

**Nebraska Board of Geologists
Board Meeting Minutes
January 15, 2008, Lincoln, Nebraska**

1:00 p.m. - CALL THE MEETING TO ORDER

The meeting was held at 215 Centennial Mall South, 5th Floor, Large Conference Room, Lincoln, Nebraska. Chairperson Shroder called the meeting to order at 1:00 p.m. and informed the public of the location of the Open Meetings Act.

Roll Call: Dennis Anderson, Jeffrey Johnson, Robert (Steve) Kemp, Susan Olafsen Lackey, John (Jack) Shroder. Absent: Thomas Correll, Andy Grimm. Emeritus Member Present: N. Lindsley-Griffin. Staff Present: Sandra Weaver, Administrative Assistant.

Public Comment/Appointments

1:00 p.m., DeMaris Johnson, The Johnson Group; E.4.a - Present

Duane Eversoll; F.2.c./F.2.d - Present

Agenda Items

Approval or Adjustment of the Agenda

No adjustments made.

A Consent Agenda

1 Meeting Minutes

November 2, 2007 meeting minutes were approved as presented.

2 ASBOG®

Results of the September 07 ASBOG® examination were received November 15, 2007.

3 Licensure/Examination

Certificate of Authorizations: The Forrester Group, Inc, CA0017, Robert M. Kick; ENSR Corporation, CA0018, Leslie F. Cole; Conestoga Rovers & Associates, CA0019, James A. Roberts; Aquaterra Environmental Solutions Inc, CA0020, Yvonne Huff; Bureau Veritas North America Inc, CA0021, John Rohde; Shaw Environmental & Infrastructure Inc, CA0022, James David Wonder; The Phoenix Group Holding Company, CA0023, Steve Kelly; American Engineering Testing Inc, CA0024, Roger B. Hodson; Cascade Earth Sciences, CA0025, Randolph J. Paetz; Howard R. Green Company, CA0026, Gregory J. Brennan; HydroGeoLogic Inc, CA0027, W. Alan Rittgers; HWS Consulting Group Inc, CA0028, David W. Thomssen; ECOR Solutions Inc, CA0029; Keith B. Rapp; Ground Water Associates Inc, CA0030, Robert L. Vincent; J Scott Bush Company PC; CA0031, J Scott Bush; Environmental Management Resources Inc, CA0032, Randal Dyer; Williams & Company Consulting Inc, CA0033, Jeffrey A Humenik

Approval of Consent Agenda

Action Motion by Anderson, second by Kemp to approve the consent agenda. Voting Yes: Anderson, Johnson, Kemp, Olafsen Lackey, Shroder. Voting No: None. Absent: Correll, Grimm.

B Financial Matters

1 Budget Status Report, October 2007

Budget Status Report, November 2007

Budget Status Report, December 2007

2 General Ledger by Business Unit Report, October 2007

General Ledger by Business Unit Report, November 2007

General Ledger by Business Unit Report, December 2007

3 Fund Summary Report, October 2007

Fund Summary Report, November 2007

Fund Summary Report, December 2007

4 Financial Profile History, July-Decmeber FY 07/08

5 Fiscal Activity Report, FY 07/08 (to date)

It was reported that Vincent Dreezen (listed on the Fiscal Activity Report under lapsed licenses) passed away in 2006. The Board discussed sending condolence letters to families of deceased geologists licensed in Nebraska. Weaver will create a letter and email it to the Board for approval.

Action Motion by Anderson, second by Olafsen Lackey to approve financial reports as presented. Voting Yes: Anderson, Johnson, Kemp, Olafsen Lackey, Shroder. Voting No: None. Absent: Correll, Grimm.

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C Applications

- 1 **Licensing Requirement Checklist**
Three lines for reviewer initials with a comment line by each will be added to the top of the applicant reviewers form.
- Core Course Equivalency List**
Additional courses will be added to the list as approved for equivalency.
- 2 **Licensure/Examination Applications**
- Licensure by Reciprocity** - No applications at this time.
- Licensure by ASBOG® FG & PG Examination**
Approved - 07-007 - Douglas R. Hallum (NE); Geologist-Intern GI-07-0002 approved to sit for PG.
Deferred - 07-011 - John T. Morris (CO) - Approved to sit for FG & PG contingent on receipt of a fourth reference.
- Action** Motion by Johnson, second by Anderson to enter closed session at 2:47 p.m. to prevent needless injury to an applicant's reputation while discussing experience qualifications for the ASBOG® exams. Voting Yes: Anderson, Johnson, Kemp, Olafsen Lackey, Shroder. Voting No: None. Absent: Correll, Grimm. Chairperson Shroder restated for the record the limitation of the subject matter.
- Action** Motion by Johnson, second by Anderson to leave closed session at 2:55 p.m. for discussion of an applicant's experience qualifications to take the ASBOG® examinations and prevent needless injury to their reputation. Voting Yes: Anderson, Johnson, Kemp, Olafsen Lackey, Shroder. Voting No: None. Absent: Correll, Grimm.
- Deferred** - 07-012 - Joel P. Johnston (CO) - Approved to sit for FG & PG contingent on clarification and documentation of work experience that meets five years of professional experience. Weaver will create a request letter to send Mr. Johnston and send to Chairperson Shroder for final editing.
- Deferred** - 05-021 - George L.V. Joyce (NE) - Geologist-Intern - GI-05-0003 - Not enough professional experience to approve to sit for PG in March; requesting updated experience page for July meeting and if approved, will be contingent on submitting proof of five years professional experience before the October examination. No additional fee or new application will be required.
- Approved** - 05-020 - Leah C. MacNeill (KS) - Approved to sit for FG & PG
- 3 **Geologist-Intern Enrollment by ASBOG® FG Examination**
Approved - 08-001 - Philip T. Schiele (NE)
- Action** Motion by Anderson, second by Johnson to approve or defer applications as recommended by the application reviewers. Voting Yes: Anderson, Johnson, Kemp, Olafsen Lackey, Shroder. Voting No: None. Absent: Correll, Grimm.
- At a previous meeting it was questioned whether there were online courses that applicants could use to meet the education requirement if they did not live near a college. Lindsley-Griffin commented that on-line science courses are offered at UNL but they are not advanced. The nature of some geology courses would make them almost impossible to complete on-line. Chairperson Shroder asked Board members to watch for companies milling degrees.
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D Compliance Cases

- 1 **New Cases**
None at this time.
- 2 **Ongoing Cases**
None at this time.
- 3 **Closure of Cases**
None at this time.
- 4 **Compliance Issues**
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E Old Business - Discussion Items

- 1 **General Information**
- 2007 - 2008 Schedule**
The Board discussed moving the November meeting date to October 30 or November 4, 2008, because of conflict with the ASBOG® Annual Meeting. Weaver will discuss the change with the Board of Engineers and Architects Executive Director and email the final date.
- Roster - Board Members**
No additional changes.

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2 Legislative Update

DeMaris Johnson - 1:00 p.m.

A 2008 legislative session update was distributed to the Board. Committee hearings will begin on January 22. This will be the last session for 15 senators because of term limits. Eleven senators are up for re-election. DeMaris Johnson summarized the list of candidates and incumbents and noted that institutional memory will be lost as many senators leave. Water issues will be an important topic. It was reported that no legislative bill of interest to the Board had surfaced yet. Chairperson Shroder asked Ms. Johnson to keep the Board updated.

Contract for Legislative Aid

At the November meeting, a possible contract with DeMaris Johnson was discussed. A tentative contract was submitted by Ms. Johnson and a revised contract was returned to her for a signature. If legislation should require actively becoming involved in the support or opposition of proposed legislation, the fee will be renegotiated. The contract added a provision that advice would be offered to the Board on matters that the Board might want to consider for future legislation.

Action Motion by Anderson, second by Kemp to approve the contract with DeMaris Johnson of The Johnson Group for \$4,000 for the calendar period of January 1, 2008 to December 31, 2008. Voting Yes: Anderson, Johnson, Kemp, Olafsen Lackey, Shroder. Voting No: None. Absent: Correll, Grimm.

3 Certificate of Authorization Implementation

Question Concerning "Geologist in Charge" Response Letter

A response letter mailed to a licensee after the November Board meeting was reviewed. A geologist is responsible for work in which his/her seal has been placed. Completing and submitting a Certification of Authorization does not relieve an organization of the responsibility to comply with Title 171 provisions requiring a Professional Geologist seal and signature.

4 Geologists Regulation Act

Analysis of Neb. Rev. Stat. § 81-3541 (e)

Action Motion by Anderson, second by Johnson to enter closed session at 2:18 p.m. to prevent needless injury to the reputation of an individual or organization while discussing a potential compliance case in relation to Neb. Rev. Stat. § 81-3541 and to discuss whether a company might be practicing geology in Nebraska without a Certificate of Authorization. Chairperson Shroder restated for the record the limitation of the subject matter. Voting Yes: Anderson, Johnson, Kemp, Olafsen Lackey, Shroder. Voting No: None. Absent: Correll, Grimm.

Action Motion by Anderson, second by Olafsen Lackey to leave closed session at 2:34 p.m. for discussion of a potential compliance case in relation to Neb. Rev. Stat. § 81-3541 and a company possibly practicing geology in Nebraska without a Certificate of Authorization to prevent needless injury to reputations. Voting Yes: Anderson, Johnson, Kemp, Olafsen Lackey, Shroder. Voting No: None. Absent: Correll, Grimm.

Compliance issues will be revisited at the next meeting if required after further investigation.

F New Business

1 Officer Report

Shroder reported the Geological Society of America (GSA) has put him in charge of Geoheritage. A search will be conducted for geoheritage sites which need to be known to the public. A worldwide move is underway to preserve geological features of scientific, cultural and aesthetic value. Shroder stated he would be looking for information and asked that members let him know of any sites.

The need for a list of licensed geologist expertise is becoming greater as water issues arise. The Natural Resource Districts are using a consultant because they cannot handle all the calls. Finding a list of qualified licensed hydrogeologists is a problem. A way to publicize a list of specialties for licensees will be added to the agenda for discussion at the next Board meeting.

2 ASBOG®

State Registration Standards Matrix

The State Geology Registration Standards as published on the ASBOG® website in October 2007 was reviewed by the Board.

Forum Published on ASBOG® Website

A Forum was recently published on the ASBOG® website for member Boards. The password protected section includes a projected meeting calendar, committee and annual meeting minutes, examination information, a long range schedule and disciplinary data links to other state websites.

ASBOG® Foundation - Report by Duane Eversoll

Duane Eversoll explained the history of the creation of the ASBOG® Foundation. A need was realized as smaller state boards struggled to send representation to meetings while larger boards sent several representatives. The Foundation finances will be kept separate from ASBOG®. John Williams and Duane Eversoll will act as representatives to seek donations from corporations.

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Geological Society Accreditation - Report by Duane Eversoll

Duane Eversoll reported serving on a 10-member committee two years ago that distributed a survey that resulted in 51% saying "no" and 40% saying "yes" to favoring accreditation. Accreditation would enable universities to keep geology course offerings. Eversoll reiterated the need for one voice and combined meetings. Another survey will be sent out soon and other agencies will be included to participate, including ABET and the United Kingdom. The new survey will be sent to the Board office for members to review.

**3 Expiration of Board Member Term, February 28, 2008 - Shroder
Board and Commissions Letter and Application**

Lindsley-Griffin stated she would be retiring in 2009. An education member must represent the professional faculty of the geology departments of the university as well as being a registered geologist. A list will need to be made to see if anyone is interested in being appointed. Shroder stated that he would be willing to be reappointed to the Board for another term. The Board will send a recommendation letter to Governor Heineman and Shroder will send a letter to the Boards and Commissions office requesting reappointment.

4 Newsletter Distribution Methods

Email Distribution Suggestion

The Board discussed using email for distribution of the newsletter. The Board was in consensus that a hard copy was preferred for registrants, although sending the newsletter by email to senators, organizations with a Certificate of Authorization, and newspapers would be cost effective way to widen distribution.

5 New Primary Contact for Attorney General's Office

Natalee J. Hart, of the Attorney General's office, has been assigned as the Board's new primary contact.

6 COE Workshop, April 4-5, 2008

Anderson reported he would attend at his own expense if someone else wanted to attend. Interest was expressed by Kemp. Weaver will email Correll and find out if he is still interested in attending. Lindsley-Griffin stated she could possibly attend the Annual Meeting in November.

Adjournment

Action Motion by Anderson, second by Johnson to adjourn the meeting at 3:30 p.m. Voting Yes: Anderson, Johnson, Kemp, Olafsen Lackey, Shroder. Voting No: None. Absent: Correll, Grimm.

Board Member Signature