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**MINUTES  
GENERAL BUSINESS MEETING  
BOARD OF PROFESSIONAL GEOLOGISTS**

**GRAND HYATT TAMPA BAY  
2900 BAYPORT DRIVE  
TAMPA, FLORIDA 33607**

**JULY 25, 2007  
&  
JULY 26, 2007**

13 Stuart Smith, Chair, called the meeting to order on July 25, 2007, at 1:02 p.m.

14  
15 **Members Present**

16 Stuart Smith, Chair  
17 James Funderburk, Vice-Chair  
18 Tom Scott  
19 Donald McNeill  
20 Matthew Cain  
21 James Pease

22  
23 **Members Not Present**

24 None

25  
26 **Others Present**

27 Barbara Edwards, Board Counsel  
28 Richard Morrison, Executive Director  
29 Eric Hurst, Prosecuting Attorney  
30 Stacey Merchant, Government Analyst  
31 Eric A. Guarino  
32 Josh T. Patterson  
33 Gabrielle Enos  
34 Robert Flynn

35  
36 Mr. Smith introduced new board member Matthew Cain and everyone welcomed  
37 him to the board.

38  
39 **Review and Approval of the Minutes**

40  
41 **• April 2007 General Business Meeting**

42  
43 After discussion the following motion was made:

44  
45 MOTION: Dr. Scott made a motion to approve the minutes.

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

47 **Review of the Task Function Form**

48

49 Mr. Smith reviewed the task function form with the board and staff.

50

51 Mr. Morrison reported that he and Mr. Hurst had passed the board's request to  
52 have the Department add language to the Legislative Package to have the  
53 board's statutory cap removed for examination fees.

54

55 Mr. Smith made the following application review assignments:

56

57 Experience Reviewers

Education Reviewers

58 James Pease

Tom Scott

59 Don McNeill

Stuart Smith

60 James Funderburk

Matthew Cain

61

62 **APPLICATION REVIEW**

63

64 The board reviewed the following applications:

65

66 Examination Applications

67

68 Mervin W. Dale

69

70 Mr. Dale was not present.

71

72 Mr. Dale already holds a license to practice as a Professional Geologist in  
73 Florida. He is applying to take the examinations so he can meet the  
74 requirements to obtain a license by endorsement in another state.

75

76 After discussion the following motion was made:

77

78 MOTION: Dr. McNeill made a motion to approve Mr. Dale's application to sit  
79 for the examination but not to issue a second license.

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

81

82 Brad D. Cook

83

84 Mr. Cook was not present.

85

86 After discussion the following motion was made:

87

88 MOTION: Mr. Pease made a motion to approve Mr. Cook's application by  
89 examination.

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

91

92

93 Calbert Cecil Butler II  
94  
95 Mr. Butler was present.  
96  
97 After discussion the following motion was made:  
98  
99 MOTION: Mr. Pease made a motion to approve Mr. Butler's application by  
100 examination.  
101 SECOND: Mr. Funderburk seconded and the motion passed unanimously.  
102  
103 Daniel Wesley Castro  
104  
105 Mr. Castro was not present.  
106  
107 After discussion the following motion was made:  
108  
109 MOTION: Dr. McNeill made a motion to approve Mr. Castro's application by  
110 examination.  
111 SECOND: Dr. Scott seconded and the motion passed unanimously.  
112  
113 Cindy T. Fischler  
114  
115 Ms. Fischler was not present.  
116  
117 After discussion the following motion was made:  
118  
119 MOTION: Dr. Scott made a motion to approve Ms. Fischler's application by  
120 examination.  
121 SECOND: Dr. McNeill seconded and the motion passed unanimously.  
122  
123 Sara Lena Gilbert  
124  
125 Ms. Gilbert was not present.  
126  
127 After discussion the following motion was made:  
128  
129 MOTION: Dr. Scott made a motion to approve Ms. Gilbert's application by  
130 examination.  
131 SECOND: Dr. McNeill seconded and the motion passed unanimously.  
132  
133 Pamela Green  
134  
135 Ms. Green was not present.  
136  
137 After discussion the following motion was made:  
138

139 MOTION: Mr. Pease made a motion to approve Ms. Green's application by  
140 examination.

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

142

143 Vishal Chand Katoch

144

145 Mr. Katoch was not present.

146

147 After discussion the following motion was made:

148

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

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

152

153 Marylea Hart Kibilko

154

155 Ms. Kibilko was not present.

156

157 After discussion the following motion was made:

158

159 MOTION: Mr. Pease made a motion to approve Ms. Kibilko's application by  
160 examination.

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

162

163 Sandra Kinnaman

164

165 Ms. Kinnaman was not present.

166

167 After discussion the following motion was made:

168

169 MOTION: Dr. McNeill made a motion to approve Ms. Kinnaman's application  
170 by examination.

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

172

173 Robert W. Flynn

174

175 Mr. Flynn was present.

176

177 After discussion the following motion was made:

178

179 MOTION: Mr. Pease made a motion to approve Mr. Flynn's application by  
180 examination.

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

182

183

184

185 Clinton Kromhout  
186  
187 Mr. Kromhout was not present.  
188  
189 After discussion the following motion was made:  
190  
191 MOTION: Mr. Pease made a motion to approve Mr. Kromhout's application by  
192 examination.  
193 SECOND: Dr. Scott seconded and the motion passed unanimously.  
194  
195 Edward H. Marks  
196  
197 Mr. Marks was not present.  
198  
199 Dr. Scott stated that he knew Mr. Marks. After a series of questions by Ms.  
200 Edwards, Board Counsel, it was decided that it was not necessary for Dr. Scott to  
201 be recused.  
202  
203 After discussion the following motion was made:  
204  
205 MOTION: Mr. Funderburk made a motion to approve Mr. Mark's application  
206 by examination.  
207 SECOND: Dr. Scott seconded and the motion passed unanimously.  
208  
209 Mary Varga Marks  
210  
211 Ms. Marks was not present.  
212  
213 After discussion the following motion was made:  
214  
215 MOTION: Mr. Funderburk made a motion to approve Ms. Mark's application  
216 by examination.  
217 SECOND: Dr. McNeill seconded and the motion passed unanimously.  
218  
219 David Richard Martinez  
220  
221 Mr. Martinez was not present.  
222  
223 After discussion the following motion was made:  
224  
225 MOTION: Dr. McNeill made a motion to approve Mr. Martinez's application by  
226 examination.  
227 SECOND: Dr. Scott seconded and the motion passed unanimously.  
228  
229  
230

231 David Timothy Paul

232

233 Mr. Paul was not present.

234

235 After discussion the following motion was made:

236

237 MOTION: Mr. Pease made a motion to approve Mr. Paul's application by  
238 examination.

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

240

241 Christina Ruby

242

243 Ms. Ruby was not present.

244

245 After discussion the following motion was made:

246

247 MOTION: Dr. McNeill made a motion to approve Ms. Ruby's application by  
248 examination.

249 SECOND: Mr. Pease seconded and the motion passed unanimously.

250

251 Thad Alan Slaughter

252

253 Mr. Slaughter was not present.

254

255 After discussion the following motion was made:

256

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

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

260

261 James T. Cullinan, III.

262

263 Mr. Cullinan was not present.

264

265 After discussion it was the consensus of the board that Mr. Cullinan had only  
266 provided proof of 55.5 months of verified experience and the following motion  
267 was made:

268

269 MOTION: Mr. Pease made a motion to deny Mr. Cullinan's application by  
270 examination.

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

272

273

274

275

276

277 Donnie Leon Wilkerson  
278  
279 Mr. Wilkerson was not present.  
280  
281 After discussion the following motion was made:  
282  
283 MOTION: Dr. McNeill made a motion to approve Mr. Wilkerson's application  
284 by examination.  
285 SECOND: Dr. Scott seconded and the motion passed unanimously.  
286  
287 Matthew Paul Wissler  
288  
289 Mr. Wissler was not present.  
290  
291 After discussion the following motion was made:  
292  
293 MOTION: Dr. McNeill made a motion to approve Mr. Wissler's application by  
294 examination.  
295 SECOND: Dr. Scott seconded and the motion passed unanimously.  
296  
297 Rama Rani  
298  
299 Ms. Rani was not present.  
300  
301 After discussion the following motion was made:  
302  
303 MOTION: Mr. Pease made a motion to approve Ms. Rani's application by  
304 examination.  
305 SECOND: Dr. Scott seconded and the motion passed unanimously.  
306  
307 Endorsement Applications  
308  
309 Scott L. Barnes  
310  
311 Mr. Barnes was not present.  
312  
313 After discussion the following motion was made:  
314  
315 MOTION: Mr. Pease made a motion to approve Mr. Barnes' application by  
316 endorsement.  
317 SECOND: Dr. Scott seconded and the motion passed unanimously.  
318  
319  
320  
321  
322

323 Daniel Kirk Pelczar

324

325 Mr. Pelczar was not present.

326

327 After discussion the following motion was made:

328

329 MOTION: Mr. Pease made a motion to approve Mr. Pelczar's application by  
330 endorsement.

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

332

333 Eric Anthony Guarino

334

335 Mr. Guarino was present.

336

337 After discussion the following motion was made:

338

339 MOTION: Dr. Scott made a motion to conditionally approve Mr. Guarino's  
340 application by endorsement upon receipt of renewed license  
341 within 30 days.

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

343

344 Mr. Guarino provided a copy of his renewed licensed at this meeting and his  
345 application was approved.

346

347 The board instructed Ms. Edwards not to enter an order of conditional approval.

348

349 Yomari Soto Lopez

350

351 Ms. Soto Lopez was not present.

352

353 After discussion it was the consensus of the board that Ms. Soto Lopez failed to  
354 meet the requirements for endorsement and the following motion was made:

355

356 MOTION: Mr. Pease made a motion to deny Ms. Soto Lopez's application by  
357 endorsement and to approve her to sit for the examinations.

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

359

360 Alan Heard Gillespie

361

362 Mr. Gillespie was not present.

363

364 After discussion it was the consensus of the board that Mr. Gillespie failed to  
365 meet the requirements for endorsement and the following motion was made:

366

367 MOTION: Dr. Scott made a motion to deny Mr. Gillespie's application by  
368 endorsement.

369 SECOND: Mr. Funderburk seconded and the motion passed 5 to 1. Mr.  
370 Pease was opposed.

371

372 **Prosecuting Attorney's Report – Eric Hurst**

373

374 Mr. Hurst stated that he had nothing to report.

375

376 **New Business**

377

378 Ms. Gabrielle Enos stated that for the last several years she has been on the  
379 ASBOG Executive Committee representing Florida.

380

381 Ms. Enos stated that she might not be able to attend the meeting in October in  
382 Denver. This would mean that James Funderburk would basically be in charge  
383 of voting and handling everything for Florida this year.

384

385 Ms. Enos also stated that ASBOG was financially healthy from the money  
386 received when a state gives their examinations. Right now there are 28 states  
387 giving these examinations. ASBOG receives \$25,000 when a new state joins  
388 their Association. Tennessee and New York are looking at joining in the near  
389 future.

390

391 Ms. Enos reported that ASBOG has been looking for other source of income  
392 including possibly forming a totally separate foundation to use as a fundraising  
393 arm. ASBOG has hired a consultant to help with this process. Ms. Enos also  
394 stated that the foundation's employee would be strictly volunteers at first. None  
395 of the Association fees would be used.

396

397 Ms. Enos stated that Mr. Funderburk will be required to vote whether Florida  
398 would approve of ASBOG forming a foundation or not at the Annual meeting.

399

400 After discussion, the following motion was made:

401

402 MOTION: Dr. McNeill made a motion to have Mr. Funderburk to vote in favor  
403 of the foundation as long as it does not cost the state anything.

404

405 SECOND: Dr. Scott seconded at the motion passed unanimously.

406

407 Ms. Enos also stated that ASBOG was looking at changing the structure of the  
408 examinations to allow people to choose modules that fit their specialty of  
409 practice.

410

411 After discussion the board stated that they would be in favor of changes to allow  
412 for specialties.

413

414 Ms. Edwards stated that she feels that the board's statute would require  
changes.

415

416

417 Mr. Smith adjourned the meeting at 4:05 p.m.

418

419 Stuart Smith, Chair, called the meeting to order July 26, 2007, at 9:15 a.m.

420

421 **Members Present**

422 Stuart Smith, Chair

423 James Funderburk, Vice-Chair

424 Tom Scott

425 Donald McNeill

426 Matthew Cain

427 James Pease

428

429 **Members Not Present**

430 Valerie Coton

431

432 **Others Present**

433 Barbara Edwards, Board Counsel

434 Richard Morrison, Executive Director

435 Eric Hurst, Prosecuting Attorney

436 Stacey Merchant, Government Analyst

437 Joseph Fuhr

438

439 **Chair's Report – Stuart Smith**

440

441 Mr. Smith stated that he had nothing to report at this time.

442

443 **Board Counsel's Report – Barbara Edwards**

444

445 Ms. Edwards stated that the following rules were developed on July 20, 2007:

446

447 Rule 61G16-3.001, F.A.C. – Fees for redevelopment

448 Rule 61G16-4.004, F.A.C. – Decline to reinstate Null & Void licenses

449 Rule 61G16-8.001, F.A.C. – License and Certification Renewal & Reinstatement

450

451 61G16-5.004, F.A.C. – Application Evaluations – Ms. Edwards stated that

452 someone was in attendance yesterday that wanted to discuss this rule.

453

454 Ms. Edwards reviewed the proposed changes and the JAPC comments to this

455 rule with the board.

456

457 **Executive Director's Report – Richard Morrison**

458

459 Mr. Morrison reviewed the complaint statistics report stating that there were two  
460 complaints filed. One of these complaints has been found legally sufficient.

461 Mr. Morrison also reviewed the operating account and unlicensed activity  
462 account financial reports with the board.

463  
464 Mr. Smith asked Mr. Morrison to inquire how many years a board can operate  
465 with a deficit without penalties.

466  
467 **Old Business**

468  
469 Mr. Morrison reported that the ASBOG examination fees have increased but the  
470 board has a statutory cap that is less than the ASBOG examination costs.

471  
472 After discussion the following motion was made:

473  
474 MOTION: Dr. Scott made a motion to have Ms. Edwards research if statutory  
475 changes would be necessary to have examination candidates pay  
476 ASBOG directly to take the examinations and to draft language to  
477 change Rule 61G16-8.001, F.A.C.

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

479  
480 Mr. Pease stated that he would like to thank Ms. Coton for her service as a board  
481 member.

482  
483 **New Business**

484  
485 The board requested that Mr. Morrison check on the status of new board  
486 member appointments and to report back at the October 2007 meeting.

487  
488 Dr. Scott inquired about an unlicensed activity complaint that had been filed and  
489 closed and now appealed.

490  
491 Ms. Edwards and Mr. Hurst cautioned the board to not to put any further  
492 discussion on the record.

493  
494 Joe Fuhr with the Florida Association of Professional Geologists introduced  
495 himself and stated that they had recently joined with AIPG. Mr. Fuhr stated that  
496 he was planning to have representatives in attendance at board meetings in the  
497 future to help improve communication with the board.

498  
499 Mr. Fuhr also stated that the association was working to update their website and  
500 to also provide a bi-monthly publication as well.

501  
502 With no further business to discuss the meeting was adjourned at 10:46 a.m.