

MINUTES

BOARD OF PROFESSIONAL GEOLOGISTS GENERAL BUSINESS MEETING

Hyatt Regency Pier Sixty Six
2301 S.E. 17th Street
Ft. Lauderdale, Florida 33316

July 26-27, 2006

CALL TO ORDER

Mr. Pease, Chair, called the meeting to order July 26, 2006, at 1:05 p.m.

MEMBERS PRESENT:

James Pease, PG, Chair
Tom Scott, Ph.D. PG
Stuart Smith, Vice Chair
Valerie Coton, PG
Donald McNeill, Ph.D., PG
James Funderburk, PG

MEMBERS NOT PRESENT:

Dawn Blackledge, PG

OTHERS PRESENT:

Richard Morrison, Executive Director
Christa Patterson, Government Analyst
Barbara Edwards, Board Counsel
Eric Hurst, Prosecuting Attorney

Mr. Pease advised the board that Ms. Blackledge absence was excused.

REVIEW AND APPROVAL OF THE APRIL 26-27, 2006 GENERAL BUSINESS MEETING MINUTES

The board reviewed the April 26-27, 2006 general business meeting minutes and after review the following motion was made.

MOTION: Dr. McNeill made a motion to approve the April 26-27, 2006 general business meeting minutes with corrections.

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

REVIEW OF THE TASK FUNCTION FORM

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

Mr. Morrison advised the board that a request for licensees to provide the department with their email addresses was included in the board newsletter.

Mr. Morrison reported that at the last meeting the board asked him to research the cost of using the Department's 100% continuing education monitoring program. Mr. Morrison

reported that the cost to the board is estimated to be \$20,000 per year. Mr. Morrison stated that the board would have to review applications for continuing education provider status and would have to review each course offered by approved providers.

The board discussed the increase of workload and the costs involved. Dr. Scott stated that fees would have to be assessed to providers. Ms. Edwards stated that the board would have to request a legislative change to Chapter 492, Florida Statutes. After discussion the board did not take any action.

APPLICATION REVIEW

Mr. Pease called each applicant's name and those applicants that were present were considered first.

Matthew Coe (Order of Conditional Approval For Exam)

Mr. Coe was present at the meeting and was not represented by counsel.

The board reviewed Mr. Coe's additional information and after discussion the following motion was made.

MOTION: Dr. Scott made a motion to approve Mr. Coe's application for licensure by examination.

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

Timothy D. Lentz

Mr. Lentz was present at the meeting and was not represented by counsel.

The board reviewed Mr. Lentz's application and after discussion the following motion was made.

MOTION: Ms. Cotton made a motion to approve Mr. Lentz's application for licensure by exam.

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

Mr. Lentz advised the board that he had already taken and passed both parts of the ASBOG exam. Mr. Lentz stated that he held a Florida Geologist license but failed to renew the license and the licensure status went to null and void so he reapplied for licensure. Mr. Lentz asked the board to waive the requirement for him to take the ASBOG exam again.

Ms. Edwards advised the board that they did not have the statutory authority to waive the exam requirement.

Michael Mills

Mr. Mills was present at the meeting and was not represented by counsel.

The board reviewed Mr. Mills' application and after discussion the following motion was made.

MOTION: Dr. Scott made a motion to approve Mr. Mills' application for licensure by examination.

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

Hitesh Barde

Mr. Barde was present at the meeting and was not presented by counsel.

The board reviewed Mr. Barde's application and after discussion the following motion was made.

MOTION: Dr. McNeill made a motion to approve Mr. Barde's application pending receipt of full time employment verification from October 1, 1999 to December 5, 2005 from Mr. Panigrahi.

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

Steve Preston

Mr. Preston was present at the meeting and was not represented by counsel.

The board reviewed Mr. Preston's application and after discussion the following motion was made.

MOTION: Dr. McNeill made a motion to approve Mr. Preston's application for licensure by examination.

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

Edward Hirshenson

Mr. Hirshenson was present at the meeting and was not represented by counsel.

The board reviewed Mr. Hirshenson's application for licensure by endorsement and after review it was the consensus of the board that Mr. Hirshenson did not meet requirements for licensure by endorsement. Ms. Edwards asked Mr. Hirshenson if he would like to change his application from endorsement to examination. Mr. Hirshenson stated for the record that he would like to change his application to examination.

MOTION: Dr. Scott made a motion to approve Mr. Hirshenson's application for licensure by examination pending receipt of the \$250.00 examination fee.

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

James Adamski

Mr. Adamski was not present at the meeting and was not represented by counsel.

The board reviewed Mr. Adamski's application and after discussion the following motion was made.

MOTION: Dr. McNeill made a motion to approve Mr. Adamski's application by examination.

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

Kim Arnold

Ms. Arnold was not present at the meeting and was not represented by counsel.

The board reviewed Ms. Arnold's application and after discussion the following motion was made.

MOTION: Dr. McNeill made a motion to deny Ms. Arnold's application for licensure by examination. Dr. McNeill stated she lacked 17 months of verified experience in responsible charge.

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

Samantha Budd

Ms. Budd was not present at the meeting and was not represented by counsel.

The board reviewed Ms. Budd's application and after discussion the following motion was made.

MOTION: Dr. Scott made a motion to approve Ms. Budd's application by examination.

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

Michael Townsel

Mr. Townsel was not present at the meeting and was not represented by counsel.

The board reviewed Mr. Townsel's application and after discussion the following motion was made.

MOTION: Mr. Funderburk made a motion to approve Mr. Townsel's application for licensure by examination.

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

Matthew P. Voight

Mr. Voight was not present at the meeting and was not represented by counsel.

The board reviewed Mr. Voight's application and after discussion the following motion was made.

MOTION: Ms. Coton made a motion to approve Mr. Voight's application for licensure by examination.

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

Timothy Crump

Mr. Crump was not present at the meeting and was not represented by counsel.

The board reviewed Mr. Crump's application and after discussion the following motion was made.

MOTION: Dr. McNeill made a motion to approve Mr. Crump's application for licensure by endorsement.

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

James Erickson

Mr. Erickson was not present at the meeting and was not presented by counsel.

The board reviewed Mr. Erickson's application and after discussion the following motion was made.

MOTION: Dr. Scott made a motion to deny Mr. Erickson's application for licensure by endorsement but to approve his application by examination pending the \$250.00 examination fee by September 1, 2006.

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

Hartford Wade Hight

Mr. Hight was not present at the meeting and was not represented by counsel.

The board reviewed Mr. Hight's application and after discussion the following motion was made.

MOTION: Dr. McNeill made a motion to approve Mr. Hight's application for licensure by endorsement.

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

Charles Hughes

Mr. Hughes was not present at the meeting and was not represented by counsel.

The board reviewed Mr. Hughes' application and after discussion the following motion was made.

MOTION: Dr. McNeill made a motion to approve Mr. Hughes' application for licensure by endorsement.

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

Robert Johnson

Mr. Johnson was not present at the meeting and was not represented by counsel.

The board reviewed Mr. Johnson's application and after discussion the following motion was made.

MOTION: Dr. McNeill made a motion to approve Mr. Johnson's application for licensure by endorsement.

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

Eric Lee Reisinger

Mr. Reisinger was not present at the meeting and was not represented by counsel.

The board reviewed Mr. Reisinger's application and after discussion the following motion was made.

MOTION: Dr. Scott made a motion to approve Mr. Reisinger's application for licensure by endorsement.

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

Joseph Robertson

Mr. Robertson was not present at the meeting and was not represented by counsel.

The board reviewed Mr. Robertson's application and after discussion the following motion was made.

MOTION: Dr. McNeill made a motion to approve Mr. Robertson's application for licensure by endorsement.

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

DISCUSSION OF GEOLOGIST IN TRAINING PROGRAM

Dr. Scott advised the board that he asked that the geologist in training program be discussed. Dr. Scott asked the board if they were in support of discussing a GIT program.

Mr. Pease advised the board that Mr. Funderburk was a new board member and that Mr. Funderburk was not present at the meetings where the board discussed the pros and cons of a GIT program.

It was the consensus of the board that the GIT program be discussed.

Mr. Funderburk stated that from information he had obtained he would not be in favor of a GIT program.

Mr. Smith stated that the question is would a GIT program benefit enough people to justify the cost to the board.

Dr. McNeill stated that there are other states that have a GIT program in place and he would be in favor of a GIT program if the board could keep the costs down.

Ms. Coton stated that a GIT program could be considered a licensure track and would allow a graduate to take the Fundamentals portion of the ASBOG exam.

Dr. Scott stated that he was in favor of the board considering legislative language to start a GIT program. Dr. Scott stated he was in favor of degree graduates to be able to take the Fundamentals portion of the exam.

Mr. Funderburk stated that he did like the idea of allowing graduates who meet the education requirements for licensure to take the Fundamentals exam.

Dr. Scott stated that the Florida Association of Professional Geologists (FAPG) conducted a survey of their membership and the majority of the members were in

support of a GIT program. Dr. Scott stated that the board in the past supported proposed legislative language for a GIT program. Dr. Scott stated the GIT language was dropped due to costs involved and with advice from the department's legislative office the GIT language was dropped so that the board's proposed legislative language for disciplinary authority could move forward that year.

Mr. Pease stated that he would not support a GIT program.

Ms. Edwards asked the board how the GIT program would work. The board continued discussion of possible avenues of a GIT program and the costs involved. The board stated they would possibly support a very limited language GIT program.

Dr. Scott asked the board if they would like for staff to include on the next agenda for discussion the past board's proposed legislative language for a GIT program.

After discussion it was the consensus of the board since Ms. Blackledge was not present that staff include discussion of the GIT program on the next agenda and include the past board's legislative proposal for a GIT program.

Mr. Pease stated this was not an approval of support for a GIT program but it was the consensus of the board to table discussion to the October 2006 meeting.

The general business meeting recessed at 4:10 p.m. to reconvene July 27, 2006 at 9:00 a.m.

Mr. Pease called the general business meeting to order July 27, 2006 at 9:05 a.m.

MEMBERS PRESENT:

James Pease, PG, Chair
Tom Scott, Ph.D. PG
Stuart Smith, Vice Chair
Valerie Coton, PG
Donald McNeill, Ph.D., PG
James Funderburk, PG

MEMBERS NOT PRESENT:

Dawn Blackledge, PG

OTHERS PRESENT:

Richard Morrison, Executive Director
Christa Patterson, Government Analyst
Barbara Edwards, Board Counsel
Eric Hurst, Prosecuting Attorney
Richard Welch
Linda Jones

RICHARD WELCH PROBATION APPEARANCE

Mr. Welch was present at the meeting and was not represented by counsel. Ms. Linda Jones owner of Environmental Land Services, Inc. was present at the meeting with Mr. Welch.

Ms. Edwards asked Ms. Patterson if Mr. Welch had paid the fine and costs on time. Ms. Patterson advised the board that the fine and costs had been paid.

Ms. Edwards advised the board that Mr. Welch was required to appear before the board prior to his release from probation. Ms. Edwards and Mr. Hurst reviewed with the board the terms of the signed settlement stipulation and after discussion the following motion was made.

MOTION: Dr. Scott made a motion to release Mr. Welch from probation November 18, 2006.

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

DISCUSSION OF PROPOSED RULES

Rules Report – Barbara Edwards

Ms. Edwards reviewed the rules report with the board. The board did not take any action.

61G16-4.004, Florida Administrative Code

Ms. Edwards reviewed the proposed rule with the board and after discussion the following motion was made.

MOTION: Dr. Scott made a motion to approve the proposed language to Rule 61G16-4.004, F.A.C. as submitted by Ms. Edwards.

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

61G16-5.004, Florida Administrative Code

Ms. Edwards advised the board that the proposed changes to Rule 61G16-5.004 was a substantial rewrite.

The board reviewed each line and changes were made to the proposed language. Ms. Edwards advised the board that she would provide the board with a copy of the changes at the October 2006 meeting.

REPORTS

Chair Report – James Pease

No report

Board Counsel – Barbara Edwards

No report

Finance Report – Dawn Blackledge

Ms. Blackledge was not present at the meeting. Mr. Morrison reviewed the operating account and unlicensed activity account reports with the board. Mr. Morrison advised the board that a renewal cycle was coming up.

Prosecuting Attorney's Report – Eric Hurst

Mr. Hurst reviewed his report with the board. Mr. Hurst advised the board that there were two cases that would be presented to the probable cause panel. Mr. Hurst asked Ms. Patterson to schedule a PCP meeting within the next few weeks.

Communication – Stuart Smith

Mr. Smith asked the board to provide newsletter articles for the newsletter by November 1, 2006.

Executive Director's Report

No report

NEW/OLD BUSINESS

Draft of Geology Business Report Change Form

Ms. Patterson reviewed the geology report change form with the board and changes were made to the form. The board asked Ms. Patterson to make corrections to the board and implement the form as soon as possible. Ms. Patterson advised the board that the form would have to be approved by the department's communications office prior to implementation.

Mr. Morrison asked the board to set their meeting dates for next year. After discussion it was the consensus of the board to meet at the following locations and dates.

October 25-26, 2006 – Tallahassee, Florida

January 24-25, 2007 – Ft. Myers, Florida

April 25-26, 2007 – Key West, Florida

July 25-26, 2007 – Tampa, Florida

October 24-25, 2007 – Tallahassee, Florida

There being no other business the meeting adjourned at 11:30 a.m.