

1
2
3
4
5
6
7
8
9
10
11
12

**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.