E General Information/Committee Reports

1 Meeting Schedules/Rosters

Board Meeting Schedule

2010-2011 calendars provided for review. A request was made by the members to change the October 2010 board meeting so all the members could be present for discussion of the strategic plan. A tentative date of October 12, 2010, was set.

Roster of Board Members

2 Committee Reports

Officers Report - None

3 ASBOG

March 2010 ASBOG Exam Score Reports

ASBOG Score Reports provided for review

4 Office/Staff

A copy of the news release naming Jon Wilbeck as Executive Director of the NBEA was provided for review. ED Wilbeck is filling the position vacated by Melinda Pearson in February 2010. He will oversee the day-to-day operations of the agency.

F New Business

1 Governance Issues

Board Actions

Board Action Summary provided

Rules and Regulations – None

Statutes – None

Legislative Items – None

2 Geologist Items

ASBOG Annual Meeting and COE Workshop, November 4-6, 2010 in St. Louis, MO

Dennis Anderson was appointed as the COE delegate and Ralph Martin will be the voting delegate at the Annual Meeting.

Strategic Plan

Svingen and Link brought the members up to date on the plan progress. They have acquired the services of Cindy Miesbach to facilitate and mediate at any planning meetings. Miesbach currently works for the Department of Environmental Quality (DEQ) and her main job services are to provide mediation for different agencies and organizations. After a phone conversation with Miesbach, Svingen, and Link on August 12, 2010, it was recommended the board meet as a whole and not as a subcommittee to discuss the direction in which the board wishes to take with the strategic plan. If discussions are held with just a committee, the committee will then have to go to the full board for approval. This could cause the process to become lengthy and cumbersome.

Miesbach will provide a summary of the phone conversation held and questions she suggests the board think about for discussion at the planning meeting.

Link informed the board she has approached the Well Drillers Board to see if they would be interested in allowing the Geologist Board to join their board. They are currently administered by the Department of Health and Human Services. They have agreed to add the discussion to their August 25, 2010, board meeting agenda. This is with the understanding no commitment will be made at that time.

Chairperson Shroder pointed out this would be an advantage as they are a state agency and would eliminate the necessity to train personnel to the required state accounting requirements, etc.

The board set a tentative date of September 21, 2010, at 10:00am for the planning meeting and to be tentatively held at the DEQ offices at 2717 S 8th St Ste 4, Lincoln, NE. Link will research and send a

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list of the Board's duties and obligations as per the statutes and rules and regulations for the Board's review prior to the meeting. Svingen will provide a list of the Board's options and actions taken to date prior to the meeting.

Action Motion by Svingen, second by Correll to approve New Business items as discussed. Voting Yes: Anderson, Correll, Martin, Svingen, Link, Shroder; Voting No: None; Absent: Grimm

Adjournment Motion by Martin, second by Correll to adjourn the meeting at 3:22pm

The next Board of Geologist board meeting will be held on October 12, 2010, at 1:00pm at 301 Centennial Mall South, Conference Room 1Y, Lincoln, NE.

Board Member

Date