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MINUTES

BOARD OF PROFESSIONAL GEOLOGISTS

GENERAL BUSINESS MEETING

**THE RENAISSANCE RESORT AT WORLD GOLF VILLAGE
500 SOUTH LEGACY TRAIL
ST. AUGUSTINE, FLORIDA 32092**

JULY 27, 2011 @ 1:00 PM

&

JULY 28, 2011 @ 9:00 AM

The meeting was called to order by Mr. Bush, vice -chair, at 1:00 p.m.

MEMBERS PRESENT

Louie G. Bush, Vice-Chair

Robert Poppell

Mervin Dale

Jon Arthur

MEMBERS ABSENT

James Harmon, Chair (Excused)

Matthew Cain (Excused)

James Funderburk (Excused)

OTHERS PRESENT

Richard Morrison, Executive Director

Daniel Biggins, Board Counsel

Krista Woodard, Government Analyst II

Kurtis Revel Beshers

Michael Fiori

Michael Clark

Richard Prather

Jillian Schoeller

Traci Fulkerson

47 **REVIEW AND APPROVAL OF THE MINUTES**

48

- 49 • May 11 & 12, 2011 General Business Meeting

50

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

53

54 MOTION: Mr. Dale made a motion to approve these minutes with
55 corrections.

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

57

58 **APPLICATION REVIEW**

59

60 Endorsement

61

62 Daniel Haas Berler

63

64 Mr. Berler was not present for the review of his application.

65

66 After discussion the following motion was made:

67

68 MOTION: Mr. Dale made a motion to deny Mr. Berler's application for
69 licensure by endorsement due to not having passed the required
70 examinations. Mr. Dale's motion also included conditionally
71 approving Mr. Berler's application for licensure by examination
72 upon payment of the \$250 examination fee within 30 days.

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

74

75 Kurtis Revel Beshers

76

77 Mr. Beshers was present for the review of his application.

78

79 After discussion the following motion was made:

80

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

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

84

85 Michael Anthony Fiori

86

87 Mr. Fiori was present for the review of his application.

88

89 After discussion the following motion was made:

90

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

93 SECOND: Dr. Arthur seconded and the motion passed unanimously.
94
95 Traci Lynn Fulkerson
96
97 Ms. Fulkerson was present for the review of her application.
98
99 After discussion the following motion was made:
100
101 MOTION: Dr. Arthur made a motion to approve Ms. Fulkerson's application for
102 licensure by endorsement.
103 SECOND: Mr. Dale seconded and the motion passed unanimously.
104
105 Richard Howard Kingsbury
106
107 Mr. Kingsbury was not present for the review of his application.
108
109 After discussion the following motion was made:
110
111 MOTION: Dr. Arthur made a motion to deny Mr. Kingsbury's application for
112 licensure by endorsement because he failed to establish 60 months
113 in responsible charge of geological work or 7 years of geological
114 work experience. Mr. Kingsbury's work experience was not
115 properly verified by a licensed professional geologist.
116 SECOND: Mr. Poppell seconded and the motion passed unanimously.
117
118 Francisco Javier Padron
119
120 Mr. Padron was not present for the review of his application.
121
122 After discussion the following motion was made:
123
124 MOTION: Dr. Arthur made a motion to approve Mr. Padron's application for
125 licensure by endorsement.
126 SECOND: Mr. Dale seconded and the motion passed unanimously.
127
128 Examination
129
130 Maureen Kristin Bailey
131
132 Ms. Bailey was not present for the review of her application.
133
134 After discussion the following motion was made:
135
136 MOTION: Dr. Arthur made a motion to approve Ms. Bailey's application for
137 licensure by examination.
138 SECOND: Mr. Poppell seconded and the motion passed unanimously.

139 Michael Roy Clark

140

141 Mr. Clark was present for the review of his application.

142

143 After discussion the following motion was made:

144

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

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

148

149 William Paul Duffy

150

151 Mr. Duffy was not present for the review of his application.

152

153 After discussion the following motion was made:

154

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

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

158

159 John Ellis Dye

160

161 Mr. Dye was not present for the review of his application.

162

163 After discussion the following motion was made:

164

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

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

168

169 Shayne Michael Paynter

170

171 Mr. Paynter was not present for the review of his application.

172

173 After discussion the following motion was made:

174

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

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

178

179 Zane Pierson

180

181 Mr. Pierson was not present for the review of his application.

182

183 After discussion the following motion was made:

184

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

187 SECOND: Mr. Bush seconded and the motion passed unanimously.

188

189 Richard Edward Prather

190

191 Mr. Prather was present for the review of his application.

192

193 After discussion the following motion was made:

194

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

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

198

199 Jon Nicholas Weston Friedrichs

200

201 Mr. Friedrichs was not present for the review of his application.

202

203 After discussion the following motion was made:

204

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

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

208

209 Jillian Schoeller

210

211 Ms. Schoeller was present for the review of her application.

212

213 After discussion the following motion was made:

214

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

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

218

219 RECONSIDERATION OF MARK HARRY HORWITZ'S APPLICATION FOR
220 LICENSURE BY EXAMINATION (Noticed for July 28, 2011 @ 9:00 a.m.)

221

222 Mr. Horwitz was present for the reconsideration of his application.

223

224 Mr. Biggins presented this case stating that Mr. Horwitz's application for licensure
225 by examination was approved at the October 27, 2010 meeting of the board.

226 Prior to Mr. Horwitz sitting for the examination, the board received information
227 that Mr. Horwitz was not employed as was represented on form DBPR PG 4705.

228 A substantial period of time represented as fulltime work by the Mr. Horwitz
229 included periods of part-time employment that consisted of ten hours a week of
230 geological work.

231 Mr. Horwitz failed to submit new forms that accurately list his employment; the
232 board was left with conflicting, inaccurate or incomplete details regarding his
233 geological experience.

234

235 The board reconsidered Mr. Horwitz's application at the January 26, 2011,
236 meeting of the board and issued a Notice of Intent to Deny his examination
237 based on the incomplete information provided.

238

239 Mr. Horwitz presented the appropriate experience forms and after discussion the
240 following motion was made:

241

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

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

245

246 CHAIR'S REPORT – There was no Chair's report given.

247

248 The meeting was recessed until 9:00 a.m. on Thursday, July 28, 2011.

249

250 The meeting was called to order by Mr. Bush, Vice - Chair, at 9:06 a.m. on
251 Thursday, July 28, 2011.

252

253 **MEMBERS PRESENT**

254 Louie G. Bush, Vice-Chair

255 Robert Poppell

256 Mervin Dale

257 Jon Arthur

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259 **MEMBERS ABSENT**

260 James Harmon, Chair (Excused)

261 Matthew Cain (Excused)

262 James Funderburk (Excused)

263

264 **OTHERS PRESENT**

265 Richard Morrison, Executive Director

266 Daniel Biggins, Board Counsel

267 Krista Woodard, Government Analyst II

268 Mark H. Horwitz

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270 EXECUTIVE DIRECTOR'S REPORT – Richard Morrison

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272 Mr. Morrison reviewed the Media Relations Guide with the board.

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274 Mr. Morrison also reviewed the Operating Account Financial Report ending
275 March 31, 2011 and the Unlicensed Activity Financial Report ending March 31,
276 2011 with the board.

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BOARD COUNSEL'S REPORT – David Flynn

Daniel Biggins was in attendance for Mr. Flynn and gave the following report:

Rule 61G16-1.009 Definitions and Rule 61G16-5.001 had language drafted and were submitted for OFFAR approval on June 17, 2011. These rules received OFFAR approval on June 18, 2011. The Notice of Rule Development was published on July 29, 2011.

- List of Rules Identified by the Board For Discussion
 - 61G16-6.001 – Written Exam
 - 61G16-5.004 – Application Evaluation
 - 61G16-9.001 - Disciplinary Guidelines
 - 61G16-5.002 – Geological Courses
 - 61G16-8.001 – License Renewal
 - 61G16-6.006 – Licensure by Endorsement
 - 61G16-1.009 – Definitions – In approval process.
 - 61G16-5.001 – Related Degrees – In approval process.

Discussions and changes to these rules were tabled to the October board meeting due to the absence of several members.

ACTION ITEMS

- Discussion and approval of Application Education Page

The board reviewed and made changes to the application education page and requested that it come back to the next meeting in Word format.

OLD BUSINESS

- Request for Statute and Rule Change

Mr. Morrison stated that all statute change requests need to be submitted to the department as soon as possible.

322 After discussion the board requested that the board office schedule a telephone
323 conference call to discuss possible statute changes.

324

325 NEW BUSINESS

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327 There was no new business discussed.

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329 With no further business to discuss, the meeting was adjourned at 9:25 a.m.

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