MINUTES

BOARD OF PROFESSIONAL GEOLOGISTS
GENERAL BUSINESS MEETING

Radisson Resort at the Port
8701 Astronaut Blvd.
Cape Canaveral, Florida
May 14-15, 2003

CALL TO ORDER

Ms. Blackledge called the meeting to order May 14, 2003 at 1:00 p.m.

MEMBERS PRESENT:

Dawn Blackledge, PG, Chair
Tom Scott, Ph.D., PG, Vice-Chair
Harry “Skip” Hutton, PG
Valerie Francisco, PG
Tom Kwader, Ph.D., PG
Gabrielle Enos, PG

MEMBERS NOT PRESENT:

None

OTHERS PRESENT:

Juanita Chastain, Executive Director
Christa Patterson, Government Analyst
Erica Glover, Board Counsel
Eric Hurst, Prosecuting Attorney
Walter Wood, FAPG

Ms. Blackledge advised the board that Ms. Juanita Chastain has been assigned as the board’s new executive director. The board welcomed Ms. Chastain.

APPROVAL OF EXECUTIVE DIRECTOR – Juanita Chastain

MOTION: Ms. Enos made a motion to approve Juanita Chastain as Executive Director.
SECOND: Dr. Kwader seconded the motion and it passed unanimously.

REVIEW AND APPROVAL OF GENERAL BUSINESS MEETING MINUTES

January 27-28, 2003, General Business Meeting Minutes

The board reviewed the minutes and after discussion the following motion was made.

MOTION: Dr. Scott made a motion to approve the minutes with corrections.
SECOND: Dr. Kwader seconded the motion and it passed unanimously.

Dr. Scott advised the board that Mr. Reddinger, from Regulation had not contacted him to coordinate a meeting to discuss geology unlicensed activity. Ms. Chastain advised that board that Mr. Reddinger was recently promoted and is now working with investigations.

Ms. Chastain advised the board that the Mr. John Knap is now the unlicensed activity contact person. Ms. Chastain stated she would notify Mr. Knap of the prior meeting arrangements.

April 1, 2003, General Business Meeting Minutes

MOTION: Dr. Scott made a motion to approve the April 1, 2003 minutes with corrections.
SECOND: Dr. Kwader seconded the motion and it passed unanimously.

TASK FUNCTION FORM

Ms. Patterson reviewed the task function form with the board.

Ms. Patterson advised the board that the newsletter was still in draft format and article information was needed. Ms. Blackledge asked members to provide information to Ms. Patterson.

The board discussed the distribution of newsletters and stated they would like to see the newsletters be mailed to licensees and also available on the web.

Mr. Hurst advised the board that the Department had hired an additional consultant.

2003 LEGISLATIVE PROPOSAL UPDATE

Ms. Chastain advised the board that she contacted the Department’s legislative office and verified that the board’s 2003 proposed legislative language was not approved during the 2003 legislative session.

After discussion it was the consensus of the board to obtain additional information regarding the status of the 2003 legislative proposal. The board was concerned that there may be a problem with the language and if so would like to provide some input from the legislative office to the reason. Ms. Blackledge asked Ms. Chastain to invite a representative from the Department’s legislative office to the next meeting.

GEOLOGISTS COMPLAINT PROCESS FLOW CHART

Ms. Chastain reviewed the complaint flow chart with the board. After review the board was unclear to when the geology consultant was used in the complaint process and asked Ms. Chastain to invite a representative from the Department’s complaint office to attend the next meeting.

Mr. Hurst did an overview of the probable cause panel process for the board.
REVIEW AND DISCUSSION OF TRADITIONAL TASKS PERFORMED BY FLORIDA PROFESSIONAL GEOLOGISTS

The board reviewed the document submitted by Dr. Schmidt regarding traditional tasks performed by geologists. After review it was the consensus of the board to revise the document and add environmental information, and include a summary of terms.

The board instructed Ms. Patterson to send the document via e-mail to members. Ms. Blackledge asked Dr. Scott to work with Dr. Schmidt on an introduction and summary of terms. Ms. Blackledge asked Ms. Enos and Dr. Kwader to work on the environmental language.

Ms. Blackledge asked members to provide suggestions and drafts to Ms. Chastain four weeks prior to the July meeting.

Ms. Blackledge discussed the outline of the general business meeting agenda. Ms. Blackledge asked that the next agenda identify the items that needed board action. Ms. Chastain stated she would work with her on those changes.

PLAQUE PRESENTATION

Ms. Blackledge presented Ms. Francisco with an appreciation of service plaque. Ms. Francisco thanked the board.

REVIEW AND CONSIDERATION OF APPLICATIONS

The board reviewed applications and after review the following motions were made.

MOTION: Ms. Enos made a motion to approve Thomas Dobecki's application for licensure by examination.
SECOND: Dr. Scott seconded the motion and it passed unanimously.

MOTION: Dr. Scott made a motion to approve Jesse Keefe, Susan Laughinghouse, David Randall, Jeffrey Tuttle, and Jeromy Grant's application for licensure by endorsement.
SECOND: Mr. Hutton seconded the motion and it passed unanimously.

MOTION: Dr. Scott made a motion to deny Thomas Hart's application for licensure by endorsement. Dr. Scott stated Mr. Hart did take and pass a licensure examination in another State.
SECOND: Ms. Francisco seconded the motion and it passed unanimously.

CHAIR REPORT – Dawn Blackledge

No report

ATTORNEY GENERAL REPORT- Erica Glover

No report
PROSECUTING ATTORNEY REPORT – Eric Hurst

Mr. Hurst was present at the meeting and he reviewed his prosecuting attorney’s report with the board. Mr. Hurst advised the board that another probable cause panel meeting would be scheduled in the near future. Ms. Patterson advised the board that she was in the process of contacting the panel members to schedule another meeting.

The board shared their concerns with Mr. Hurst regarding complaints not being processed. Mr. Hurst stated that all complaints are processed and that the public must not be submitted the complaints to the Department.

Ms. Chastain advised the board that she had provided in their meeting folders a detailed unlicensed activity report from the Department’s Regulation office.

Ms. Chastain reviewed the report with the board. Ms. Chastain reported that there were 7 geology cases, two of those cases were unlicensed activity cases. Ms. Chastain reported that one of the unlicensed activity cases no violation was found, and the other unlicensed activity case a cease and desists order was issued.

Ms. Chastain reported that the other 5 cases were licensed cases and two of those cases were in legal and the other three cases were in investigations.

After discussion the board requested that the unlicensed activity cases where no violation was found be placed on the next agenda. Ms. Chastain stated that the unlicensed activity cases are assessable on the Department’s web site and did not see any problem with providing the information to the board on their next agenda.

Ms. Glover advised the board that unlicensed activity cases are public information but if the board reviews the unlicensed activity case and then decides it’s a licensed case the probable cause panel would have to recuse themself if the case had been discussed by the members during a meeting.

After discussion it was the consensus of the board to request at each meeting a detailed report of the unlicensed activity cases. The board requested that the report include the details of the case, status, or the final outcome. Mr. Hutton stated that the request should not be taken as a negative but as a positive to improve communication between the board and Department.

Ms. Chastain advised the board that Mr. Jim Varnado, Division Director of Regulation was recently assigned as the Division Director for Professions also. Ms. Chastain stated Mr. Varnado would be present at the meeting May 15th and he would address the board.

Communications – Gabrielle Enos

Ms. Enos reported that the newsletter was still in progress. Ms. Enos stated she was currently working on an article regarding the exam challenge and she hoped to include the article in the newsletter. Ms. Francisco stated that an unlicensed activity report should be included in the newsletter.
Executive Director’s Report – Juanita Chastain

Ms. Chastain stated she was happy to be working with the board again. The board welcomed her.

NEW/OLD BUSINESS

ASBOG Report from the Nebraska Meeting

Ms. Francisco advised the board that she and Ms. Enos attended the ASBOG meeting held in Nebraska on April 11-12, 2003. Ms. Francisco stated that at the meeting they reviewed exam information and exam statistic data.

Ms. Enos stated she had graphs charts of the national pass and fail statistics and that she would provide the board a copy at their next meeting.

Ms. Francisco stated that due to the exam challenge ASBOG is working on recording written documentation to the answers of the questions. Ms. Francisco stated that the exams are reviewed prior to the administration.

Ms. Francisco advised the board that ASBOG was in need of exam questions. Ms. Francisco handed out information provided by ASBOG and encouraged the board to participate.

Ms. Enos advised the board that the annual ASBOG meeting would be held in Florida this year. The board was provided two documents of the annual meeting information and the dates were unclear. Ms. Patterson stated she would confirm the dates with ASBOG and notify the members of the dates. Ms. Enos stated that the meeting would be held in Jacksonville, Florida.

The board discussed having a one-day general business meeting in conjunction with the ASBOG meeting. The board asked staff to work with Ms. Enos and establish the meeting dates for the annual meeting and schedule a one-day meeting. Ms. Enos encouraged the board members to attend and participate at the annual meeting. Ms. Enos asked Ms. Patterson to contact ASBOG to see if they needed assistance with the annual meeting registration table. Ms. Enos asked that a board staff attend the administrator’s meeting. Ms. Chastain stated she would check her schedule.

Discussion of Sandy Nettles Closing Order – Valerie Francisco

Ms. Francisco advised the board that the Sandy Nettles information was not for board action but just for their information. The board reviewed the information and Mr. Hutton stated he felt it was an engineer complaint. Dr. Kwader stated that he thought additional information was needed. The board did not take any action.

The meeting recessed and reconvened May 15, 2003 at 9:05 a.m.

MEMBERS PRESENT:

Dawn Blackledge, PG, Chair
Tom Scott, Ph.D., PG, Vice-Chair
MEMBERS NOT PRESENT:
None

OTHERS PRESENT:
Juanita Chastain, Executive Director
Christa Patterson, Government Analyst
Erica Glover, Board Counsel
Eric Hurst, Prosecuting Attorney
James Varnado, Division Director

REVIEW AND DISCUSSION OF INVITATION TO NEGOTIATE- PREPARED BY THE BOARD OF ARCHITECTURE AND INTERIOR DESIGN

Mr. Varnado was present at the meeting and he addressed the board. Mr. Varnado introduced himself to the board and the board welcomed him. Mr. Varnado advised the board that the Division of Regulation and the Division of Professions had merged together and stated the Secretary assigned him as the Division Director.

The board shared their concerns with Mr. Varnado regarding lack of communication with the Division of Regulation. Mr. Varnado assured the board that corrective measures are being considered and asked the board to contact him directly with their problems.

The board shared their concerns with Mr. Varnado regarding staff turnover. It was the consensus of the board that privatization would solve the issues of staff turnover and continuity.

Ms. Blackledge advised Mr. Varnado that the financial report does not provide enough information to understand where the funds are going. Ms. Blackledge stated that during her review she noted that the administrative costs doubled with no explanation.

Ms. Enos asked Ms. Glover if the board did not have disciplinary authority did the board have authority to make the request to privatize the functions of investigation and prosecution. Ms. Glover advised the board that she was not prepared to answer that question and stated she would follow-up and report at the next meeting.

Mr. Varnado passed out the consultant’s report regarding the surveyors and mappers privatization package.

Dr. Scott stated that he felt the board should give Mr. Varnado and his new Division the time to show improvement. Ms. Enos did not agree and stated that the privatization bid process is a lengthy and the board needed to move forward with discussion on privatization.
Ms. Francisco reminded the board that the 2003 proposed legislative language included language for the board to obtain disciplinary authority, which would be necessary for the board to have if the board did move forward with a privatization bid. The board agreed.

After discussion it was the consensus of the board to move forward with discussion of privatization. Ms. Blackledge asked Ms. Glover to be prepared to assist the board with review and clarification of Chapter 455.32, F.S., at their next meeting.

Ms. Chastain advised the board that she would invite representatives from the Department’s budget office, and general counsel’s office to the next meeting.

Ms. Blackledge asked that the chair from the Board of Professional Surveyors and Mappers be invited to the July 2003 meeting.

Dr. Kwader asked Mr. Varnado if he knew if the Governor’s appointment office had made any geology board member appointments. Ms. Enos advised Mr. Varnado that Dr. Kwader’s term had expired and he did re-apply. Mr. Hutton stated his term had expired and he was not planning to re-apply for appointment. Mr. Varnado stated he would contact the appointment office and report at the next meeting.

Finance Report

Ms. Blackledge reported that during her review of the financial report all costs have increased. Ms. Blackledge asked that a representative from the Department’s budget office be present at the July 2003 meeting to explain the budget breakdown and explain the increase in costs. Ms. Blackledge stated she was unsure of how the Department determines the board’s share of costs. The board agreed.

Dr. Kwader asked Ms. Chastain to include the balance of the board’s trust fund and the board’s financial history for the past 4 years in the finance report.

There being no other business the meeting adjourned at 10:45 a.m.