

MINUTES

BOARD OF PROFESSIONAL GEOLOGISTS GENERAL BUSINESS MEETING

Department of Business and Professional Regulation
Board Conference Room
1940 North Monroe Street
Tallahassee, Florida

October 26-27, 2005

CALL TO ORDER

Mr. Pease, Vice Chair, called the meeting to order October 26, 2005, at 1:00 p.m.

MEMBERS PRESENT:

James Pease, PG, Vice Chair
Tom Scott, Ph.D. PG
Stuart Smith
Valerie Coton, PG
Dawn Blackledge, PG

MEMBERS NOT PRESENT:

Donald McNeill, Ph.D. PG, Chair

OTHERS PRESENT:

John Knap, Executive Director
Christa Patterson, Government Analyst
Leann Gustafson, Board Counsel
Eric Hurst, Prosecuting Attorney
Mireille Fall, OAG Intern

Mr. Pease reported that Dr. McNeill would not be attending the meeting due to family obligations concerning the hurricanes and had to attend a hearing.

REVIEW AND APPROVAL OF THE JULY 27-28, 2005 GENERAL BUSINESS MEETING MINUTES

The board reviewed the July 27-28, 2005 general business meeting minutes. After review the following motion was made.

MOTION: Dr. Scott made a motion to approve the July 27-28, 2005 general business meeting minutes with corrections.
SECOND: Ms. Coton seconded the motion and it passed unanimously.

REVIEW OF THE TASK FUNCTION FORM

Mr. Pease reviewed the task function form with the board.

Dr. Scott asked if FAPG was invited to the meeting. Ms. Patterson stated that she called the FAPG office and did not get a return call. Dr. Scott stated he would contact Jon Arthur during break.

Mr. Knap advised the board that Ronald Safford was present at the meeting and he asked the board if Mr. Safford could address the board. The board agreed.

PRESENTATION OF OPPAGA ADR RECOMMENDATIONS

Mr. Safford advised the board that mediation was available through the department. Mr. Safford provided the board with an overview of the program and after discussion it was the consensus of the board not to take any action.

The board thanked Mr. Safford for the information.

APPLICATION REVIEW

Dr. Scott advised the board that the notice of intent to deny orders had not been processed from the July 2005 meeting. Dr. Scott stated that one of the denied candidates contacted him and he contacted Ms. Patterson. Ms. Gustafson stated she would follow up with Ms. Edwards.

Dr. Scott stated that he did not attend the July 2005 meeting but understood there was discussion regarding evaluation of work experience specifically TA positions. Ms. Blackledge stated that each applicants work experience will be evaluated on an individual basis.

The board reviewed one application by exam and two applications by endorsement.

After review the following motions were made.

MOTION: Ms. Blackledge made a motion to deny David Wilshaw's application for licensure by endorsement but approve his application for examination.

SECOND: Dr. Scott seconded the motion and it passed unanimously.

MOTION: Ms. Blackledge made a motion to approve Benjamin Brantley's application for licensure by endorsement.

SECOND: Mr. Smith seconded the motion and it passed unanimously.

MOTION: Ms. Blackledge made a motion to deny Christopher Roth's application for licensure by examination. Mr. Roth only documented 25 months of acceptable verified work experience.

SECOND: Mr. Smith seconded the motion and it passed unanimously.

DISCUSSION OF GEOLOGISTS IN TRAINING PROGRAM

Dr. Scott advised the board that Jon Arthur requested to address the board regarding this issue during the next day meeting.

Ms. Patterson advised the board that the proposed language included in their agenda materials was the same GIT proposed legislative language the board considered in past proposed language.

Ms. Patterson reminded the board that FAPG asked the board at their July 2005 meeting if the board would support FAPG presenting legislative language at the 2006 legislative session for a GIT program.

Ms. Patterson stated that the board did not take any action at the July 2005 meeting and asked Ms. Patterson to include past proposed GIT language for the board to review at the October 2005 meeting for discussion.

Ms. Patterson stated that the board at one time did support the GIT program but had to pull the language from the legislative package because the disciplinary authority was priority.

Mr. Smith stated he felt there would be costs associated with a GIT program and did not feel a GIT program would be beneficial.

Dr. Scott stated that a GIT program was a stepping stone for a professional geologist. Dr. Scott stated it would be beneficial for a graduate to take the fundamentals portion of the ASBOG exam as soon as they graduate. Dr. Scott stated the cost would be absorbed by the GIT candidate and feels the graduate would take advantage of being able to take the fundamentals exam.

Ms. Coton stated that she felt even the current application for geologists could be revised with just a check box and a new box for instructions. Ms. Coton stated she did not believe there would be significant costs to implement a GIT program.

Ms. Coton stated she felt a GIT program would be considered a professional track.

Mr. Pease stated that the information tested on during the fundamentals exam should not be forgotten and that he felt it was beneficial for a person to be examined five (5) years later to insure that the future licensee does not forget the information tested on during the fundamentals exam.

Mr. Pease stated that he felt the University should keep the students motivated that the geology profession is professional just like medical doctors.

Dr. Scott stated that the university officials are not interested.

Ms. Blackledge reminded the board that obtaining authority for disciplinary action was a big deal and felt a GIT program was really not important and that the board should not waste too much time with it. Ms. Blackledge stated she would not support the board proposing legislative language for a GIT program.

Dr. Scott stated that if the board advises FAPG that they were not interested in supporting GIT language then FAPG would not present proposed GIT legislative language.

Dr. Scott stated that after listening to the board's discussion it was the consensus of the board that they would not support a GIT program. Dr. Scott stated he would contact Jon Arthur and advise him that the board was not in support of a GIT program and that he did not need to address the board. The board asked that Mr. Arthur still attend the board's next day meeting to advise the board of the hot FAPG topics.

Ms. Patterson advised the board that the informal hearing of Thomas Colios was cancelled due to the hurricane and would be rescheduled for the January 2006 meeting.

Ms. Coton asked if the board was going to discuss the ASBOG white paper issue. Mr. Knap advised Ms. Coton that the issue would be discussed at the next day's meeting. Ms. Coton stated that the issue would be voted on at the ASBOG meeting.

The board recessed at 3:15 p.m. and will reconvene October 27, 2005 at 9:00 a.m.

CALL TO ORDER

Mr. Pease, Vice Chair, called the meeting to order October 27, 2005, at 9:00 a.m.

MEMBERS PRESENT:

James Pease, PG, Vice Chair
Tom Scott, Ph.D. PG
Stuart Smith
Valerie Coton, PG
Dawn Blackledge, PG

MEMBERS NOT PRESENT:

Donald McNeill, Ph.D. PG, Chair

OTHERS PRESENT:

John Knap, Executive Director
Christa Patterson, Government Analyst
Leann Gustafson, Board Counsel
Eric Hurst, Prosecuting Attorney
Mireille Fall, OAG Intern
Walt Schmidt
Jon Arthur

Jon Arthur was present at the meeting and he addressed the board. Mr. Arthur advised the board that FAPG had a very successful 2005 legislative session and that FAPG will be following the 2006 legislative session very closely.

Mr. Arthur stated that FAPG was considering GIT and CE legislative language for the 2006 session. Mr. Arthur stated he would like to see the board discuss possible proposals.

Dr. Scott stated that Mr. Arthur has done an outstanding job of representing FAPG. Mr. Arthur thanked Dr. Scott for his support.

Mr. Arthur asked the board if they knew why there was lack of FAPG membership. Mr. Smith suggested that FAPG contact the university students to get their interest early. Ms. Blackledge suggested that FAPG consider a new Executive Director.

Dr. Scott stated that the geologists in general tend not to be joiners of professional organizations. Dr. Scott stated geologists tend to be loners.

Mr. Pease stated that he felt the geology program administrators need to be more active in the profession and they should bring the students to the board meetings.

Walt Schmidt was present at the meeting and addressed the board in regard to the board considering legislation to require continuing education as a requirement of renewal.

Ms. Blackledge stated she would not support requiring continuing education as part of the renewal process. Ms. Blackledge stated she felt it was not a benefit to the licensee but a money maker for continuing education providers.

Mr. Knap provided the board with an overview of the department's 100 % continuing education monitoring program. Mr. Pease asked if the board's were charged for using the system. Mr. Knap advised the board that there was a cost involved. Mr. Knap advised the board that if they require continuing education as a condition for renewal then in accordance to Chapter 455 the board would be required to use the monitoring program.

Dr. Scott stated he was in support of requiring continuing education hours as a condition of renewal.

Mr. Pease stated that he felt that a GIT program would be considered by the board before consideration of requiring continuing education as part of the renewal process.

Ms. Blackledge encouraged Mr. Arthur to try to get the PG professionals involved and possibly consider becoming a board member.

Mr. Pease asked Ms. Patterson to include on the next agenda discussion of proposed legislation.

Dr. Schmidt advised the board that there was proposed legislation that would effect the geology profession. Dr. Schmidt stated he did not bring a copy of the legislation with him. Mr. Knap advised the board that when proposed legislative language is submitted to the legislature and effects a profession then the department asks the Executive Director to complete a bill analysis. Dr. Scott stated the proposed language was available on the web.

The board did not take any action since they did not have the proposed legislative language.

The board requested that rule 61G16-5.004 (4) (d), F.A.C., be discussed at the next board meeting as an agenda item.

REVIEW OF DRAFT NEWSLETTER

The board reviewed the draft newsletter and made some revisions. Mr. Pease asked that the newsletter be finalized and mailed.

REPORTS

Chair Report – Don McNeill

Mr. Pease stated he did not have anything to report in Dr. McNeill's absence.

Board Counsel

No report

Finance Report – Dawn Blackledge

Ms. Blackledge advised the board that she reviewed the finance reports and stated that the board was in the red at this time.

Executive Director's Report

Mr. Knap advised the board that he prepared a spread sheet to address the ASBOG white paper request. Mr. Knap stated that the board could not absorb any more increases.

Mr. Knap stated that the rule regarding exam fees were at the cap. Mr. Knap stated the only fee that was not capped was the renewal fee.

Ms. Coton stated that the white paper issue was going to be voted on in two weeks at the ASBOG meeting. Ms. Coton stated that the board would need to come to a decision if the board was going to support the increase.

Ms. Blackledge stated that a statute change would have to happen to increase the exam fees.

Mr. Smith stated that he would support ASBOG's white paper request.

MOTION: Dr. Scott made a motion to approve the ASBOG increase to the exam knowing that the board cannot cover the increase.

SECOND: Ms. Coton seconded the motion and the motion passed.

Mr. Knap reminded the board that the exam fees were already at the cap and any increase to the cost of the exam would be a cost directly absorbed by the board.

Ms. Blackledge and Mr. Pease opposed the motion.

Ms. Blackledge stated that a vote for an increase was a very irresponsible vote by the board.

Ms. Coton stated that the board at one time considered proposed legislation to request that the board shall recover the cost of the exam. Ms. Coton stated that the language was taken out because the disciplinary authority was the board's legislative goal.

After discussion the board requested that Mr. Knap submit proposed language to the department for the 2006 legislative session. Mr. Knap stated he would follow-up with the department.

Ms. Coton stated the board should go ahead and approve the increase and then maybe the department would support proposed language to cover the cost of the exam.

The board discussed increasing the renewal fee to \$150.00 and after discussion the following motion was made.

MOTION: Ms. Blackledge made a motion to increase the renewal fee to \$150.00.
SECOND: Mr. Smith seconded the motion and the motion passed.

Ms. Coton opposed the motion.

Prosecuting Attorney's Report – Eric Hurst

Mr. Hurst advised the board that in the near future a probable cause panel meeting would be scheduled.

Ms. Blackledge asked how long it takes for the department to process a complaint. Mr. Knap reviewed the complaint process with the board.

Ms. Blackledge stated that she felt that the geology complaints were being lost in the department. Ms. Coton stated she felt the same way.

Ms. Coton stated that she was going to suggest that the complaints be sent certified mail directly to Ms. Patterson.

Mr. Pease stated if the board member's had any other questions about department operation then contact Mr. Knap or Ms. Patterson directly.

OLD/NEW BUSINESS

Dr. Scott advised the board that he received a phone call regarding the Water Management Districts not requiring a professional geologist sign off on reports submitted. Dr. Scott stated that a letter needs to be sent to the Districts. Dr. Scott stated a letter reminding the Districts was mailed out a while ago.

Ms. Patterson stated she would research the letter and report back to the board. Mr. Knap stated that the letter would have to be approved by the department prior to mailing to the districts.

Mr. Knap advised the board that the update of responsible charge geologist's form was completed. Mr. Knap asked the board if they had any changes. The board asked Mr. Knap to mail the form out to the businesses.

There being no other business the meeting adjourned at 11:45 a.m.