

LOUISIANA BOARD OF PROFESSIONAL GEOSCIENTISTS

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



REGULAR MEETING OF LBOPG

Tuesday, September 10, 2019, 1:00 P.M.

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

MINUTES

Chairman William Finley called the meeting to order at 1:17 p.m., Tuesday, September 10, 2019. He commenced roll call.

Present: William Finley, Todd Perry, William Schramm, Melanie Stiegler, Elizabeth McDade, and David Williamson, Board Members; Harry Vorhoff, Legal Counsel; Brenda Macon, Executive Secretary; Chantel McCreary, Assistant Executive Secretary

Absent: Lloyd Hoover, Board Member

Guest: None

Quorum established. Roll Call sheet was circulated for signatures.

Public Comment Period

No guests were present, so no public comments were made.

Meeting Minutes

Minutes of the July 9, 2019 meeting were reviewed. Williamson moved to approve the minutes; Schramm seconded; the motion passed.

Treasurer's Report

Schramm reported that the board had a total of \$9,865.85 in deposits and \$11,985.56 in expenses in July 2019; and \$12,183.02 in deposits and \$9,551.90 in expenses in August 2019. He pointed out that, though more was spent in July than was deposited, the board had purchased new computers that accounted for that extra expense. The August 31 ending balance in the checking account was \$178,200.38, and the ending balance in the savings account was \$50,584.47, for a total cash on hand of \$228,784.85. He said the balance is trending upwards, with an increase of about \$3,000 from the previous report. Finley asked about the question from the previous meeting about the teller mistake in June that added a deposit that was intended for the checking account into the savings account. Macon reported that the accountant who handles the board's financial reports said that deposit can remain in the savings account and will not be a problem. Finley asked if additional funds should be moved to the savings account because of the upward trend of the balance in the checking account; Schramm agreed but suggested the board should be spending more on projects that advance the board's mission, such as outreach, and therefore, he advised

reviewing the balance every six months or once a year. He then brought to the board's attention that snacks and drinks for the meetings have been provided by Macon without reimbursement since 2017. He then moved to reimburse Macon for past and future expenses related to food for the meetings; Williamson seconded; the motion passed unanimously. Perry moved to approve the treasurer's report; Stiegler seconded; the motion passed.

Standing Committees

Application Review Committee: Chair Melanie Stiegler reported that two candidates applied for Professional Geoscientist licenses; both – 1 and 2 – were recommended for approval. She further reported that the committee had one applicant who passed the ASBOG FG exam in Mississippi and had applied to transfer the GIT certification from Mississippi to Louisiana; she said the applicant, 1, is recommended for approval. Stiegler moved to approve these candidates for licensure and testing; Williamson seconded the motion; the motion passed.

Stiegler mentioned that she had worked with Macon on a draft for the informational flyer discussed during the last board meeting. She wants to keep the flyer to one page and wants more time to work with Macon on a final version. Macon mentioned that the flyer will need artwork, and she explained that she had created the draft to be used for presentations and pared down for posters and flyers. Macon also asked board members to contribute photos that would attract attention. She explained that Donna Sentell, director of LAPELS, had invited her to participate in presentations to university students around the state, and Sentell had created a PowerPoint presentation to be used on those trips. Macon used ideas from that presentation, as well as one from California's board, to create the draft copy. She had also been researching items for giveaways so students would remember the presentations. Finley asked if LAPELS has a budget for this travel; Macon said that it does. He then asked Macon to find out how much LBOPG would need to budget for this outreach. Macon then passed around items to be considered for the giveaways, including several items from LAPELS. Discussion ensued, with several board members indicating a strong preference for cloth bags over plastic. The discussion then turned to trade fairs, geoscience-specific job fairs, freshman orientations, and professional meetings. Williamson suggested attending the GeoGulf (Gulf Coast Association of Geological Societies) conference may be useful; Finley concurred. Discussion continued. The consensus was to send a sampling to board members who teach to get their suggestions from their students. Macon and Stiegler will continue to work on the text for the flyer.

License Examination Committee: Williamson reminded board members that the ASBOG testing will be conducted on October 4, 2019 at the Galvez Building, with LDEQ providing the testing space and parking. He also mentioned that the board has approved nine candidates (seven FG only, one PG only, and one for both exams) to take the exams that day.

The board then discussed an issue with one applicant who could not afford the fees to determine how to help candidates in situations such as this. Williamson, who is an active member of the Shreveport Geological Society (SGS), explained that their organization has not had previous experiences with this issue and that, when a need arises, they handle situations on a case-by-case basis. Schramm agreed and mentioned that he had contacted the applicant to ask if financial assistance would be helpful, but the applicant declined assistance, taking responsibility for his own need. Discussion, including the suggestion that employer reimbursement or advances may help, continued.

Board members also took up the issue of ways to help candidates prepare for testing. While the consensus was that the board itself should not be involved as several board members serve on the ASBOG Council of Subject Matter Experts. The discussion centered on presenting information to universities and geological societies to inspire them to establish study groups for those who are preparing for the examinations. McDade brought up the need for outreach to the geological societies to develop stronger connections. Williamson explained that, in most of the geological societies in Louisiana, the majority of members are petroleum geologists with no interest in licensing. Finley agreed but added that if even one or two members who are licensed, who may need continuing education credits, and who have an interest in working with candidates on study materials, then the board should encourage them to get involved and make sure they have what they need. The discussion turned to ethics courses offered by the geological societies, the possibility of adding such a course to the board's website, ways licensees can fulfill the ethics requirement, and to ethics in general. Finley suggested adding links to the board's website to study materials for the ASBOG exams and giving presentations at the geological societies' meetings and university departments regarding where to find those materials.

Compliance Committee: Chair Todd Perry recapped the committee's work toward developing an audit process for the Continuing Education Program (CEP). He reported that committee members met briefly prior to the board meeting. As a next step, the committee members plan to contact each person submitting CEP logs to provide feedback on where their activities missed the mark without going through the rigor of making additional demands of those licensees for the time being. Perry asked Vorhoff if the board has a deadline for setting up its audit process; Vorhoff did not recall the board ever set a deadline. Perry then outlined the need to report the committee's findings to all licensees, with information on both satisfactory and unsatisfactory activities. Finley pointed out that only one out of the many who had been audited was currently in compliance; he suggested that the correction process for this cycle should allow those auditees ample time to come into compliance; Perry and Schramm agreed. Schramm suggested that responses to the auditees should be sent by email. Perry asked Vorhoff if email is acceptable. Vorhoff explained that the committee needs to be granted authority to operate outside of the full board meeting; he cautioned about email correspondence among committee members. He explained that members can email Macon directly, and she can collect information. Communications through Macon cannot be used to get around the open meetings law. Schramm pointed out that process creates a significant delay. Vorhoff agreed, suggesting that the committee needs to meet between board meetings to resolve the process. Perry then moved that the board, recognizing that the current audit process is voluntary and has uncovered some compliance issues, empowers the committee to develop a program and a communication method to the licensees to explain the issues already encountered and to try to rein in and increase the percentage of compliance and to report progress at full board meetings. Vorhoff asked for clarification; Perry explained that Macon will pass the log to a committee member, who will review the log, make a decision, and pass it back to Macon, who will, in turn, communicate that decision to the rest of the committee. Finley pointed out that the Application Committee already operates that way, with the applications divided among the three committee members, who then make independent decisions that are ultimately all presented to the board. Perry explained that the problem lies in the current high audit fail rate, which requires discussion among the committee members before a final decision is presented. Discussion ensued, with Perry explaining that the current PDH requirements are nearly impossible to monitor. Finley asked Perry for his ideas for fixing the process. Vorhoff suggested modifying the rules to make them easier for licensees to understand and for the committee to monitor. Additional discussion ensued, with Schramm advocating for educating licensees to use the log sheet provided on the board's website. Perry added that the licensees need more guidance on what courses are acceptable for satisfying the CEP requirements. He suggested adding lists of unacceptable and acceptable

courses on the website, including examples that have been approved previously; Schramm suggested sending an email blast to all licensees that includes the log sheet and a list of examples of acceptable and unacceptable courses. Board members continued discussing this issue. Stiegler moved to add the list of acceptable and unacceptable activities to the website; McDade seconded the motion. Finley then called for discussion. Schramm asked if the committee needs to bring the list back to the board at the next meeting before it can be added; Vorhoff clarified that, once the board has approved adding the list, the committee can act without bringing it back to the board. The motion passed. Perry then moved to empower the committee to have email communication with the auditees to let them know their deficiencies and share the lists with said auditees to improve their understanding, without taking official action. Stiegler seconded the motion. Finley called for discussion. Schramm asked who would be responsible for getting the information to Macon to be sent out and volunteered for the task. Perry agreed. The motion passed.

Perry then turned the board's attention to the recent approval of the Occupational License Review Commission to publish the final rules for seal use in the State Register. He called on Vorhoff to explain the process to the board. Vorhoff said he has drafted an email to the Legislative Oversight Committee for their review. The next step will be to send the rules to the Office of the State Register for final publication on October 20. The rules will then be in effect. Vorhoff mentioned that he had received two comments that needed response, and both responses were effectively contained in the regulations. One was regarding using an electronic seal, which was already in the regulations. Vorhoff said if those steps were acceptable, he would go forward. Board members agreed. Schramm asked if he could present the rules at the upcoming BRGS meeting; Vorhoff said the only possible hurdle would be if the oversight committee decided to hold a hearing. Perry suggested presenting the rules to the group with the explanation that the anticipated publication date is October 20. Schramm agreed.

At this point, Finley called for a break, and the meeting reconvened at 3:38. Finley stated for the record that Perry had left the meeting, but that five members, a quorum, were still present.

Office Committee: Macon reported that two Dell workstations have been installed and are having a positive impact on staff satisfaction and efficiency.

She then asked for those board members who had not submitted their state ethics certificates to get them to her before the upcoming legislative audit. Also, related to the audit, Macon reported that she and Schramm have been reviewing travel documents to assure they will meet the audit standards.

She announced that the board's contract with L.A. Champagne was finally approved by the state on September 4, 2019. It was initially submitted on July 15, 2019. Macon mentioned that the contract with Dovetail Digital Marketing/Usable Creative is still not final because of issues between the vendor and the Louisiana Department of Revenue. She said she will continue to monitor the contract to ensure that updates to the website are eventually made.

She told the board that, the previous Friday, a notice had been received from the Louisiana House Committee on House and Governmental Affairs that, according to Act 655, passed in July 2018, the board was to have been submitting quarterly reports that give the number of complaints the board has received for each quarter since the act's passage. She explained that she is in the process of complying with the legislative requirement. She asked which committee is the board's oversight committee; Vorhoff said the Commerce Committee is the board's oversight committee.

Macon then explained that on September 2, the staff had suddenly and with no prior notice been denied access to the credit card and bank statements online. The board's contact with the credit union sent the statements immediately and explained that someone in management had been asked by a business owner, who had combined personal and business accounts and then was outraged that the employees could see the personal banking statements, to make statements off limits to anyone except the authorized account holder. Apparently, it's an either/or access; the contact said to deny access to the personal statements to this business owner's employees, access had to be cut off to all "sub-users" on the system. On September 5, 2019, the credit union management reversed its decision to cut off access by sub-users to the e-statements.

Macon explained that, as a result of that abrupt (though brief) disruption in office workflow, Bill Finley asked her to investigate other financial institutions that may be better able to handle the board's business needs. Macon contacted Capital One, Regions Bank, Red River Bank, and Hancock Whitney Bank and presented a synopsis of her findings. Finley commented that the credit union is still working out their system for business services, and they are testing the system with entities like the board. He pointed out that, unfortunately, their system has failed the board on several occasions, and though those failures have merely caused inconvenience and have not yet caused the board expense, they are nonetheless troubling. He supported the idea of researching alternative financial institutions but expressed concern about having too many authorized administrators or "owners." Macon explained that the number of "owners" would be the board's decision and gave as an example that the board may elect to have four "owner" roles, one for each member of the executive committee; she further explained that those roles could be flexible enough to allow for changes in the executive committee over time. Finley suggested researching where branches are located to determine how convenient they would be for board members. Discussion ensued.

Macon reported that she and Mark Varhaug, a Louisiana licensee and a Texas board member, spoke at length about geoscience ethics and resources for examples and case studies. He also expressed interest in creating avenues for closer communication between the Texas board and the Louisiana board so that both can support each other. He suggested perhaps having a joint meeting at some point or at least having board members from one board attend and participate in the board meeting of the other state on a routine basis.

Macon announced that the Louisiana Department of Justice is once again offering training sessions for board members and staff and pointed out that the information was included in board member packets.

ASBOG has announced its fall meeting will be held in Minneapolis, Minnesota, during the week of November 4, 2019. Stiegler cannot attend as previously planned. Finley plans to go for the first half of the week, November 4 through 6 (workshop and business meeting). Schramm volunteered to attend the Council of Experts workshop on Friday and Saturday (November 8 and 9).

Discussion returned to the issue of travel regulations. Schramm reported on his findings from board member expense reimbursements. He pointed out that the hotels that are part of most of the board's travel are conference hotels, which is easy enough to justify under the PPM-49 guidelines. He presented his review of other expenses and their relation to the guidelines to help board members understand how best to report those expenses for reimbursement. He also presented a draft travel authorization form that will provide documentation of board approval for conference hotel rates. Discussion ensued.

Legal Comments

Vorhoff has submitted the requested AG's opinion for review; he hopes to have more to report at the November meeting.

Other Business

Hoover had requested that the board consider adding the licensee's original approval date to the online roster. In Hoover's absence, Macon explained that Hoover noticed a need to have that information for completing forms and contract information. After a brief discussion, Schramm moved to add the original approval date to the online roster; Williamson seconded; the motion passed.

New Business

The board took up the issue of assigning new board member Elizabeth McDade to a committee. After brief discussion, the decision was made to move Perry, who is currently serving as board vice-chair, chair of the Compliance Committee, and member of the Application Review Committee, off of the Application Review Committee and adding McDade to the Application Review Committee.

Finley turned the discussion to filling vacant board positions. Williamson reported that someone from Shreveport, Helen Wood, is interested in filling the Member of the Public vacancy. Finley suggested that she complete the application for the position. Schramm asked McDade about the District 2 vacancy that is to be filled by NOGS; she explained that NOGS has recently selected new leadership, and she is discussing the vacancy with them. Discussion ensued.

Adjourn

The date of the next regular meeting of the board will be Tuesday, November 12, 2019, at 1:00 pm. Schramm moved to adjourn the meeting; Stiegler seconded. The motion passed. Finley adjourned the meeting at 4:58 p.m.