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MINUTES

BOARD OF PROFESSIONAL GEOLOGISTS

GENERAL BUSINESS MEETING

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
DIVISION OF PROFESSIONS BOARD ROOM
1940 NORTH MONROE STREET
TALLAHASSEE, FLORIDA 32399**

**MAY 15, 2013 @ 9:00 AM
&
MAY 16, 2013 @ 9:00 AM**

18 **MEMBERS PRESENT**

19 Louie G. Bush, Chair
20 Matthew Cain
21 Mervin Dale
22 Dr. Jon Arthur (Excused, Arrived at 11:33 a.m.)
23 Robert Poppell
24
25

26 **MEMBERS ABSENT**

27 James Funderburk, Vice-Chair - Excused
28
29

30 **OTHERS PRESENT**

31 Richard Morrison, Executive Director
32 Lynette Norr, Board Counsel
33 Robert Milne, Board Counsel
34 Stacey Buccieri, Government Analyst II
35 Ken Lawson, Secretary
36 Tim Vaccaro, Deputy Secretary
37 G.W. Harrell, Director, Division of Professions
38 Carolyn Rankine, Court Reporter (Accurate Stenotype Reporters, Inc.)
39 G.W. Stelter
40 Hollis Ann Morantes
41 James T. Calhoun
42

43 The meeting was called to order by Mr. Bush, Chair, at 9:02 a.m. on Wednesday,
44 May 15, 2013. Mr. Bush led the board in the Pledge of Allegiance and a moment
45 of silent prayer.
46

47 Mr. Bush introduced Ken Lawson, Secretary of the Department. Secretary
48 Lawson thanked the board members for volunteering their time and all of their
49 hard work. Secretary Lawson also stated that Mr. Morrison had briefed him on
50 some of the board's concerns and he would be happy to help where he can.

51
52 The first concern is the board's legislative language regarding a Geologist In
53 Training designation. Secretary Lawson stated that the Department would look
54 into it and if it worked with the Department's Legislative Package they would
55 consider adding it to that package.

56
57 Secretary Lawson stated he understood the board had two vacant positions and
58 that he had Deputy Secretary Vaccaro reach out to the Governor's Appointment
59 Office to ensure they understood the need to fill these vacant positions.

60

61 INFORMAL HEARING FOR HOLLIS ANN MORANTES' EXAMINATION
62 APPLICATION

63

64 Ms. Morantes was present for the reconsideration of her application.

65

66 Ms. Norr presented this case stating that Ms. Morantes' application for licensure
67 by examination was denied at the January 2013 board meeting. The denial was
68 based on Ms. Morantes' work experience overlapping while she was attending
69 school to complete her degree.

70

71 Ms. Morantes submitted a corrected experience verification form correcting her
72 starting date as it was originally submitted incorrectly.

73

74 After discussion the following motion was made:

75

76 MOTION: Mr. Cain made a motion to approve Ms. Morantes' application for
77 licensure by examination.

78 SECOND: Mr. Dale seconded and the motion passed unanimously.

79

80 APPLICATION REVIEW

81

82 Endorsement

83

84 Brooke Yoko Bennett

85

86 Ms. Bennett was not present for the review of her application.

87

88 After discussion the following motion was made:

89

90 MOTION: Mr. Cain made a motion to approve Ms. Bennett's application for
91 licensure by endorsement.

92 SECOND: Mr. Dale seconded and the motion passed unanimously.

93
94 James T. Calhoun
95
96 Mr. Calhoun was present for the review of his application.
97
98 After discussion the following motion was made:
99
100 MOTION: Mr. Dale made a motion to approve Mr. Calhoun's application for
101 licensure by endorsement.
102 SECOND: Mr. Poppell seconded and the motion passed unanimously.
103
104 Andrew Peter Gobeil
105
106 Mr. Gobeil was not present for the review of his application.
107
108 After discussion the following motion was made:
109
110 MOTION: Mr. Cain made a motion to approve Mr. Gobeil's application for
111 licensure by endorsement.
112 SECOND: Mr. Poppell seconded and the motion passed unanimously.
113
114 Denise McCoy
115
116 Ms. McCoy was not present for the review of her application.
117
118 After discussion the following motion was made:
119
120 MOTION: Mr. Cain made a motion to approve Ms. McCoy's application for
121 licensure by endorsement.
122 SECOND: Mr. Dale seconded and the motion passed unanimously.
123
124 Elliot Jay Nightingale
125
126 Mr. Nightingale was not present for the review of his application.
127
128 After discussion it was the consensus of the board that they were unable to
129 determine the nature of the work Mr. Nightingale performed. The board tabled
130 the application until May 16th to allow staff time to contact Mr. Nightingale for
131 clarification.
132
133 This application was reopened on May 16th and staff reported that they were
134 unable to reach Mr. Nightingale.
135
136 After discussion the following motion was made:
137

138 MOTION: Mr. Dale made a motion to deny Mr. Nightingale's application for
139 licensure by endorsement because the board was unable to
140 determine the positions held and nature of the work performed by
141 Mr. Nightingale.

142 SECOND: Mr. Cain seconded and the motion passed unanimously.

143

144 Ford Nicholas Shore

145

146 Mr. Shore was not present for the review of his application.

147

148 After discussion the following motion was made:

149

150 MOTION: Mr. Dale made a motion to approve Mr. Shore's application for
151 licensure by endorsement.

152 SECOND: Mr. Cain seconded and the motion passed unanimously.

153

154 James Wesley Sterling

155

156 Mr. Sterling was not present for the review of his application.

157

158 After discussion the following motion was made:

159

160 MOTION: Mr. Cain made a motion to approve Mr. Sterling's application for
161 licensure by endorsement.

162 SECOND: Dr. Arthur seconded and the motion passed unanimously.

163

164 Margaret Wessel

165

166 Ms. Wessel was not present for the review of her application.

167

168 After discussion the following motion was made:

169

170 MOTION: Mr. Dale made a motion to deny Ms. Wessel's application for
171 licensure by endorsement because her experience verification
172 forms were not completed by a licensed or qualified geologist or
173 professional engineer registered under chapter 471 as qualified in
174 the field or discipline of professional engineering involved, as
175 required by Chapter 492.105(1)(e), F.S.,

176 SECOND: Dr. Arthur seconded and the motion passed unanimously.

177

178 Examination

179

180 Jonathan Arthur Croci

181

182 Mr. Croci was not present for the review of his application.

183

184 After discussion the following motion was made:

185

186 MOTION: Mr. Dale made a motion to approve Mr. Croci's application for
187 licensure by examination.

188 SECOND: Dr. Arthur seconded and the motion passed unanimously.

189

190 Kris Crockett

191

192 Mr. Crockett was not present for the review of his application.

193

194 After discussion the following motion was made:

195

196 MOTION: Dr. Arthur made a motion to approve Mr. Crockett's application for
197 licensure by examination.

198 SECOND: Mr. Dale seconded and the motion passed unanimously.

199

200 Mark James

201

202 Mr. James was not present for the review of his application.

203

204 After discussion the following motion was made:

205

206 MOTION: Mr. Dale made a motion to approve Mr. James' application for
207 licensure by examination.

208 SECOND: Mr. Poppell seconded and the motion passed unanimously.

209

210 John William Roberts

211

212 Mr. Roberts was not present for the review of his application.

213

214 After discussion the following motion was made:

215

216 MOTION: Mr. Dale made a motion to approve Mr. Roberts' application for
217 licensure by examination.

218 SECOND: Dr. Arthur seconded and the motion passed unanimously.

219

220 REVIEW AND APPROVAL OF THE MINUTES (BOARD ACTION ITEM)

221

- 222 • January 2013 General Business Meeting

223

224 The board reviewed the minutes and after discussion the following motion was
225 made:

226

227 MOTION: Dr. Arthur made a motion to approve these minutes with corrections.

228 SECOND: Mr. Dale seconded and the motion passed unanimously.

229

230 EXECUTIVE DIRECTOR'S REPORT – Richard Morrison
231
232 Mr. Morrison reviewed the Operating Account Financial Report ending December
233 31, 2012 and the Unlicensed Activity Financial Report ending December 31,
234 2012 with the board.
235
236 Mr. Morrison also reviewed the Complaints and Investigations Report and the
237 Prosecuting Attorney's Case Report with the board.
238
239 BOARD COUNSEL'S REPORT – Lynette Norr
240
241 Lynette Norr asked the board to look at the Annual Regulatory Plan from last
242 year so that she could update it.
243
244 After discussion the board decided that rules 61G16-3.001 and 61G16-9.001
245 should be listed on their Annual Regulatory Plan.

246 Ms. Norr asked the board to review the following language for rule 61G16-3.001
247 and if it is correct to vote to have it move forward in the rule making process.
248 The language reads as follows:

249 **61G16-3.001 Schedule of Fees.**
250 The following fees are prescribed by the Board:
251 (1) Application for Licensure by Examination:
252 (a) The application fee for licensure by examination shall be one hundred fifty
253 dollars (\$150) and shall be nonrefundable.
254 (b) The examination fee for licensure by examination shall be two hundred
255 ~~and fifty~~ dollars (\$200) (\$250), per examination, and shall be refundable if the
256 applicant is found to be ineligible to take the licensure examination.
257 (c) The initial license fee shall be one hundred dollars (\$100.00).
258 (2) through (4) No Change.
259
260 After discussion the following motions were made:
261
262 MOTION: Dr. Arthur made a motion to continue this language through the
263 rulemaking process.
264 SECOND: Mr. Cain seconded and the motion passed unanimously.
265
266 MOTION: Mr. Cain made a motion that the board agreed that this proposed
267 rule would not directly or indirectly increase regulatory costs in
268 excess of \$200,000 in the aggregate within 1 year after the
269 implementation of the rule.
270 SECOND: Mr. Dale seconded and the motion passed unanimously.
271
272 Ms. Norr also informed the board that rule 61G16-1.009 - Definitions would be
273 effective May 1, 2013.
274

275 The meeting was recessed until 9:00 a.m. on Thursday.

276

277 The meeting was called to order by Mr. Bush, Chair, at 9:05 a.m. on Thursday,
278 May 16, 2013. Mr. Bush led the board in the Pledge of Allegiance and a moment
279 of silent prayer.

280

281 **MEMBERS PRESENT**

282 Louie G. Bush, Chair

283 Matthew Cain

284 Mervin Dale

285 Dr. Jon Arthur

286 Robert Poppell

287

288 **MEMBERS ABSENT**

289 James Funderburk, Vice-Chair (Excused)

290

291 **OTHERS PRESENT**

292 Richard Morrison, Executive Director

293 Marlene Stern, Board Counsel

294 Stacey Buccieri, Government Analyst II

295 Linda Butler, Senior Management Analyst

296 Roger Maas, Prosecuting Attorney

297

298 **TASK FUNCTION SHEET**

299

300 Mr. Bush reviewed the task function form with the board and staff. Completed
301 items will be removed and new items will be added.

302

303 **COMPLAINTS PROCESS – DIVISION OF REGULATION**

304

305 Mr. Bush introduced Linda Butler with the Division of Regulation. Ms. Butler
306 explained how the complaint process works to the board and answered several
307 questions about this process.

308

309 The board relayed their concerns about cases that are technical in nature and
310 requested that the Department use their consultant in those cases. The board
311 directed Mr. Morrison to relay this request to the Office of the General Counsel.

312

313 Mr. Morrison introduced Roger Maas, prosecuting attorney to the board.

314

315 Mr. Maas addressed the board about the past backlog of disciplinary board
316 cases and stated that he plans to move any cases he receives as quickly as he
317 can.

318

319 The board relayed their concerns about cases that are technical in nature and
320 requested that the Department use their consultant in those cases. The board

321 directed Mr. Morrison and Mr. Maas to relay this request to the Office of the
322 General Counsel.

323

324 Mr. Maas agreed and stated that he has a case now with the Department's
325 Expert Rand Edelstein.

326

327 After further discussion, it was agreed that before a case that is technical in
328 nature is dismissed, the prosecuting attorney should have the expert look at it or
329 bring it to the probable cause panel.

330

331 NEW BUSINESS

332

333 There was no new business at this time.

334

335 OLD BUSINESS

336

337 Mr. Bush briefed Dr. Arthur on the discussion concerning putting together the
338 Legislative package for the Geologist In Training designation from the day
339 before. Mr. Bush explained that the board would like to put together a package
340 which includes letter of support from the colleges and universities that offer
341 geology programs. Mr. Bush also explained that the package should also include
342 a cover page briefly explaining what the board is trying to accomplish. The
343 package will also include supporting information from people that are affected by
344 geologists.

345

346 Dr. Arthur suggested sending this information in an email blast to all of the
347 targeted schools. Dr. Arthur stated that he could put together an email
348 distribution list to send to the targeted colleges and universities.

349

350 After further discussion it was decided the board would use the Listserve through
351 AIPG/FAPG to reach out to licensed Professional Geologists to possibly gain a
352 single letter of support from the upper executives of each geology business in
353 Florida. Dr. Arthur stated that he would put together an email distribution list to
354 send to the targeted colleges and universities.

355

356 The board also developed the following mission statement, "To establish a
357 Geologist In Training Program that will allow an individual who has met the
358 education requirements or is in their final/senior year of geological studies to be
359 certified as a Geologist In Training once passing part one of the ASBOG exam. "

360

361 The goal of the Geologist In Training Program is to encourage graduates and
362 students in their final year of a geological program to take part one of the ASBOG
363 examination while the material is still fresh in their mind.

364

365 The board also worked on a list of benefits for having a Geologist In Training to
366 be included in their legislative package. Mr. Bush will organize this language and
367 send it to Mr. Morrison to email to all board members for their review.

368

369 With no other business to discuss, the meeting was adjourned at 11:55 a.m.

370