

**KENTUCKY BOARD OF REGISTRATION FOR PROFESSIONAL GEOLOGISTS
MEETING MINUTES
February 7, 2010**

A meeting of the Kentucky Board of Registration for Professional Geologists was held at the Frankfort office on February 7, 2010.

MEMBERS PRESENT

Larry R. Rhodes, Chair
James Cobb, Ph.D
Marsha Meyer
Stephen R. Wyatt
Gil Cumbee, Vice Chair

OCCUPATIONS AND PROFESSIONS STAFF

David Garr, Deputy Executive Director
Lucie Duvall, Board Administrator

OTHERS

Mark Brengelman, Office of the Attorney General
Judith Hower, Communications Specialist

CALL TO ORDER

Larry R. Rhodes, Board Chair, called the meeting to order at 1:47 p.m.

MINUTES

A motion was made by Marsha Meyer to approve the minutes from the December 6, 2010 meeting, as amended. Motion, seconded by Gil Cumbee, carried unanimously.

FINANCIAL STATEMENT

Financial statements for the month ending December 31, 2010 and January 31, 2011 were presented to the Board for review. The Board acknowledged the financial statements as presented.

LICENSURE STATUS REPORT

The Board reviewed a list of expired licenses as of 12-29-2010. A motion was made by Ms. Meyer to send certified cease and desist letters to those on the list, as amended. Motion, seconded by Mr. Cumbee, carried unanimously.

DIRECTOR'S REPORT

David Garr, Deputy Executive Director, reported on the Ethical Guidelines for Members of Executive Branch Boards and Commissions. Mr. Garr informed the Board there was a new form to fill out if one should have a conflict. The form would go to the Chair to sign, then to the Board Administrator to keep for records and a copy to the Governor.

Mr. Garr presented the Board with some audit information as a pro-active measure for the Board to be aware of should the Board ever be audited. No further action was taken.

Mr. Garr presented the Board with a draft of a Memorandum of Agreement between the Commonwealth of Kentucky and the Kentucky Board of Registration for Professional Geologists. A motion was made by Stephen Wyatt to approve the draft as presented. Motion, seconded by James Cobb, Ph.D, carried unanimously.

NEW BUSINESS

The Board briefly discussed regulating companies in addition to the current regulation of individuals. Mark Brengelman, Board Attorney informed the Board the current Geology model only regulates the individual license and in order to regulate businesses would not only require a change in the Laws and Regulations, but several other changes including obtaining business permits and establishing their own Laws and Regulations. No further action was taken.

The Board reviewed the “Why Geologists” brochure from ASBOG. The Board agreed Ms. Meyer would work on a Tri-Fold for the ASBOG to place on the website and place on the next agenda for review. No further action was required.

The Board briefly discussed the Highway Geology Symposium scheduled in Lexington for July 25-28, 2011. The Board requested information be placed on the website regarding the matter. Judith Hower, Communications Specialist, was asked by the Board to send an e-mail to the Board Administrator with the information to be posted on the website. No further action was required.

The Board was informed there would be eighteen to nineteen (18-19) candidates sitting for the Fundamentals of Geology (FG) portion of the ASBOG exam scheduled for March 4, 2011 and three (3) candidates sitting for the Practice of Geology (PG).

Dr. Cobb reported on the upcoming Kentucky Geological Survey (KGS) meeting scheduled for May 13, 2011. Dr. Cobb invited the members of the Board to attend and discussed having a forum to discuss the definition of direct professional knowledge. The Board agreed to have a Special Meeting on May 13, 2011 beginning at 11:30 at the KGS.

The Board requested a plaque for Michael West, former Board Attorney for his service to the Board over the years. A motion was made by Mr. Cumbee to approve the purchase of the plaque for Mr. West. Motion, seconded by Dr. Cobb, carried.

The Board scheduled a Special Meeting at the KGS on March 29, 2011 at 10:00 a.m. to go over Regulation changes.

OLD BUSINESS

Mr. Wyatt reported on his trip to the Federation of Association of Regulatory Boards, 2011 FARB Forum on January 28-30, 2011, for Board members, Administrators and Board Attorneys. Mr. Wyatt shared with the Board discussions regarding the security of exams, the sweeping of funds, private vs. state regulated Boards. Mr. Wyatt also stated there was a common interest and discussion with other states on how to protect the public.

Mark Brengelman, Board Attorney submitted to the Board a memorandum regarding his attendance at the 2011 FARB Forum. Mr. Brengelman informed the Board of a thirty (30) minute lecture he gave regarding complaints at the forum. Mr. Brengelman further mentioned discussions on the security of exams, security breaches, limits on exams and some Boards

implementing hurdles for re-takes on the exam. Mr. Brengelman stated the idea of the exam, should be the last step in applying for a license.

The Board reviewed changes to the applications and forms. Mr. Brengelman informed the Board applications and forms are incorporated by reference from the Laws and Regulations and any changes would need to go through LRC. Mr. Brengelman suggested having a running list of Regulation changes and once the Board drafted said changes, he could file the amended Regulations with LRC.

COMMITTEE REPORTS

The complaint committee reviewed agency case numbers 2009-01 and 2009-02. After review and discussion, a motion was made by Dr. Cobb to enter into an agreement for an Expert Witness contract for services to review agency case numbers 2009-01 and 2009-02 for an hourly fee yet not determined and not to exceed \$2,500.00. Motion, seconded by Mr. Cumbee, carried unanimously.

The complaint committee reviewed agency case number 2010-02. After review and discussion, a motion was made by Mr. Wyatt to hire an investigator with the Office of Inspector General. Motion, seconded by Mr. Cumbee, carried unanimously.

The application committee reviewed three (3) applications for David Kerscher, David R. Beck and Timothy Hill for licensure as Professional Geologists. The application committee also reviewed eleven (11) reinstatements for Mullins, Suntken, Maggard, Esters, McAllister, Haley, Hood, Pointer, Meighen, Hall and Pyron. Mr. Cumbee made a recommendation to approve all three (3) PG applications and eleven (11) reinstatements. A motion was made by Mr. Wyatt to approve the recommendations. Motion, seconded by Mr. Rhodes, carried unanimously.

TRAVEL AND PER DIEM

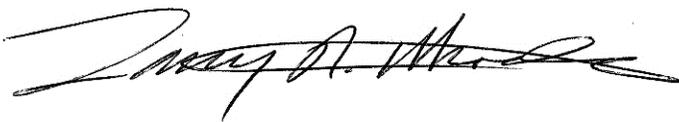
Mr. Cumbee made a motion to approve the travel and per diem for members attending today's meeting. The motion, seconded by Mr. Wyatt, carried unanimously.

NEXT MEETING

The next meeting is scheduled for April 11, 2011 at the Frankfort office at 1:30 p.m.

ADJOURN

Mr. Cumbee made a motion to adjourn at 4:37 p.m., having no further items of discussion. The motion, seconded by Mr. Wyatt, carried unanimously.



Larry Rhodes, Board Chair