

NEBRASKA STATE BOARD OF GEOLOGISTS
Meeting Minutes – Wednesday, November 1, 2006
Nebraska State Office Building - 301 Centennial Mall South
Nebraska Board of Geologists Board Room, 6th Floor - Lincoln, Nebraska
Phone: 402-471-8383

Board Members

John (Jack) Shroder, Chairperson, Omaha; Dennis J. Anderson, Vice-Chairperson, Omaha;
David J. Becker, Secretary, Omaha; Andrew E. Grimm, Public Member, Omaha; Jeffrey S. Johnson, Lincoln;
Robert S. (Steve) Kemp, Lincoln; Susan Olafsen Lackey, Winside; Nan Lindsley-Griffin, Emeritus Member, Lincoln;
Sandra Weaver, Administrative Assistant, Lincoln

Call to Order

Chairperson Shroder called the meeting of the Nebraska Board of Geologists to order at 1:23 p.m. No votes were taken until a quorum was reached when Grimm arrived at 1:58 p.m.

Roll Call

Dr. John (Jack) Shroder, Vice-Chairperson, Educational Member, Professional Geologist – Omaha
David J. Becker, Secretary, Professional Geologist – Omaha - Absent
Dennis J. Anderson, Professional Geologist – Omaha - Absent
Andrew E. Grimm, Public Member – Omaha – Arrived at 1:58 p.m.
Jeffrey S. Johnson, Professional Geologist – Lincoln
Robert S. (Steve) Kemp, Professional Geologists – Lincoln
Susan Olafsen Lackey, Professional Geologist – Winside
Dr. Nan Lindsley-Griffin, Emeritus Member (Non-Voting), Professional Geologist – Lincoln
Sandra Weaver, Administrative Assistant – Lincoln

Approval of July 17, 2006, Board Meeting Minutes

Motion by Kemp to approve the July 17, 2006, Board meeting minutes. Second by Johnson. Voting aye on the motion: Shroder, Grimm, Johnson, Kemp, Olafsen Lackey. Voting Nay: None. Absent: Anderson, Becker. Motion carried.

Officer Report

None

Financial Report

The Board reviewed the Financial Report for July 1, 2006, through September 30, 2006. Motion by Johnson to approve the Financial Report as provided. Second by Kemp. Voting aye on the motion: Shroder, Grimm, Johnson, Kemp, Olafsen Lackey. Voting Nay: None. Absent: Anderson, Becker. Motion carried.

Johnson requested a second column be added to the financial report to reflect previous fiscal year monthly totals for each object code.

Fiscal Year Activity Report

The Activity Report for July 1, 2006, through November 1, 2006, was submitted by Weaver. On November 1, 2006, the roster contained 283 licensees current through December 31, 2006, and eight enrolled geologist-interns. Three registrants did not renew their license. Motion by Kemp to approve the activity report. Second by Olafsen Lackey. Voting aye on the motion: Shroder, Grimm, Johnson, Kemp, Olafsen Lackey. Voting Nay: None. Absent: Anderson, Becker. Motion carried.

Correspondence

The Board reviewed a request for a licensed Geologist listing from the Geological Society of America. It will be used for membership recruitment and verification.

Committee Reports

1. Rules and Regulations Report
Weaver reported the Rules and Regulations Pre-Review Checklist was approved by John Erickson at the Governor's Policy Research Office. Kemp questioned the language concerning reciprocity requirements in the Rules and Regulations. Lindsley-Griffin noted that core courses were introduced during the Grandfather licensing period because applicants were applying for licensure with only beginning geology courses. Proper degrees with core courses are important to ensure qualified people are licensed. The Board discussed requiring a transcript to document core courses. The Board agreed to remove the reciprocity policy from the appendix of the Rules and Regulations since it is not required. The Board reviewed the language under Licensure as a Professional Geologist through Reciprocity in the Rules and Regulations. Motion by Olafsen Lackey to omit, "without examination" on

page 3-2, section 002.01 of the Rules and Regulations. Second by Kemp. Voting aye on the motion: Shroder, Grimm, Johnson, Kemp, Olafsen Lackey. Voting Nay: None. Absent: Anderson, Becker. Motion carried.

Action Item: Weaver will update the Policy on Reciprocity document to clarify requirements and reflect the language in the Rules and Regulations as edited by Lindsley-Griffin.

2. Legislative Report

DeMaris Johnson was connected to the meeting by conference call at 2:15 p.m. Twenty-one new members will be elected to Nebraska's Unicameral due to term limits. Senators leaving the Unicameral have a combined 239 years of experience. The importance of each Board member getting to know their senator was emphasized. After meeting most of the candidates, Ms. Johnson was confident of their qualifications. Because of term limits, Senator Schrock will be leaving the Unicameral. Senator Langemeier will likely replace him as Chair of the Natural Resources Committee. Senators Loudon, Kopplin, and Hudkins will probably remain. New legal counsel on the committee may be necessary if Jody Gittens leaves the Legislative Council. Senator Langemeier spoke with her about continuing on the issue. Plans are being made to meet with John Erickson of the Governor's Policy Research Office, Executive Director Lee Orton, of the Well Drillers Association, concerning waste water, Jack Daniel at Regulation and Licensure for the Health and Human Services System, and Acting Director Ann Bleed of the Department of Natural Resources. Ms. Johnson emphasized the uncertainty of how relationships may be affected down the road with the new changes in the legislature.

Jeff Johnson reported meeting with DeMaris Johnson and Mike Linder of the Nebraska Department of Environmental Quality (NDEQ) on October 24, 2006, to discuss proposed legislation amending section 81-3541. It appears that they will be neutral on the bill. Meetings were also held earlier with Michael Kelsey of the Nebraska Cattleman's Association and Senator Hudkins. The livestock permit issue is causing concern. Discussion seemed to be focused on why there is a need for a geologist if an engineer is working on a project. The importance of qualified individuals to sign off on projects was expressed. Above ground issues involve engineers and below ground issues involve geologists. DeMaris Johnson asked the Board to come to a decision of which direction to go.

Action Item: Kemp will work on a white paper discussing factors to be considered in the proposed deletion of the exemption from the Geologists Regulation Act. DeMaris Johnson could use it or pass it out.

3. Nebraska Geological Society Meeting Report

Shroder reported a productive meeting. DeMaris Johnson went through list of candidates and informed the NGS about what was going on and described important issues. She urged members to get in touch with any senator they knew to educate them on the issues.

New Applications

- 06-013 Coen M. Bauders (MO) – Requesting Registration by Reciprocity
- 06-014 James A. Roberts (NE) – Requesting Registration by Reciprocity
- 06-015 Joshua J. Sales (KS) – Requesting Registration by Reciprocity
- 06-016 Ryan A. Pederson (CO) – Requesting Registration by Reciprocity

Pending Applications

None

The Board took a break from 2:40 p.m. to 2:55 p.m.

Executive Session

Motion by Kemp to go into executive session to discuss pending applications for registration by reciprocity at 2:55 p.m. Second by Johnson. Chairperson Shroder restated on record that the Board would be going into closed session to discuss pending applications for registration by reciprocity. Voting aye on the motion: Shroder, Grimm, Johnson, Kemp, Olafsen Lackey. Voting Nay: None. Absent: Anderson, Becker. Motion carried.

Motion by Olafsen Lackey to leave executive session at 3:10 p.m. Second by Johnson. Voting aye on the motion: Shroder, Grimm, Johnson, Kemp, Olafsen Lackey. Voting Nay: None. Absent: Anderson, Becker. Motion carried.

Application Action

Motion by Johnson to approve **Coen Bauders** for registration by reciprocity. Second by Kemp. Voting aye on the motion: Shroder, Grimm, Johnson, Kemp, Olafsen Lackey. Voting Nay: None. Absent: Anderson, Becker. Motion carried.

Motion by Johnson to approve **James Roberts** for registration by reciprocity contingent on documentation of a degree in geology or a geologic specialty. Second by Kemp. Voting aye on the motion: Shroder, Grimm, Johnson, Kemp. Abstain: Olafsen Lackey. Voting Nay: None. Absent: Anderson, Becker. Motion carried.

Motion by Olafsen Lackey to approve **Joshua Sales** for registration by reciprocity. Second by Johnson. Voting aye on the motion: Shroder, Grimm, Johnson, Kemp, Olafsen Lackey. Voting Nay: None. Absent: Anderson, Becker. Motion carried.

Motion by Johnson to approve **Ryan Peterson** for licensure by reciprocity contingent on documentation of a degree in geology or a geologic specialty. Second by Kemp. Voting aye on the motion: Shroder, Grimm, Johnson, Kemp, Olafsen Lackey. Voting Nay: None. Absent: Anderson, Becker. Motion carried.

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None

Old Business

1. 2006 Newsletter

Weaver requested articles be submitted soon so the newsletter can be sent out by the first part of December. The completed newsletter will be emailed to the Nebraska Geological Society to forward to their members.

Action Item: Shroder will submit poetry for the newsletter.

Olafsen Lackey offered to submit an article if needed.

2. Review of Submitted Biennium Budget

The Board reviewed the budget document submitted to the DAS Budget Division for the 2007-2009 Biennium.

New Business

1. Adjustment of Fee Schedule

The Board reviewed spreadsheets with various renewal fee projections and discussed future expenses. Nine other states average over \$73 for a renewal fee. The Board discussed documenting reasons to justify the fee increase. Motion by Grimm to change license renewal fee to a minimal amount of \$75 based on projected future costs. After discussion, Grimm made an amendment to insert the \$75 renewal fee into the Rules and Regulations. Second by Kemp. Voting aye on the motion: Shroder, Grimm, Johnson, Kemp, Olafsen Lackey. Voting Nay: None. Absent: Anderson, Becker. Motion carried. Weaver stated she had talked to Lauren Hill of the Governor's Policy Research Office and the Board could proceed to the Public Hearing after changing the fee without resubmitting the PreReview Checklist.

Action Item: A white paper will be written by Becker and Kemp reflecting the license fee amount with supporting documentation for publication in the newsletter.

Action Item: Weaver will get input from DAS Budget Analyst, Gary Bush, on ways to save money and about budgeting for legal actions.

2. Legislative Aid Contract

The current contract with the Johnson Group will expire November 30, 2006. The Board discussed continuation of the agreement during the next legislative session. The contract amount would be divided into four (4) equal payments to be made in January, April, July, and October of 2007. Motion by Johnson to approve the \$10,000 contract with DeMaris Johnson for legislative aid for December 1, 2006 to November 30, 2007. Second by Olafsen Lackey. Voting aye on the motion: Shroder, Grimm, Johnson, Kemp, Olafsen Lackey. Voting Nay: None. Absent: Anderson, Becker. Motion carried.

3. Hearing Date for Rules and Regulations

The Board decided to set the hearing date on the same day as the next regular meeting in January 2007.

Action Item: An email will be sent out to remind the Board of the public hearing date and meeting.

4. Independent Agency Information for Senators

At the last two Independent Agency meetings, a discussion was held about putting together packets for state senators. Each senator would receive a packet including a one page synopsis of every participating agency. The Board decided to participate.

Action Item: Weaver will email a synopsis for the Board to edit before sending for publication.

Adjournment

Motion by Olafsen Lackey to adjourn the meeting at 4:31 p.m. Second by Johnson. Voting aye on the motion: Shroder, Grimm, Johnson, Kemp, Olafsen Lackey. Voting Nay: None. Absent: Anderson, Becker. Motion carried.

Next Board Meeting Dates

Regular meeting, January 9, 2007, at 1:00 p.m., Community Foundation Building, 215 Centennial Mall South, 5th Floor - Lincoln, Nebraska.

Public Hearing for Rules and Regulations, January 9, 2007, 2:00 p.m., Community Foundation Building, 215 Centennial Mall South, 5th Floor - Lincoln, Nebraska.

Board Member

Title