

LOUISIANA BOARD OF PROFESSIONAL GEOSCIENTISTS

9643 Brookline Ave., Ste. 101, Baton Rouge, LA 70809



REGULAR MEETING OF LBOPG

Tuesday, October 11, 2016, 1:00 P.M.

Louisiana Engineering Society Building Conference Room
9643 Brookline Ave., Baton Rouge, LA 70809

MINUTES

Chairman William Finley called the meeting to order at 1:00 p.m., Tuesday, October 11, 2016. He then commenced roll call.

Present: William Finley, Lloyd Hoover, Art Johnson, John Johnston, Thomas Klekamp, and William Meaney, Board Members. Harry Vorhoff, Legal Counsel; Georgeann McNicholas, Executive Secretary; and Brenda Macon, Assistant Executive Secretary.

Guests: Donna Sentell, Executive Director, and Richard Savoie, Deputy Executive Director, LAPELS

Absent: Madhurendu Kumar, Daisy Pate, and L. Todd Perry.

Quorum established. Roll Call sheet was circulated for signatures.

Meeting Minutes: Meeting Minutes of 08/09/2016 were reviewed. Johnston moved to accept the minutes; Johnson seconded; motion carried unanimously.

Treasurer's Report: Johnson presented the August/ September 2016 Treasurer's Report. Bank account was reconciled for both August and September, and all is in order. A graph was presented that shows the account balance is up slightly from previously. Johnson pointed out that the agreement with the Louisiana Office of Motor Vehicles has been finalized for Professional Geoscientist (PG) license plates, which means that the fee of \$3500 will show up on expenses for the coming months. He also directed attention to the numbers of renewals, which indicate that they are going quite well. Johnson cited anecdotal evidence that having a license is valuable during times of industry downturn. Johnston moved to accept the Treasurer's Report; Klekamp seconded the motion. Motion carried unanimously.

Application Review Committee: Johnson reported that seventeen candidates for licensure were reviewed. He read the numbers of applicants recommended by the Licensing Application Review Committee for a Louisiana Professional Geoscientist license as follows: 1, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, and 17 of the Licensing Review Committee List for October 11, 2016. The committee is requesting additional information from the remaining two candidates. The committee also recommended that the

one candidate for a temporary license be approved. Johnston moved to approve the recommended applicants for licensure; seconded by Meaney. Motion carried unanimously.

License Examination: Finley reported that eight people took the ASBOG Fundamentals of Geology exam and six took the Practice of Geology exam on Friday, September 30, 2016.

The next ASBOG testing date will be March 17, 2017. The ASBOG deadline for applying to take exams on that date is January 31, 2017; the LBOPG deadline for applicants to be approved to take exams is, therefore, December 31, 2016 (30 days prior to the ASBOG deadline).

Complaint Review Committee: *Draft policy for seal use:* Finley reported that the list of suggested activities had been taken out of the guidelines. The next meeting with LAPELS and DEQ regarding the guidelines will be held on Tuesday, October 18, 2016, at 2 pm.

Draft of disciplinary enforcement procedures: Vorhoff updated the board on best practices in creating hearing guidelines for disciplinary hearings. The Complaint Review Committee chair would bring in other professional geoscientists to serve as fellow members of the committee. The committee would vote to determine if formal charges were warranted. If so, they would make that recommendation to the LBOPG board. The board, minus the one member who serves as the Complaint Review Committee chair, would then vote on whether or not to hold a formal hearing. In the event that a hearing is indicated, the board chair would act as hearing officer, and the case would be brought before the board. All identifying information regarding the party in question would be removed. If the board votes to file formal charges, a prosecutor would be brought in and a formal hearing would be held. If a settlement is reached before the hearing is held, then that settlement would have to be affirmed by the full board at the next board meeting. To reduce costs, the executive secretary would conduct preliminary investigations; a professional investigator would be needed if more in-depth investigation is required. This procedure would provide for due process. Discussion ensued.

Finley called for a formal document that describes these procedures. Vorhoff and Meaney will work together to create this document for discussion at the next board meeting. Vorhoff suggested that the final documentation should be added to the board's by-laws. Johnson suggested also that the final documentation should be posted on the LBOPG website.

Office Committee: Johnston reported that Georgeann McNicholas has notified the committee that her last day of work will be December 9, 2016. The Office Committee recommended that Brenda Macon be promoted to Executive Secretary effective December 11, 2016. Johnson moved to accept the committee's recommendation; Meaney seconded. Motion carried.

Johnston then suggested that the board move forward to hire a new office assistant. McNicholas suggested waiting until December. Discussion ensued. Johnston's suggestion carried.

He also reported that the cost of Internet service has decreased from \$97.55 per month to \$62.50 effective October 2016; that AT&T has offered LBOPG a plan that would result in savings of \$25 per month. The current plan allows for 4 GB of data, but the office never exceeds 3 GB. Under the new plan, the office would receive a free tablet, but it would not have to be added to the plan. Further, because of AT&T's loss of service during the recent flooding, the last bill was revised from \$101.39 to \$52.33.

The board's fourth contract with L.A. Champagne, LLP, for annual accounting services is in process, and the contract with Usable Creative for additional work to be done to the website is also in process.

Legal Counsel's Comments: Vorhoff reported that he had recently attended a conference held by the Federation of Associations of Regulatory Boards (FARB) and found it to be helpful. He recommended sending someone to the next meeting. He provided examples of issues that were discuss that could be enlightening for board members and staff. Johnson asked, "When and where?" Discussion ensued; Vorhoff will send additional information.

Other Business: Regarding use of the ASBOG Fundamentals of Geology exam as an assessment tool, McNicholas reported that she and Macon visited the September meeting of the Lafayette Geological Society on September 21, 2016, and presented information on the GIT program. Several people called afterward for more information about the program. The two will also be visiting Tulane and UNO during October and Shreveport Geological Society's meeting in November. Johnston asked about progress in talking with LSU about the GIT program and about using the Fundamentals of Geology as an assessment tool, and McNicholas reported that some progress has been made. The LSU Department of Geology & Geophysics representatives have expressed interest and are in discussions directly with ASBOG.

She also reported that an agreement has been reached for the PG license plates and a contract has been signed. The specialty vanity plate will be available approximately three months from the date that the Louisiana Department of Motor Vehicles receives the artwork and fee payment. The plate will have the current LBOPG logo, with PG on the side and "Professional Geoscientist" at the bottom. The numerical sequence will be on a first-come-first-served basis; McNicholas requested that the first 100 applicants would have the ability to choose to have their PG license numbers on their plates. The anticipated cost includes \$50 plus regular registration fee, \$8 handling, and \$3.50 administrative fee.

New Business: Continuing education question: McNicholas reported that two situations have arisen that created issues regarding how many continuing education hours are required for PGs whose licenses have lapsed for at least a year and who are then renewing. One instance was due to illness and the other was a lack of work. In both cases, the licensees paid for both the lapsed year and the current year of licensing plus late fees, and completed one year's requirement for continuing education (15 hours – one hour of ethics and 14 hours of continuing geoscience education). The board agreed that, unless the license has lapsed three years or longer, then continuing education equaling the requirement for a single year is all that is required.

Certification question for appendices to reports: A Louisiana licensed PG submitted a report to DEQ with an appendix that was created by an out-of-state licensed PG. When he sealed the report, he did not seal the appendix. It was suggested to him that he should have the appendix sealed by the out-of-state PG. Should he have the appendix sealed? Discussion ensued. Short answer: He is certifying his work and is using the appendix as a reference only, so sealing the appendix is not required.

Committee assignments: Finley called for discussion of new assignments. Johnston registered his unhappiness with an additional committee assignment beyond his previous assignments. He argued that, as his load increased, another board member's assignments were reduced. He stated that, as vice-chair of the board and chair of the office committee, he wanted someone else to take the additional committee

service that had been added to his load. He requested that someone volunteer to take the license exam assignment; Lloyd Hoover agreed to take that assignment. Johnson mentioned that he wants to be able to visit with his fellow application committee members (Klekamp, who is the new chair of this committee, and Pate) to share information and to provide continuity for the way in which licensing decisions are made. Finley pointed out that he made assignments with the geographic proximity (all three members of the application committee live in or near New Orleans) of the board members to each other for that reason. Some discussion ensued regarding the possibility of replacing an ill board member on committee assignments.

Commemorative plaque: The plaque to commemorate past board chairs that was approved during a previous meeting has been created, and the first two chairs' names have been added to it. Finley presented the plaque to the board.

Sharing LBOPG Journal contents: Meaney reported that the Shreveport Geological Society would like to reprint portions – in fact, Journal #2 in its entirety – of the LBOPG Journal in their newsletter. He asked the board if reprinting is allowed. Finley suggested that reprinting the journal is fine, as long as the journal is referenced as the original source and the content is not changed. Meaney indicated that the Shreveport group will include a link to the LBOPG site in their citation of the source.

Continuing education sources: Meaney mentioned that the Houston Geological Society (HGS) maintains a video library of courses and talks that they have sponsored over time, and members (and others) can access those videos. Do these types of videos count as continuing education hours toward fulfillment of the licensure requirement? Finley pointed out that these types of materials are included in the list of possible continuing education opportunities. The issue, he said, is that it is incumbent upon the licensee to maintain documentation of his/her continuing education and to supply that documentation in case of audit and that it is up to the board to determine if the documentation is acceptable or not. Klekamp brought up the availability of university online courses offered for free on the Internet. Discussion ensued regarding the acceptability of counting online courses as continuing education because of the inability to document or verify completion of such courses. The consensus opinion is that acceptable continuing education must be verifiable. Finley suggested that geological societies have an opportunity to offer continuing education programs with appropriate documentation that will both satisfy licensing requirements and provide society members with added benefits. The issue of advertising or endorsing continuing education opportunities arose; the board decided that such opportunities would be forwarded to the geological societies in the state to relay to their membership.

Certifying geoscientific work discussed: Finley brought up the need to discuss ways to approach a mutual understanding regarding who can certify geoscientific work when both professional engineers and professional geoscientists are working on a project. He mentioned that he has re-read the legislative act and has come to the conclusion that the ambiguity lies in the statement that engineers who "regularly perform" geoscientific work are exempt from the requirement that they have a PG license. He concludes from that statement that those engineers can sign off on such work. Johnston disagreed; the rest of the board and legal counsel concurred with Finley. Discussion ensued. The consensus of the board is that these issues will be addressed in the October 18 meeting with LAPELS.

The next regular meeting of the board will be held on Tuesday, December 13, 2016 at 1:00 p.m. Johnson moved to adjourn the meeting, seconded by Johnston. Motion carried unanimously. Finley adjourned the meeting at 1:38 p.m.