

**Nebraska Board of Geologists
Board Meeting Minutes
July 26, 2007, Lincoln, Nebraska**

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

The meeting was held at 215 Centennial Mall South, 5th Floor, Small Conference Room, Lincoln, Nebraska. Vice-Chairperson Anderson called the meeting to order at 1:55 p.m. and informed the public of the location of the Open Meetings Act.

Roll Call: Dennis Anderson, Thomas Correll, Jeffrey Johnson, Susan Olafsen Lackey. Absent: John (Jack) Shroder, Andrew Grimm, Robert Kemp. Staff Present: Sandra Weaver.

Since a quorum was not present for roll call, no votes were taken until Grimm arrived at 4:00 p.m. He was updated on any previous discussion before any voting transpired.

Public Comment

The following appeared before the Board:
Dave Becker; F.4.a

Agenda Items

Approval or Adjustment of the Agenda

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

A Consent Agenda

1 Meeting Minutes

a April 12, 2007, meeting minutes were approved with a correction to section F.3: Geographic should be changed to Geological.

2 ASBOG® Examination Results

a The Board received the results of the March 2007 ASBOG® FG & PG examinations. One Nebraska applicant was proctored in Wyoming.

b The Board received a summary report from ASBOG® showing statistical results of the March 2007 FG and PG Examinations administered in 26 states. Seven hundred and sixty-eight examinees sat for the FG Examination and 500 examinees sat for the PG examination.

3 New Website Template

a Nebraska.gov implemented an updated template on the Board website, June 13, 2007. It is easier to navigate and the web address was shortened to www.geology.state.ne.us.

Approval of Consent Agenda

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

B Financial Matters

1 a Budget Status Report, April 2007

b Budget Status Report, May 2007

c Budget Status Report, June 2007

2 a Fund Summary Report, April 2007

b Fund Summary Report, May 2007

c Fund Summary Report, June 2007

3 a General Ledger by Business Unit Report, April 2007

b General Ledger by Business Unit Report, May 2007

c General Ledger by Business Unit Report, June 2007

4 a Financial Summary, Fiscal Year 06/07

Melinda Pearson, Executive Director for the Board of Engineers and Architects reviewed NIS financial reports with the Board and explained how to use them to monitor expenditures and revenue. Weaver provided a financial spreadsheet for FY 06/07. A new spreadsheet will be developed under the administration of the Board of Engineers and Architects for all three Boards for the next fiscal year.

5 a Fiscal Activity Report, Fiscal Year 06/07

The Board was provided a summary of activities for FY 06/07. Two hundred eighty one geologists were licensed for 2007 and ten geologist-interns were enrolled. Eleven registrants have not renewed for 2007.

**Nebraska Board of Geologists
Board Meeting Minutes
July 26, 2007, Lincoln, Nebraska**

Approval of Financial Reports

Action Motion by Grimm, second by Correll to approve the financial reports for April, May and June 2007. Voting Yes: Correll, Grimm, Johnson, Olafsen Lackey, Anderson. Voting No: None. Absent: Shroder, Kemp.

C Applications

1 a Draft of Licensing Requirement Checklist

A draft for an application overview checklist was reviewed. Weaver asked for clarification of transcript requirements for those applying for licensure through reciprocity. Official transcripts will be required for all applicants as stated in Chapter 3.001.01C of Title 171 NAC, Rules and Regulations. A suggestion was made to add core courses to the checklist. Beginning in November, all applicant files reviewed by the Board will contain a checklist to help ensure equal treatment.

b Core Course Equivalency List

2 Licensure/Examination Applications

a Applications for Licensure by Reciprocity

Oriano, Julie M. (IA) - **07-004**

Jehn-Dellaport, Theresa (CO) - **07-005**

Divine, Dana P. (NE) - **07-006**

b Applications for Licensure by ASBOG® FG & PG Examination - None

c Applications for Geologist-Intern Enrollment by ASBOG® FG Examination

Hallum, Douglas R. (NE) - **07-007**

3 Pending Cases - None

Approval/Denial of Licensure/Examination Applications

Action Motion by Johnson, second by Correll to approve **Julie Oriano** for **licensure by reciprocity**. Voting yes: Correll, Grimm, Johnson, Olafsen Lackey, Anderson. Voting No: None. Absent Kemp, Shroder.

Action Motion by Johnson, second by Correll to approve **Theresa Jehn-Dellaport** for **licensure by reciprocity**. Voting yes: Correll, Grimm, Johnson, Olafsen Lackey, Anderson. Voting No: None. Absent Kemp, Shroder.

Action Motion by Johnson, second by Correll to approve **Dana P. Divine** for **licensure by reciprocity** contingent upon receiving official transcripts. Voting yes: Correll, Grimm, Johnson, Olafsen Lackey, Anderson. Voting No: None. Absent Kemp, Shroder. Voting No: None. Absent: Kemp, Shroder.

Action Motion by Johnson, second by Correll to approve **Douglas R. Hallum** to **sit for the FG examination** pending receipt of an official transcript. Voting yes: Correll, Grimm, Johnson, Olafsen Lackey, Anderson. Voting No: None. Absent Kemp, Shroder. Absent: Kemp, Shroder.

4 Appeals

a Denial of Licensure by Reciprocity

Roberts, James A. (KS) - **06-014**

Executive Session

Action Motion by Correll, second by Olafsen Lackey to go into executive session at 4:08 p.m. to discuss personal information for James Roberts and past reciprocity applicants concerning licensure by reciprocity. Voting yes: Correll, Grimm, Johnson, Olafsen Lackey, Anderson. Voting No: None. Absent: Kemp, Shroder.

Action Motion by Johnson, second by Olafsen Lackey to come out of executive session at 4:11 p.m. Voting yes: Correll, Grimm, Johnson, Olafsen Lackey, Anderson. Voting No: None. Absent: Kemp, Shroder. Motion carried.

Approval/Denial of Licensure Appeal Request

Action Motion by Johnson, second by Correll to approve **James A. Roberts** for **licensure by reciprocity** based on review of requirements for approved reciprocity applicants. Voting yes: Correll, Grimm, Johnson, Anderson. Abstain: Olafsen Lackey. Voting No: None. Absent Kemp, Shroder.

D Compliance Cases

1 New Cases

None

2 Ongoing Cases

None

**Nebraska Board of Geologists
Board Meeting Minutes
July 26, 2007, Lincoln, Nebraska**

- 3 **Closure of Cases**
 None
 - 4 **Compliance Issues**
 - a **Seal Images Displayed on Hubco, Inc. Website**
 The compliance officer for the Board of Engineers and Architects mailed a letter requesting that published seal images of engineers and architects as well as geologists be removed from their website.
 - b **Images Removed from Hubco, Inc. Website**
 The Board was presented their web page printed on 7/25/07. No further action will be taken since the images were removed.
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E Old Business - Discussion Items

- 1 **General Information**
 - a **2007 - 2008 Schedule**
 - b **Roster - Board Members**
- 2 **ASBOG®**
 - a Suggestions On Exam Content and Annual Meeting Procedures
 Anderson reported sending suggestions for a letter to ASBOG® to Lindsley-Griffin for editing concerning exam content and Annual Meeting procedures. They will be returned for review.
- 3a **Board Emeritus Member Term Expiration**
 - a Lindsley-Griffin - Emeritus Term Expired 7/22/07
 - Action** Motion by Johnson, second by Correll to reappoint Lindsley-Griffin to a new term as Emeritus Board member. Voting yes: Correll, Grimm, Johnson, Olafsen Lackey, Anderson. Voting No: None. Absent: Kemp, Shroder. The new term will expire July 22, 2008.
- 3 **Rules and Regulations**
 - a **Approval of Rules by Governor**
 Title 171 NAC, Rules and Regulations were submitted to the Attorney General on February 13, 2007, and approved on April 5, 2007. After submittal to the Governor's Policy Research Office on April 6, 2007, the rules were approved for adoption by the Governor on July 24, 2007. The Regulations will become effective July 27, 2009.
 - b **Distribution of New Rules**
 An estimate of mailing the new Rules and Regulations in a booklet with stitch binding to all licensees was presented by Weaver.
 - Action** Motion by Johnson, second by Olafsen Lackey to approve expenditures up to \$400 for the publication and mailing. Voting yes: Correll, Grimm, Johnson, Olafsen Lackey, Anderson. Voting No: None. Absent: Kemp, Shroder.

 It was brought to the attention of the Board that the Credentialing Act (LB 463), passed in the 2007 legislative session and could possibly be in conflict with the Geologists Regulation Act. Weaver will contact HHSS to get a copy and email it to the Board for review.
- 4 **Legislative Update**
 - a **LB 664**
 The Governor signed LB 664 on May 16, 2007. The bill will become law on September 1, 2007 (90 days following the legislative session).

 The Board has had inquiries about who may seal work for which state approval or permitting is required and whether an engineer can sign off on a hydro geologic report. The Board discussed asking for an Attorney General's opinion. Johnson will draft the language to the Attorney General and email it to the Board. After the Board has an opinion, a draft notification letter will be created for consultants and professional geologists. An item for clarifying exemptions in the Act will be added to the November meeting agenda under Old Business.
 - Action** Motion by Olafsen Lackey, second by Johnson to ask the Attorney General to give an opinion on who may sign off on a hydrogeologic report. Voting yes: Correll, Grimm, Johnson, Olafsen Lackey, Anderson. Voting No: None. Absent: Kemp, Shroder.

**Nebraska Board of Geologists
Board Meeting Minutes
July 26, 2007, Lincoln, Nebraska**

- b Update Letter from DeMaris Johnson**

In a letter dated July 23, 2007, DeMaris Johnson submitted a follow-up summary for the 2007 Legislative session. The importance of monitoring bills in coming years was emphasized and assistance was offered. An invitation for the November meeting will be extended to Ms. Johnson to discuss the need for monitoring bills and a possible contract.

5 Certificate of Authorization Implementation

- a Inquiry Concerning Organizational Authorization Requirements**

An inquiry was received from a foreign corporation about authority to practice geology in Nebraska. Since the Rules and Regulations will be effective July 27, 2007, the Board will implement the Certificate of Authorization as defined in Statute and the Rules and Regulations.
- b Authorization Memo**

A test for organizations to determine if they need a certificate of authorization was outlined on the authorization memo. The memo will be mailed to all companies that have made inquiries in the past. A memo and letter will be sent out to organizations of new licensees so they can determine if a certificate is needed. Possibilities of getting a list of companies that practice geology in Nebraska was discussed.

F New Business

1 Officer Report

- a Welcome to New Member, Thomas Correll (Signing of Oath of Office)**

Thomas Correll was welcomed to the Board by Vice-Chairperson Anderson and introduced to attending members. His appointment was effective on April 13, 2007. The oath of office was signed before the meeting was called to order and will be filed with the Secretary of State.

2 ASBOG®

- a Annual Meeting - October 23-28, 2007, Denver, CO**

The Annual Meeting will be held at the Marriott Denver City Center. One delegate per member board can vote. Because of schedule conflicts, neither Johnson or Olafsen Lackey will be able to attend in 2007. Olafsen Lackey emphasized the importance of all board members attending the meeting and COE workshop at least once. Anderson was willing to attend.
- b Foundation Proposal for Vote at Annual Meeting**

A proposed Foundation will be an agenda item to be discussed at the 2007 Annual Meeting. The Executive Committee will be formally proposing its adoption by the member Boards. After much discussion, the Board was in agreement to ask Anderson to vote yes as Nebraska's voting delegate.
- c 2007 Annual Meeting Member Board Summary Report**

Weaver will create an Annual Report and send to Anderson for review and editing. The report will be given by Anderson at the Annual meeting. When completed, the report will be emailed to ASBOG® for publication in the Annual Meeting notebook.

Approval of Voting Delegate

- Action** Motion by Olafsen Lackey, second by Correll to appoint Anderson as voting delegate to the ASBOG® Annual Meeting in October 2007. Voting yes: Correll, Grimm, Johnson, Olafsen Lackey, Anderson. Voting No: None. Absent: Kemp, Shroder.

3 2007 Newsletter

- a 2006 Newsletter - Request for Articles for 2007**

Articles from the Board were requested for the December 2007 newsletter. Weaver will contact the Nebraska Geological Society to see if they would be willing to publish a summary and a calendar of activities. A suggestion was made to write an article about the implementation of the Certificate of Authorization. Olafsen Lackey offered to write an article as well as contact a former Board member to see if they would be willing to submit an article.

4 Recognition Award

- a Former Board Member, Dave Becker**

In the absence of Chairperson Shroder, Anderson presented a letter and plaque on behalf of the Board to former member Dave Becker in appreciation for his service. Becker stated it had been an honor to serve for the last seven years. He wished the Board well in future endeavors and expressed it would be easier leaving the Board knowing the troublesome exemption had been removed from the Act and the Rules and Regulations had been approved by the Governor.

**Nebraska Board of Geologists
Board Meeting Minutes
July 26, 2007, Lincoln, Nebraska**

5 Wall Certificate Modification Discussion

a Draft

Action Motion by Johnson, second by Correll to approve the draft of an updated the wall certificate for licensees. Voting yes: Correll, Grimm, Johnson, Anderson. Abstain: Olafsen Lackey. Voting No: None. Absent Kemp, Shroder.

Adjournment

Action Motion by Johnson to adjourn the meeting at 4:20 p.m. Second by Olafsen Lackey. Voting yes: Correll, Grimm, Johnson, Olafsen Lackey, Anderson. Voting No: None. Absent: Kemp, Shroder.

Board Member