

MINUTES

BOARD OF PROFESSIONAL GEOLOGISTS

GENERAL BUSINESS MEETING

**THE RITZ-CARLTON FORT LAUDERDALE
1 NORTH FORT LAUDERDALE BEACH BLVD.
FORT LAUDERDALE, FLORIDA 33304**

JULY 24, 2013

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JULY 25, 2013

MEMBERS PRESENT

Louie G. Bush, Chair
James Funderburk
Mervin Dale
Dr. Jon Arthur
Robert Poppell

MEMBERS ABSENT

Matthew Cain - Excused

OTHERS PRESENT

Richard Morrison, Executive Director
Robert Milne, Board Counsel
Stacey Buccieri, Government Analyst II
Roger Maas, Prosecuting Attorney
Elliot J. Nightingale
John Ferguson
Jamie Sullivan
Fred Kaub
Donald Hardison

The meeting was called to order by Mr. Bush, Chair, at 1:01 p.m. on Wednesday, July 24, 2013. Mr. Bush led the board in the Pledge of Allegiance and prayer.

INFORMAL HEARING FOR ELLIOT JAY NIGHTINGALE'S ENDORSEMENT APPLICATION

Mr. Nightingale was present for the reconsideration of his application.

Mr. Milne presented this case stating that Mr. Nightingale's application for licensure by endorsement was denied at the May 2013 board meeting. The denial was based on the board's inability to determine the positions held and nature of the work performed by Mr. Nightingale.

Mr. Nightingale submitted a complete resume showing his experience and the specific nature of all work performed.

After discussion the following motion was made:

MOTION: Dr. Arthur made a motion to vacate the previous Notice of Intent to Deny and approve Mr. Nightingale's application for licensure by endorsement.

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

INFORMAL HEARING FOR MARGARET RACHEL WESSEL'S ENDORSEMENT APPLICATION

Ms. Wessel was not present for the reconsideration of her application.

Mr. Milne presented this case stating that Ms. Wessel's application for licensure by endorsement was denied at the May 2013 board meeting.

The denial was based on the not having her experience verification forms completed by a licensed or qualified geologist or professional engineer registered under chapter 471 as qualified in the field or discipline of professional engineering involved, as required by Chapter 492.105(1)(e), F.S.

Ms. Wessel provided another experience verification form from F. Mitchell Honeycutt, a licensed geologist in Texas, which was not signed or sealed.

After discussion the following motion was made:

MOTION: Mr. Funderburk made a motion to vacate the previous Notice of Intent to Deny and approve Ms. Wessel's application for licensure by endorsement contingent upon her submitting the experience verification form properly signed and sealed by Mr. Mitchell within 60 days.

SECOND: Dr. Arthur seconded and the motion passed unanimously.

APPLICATION REVIEW

Endorsement

Annaliese Alison Eipert

Ms. Eipert was not present for the review of her application.

After discussion it was the consensus of the board that they were unable to approve Ms. Eipert's application because she failed to attach a copy of the professional licensure as an Engineer in the State of Washington held by Mr. Heseltine during the relevant period of supervision and a copy of Mr. Heseltine's resume in support of her application.

After discussion the following motion was made:

MOTION: Dr. Arthur made a motion to deny Ms. Eipert's application for licensure by endorsement because she failed to attach a copy of Mr. Heseltine's professional license as an Engineer in the State of Washington and a copy of his resume.

SECOND: Mr. Dale seconded and the motion passed with a vote of 3 to 2. Mr. Funderburk and Mr. Poppell opposed.

Kurtis Duane Hausner

Mr. Hausner was not present for the review of his application.

After discussion the following motion was made:

MOTION: Mr. Dale made a motion to approve Mr. Hausner's application for licensure by endorsement.

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

Timothy S. Seeno

Mr. Seeno was not present for the review of his application.

After discussion the following motion was made:

MOTION: Mr. Dale made a motion to approve Mr. Seeno's application for licensure by endorsement.

SECOND: Mr. Poppell seconded and the motion passed unanimously.

Examination

Kristopher Franklin Barrios

Mr. Barrios was not present for the review of his application.

After discussion the following motion was made:

MOTION: Mr. Dale made a motion to approve Mr. Barrios' application for licensure by examination.

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

Paige Maltby Bollenbacher

Ms. Bollenbacher was not present for the review of her application.

After discussion the following motion was made:

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

SECOND: Dr. Arthur seconded and the motion passed unanimously.

Tara Devine Brenner

Ms. Brenner was not present for the review of her application.

After discussion the following motion was made:

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

SECOND: Dr. Arthur seconded and the motion passed unanimously.

James Robert Cichon

Mr. Cichon was not present for the review of his application.

After discussion the following motion was made:

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

SECOND: Mr. Poppell seconded and the motion passed unanimously.

John Folsom Ferguson

Mr. Ferguson was present for the review of his application.

After discussion the following motion was made:

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

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

Donald William Hardison

Mr. Hardison was present for the review of his application.

After discussion the following motion was made:

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

SECOND: Mr. Dale seconded and the motion passed unanimously.

Jonathan M. Kramer

Mr. Kramer was not present for the review of his application.

After discussion the following motion was made:

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

SECOND: Dr. Arthur seconded and the motion passed unanimously.

Robert Joseph McKinnon

Mr. McKinnon was not present for the review of his application.

After discussion the following motion was made:

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

SECOND: Mr. Poppell seconded and the motion passed unanimously.

Vincent James Migliore

Mr. Migliore was not present for the review of his application.

After discussion the following motion was made:

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

SECOND: Dr. Arthur seconded and the motion passed unanimously.

Timothy N. Mrdjenovich

Mr. Mrdjenovich was not present for the review of his application.

After discussion the following motion was made:

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

SECOND: Mr. Dale seconded and the motion passed unanimously.

Ellen Rose Price

Ms. Price was not present for the review of her application.

After discussion the following motion was made:

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

SECOND: Dr. Arthur seconded and the motion passed unanimously.

Tony Ray Schmucker

Mr. Schmucker was not present for the review of his application.

After discussion the following motion was made:

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

SECOND: Dr. Arthur seconded and the motion passed unanimously.

Jamie Robert Sullivan

Mr. Sullivan was present for the review of his application.

After discussion the following motion was made:

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

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

Nicholas Alexander Moran

Mr. Moran was not present for the review of his application.

After discussion the following motion was made:

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

SECOND: Dr. Arthur seconded and the motion passed unanimously.

The board discussed the requirements of 492.105, F.S., and who could sign the experience verification form as “other qualified professional.” After discussion, the board directed Mr. Morrison to change a portion of the experience verification form to read, “Must submit supporting documents including a resume and a copy of professional license.”

REVIEW AND APPROVAL OF THE MINUTES

- May 2013 General Business Meeting

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

MOTION: Dr. Arthur made a motion to approve these minutes as submitted.

SECOND: Mr. Poppell seconded and the motion passed unanimously.

CHAIR’S REPORT – LOU BUSH

Mr. Bush announced that Dr. Arthur was elected President Elect of the Association of American State Geologists.

Mr. Bush also announced two new board members; Mr. Alfieri and Mr. DeNeve have been appointed and will be at the October Board Meeting. Mr. Cain and Mr. Poppell were reappointed so now there are no vacant seats on the board.

Mr. Bush suggested we have a new board member orientation. The board discussed the topics and who would present them at the October 2013 board meeting.

EXECUTIVE DIRECTOR’S REPORT – Richard Morrison

Mr. Morrison reviewed the Operating Account Financial Report ending March 31, 2013 and the Unlicensed Activity Financial Report ending March 31, 2013 with the board.

Mr. Morrison also reviewed the Complaints and Investigations Report with the board.

BOARD COUNSEL’S REPORT – Robert Milne

Rules Report

Mr. Milne reported that rule 61G16-3.001, F.A.C., Fee Schedule, was noticed for rule making on July 13, 2013. This rule should be adopted on August 30, 2013.

PROSECUTING ATTORNEY'S REPORT – Roger Maas

Mr. Maas reported there was one case in which probable cause was found and the administrative complaint was filed and is awaiting response from the respondent. Three cases are being prepared for the next probable cause panel meeting.

GEOLOGIST IN TRAINING DISCUSSION

Mr. Bush asked Mr. Dale to update the board on his contact with his representatives. Mr. Dale stated he had contacted and met with Coby Adams, Staff for State Representative Elizabeth Porter. Mr. Adams reviewed the proposed draft stated that he wanted to discuss it with Representative Porter and then he would get back in contact with Mr. Dale.

Mr. Bush stated that he contacted his State Representative Neil Combee. Representative Combee sent it over to the Bill Drafting Section and is hoping to sponsor this Bill or find someone who can sponsor it. Mr. Dale stated that he would get back in touch with Representative Porter's Office and let her know that Representative Neil Combee is also working on this matter.

Mr. Bush encouraged the board members to continue to reach out for support. Mr. Bush also suggested the board write a letter thanking Secretary Lawson, Deputy Secretary Vaccaro and Division Director Harrell for their role in helping to have the vacant seats on the board filled and asking for their support with this legislation.

Mr. Bush suggested the board draft a template of a letter of support or endorsement for the Geologist In Training Program.

Mr. Dale stated that he also sent a letter to State Senator Charles S. Dean, Sr., asking him to sponsor the bill and received a letter back stating that he would review the proposed legislation and would be back in touch.

DISCUSSION OF MOST COMMON VIOLATIONS AND UPDATING THE DISCIPLINARY GUIDELINES

The item was tabled until the October 2013 meeting.

Mr. Bush recessed this meeting until 9:00 a.m. on July 25, 2013.

Mr. Bush called the meeting to order at 9:03 a.m. on July 25, 2013.

MEMBERS PRESENT

Louie G. Bush, Chair
James Funderburk, Vice-Chair
Mervin Dale
Dr. Jon Arthur
Robert Poppell

MEMBERS ABSENT

Matthew Cain (Excused)

OTHERS PRESENT

Richard Morrison, Executive Director
Robert Milne, Board Counsel
Stacey Buccieri, Government Analyst II

Mr. Bush led the board in the Pledge of Allegiance and prayer.

BOARD'S WEB PAGE DISCUSSION

Mr. Morrison stated that the board could add information to the web page but the format could not be changed. Hot topics could be added and sent out to the licensees in place of the newsletter.

After discussion the board asked Mr. Morrison to research if would be appropriate for the board to address the most asked questions and have them added to the FAQ's.

TASK FUNCTION FORM

Mr. Bush reviewed the task function form with the board and staff. Completed items will be removed and new items will be added.

NEW BUSINESS

There was no new business at this time.

OLD BUSINESS

The board drafted a letter thanking Secretary Lawson, Deputy Secretary Vaccaro and Division Director Harrell for their role in helping to have the vacant seats on the board filled and asking for their support with the Geologist In Training Legislation.

The board also drafted a template of a letter of endorsement to send to Board of Surveyors and Mappers, Board of Professional Engineers and State Universities for support.

With no other business to discuss, the meeting was adjourned at 10:45 a.m.