

**Nebraska Board of Geologists
Board Meeting Minutes
November 2, 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. Chairperson Shroder called the meeting to order at 1:06 p.m. and informed the public of the location of the Open Meetings Act.

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

Public Comment

The following appeared before the Board:

1:00 p.m., DeMaris Johnson; E.4.a

Agenda Items

Approval or Adjustment of the Agenda

No changes were made to the consent agenda as listed.

A Consent Agenda

1 Meeting Minutes

- a July 26, 2007 meeting minutes were approved as presented.

2 ASBOG®

- a A schedule for ASBOG® examinations and the COE Spring and Fall Workshops was printed from the ASBOG® website.

3 Licensure/Examination

- a **Certificate of Authorizations:** Thiele Geotech Inc, CA0001, Geologist Dennis J. Anderson; Versar Inc, CA0002, Geologist Nan Glenn; Stanley Consultants, CA0003, Geologist Julie Oriano; Geotechnical Services Inc, CA0004, Geologist Charles A. Brewer; Array Environmental Inc, CA0005, Geologist Dustin Cruikshank; Terracon Consultants Inc, CA0006, Geologist David M. Svingen; Coranco Great Plains Inc, CA0007, Geologist Daniel Blankenau; Leggette Brashears & Graham Inc, CA0008, Geologist Timothy L. Kenyon; Groundwater Sciences Corporation, CA0009, Geologist Craig G. Robertson; EA Engineer, Science, and Technology, Inc, CA0010, Geologist David L. Cookston; Burns & McDonnell Engineering Company Inc, CA0011, Geologist Gregory Nieman; Portnoy Environmental Inc, CA0012, Geologist Michael Portney; Geomatrix Consultants Inc, CA0013; Geologist Eric Tollefsrud; URS Group Inc, Geologist Denzil L. Jorgenson; URS Corporation, CA0015, Geologist Terrance L. Thonen; Ecology and Environment Inc; CA0016, Geologist John Caoile.

Approval of Consent Agenda

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

- 1 a Budget Status Report, July 2007
- b Budget Status Report, August 2007
- c Budget Status Report, September 2007
- 2 a General Ledger by Business Unit Report, July 2007
- b General Ledger by Business Unit Report, August 2007
- c General Ledger by Business Unit Report, September 2007
- 3 a Fund Summary Report, July 2007
- b Fund Summary Report, August 2007
- c Fund Summary Report, September 2007
- 4 a Financial Profile History, FY 00/01 to FY 06/07
- b Financial Profile Report, July-September FY 07/08
- 5 a Activity Report, FY 07/08

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

C Applications

1 a Licensing Requirement Checklist

A comment box will be created at the end of the applicant checklist and a space will be added for courses that are not listed under the standard core courses.

b Core Course Equivalency List

2 Licensure/Examination Applications

a Applications for Licensure by Reciprocity

Approved - Richard J. Burns (PA)

Denied Reciprocity/Approved to take ASBOG® Examinations - Paul R. Book (MN)

The Board denied request for licensure because ASBOG® exams were not taken and initial licensure in good standing was attained after December 31, 1991. (Title 171, NAC, Section 002.01C) Approved to take ASBOG® FG & PG examinations.

b Applications for Licensure by ASBOG® FG & PG Examination

No applications at this time.

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

No applications at this time.

Approval/Denial of Licensure Applications

Action Motion by Anderson, second by Kemp to approve or deny applications as recommended by the application reviewers. Voting Yes: Anderson, Kemp, Correll, Grimm, Shroder. Voting No: None. Absent: Johnson, Olafsen Lackey.

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

E Old Business - Discussion Items

1 General Information

a 2007 - 2008 Schedule

Shroder asked if the next meeting could be moved from January 10 to a later date since he would be out of state and the university would be closed until January 14. The meeting would need to be held early enough to give approved applicants time to register for exams. The last date for submitting ASBOG® exam payments is January 22, 2008. Tuesday, January 15, 2008, was selected for a new date. Weaver will discuss the requested change with the Board of Engineers and Architects Executive Director.

b Roster - Board Members

2 ASBOG®

a October 4, 2007, Memo; RE: Communication

William G. Dixon, ASBOG® President expressed concern that inappropriate and unsanctioned information is being released regarding ASBOG® business. Member boards are urged to purge email lists of unintended recipients before hitting "Send."

b October 5, 2007, Memo: RE: Communication and Perceptions

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The agenda emailed on October 1st was not official for the Administrators' Workshop on October 26. Later submissions from administrators were combined into a final agenda. Clarification was received that ASBOG®'s governing documents do not provide for "Regions."

3 Rules and Regulations

a Public Question: Geologist in Responsible Charge for Certificate of Authorization

A geologist inquired about obligations and liabilities placed on the "geologist in charge" when listed on a Certificate of Authorization for an organization. The Board was in agreement that it does not have the authority to address issues of legal liability but could address how compliance is evaluated. Signing the Certificate of Authorization as the "Geologist in Charge" does not in itself make the geologist responsible for any work other than which his/her seal is placed and signed in accordance with the provisions of Title 171. Kemp will draft the language for a response letter.

b Publication of Rules Report - Weaver

Title 171 Nebraska Administrative Code, Chapters 1 through 6, Rules and Regulations will be mailed to licensees, emeritus members and geologist-interns in the next few days. A printed booklet was presented to each Board member. Weaver reported the total cost would be under the \$400 expenditure limit set at the July meeting.

4 Legislative Update

a Discussion of Future Legislative Aid - DeMaris Johnson - 1:00 p.m.

A history of legislative changes to the Geologists Regulation Act was reported by DeMaris Johnson. Legislative work to remove the exemption in Neb. Rev. Stat. § 81-3541 (l) began in December 2005. LB 664 became law on September 1, 2007. A calendar of the upcoming 2008 Legislative Session and a brief synopsis of the 2008 legislative primary candidates were reviewed. Ms. Johnson emphasized the importance of monitoring legislation, especially in the next year. Chairperson Shroder asked Ms. Johnson to submit a written contract for monitoring legislation for the Board to review.

5 Geologists Regulation Act

a Clarification of Exemptions (81-3541)

A draft letter to the Attorney General's office with tentative language to ask for a legal opinion on the interpretation of Neb. Rev. Stat. § 81-3541 (e) was reviewed by the Board. Wording was added to clarify the Board's interpretation of geological practice versus engineering practice. The new language will be formatted into the letter and Weaver will email it to the Board for further review.

6 Certificate of Authorization Implementation

a Certificate of Authorization Process

Processing of the new Certificate of Authorization was reported by Weaver. A copy of a letter mailed to applicants (before the certificate is signed by the Board) was reviewed. The memo to determine if a certificate is required by an organization and the application to obtain a certificate have been added to the Board's website.

F New Business

1 Officer Report

a None at this time.

2 ASBOG®

a Annual Meeting - October 23-28, 2007, Denver, CO - Report by Dennis Anderson

Test blueprints for the September 2007 examination were presented by Anderson. No major changes were implemented. Statistical charts for the Fundamentals of Geology and the Practice of Geology beginning with the October 1992 administration were reviewed. The exams showed exceptional reliability. Anderson reminded the Board that the next Spring Workshop will be in Cody, Wyoming, April 4-5, 2008. He plans to attend and Correll will attend if possible. He emphasized the importance of COEs being prepared with the "Item Writing Submission." The next examination will have new answer sheets that will track the college or university attended by the examinee.

Anderson reported voting for the creation of the ASBOG® Foundation that was approved at the meeting. A projected 2008 Income Budget showed a single line item for "Foundation." Because of controversy, a roll call vote was taken for approval. Anderson stated he did not vote affirmatively because Nebraska State law prohibits State money from going into a private foundation and the "Foundation" line was not clarified. The projected budget was approved.

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3 2007 Newsletter

a 2007 Newsletter Articles

Additional articles are needed for the December 2007 newsletter. Dave Svingen, President of the Nebraska Geological Society, will submit a summary and a calendar of NGS activities for publication. Anderson will submit a COE Workshop article. Kemp will submit an article about the exemption removal from the Geologists Regulation Act and the impact it may have.

4 Emeritus Status

a Request for Emeritus Status

A request for Emeritus status with the fee was received from Roger Pabian in October. The Board previously offered Emeritus status with payment of the \$25 lifetime fee in a letter dated July 7, 2006. Mr. Pabian elected to renew his license instead. Since Emeritus status was offered earlier, the Board determined approval was still valid and confirmation should be mailed.

b Pocket Card Draft

A draft of a pocket ID/Receipt card for Emeritus was reviewed by the Board. The document will be mailed as drafted after an applicant submits a fee and is approved for Emeritus status by the Board.

Adjournment

Action Motion by Anderson, second by Grimm to adjourn the meeting at 2:47 p.m. Voting Yes: Anderson, Kemp, Correll, Grimm, Shroder. Voting No: None. Absent: Johnson, Olafsen Lackey

Board Member Signature