

**NEBRASKA STATE BOARD OF GEOLOGISTS**  
**Meeting Minutes – October 24, 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, Lincoln; Sandra Weaver, Administrative Assistant, Lincoln

**Call to Order**

Thonen called the meeting of the Nebraska Board of Geologists to order at 1:35 p.m.

**Roll Call**

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

Guest: Mr. Charles Nelson, Director of the Board of Engineers and Architects (present for part of “Geologist-Intern/In-training” discussion only)

**Approve Minutes of Previous Meeting**

Motion made by Cannia to approve the July 22, 2003, Board meeting minutes with minor typo correction. Second by Ehrman. Voting aye on the motion: All. Voting Nay: None. Motion carried unanimously.

**Officer Report**

Thonen distributed a skeleton list of suggested revisions to the Nebraska Geologist Regulation Act. (See “Geologist Regulation Act Legislative Changes” for discussion.)

**Financial Report**

Weaver provided the financial report for the months of July, August and September of 2003. Motion by Ehrman to approve the Financial Report as provided by Weaver. Second by Shroder. Voting aye on the motion: All. Voting Nay: None. Motion carried unanimously.

**Fiscal Year Activity Report**

Weaver provided the Fiscal Year Activity Report from July 1, 2002, through October 24, 2003. It was reported that there are currently 260 PG licenses valid until December 31, 2003, and six unpaid renewals. An email was received concerning the death of a registered Nebraska Geologist with a request to remove him from the list of current licensees.

**Geologist Regulation Act Legislative Changes**

Shroder reported that he met with Jim Buck at UNOmaha about utilizing the university lobbyist for legislative changes to the *Geologist Regulation Act*. The university lobbyist is former Senator Ron Withem. He stated that once the statute revision is completed, a copy should be forwarded to the University Relations Office for transmittal to the appropriate office. Shroder volunteered to submit the legislative changes to the university.

Becker submitted a report on a schedule of tasks necessary to push legislation to change the statutes in the next session. The Board reviewed the schedule and discussion followed. Becker encouraged using the help of the Natural Resources Committee and offered to make a contact to have a sponsor. Motion by Ehrman that Becker contact Senator Mike Friend and attach our bill to another bill if possible. Second by Bowden. Voting aye on the motion: All. Voting Nay: None. Motion carried unanimously.

**Action Item:** Becker will contact Senator Mike Friend in the interim to ask about adding our bill to another bill.

The Board discussed Thonen’s list of suggested revisions to the Statutes. A question on the use of “operative” was discussed in the proposed language. Need to be sure that the January 5, 2004, legislative session is acceptable for compliance. Adding GIT language was also discussed. The GIT designation will be awarded based on the passing of the ASBOG FG exam. A question was presented concerning supervision requirements. The Board debated using the term “intern” in lieu of “in-training.” The definition of “intern” was discussed and read from the *American Heritage Dictionary*. The Board asked the Director of the Engineers and Architects Board,

Charles Nelson, to enter the meeting and explain the change of *EIT* to *EI* in their law and what is required for supervision. Mr. Nelson stated that their law allows for work in corporate or industrial settings, but does not require that they be directly supervised. The Board makes the final decision. In their Rules and Regulations, it is stated that the Engineer Intern must have subsequent work experience acceptable to the Board. The Board of Engineers and Architects changed the in-training designation for Engineers to "Intern" because that was the term that the national organization used. The Architects' law is more structured. Mr. Nelson suggested leaving room in the law to make a judgment concerning supervision.

Motion by Ehrman to have Thonen draft language that mirrors the Engineers and Architects Statute concerning interns. Second by Shroder. Voting aye on the motion: All. Voting Nay: None. Motion carried unanimously.

Motion by Cannia to suspend meeting at 2:00 p.m. for the Public Hearing for "Title 171" and reconvene when hearing is completed. Second by Becker. Voting aye on the motion: All. Voting Nay: None. Motion carried unanimously.

Motion by Cannia to close the Public Hearing at 2:09 p.m. and enter back into regular session. Second by Becker. Voting aye on the motion: All. Voting Nay: None. Motion carried unanimously.

The strategy for addressing exemptions was continued. Motion by Bowden that the Board defer one more term on the striking of the exemption language of the Registration Act and proceed when all of the methodology is diligently pursued and researched. Second by Jensen. Voting aye on the motion: All. Voting Nay: None. Motion carried unanimously. The time issue and whether another meeting was needed before January was questioned. The Board decided to have Thonen email the language out to the members as soon as completed.

**Action Items:** Thonen will draft GIT language for statute and email to Board for review. After review, Thonen will give to Shroder to coordinate with the university lobbyist.

### **New Business**

1. According to N.R.S. § 81-3522 of the "Geologists Regulation Act," a constitutional oath of office is to be filed with the Secretary of State for each member of the board. All members of the Board signed forms before a notary and in the future, each new member will be required to sign an oath of office before beginning their term.

**Action Item:** Weaver will send the signed forms to the Secretary of State for filing and also keep documents in the office files.

2. Weaver presented each member with a copy of the chart of dates for the schedule of ASBOG examinations displayed on the web site. The Board must order the ASBOG exams by January 20, 2004. A meeting or time to approve applications must be set at an earlier date to give applicants time to send their application in to be approved and submit their exam registration application. Because of conflicts in schedules, an earlier date was not set. The Board discussed calling an emergency meeting (videoconference) if any applications needed to be approved before the exam order date.
3. A request was received from an applicant for a review of courses completed to determine if the core course requirement was met to register for the ASBOG exams. The discussion and vote were conducted after the Board went into executive session.

Motion by Shroder that the applicant be allowed to take the ASBOG exams. Second by Bowden. Thonen amended the motion to note the education member has concluded that the 15 years of field experience and some field trips would count for the field methods course giving him the five core courses. Voting aye on the motion: All. Voting Nay: None. Motion carried unanimously.

**Action Item:** Weaver will send the applicant a letter informing of the Board's decision.

### **New Applications**

03-009 Dietrich H. Whitesides (CO) – Request for registration through ASBOG examination

Dietrich H. Whitesides (CO) – Request for Temporary Permit

Motion by Becker to go into executive session at 3:27 p.m. Second by Shroder. Voting aye on the motion: All. Voting Nay: None. Motion carried unanimously.

Motion by Becker to leave executive session at 4:00 p.m. Second by Bowden. Voting aye on the motion: All. Voting Nay: None. Motion carried unanimously.

Applications were reviewed and acted upon.

### **New Applications Approved**

03-009 Dietrich H. Whitesides (CO) – Motion by Becker to approve Whitesides to sit for the ASBOG FG & PG exams and any action on the temporary permit be deferred pending the ASBOG exam results. Second by Cannia. Voting aye on the motion: All. Voting Nay: None. Motion carried unanimously.

### Old Business

1. Weaver asked for clarification of the policy for Temporary License if reference to the grandfather status. It was determined that the phrase “if grandfathered status okay” was referring to Nebraska’s grandfather period and that this reference in parenthesis could be omitted from the policy since the applicants home state standards must be equivalent to or better than ours.
2. All the forms pertaining to the Certificate of Authorization (similar to what the Board of Engineers and Architects use) were submitted by Weaver. The Board reviewed the forms and made changes.

Motion by Shroder that the language as corrected needs to be made on the Certificate of Authorization forms. On the Memo form, 1B and 2B need to be omitted. The wording of 1C should be changed to, “Are you exempted by Nebraska Revised Statute § 81-3541 on the reverse side?” On the Certificate of Authorization Renewal form, the fee listed needs to be changed to \$100. Second by Cannia. Voting aye on the motion: All. Voting Nay: None. Motion carried unanimously.

**Action Items:** Weaver will make corrections to forms as edited and email to board. When these are approved, Thonen will make an appeal letter explaining the expenses that will be incurred for changes to the law and how the Certificate of Authorization charges will help support the activities of the Board. Weaver will send the Certificate of Authorization Test Form and application in December to the known registrant companies so they can decide if they should apply.

3. The Board reviewed a letter created by Becker to send to Governor Johanns thanking him for the designation of State Geology Week with a request to consider designation of a Nebraska Geology Week in the future.

**Action Item:** Weaver will make some minor changes to the letterhead and send it to Governor Johanns. (Sent 11/24/03)

4. As requested at the July Board meeting, Lindsley-Griffin and Shroder presented a letter created and sent to an applicant after a review of his transcripts to determine courses taken that would satisfy the Board’s core course requirements. The letter included a list of additional courses needed.
5. Completion of the 2003 Newsletter was discussed. Jensen volunteered to chair the newsletter. The Board discussed articles that could be included. It was decided to omit the exam information since it has been published in several newsletters.

**Action Items:** Jensen will chair the newsletter and submit poem  
Bowden will write a National Geological Society article.  
Weaver will work on a “Meet the Members of the Board” article with information submitted by members.  
Weaver will include a listing of Geologists that have not renewed for 2003 and contact a relative of the registered Geologist who was moved to the Deceased roster for information to create a tribute for the newsletter.  
Thonen will submit “A Message from the Board Chairperson.”  
Ehrman will submit an update on the Rules and Regulations. (Possibly results of Public Hearing?)  
Lindsley-Griffin and Becker will work on an article concerning Board history.

### Next Board Meeting Date for 2004

January 29, 2004

### Adjournment

Motion by Becker to adjourn the Board meeting at 4:34 p.m. Second by Ehrman. Voting aye on the motion: All. Voting Nay: None. Motion carried unanimously.

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Board Member

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Title