

**Nebraska Board of Geologists
Board Meeting Minutes
October 30, 2008, Lincoln, Nebraska**

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

The meeting was held at 215 Centennial Mall South, 5th Floor, Large Conference Room, Lincoln, Nebraska. Chairperson Shroder called the meeting to order at 1:05 p.m. and informed the public of the location of the Open Meetings Act.

Roll Call: Jack (Jack) Shroder, Dennis Anderson, David Svingen, Susan Olafsen Lackey. Absent: Thomas Correll, Andrew Grimm, Robert (Steve) Kemp. Emeritus Member Present: N. Lindsley-Griffin.

Staff Present: Jon Wilbeck, Compliance Officer (CO); Sandra Weaver, Administrator (AD); Karen Schamp, Administrative Assistant (AA); Legislative Aide (LA) - DeMaris Johnson. Robert (Steve) Kemp arrived at 1:10 p.m. giving the Board quorum.

Scheduled to appear before the Board

1:10 p.m. Sandra Weaver - Financials B.1.a. 1-6 through B.11.a 1-14

1:30 p.m. Jon Wilbeck - Compliance

3:00 p.m. DeMaris Johnson - Legislative Aide, Update

No public was in attendance for this meeting.

Agenda Items

Approval or Adjustment of the Agenda

A new item was added to Agenda for discussion regarding board member attendance at board meetings. The Agenda was approved with new item added.

Approval of Revised Board Meeting Agenda

Action Motion by Anderson, second by Kemp to approve the revised Agenda. Voting Yes: Svingen, Kemp, Anderson, Lackey, Shroder. Voting No: None. Absent: Correll, Grimm

Public Notice Publication

A Consent Agenda

1 Meeting Minutes

No changes were made to the July 31, 2008 meeting minutes.

2 ASBOG®

None at this time.

3 Licensure/Examination

a Certificate of Authorizations

CA0038-G - Apex Companies LLC was a revised certificate of authorization that needed no signature.

b New Emeritus

None at this time.

Approval of Consent Agenda

Action Motion by Anderson, second by Kemp to approve the Consent Agenda. Voting Yes: Svingen, Kemp, Anderson, Lackey, Shroder. Voting No: None. Absent: Correll, Grimm

B Financial Matters

1 Budget Status Reports, July, August, September 2008

The NIS reports were reviewed.

2 General Ledger by Business Unit Reports, July, August, September 2008

The NIS reports were reviewed.

3 Fund Summary Reports. July, August, September 2008

The NIS reports were reviewed.

4 Financial Profile History, FY 08/09, July, August, September 2008

The NIS report was reviewed.

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5 Legislative Aide Contract

The 2009-2011 budget was reviewed for availability of funds needed to renew Legislative Aide contract at the existing \$4000.00 a year. LA Johnson was in attendance when the board discussed what options they may have in renewing or not renewing her contract. Vice-Chairperson Anderson said they are a small board with a small budget and funds spent for Johnson's services could also be used for board members to get more involved with ASBOG by attending meetings. Anderson asked Johnson what would happen if they did not renew her contract for 2009, then found they needed her services again after that? Johnson offered to cut her fee to \$1000.00 to retain her services. She will send a letter of contract with the reduced fee amount and details of what services this fee will cover to Chairperson Shroder for his signature.

6 Fiscal Activity Report, FY 08/09 (to date)

The NIS report was reviewed.

7 Record of Board's Reciprocity Action

Emeritus Lindsley-Griffin said the word Reciprocity should be replaced with the word Policies to more accurately describe the list. Lindsley-Griffin also recommended the board's previous list of policies be retrieved and incorporated into this Record. AA Schamp will revise title and add previous policies for the next board meeting.

8 Travel Policy

Review of current State travel policy.

9 LB 619 & 620 Returned Checks and Returned Electronic Payments

Weaver reported the State Treasurer's office can now handle returned checks electronically for agencies. The check re-presentment policy will be implemented as soon as language is added to the website and on all application forms requiring a fee. The 2009 license renewal form has been updated and mailed out to licensees.

10 Fee Schedule

No changes were made to fee schedule.

11 Biennium Budget Narrative/Spreadsheet 2009-2011

Weaver reported the budget request has been completed for the 2009-2011 biennium and has been published on the DAS Budget Division website. Online credit card processing fees were added as an agency issue. The Board of Engineers and Architects would like to utilize the same online credit card payment system for administration of geologist fee processing as they use for their professionals to save staff time. Lindsley-Griffin suggested a cost analysis be carried out to see if there would be any savings. Anderson commented that a five percent processing fee on renewals would cost approximately \$1100 per fiscal year and online renewals did not appear to be cost effective.

C Applications

1 Core Courses Equivalency List

Board member Lackey suggested the language for Soil Mechanics be clarified. Emeritus Lindsley-Griffin will strike the last sentence in number 5 on the list of core courses equivalency list. Kemp said the board needs to spell out the intent of the list, that alternatives are meant to be used as exceptions to the actual approved core courses. Lindsley-Griffin will write a pre-amble with intent stated. The revised list will be submitted to the board for approval. Once approved the list of core course equivalencies will be added to the board's policies.

2 Licensure/Examination Applications

a Licensure by Reciprocity

Control No. 32913 - Kyu Cho, Control No. 34005 - Charles Joyce, Control No. 34008 - Daniel Fisher, Control No. 34009 - John Nelson

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Licensure by ASBOG® FG & PG Examination -

None at this time.

Geologist-Intern Enrollment by ASBOG® FG Examination

Control No. 34109 - Jennifer Abrahamson

FG/PG Exam Applications

None at this time.

3 Pending Cases

None at this time.

Action Motion by Anderson, second by Lackey to approve applications for control numbers 32913, 34005, and 34008 for licensure by reciprocity. Voting Yes: Anderson, Lackey, Kemp, Svingen, Shroder; Voting No: None; Absent: Correll, Grimm

Action Motion by Anderson, second by Lackey to deny application for control number 34009 for licensure by reciprocity based on fact the applicant has not taken or passed the FG or PG exams; and to approve application for control number 34009 to sit for the FG and PG exams if applicant chooses to do so. Voting Yes: Anderson, Lackey, Kemp, Shroder Voting No: Svingen; Absent: Correll, Grimm

Action Motion by Anderson, second by Lackey to approve application for control number 34109 for geologist intern by ASBOG FG Examination. Voting Yes: Anderson, Lackey, Kemp, Svingen, Shroder; Voting No: None; Absent: Correll, Grimm

4 Appeals

None at this time.

5 Review of Revised Application Overview Sheet

Action Lindsley-Griffin suggested putting core courses in same order as listed on official transcript. Motion by Anderson, second by Kemp for Schamp to make change suggested by Lindsley-Griffin and approved the revised overview sheet with said change. Voting Yes: Anderson, Lackey, Kemp, Svingen, Shroder; Voting No: None; Absent: Correll, Grimm

D Compliance Cases

1 New Cases

None at this time.

2 Ongoing Cases

Spalding letter was reviewed. Wilbeck will work with Kemp on any revisions needed before letter gets mailed. No action was taken. This is last on-going case at this time.

3 Closure of Cases

None at this time.

4 Compliance Issues

Board member Svingen brought up the several lists of consultants published on the Nebraska Department of Environmental Quality (NDEQ) web page. Most of the lists are not screened or approved by NDEQ. Rather the lists are provided as a courtesy to the regulated community. Svingen contacted the Executive Director of the Nebraska Board of Engineers and Architects (NBEA), who also performs duties for the Board of Geologists by way of a Memo of Understanding, to see if the lists could be checked for current licenses and/or Certificates of Authorizations. The reply was that NBEA did not have enough staff to do the research he requested. Because the lists are not able to be checked for compliance, Svingen suggested to board members that these lists be removed from NDEQ's website and instead direct people to the NBEA website for license and certificate lookups. Board member Kemp, who also works for NDEQ, will take the suggestion to remove lists from NDEQ's website and direct inquiries to the NBEA website back to NDEQ, then return to the next Nebraska Board of Geologists board meeting with a response.

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E General Information / Committee Reports

1 General Information

a 2008 - 2009 Schedule

No changes were made.

b Roster - Board Members

No changes were made.

c NEBOG Letterhead

No changes were made.

d 2008 Newsletter Items

AA Schamp requested more articles for the NEBOG newsletter and said the new Public Information Officer for the Nebraska Board of Engineers and Architects will be putting the newsletter together.

2 ASBOG FG/PG Exams

The board reviewed the list of examinees who took the ASBOG FG/PG exams on October 3, 2008. Test results are not in yet. Anyone who passes both the FG and PG exams will qualify to become a licensed professional geologist.

3 Legislative Update

DeMaris Johnson - Arrived 2:45 p.m.

Legislative Aide, DeMaris Johnson, said that Nebraska State Legislature will be convening for a seven-day special session beginning on November 14, 2008 regarding the State's existing Safe Haven law. Therefore, the Natural Resources Committee (NRC) board meeting discussion on qualifications for a new director has been moved to Thursday, November 20, 2008, 1:30 p.m. Johnson asked the board if any members had decided to attend? Board member Kemp said he would check his calendar to see if he can go testify at the NRC board meeting on reasons why a professional geologist would make a well-qualified choice for NRC Director. Kemp will draft his presentation and forward to board members for their input before the final version is prepared. DeMaris suggested Kemp's speech begin with the qualifications of becoming a geologist and that geologists are educated on many types of natural resources.

F New Business

1 Officer Report

John Shroder, Chairperson

2 ASBOG®

a ASBOG November 2008 Annual Meeting

ASBOG 2008 Annual Meeting will be held November 4-9, 2008. Newest members Thomas Correll and David Svingen are signed up to attend the annual meeting. David is the voting delegate. Dennis Anderson will be attending the Council of Examiners workshop only.

3 Demographic Data

Board member Svingen presented demographic data showing the birthdates of current licensed geologists in Nebraska. The data shows the inevitable decline of licensees as they age. Svingen asked the board what action they might take to offset the declining numbers? Board member Anderson said they are averaging less than ten new licensees a year. Emeritus member Lindsley-Griffin said only six to ten students graduate with a degree in geology a year at UNL, and two to five students graduate in geology from UNO. Svingen said the grandfather licensing done initially had made it easier to get licensed than it is now. Kemp asked how much of the expected decline will be related to the Baby Boomers getting older? Or is the expected decline a result of both Baby Boomers and stricter qualifications? Anderson agreed that most licensees were licensed by the grandfather rule and if they had not done so there would not be near the number of licensees they have today. Svingen asked if they could have a stronger enforcement to increase participation? Or could they lower or change standards for licensure? Wyoming has 2700 licensed geologists in

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comparison to Nebraska's 285 licensees. Anderson made a suggestion that a representative of the board go to UNL/UNO to sign up graduating students for the FG exams as is done for the NBEA board for their FE exams. Chairperson Shroder suggested a letter from the board go out to UNL/UNO students. Lindsley-Griffin will talk to the Undergrad Advisor at UNL about sending out a letter to students as well as possibly directing UNL to use the FG exam as a pass-out exam which would show how well the student had learned from the curriculum; but would not be required to pass the exam in order to graduate. Svingen said there should be more enforcement of rule passed in 2007 where one can't practice geology without a license. He said if violations occur the board needs to know the specifics to deal with the situation. Shroder suggested Svingen write a letter to bring to attention the need to be licensed to practice geology. Shroder said DeMaris could provide names of organizations to send a letter. Lindsley-Griffin said the board needs someone to look at their statutes on enforcement. Kemp suggested the board may need to consider doing another Grandfather clause to increase the number of licensees. No action was taken. Chairperson Shroder made a recommendation that this item be tabled to the next board meeting.

4 Board Member Attendance

Vice-Chairperson Anderson recommended a policy be drafted regarding required attendance at board meetings. Because the board needs to know they have quorum at each meeting, Anderson recommended that missing three meetings in one year or four meetings in two years should call for automatic removal as a member of the board. Kemp said they could try to work with members by looking at the calendar and rescheduling meetings as needed. Kemp also suggested the board could meet in a different location to help make it easier for all members to attend. Kemp asked if the board members had authority to just let someone go, since they are appointed by the Governor? Anderson will check into this and get back to the board the next time they meet.

The next NEBOG board meeting will be held at 1:00 p.m., Tuesday, January 13, 2009, at the Lincoln Community Foundation Building, 215 Centennial Mall South, 5th Floor, Large Conference Room, Lincoln, Nebraska

Adjournment

Action Motion by Lackey, second by Anderson to adjourn the meeting at 4:00 p.m. Voting Yes: Kemp, Svingen, Anderson, Shroder; Voting No: None. Absent: Correll, Grimm

Board Member Signature

Date