

**NEBRASKA STATE BOARD OF GEOLOGISTS**  
**Meeting Minutes – July 22, 2003**  
**Nebraska State Office Building - 301 Centennial Mall South 6<sup>th</sup> Floor - Lincoln, NE**

**Board Members**

Terry Thonen, Chairperson, Omaha; Richard Ehrman, Vice-Chairperson, Lincoln; Bonner Bowden, Secretary, Kearney;  
David J. Becker, Omaha; James Cannia, Mitchell; Dr. John (Jack) Shroder, Omaha; Karen Jensen, Public Member, Lincoln;  
Dr. Nan Lindsley-Griffin, Emeritus Member; Sandra Weaver, Administrative Assistant, Lincoln

**Call to Order**

Thonen called the meeting of the Nebraska Board of Geologists to order at 1:04 p.m.

**Roll Call**

Terry Thonen, Chairperson, Professional Geologists - Omaha  
Dick Ehrman, Vice-Chairperson, Professional Geologist – Lincoln  
Bonner Bowden, Secretary, Professional Geologist – Kearney - Absent  
David J. Becker, Professional Geologist – Omaha  
James Cannia, Professional Geologist – Mitchell  
Dr. John (Jack) Shroder, Professional Geologist, Educational Member - Omaha  
Karen Amen Jensen, Public Member – Lincoln  
Sandra Weaver, Administrative Assistant – Lincoln

Dr. Nan Lindsley-Griffin – Previous board member and special guest (given Emeritus status by unanimous vote during New Business session of meeting)

Mr. Charles Nelson, Executive Director of the Board of Engineers and Architects – Attended meeting from 2:23 p.m. to 2:35 p.m. at the Board's request.

**Approve Minutes of Previous Meeting**

Motion made by Ehrman to approve the April 10, 2003, Board meeting minutes as presented. Second by Cannia. Voting aye on the motion: All. Voting Nay: None. Motion carried unanimously.

**Officer Report**

Thonen gave a short overview of Board activities dealing with the Rules and Regulations and Geologist Regulation Act changes to be discussed later at the meeting.

Jensen reminded the board of a previous commitment she had made to document policy decisions and asked for some time during the old business discussion to give a report.

**Financial Report**

Weaver provided the financial report for the months of April, May and June of 2003. A fiscal year-end budgetary report of actual expenses and income was presented on an Excel spreadsheet. Projected expenses were less than actual expenditures and revenues increased from the previous year. The cash balance for the fiscal year ending June 30, 2003, was \$43,069.71. Motion by Shroder to approve the Financial Reports as provided by Weaver. Second by Cannia. Voting aye on the motion: All. Voting Nay: None. Motion carried unanimously.

**Fiscal Year End Activity Report**

Weaver provided the Fiscal Year End Activity Report from July 1, 2002, through June 30, 2003. It was reported that there are 264 PG licenses that are valid until December 31, 2003, and six unpaid renewals. A renewal reminder will be sent out in August. Motion by Shroder to approve the Fiscal Year End Activity Report. Second by Cannia. Voting aye on the motion: All. Voting Nay: None. Motion carried unanimously.

**Administrative Assistant Activity Report**

Weaver submitted four PG wall certificates to the Board for signatures. A list of exam results from the spring ASBOG exam and an update of current board member terms was presented. A new board directory was distributed in the board packet.

**Rules and Regulations Committee Report**

Ehrman submitted his latest revision of the rules and regulations in response to the Attorney General's comments. GIT references were removed. Structural changes consisted of an alphabetical and numerical table of contents and the renumbering of pages by chapter. Ehrman reported that the questions concerning GITs are still out there and the issue needs to be resolved over the next few legislative sessions. The Board was in agreement that the document heading should read, "Title #171, Rules and Regulations Pertaining to Regulation of Geologists." The board will need to post a public notice for the hearing. At the hearing, comments are

taken from the public and once the Rules and Regulations are approved by the Board, a copy is submitted to the Attorney General's Office. It was decided to set the public hearing for the same day as the October board meeting. Becker reminded the Board that if any changes are made to the core classes or fees that the changes should be made in the revisions. It was decided to table making a motion until after discussion of new business.

**Action Items:** Weaver, with assistance from Ehrman, will publish the public hearing date at least 30 days before the hearing in a newspaper of general circulation. It may also be posted on the web site and by the office entry.

### **Geologist Regulation Act Legislative Changes**

The next legislative session will begin on January 5, 2004. Discussion took place concerning submission of the bill in 2004 or 2005. Since three board member terms expire in 2004, it may be in the Board's best interest to strive for the 2004 session. Ehrman reported that 2004 was a short session and the time frame would need to be moved up to be prepared. Thonen suggested that the legislative effort needs to consist of a core group with a leader and two or three support people using Jim Kearney as lobbyist along with other resources. Possible sponsors need to be contacted. Thonen volunteered to spearhead an effort to rewrite the bill and Becker volunteered to be the project manager. Jensen will assist along with the other members of the Board. After a document is drafted, the Board will need to talk to Jim Kearney and find out his availability. Jensen stated that she might be able to help Jim Kearney. Groundwork needs to take place to determine the time frame. The goals of the Board are to have the bill drafted, a sponsor selected and be prepared to submit the bill at the next session. A decision was made to proceed with preparation for the 2004 session.

#### **Action Items:**

1. Thonen to begin effort to rewrite bill and submit language to Lindsley-Griffin.
2. Becker and Jensen to identify schedule with tasks that need to be done, seek list of organizations to contact (Becker will contact Buetler as a sponsor), develop a schedule for 2004 submission.
3. Shroder will check and see who the lobbyist is for the University of Nebraska and see if he/she could be utilized.
4. After bill is drafted, Board will contact Jim Kearney to find out availability.

It was suggested that the GIT aspect be done as a voluntary program so it would not be required to be in the statute. The Board of Engineers and Architects Executive Director, Charles Nelson, was asked to visit concerning the EIT status for Engineers. He explained that the EIT status was not a license, but an enrollment as an engineer intern. The Board was in agreement that a GIT status needs to be encouraged. If possible, the Board would like to find a way to offer the status without a statute change.

Motion by Becker to hold a public hearing on the revised draft for the Rules and Regulations prior to the next regularly scheduled board meeting. Ehrman added a friendly amendment to complete the draft rules and regulations in time for the public notice. Second by Shroder. Voting aye on the motion: All. Voting Nay: None. Motion carried unanimously.

### **ASBOG**

Weaver submitted the score reports for the March 2003 ASBOG exam and the nationwide summary statistics.

The new ASBOG National Examination Desk Reference was presented to the Board. It was created and distributed by ASBOG to make it easier to retrieve relevant information and to serve as a resource for personnel new to the program. The examination administrator is responsible for incorporating any replacements into the binder and making sure it remains within the entity.

The Board reviewed the schedule of activities and forms for the 2003 ASBOG annual meeting in Jacksonville, Florida. It will be held October 28 through November 2, 2003. The COE Workshop will be October 30 through October 31. Motion by Ehrman to appoint Cannia as COE voting delegate and representative for the ASBOG COE October 2003 workshop. Second by Jensen. Voting aye on the motion: All. Voting Nay: None. Motion carried unanimously. Motion by Lindsley-Griffin to appoint Duane Eversoll as the alternate representative for the ASBOG COE October 2003 workshop. Second by Cannia. Voting aye on the motion: All. Voting Nay: None. Motion carried unanimously.

**Action Item:** Weaver will email Duane Eversoll to inform him of the appointment as alternate representative.

Weaver gave each board member the User ID and Password to access the ASBOG Web site's "*Members Only*" section in their Board packet. The information is not for public release and is only for personnel directly involved in the Geology Board activities (e.g., Administrators, Board Members, Voting Delegates, Examination staff and representatives to the ASBOG Council of Examiners (COE) on a need to know basis).

### **New Business**

1. The Board acknowledged the time and effort that Nan Lindsley-Griffin has contributed to serving the Nebraska Board of Geologists. Motion by Cannia to designate Lindsley-Griffin as a Board Emeritus Member. Second by Becker. Voting aye on the motion: All. Voting Nay: None. Motion carried unanimously.
2. On May 21, 2003, Governor Mike Johanns declared the week of June 15-21 State Geology Week. The purpose was to recognize the many contributions geologists have made to Nebraska during the past 15 years.

**Action Item:** Becker will draft a letter (for Thonen to sign) thanking Governor Johanns for designating State Geology Week from June 15-21, 2003, and to request that he designate a week out of every year.

3. The Board received a request to review a transcript to determine what credits can be counted towards the 30 semester hours of geology course work. Motion by Ehrman that the requester be referred to Lindsley-Griffin and Shroder to draft a letter that would acknowledge the three geology courses taken that meet the requirements and outline the courses needed. Second by Becker. Voting aye on the motion: All. Voting Nay: None. Motion carried unanimously.

**Action Item:** Lindsley-Griffin and Shroder to send letter to Mr. Smith confirming the courses that meet the guidelines and list the courses that are necessary to complete the core course requirement.

4. Weaver asked the Board if licensees were required to have a seal copy in their folder since the licensing letter asks them to return a copy. It was decided that the Board does not require a copy to be in the folder.
5. The Professional Geologist application form will be updated to list *Professional Geologist*, *FG Exam* and *PG Exam* as areas to mark for application. The Geologists that are still working for the experience requirement but have met the education requirement can apply to be approved for the FG Exam.
6. A review of the core courses policy when granting reciprocity (including exams) was conducted. Motion by Ehrman to add Hydrogeology as seventh in list of core courses and leave the remaining language the same. After much discussion, Ehrman withdrew the motion. A new motion by Ehrman that the Board add Hydrogeology or Groundwater Geology as seventh core course and require 5 of 7 core courses (Physical Geology, Mineralogy, Petrology/Petrography, Stratigraphy/Sedimentology/Soils, Structural Geology, Summer Field Geology and Hydrogeology) and modify language to read, "Course work shall include 5 of the following courses or their equivalents" and strike language "equivalent, unless a requirement for a specific course is waived by the Board." Second by Shroder. Voting aye on the motion: All. Voting Nay: None. Motion carried unanimously.

**Action Item:** Weaver to update the web and all documents listing the core course requirements

7. A tentative template was offered to run a listing of the licensed PGs. It was decided that since the web site has a current list it can be printed off if needed.
8. The Board discussed mailing the 2003 Newsletter with the renewals. Articles will need to be finished before October 1. Jensen offered to supply a poem for the newsletter.

**Action Item:** Weaver will send out reminders by email and encourage articles to be written.

9. A request was received from the National Ground Water Association for a statement regarding the professional practice of geology and geologist licensing or registration requirements in the State of Nebraska.

**Action Item:** Weaver to send email to the National Ground Water Association and refer them to the Geologist Regulation Act on website to obtain the law for licensing practice and requirements.

Cannia reminded the Board that three vacancies will occur on the Board in 2004 and that possible candidates need to be determined and encouraged to apply.

#### **New Applications**

- 03-006 Richard Lee Hahler (NE) Requesting approval to take FG Exam (still in training)
- 03-007 Michael R. Daugherty (NE) Requesting registration by ASBOG exam
- 03-008 John J. Wyciskalla (IA) Requesting registration by ASBOG exam

#### **Pending Applications**

- 03-003 Derek Ryter (NE) - completion of folder - official approval for licensure

Motion by Becker to go into executive session at 4:10 p.m. Second by Cannia. Voting aye on the motion: All. Voting Nay: None. Motion carried unanimously.

Motion by Shroder to leave executive session at 4:33 p.m. Second by Ehrman. Voting aye on the motion: All. Voting Nay: None. Motion carried unanimously.

Applications were reviewed and acted upon.

#### **New Applications Approved**

- 03-006 Richard Lee Hahler (NE)

Motion by Shroder to approve Hahler to sit for the ASBOG FG exam. Second by Becker. Voting aye on the motion: All. Voting Nay: None. Motion carried unanimously.

03-007 Michael R. Daugherty (NE)

Motion by Becker to approve Daugherty to sit for the ASBOG FG & PG exams. Second by Ehrman. Voting aye on the motion: All. Voting Nay: None. Motion carried unanimously.

03-008 John J. Wyciskalla (IA)

Motion by Ehrman to approve Wyciskalla to sit for the ASBOG FG & PG exams. Second by Cannia. Voting aye on the motion: All. Voting Nay: None. Motion carried unanimously.

### **Action on Pending Application**

03-003 Derek Ryter (NE)

Motion by Shroder to approve Ryter for licensure based on completion of requirements. Second by Cannia. Voting aye on the motion: All. Voting Nay: None. Motion carried unanimously.

### **Old Business**

1. The forms were reviewed for the Authorization Certificate. The Board was unsure of the purpose of the designation.

Motion by Becker to defer discussion to next meeting and gather information. Second by Cannia. Voting aye on the motion: All. Voting Nay: None. Motion carried unanimously.

The Board discussed the fees in the Rules and Regulations. Motion by Becker to revise the language regarding fees in the Rules and Regulations to read as the corresponding section of the Rules and Regulations for the Engineers and Architects and that all specific fees will be removed and replaced with language that the fees shall be set by the Board. Second by Cannia.

2. Weaver asked for clarification on the Temporary License requirements. Thonen reviewed the application form and determined that requirements on the application be used to decide who should apply.

3. A meeting invitation was received from the State Board of Engineers and Architects after one of their meetings and to eat a sack lunch with their members. The Nebraska Board of Geologists decided to meet on October 17 at a regularly scheduled board meeting for the Engineers and Architects (later changed to 24<sup>th</sup>) for a sack lunch and then hold their meeting at 1:00 p.m. A public hearing for the Rules and Regulations was tentatively set for 2:00 p.m.

4. The Board reviewed correspondence that was mailed after the last meeting.

Jensen reported that she had been able to resume work on documenting the policy decisions as of January 2001. She handed out the second draft dated July 22, 2003.

### **Next Board Meeting Date for 2003:**

The Board will meet for a sack lunch with the Nebraska Board of Engineers and Architects on October 17<sup>th</sup> (later changed to Friday, October 24<sup>th</sup>, 2003) and hold their meeting at approximately 1:00 p.m. A public hearing for the Rules and Regulations is tentatively planned to be held the same day at 2:00 p.m.

### **Adjournment**

Motion by Ehrman to adjourn the Board meeting at 4:55 p.m. Second by Becker. Voting aye on the motion: All. Voting Nay: None. Motion carried unanimously.

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**Board Member**

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**Title**