

LOUISIANA BOARD OF PROFESSIONAL GEOSCIENTISTS

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



REGULAR MEETING OF LBOPG

Tuesday, January 9, 2018, 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 1:01 p.m., Tuesday, January 9, 2018. He commenced roll call after receiving the roll call list.

Present: William Finley, Lloyd Hoover, Thomas Klekamp, William R. Meaney, L. Todd Perry, and Melanie Stiegler, Board Members; and Brenda Macon, Executive Secretary.

Absent: Daisy Pate, Board Member; Harry Vorhoff, Legal Counsel.

Guests: No guests attended.

Quorum established. Roll Call sheet was circulated for signatures.

Meeting Minutes

Meeting Minutes of December 12, 2017, were reviewed. Perry moved to accept the minutes; Klekamp seconded. The motion passed.

Treasurer's Report

Klekamp presented the December 2017 / January 2018 Treasurer's Report. Klekamp reported that the balance as of December 31, 2017, was \$198,733.81. He mentioned that by the time of the next meeting, the balance should be sustained over \$200,000. Perry asked that the balance over time be presented in a graphic form; Klekamp responded that the office staff is currently working with information shared by Campus Federal Credit Union to create a spreadsheet for that purpose. He mentioned that the spreadsheet should be completed soon. Meaney moved to accept the treasurer's report; Stiegler seconded. The motion passed.

Standing Committees

Application Review Committee: Stiegler reported that, with the December 31, 2017, deadline having recently passed, the committee had quite a few grandfathered applicants who had completed their applications and had undergone review. Thirty-two candidates for full licensure were reviewed. She listed those who were recommended for approval are: 1, 4, 5, 6, 8, 11, 12, 13, 15, 16, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 29, 30, and 32. She also noted that seven people had applied to take the ASBOG exams in March. Of those, 1, 2, 4, 5, 6, and 7 were recommended for approval to take the FG exam, and 3 were

recommended for approval to take the PG exam. Perry moved to accept the recommendations of the committee; Meaney seconded. The motion passed.

Stiegler also mentioned that the committee, after its charge in December to revise the procedures for application review, were curious whether the rules should be changed to make those governing the application process clearer, with, for example, more details about what the reviewers expect in terms of references, or if the revisions should be only to the application itself. She suggested that it would be helpful to get a legal opinion on this issue. Finley asked if the committee had approached counsel regarding this issue; Stiegler said they have not.

License Examination Committee: Meaney reminded those present that three candidates, two who are taking both the FG and PG exams and one taking only the FG exam, were approved at the December meeting; one candidate for the FG exam was approved in October. He mentioned the candidates who had just been approved at this meeting as well – six candidates for FG and one for the PG – and stated that LBOPG will have a good number for the March examination. He also reminded the board that the deadline for applying to take the exam is now passed, so these candidates should be the last.

Finley asked about the graph showing the number of candidates taking the exams in relation to the number of candidates who pass the exams that was discussed at the December meeting. Meaney replied that he had not yet created that graph but will work on it for the March meeting.

Complaint Review Committee: Perry reported that he is working on several tasks his committee has been charged to deliver. In response to a request from the ASBOG committee on ethics, he has drafted some information regarding the Louisiana board's rules, and processes for enforcing those rules, in the area of ethics for licensed professional geoscientists. He is also working on guidelines to provide licensees with direction regarding when the stamp and seal of a licensed professional geoscientist is appropriate. Related to that, he is also working on guidelines for when Phase II ESAs should be stamped by licensed professional geoscientists. Once he has these guidelines drafted, he said he plans to send them to others on his committee (Hoover and Pate) and to Harry Vorhoff (board legal counsel) for their review. He expects to present all of these items at the March meeting.

Hoover asked about the Phase II ESA discussion; Perry recapped the discussion from the December meeting and reiterated that Phase II ESAs should be stamped by licensed PGs. Hoover agreed.

Office Committee: Macon reported that the office computer problems have been solved. She reminded the board that she had been researching several computer consulting companies and had received proposals from Dot Calm and Rooted Consulting and had been in contact with Computer Heaven. She explained that only one of these companies, Rooted Consulting, offered the type of service she felt the office needed: a simple assessment of computing capacity, equipment efficiency, and security protocols. She had also asked board members for advice on IT professionals who had provided this type of service for their companies. One of those was a company called Silverwulf, recommended by Finley. The company's owner, Lance Winder, contacted Macon in early January, visited the office, and provided the assessment she needed on the spot for a nominal fee.

She also reported that the Usable Creative contract, approved at the December meeting, had been signed and was in the works to be loaded onto the state contracts portal. She mentioned that currently more deposits are made online than with traditional paper checks. She also announced that Chantel McCreary received a state-mandated 2% raise, bringing her hourly pay to \$18.36, up from \$18. She stated that the office is running smoothly and asked if the board had questions for her.

Klekamp and Hoover asked if Chantel's other position with the Louisiana Engineering Society (LES) also had an increase in salary. Macon said she did not think so because LES is not a state entity.

Finley then called on Macon to report on changes in the board's banking procedures. Macon explained that she, Finley, and Klekamp met with staff at Campus Federal Credit Union (CFCU) immediately after the December 12 board meeting. At that meeting, Finley, who is the account administrator and who had already been working with CFCU staff, assisted in providing Klekamp with access to the accounts and to authorizing the office staff to have limited access to the online account and to e-statements. Macon reported that McCreary now has a much easier experience in reconciling the bank account, with the ability to maintain daily deposit records for the online transactions. She also mentioned that she and McCreary have been able to watch the account reach a balance over \$200,000.

Macon reiterated the discussion from the December meeting regarding the benefits of setting up direct deposit and mentioned that the office staff would need voided checks from board members and employees of the board to set up the deposits. She mentioned that the bank also offers the option to set up "bill pay," which would send electronic checks to vendors' mailing addresses. Finley called for discussion by the board. Perry asked if a motion is required to initiate use of direct deposit and bill pay; Finley responded that he did not think so. Finley then suggested that there should be a request for him to make each payment so that there would be a paper trail. Perry commented that the bank may be able to set up a review process in which he must electronically approve the payments once they are set to be paid. He suggested that having such a process in place, with the office setting up the transactions, Finley approving the transactions, and Klekamp checking the transactions, would provide sufficient checks and balances. Hoover warned that some banks charge fees for cancelling automatic payments. Macon was charged with checking on the availability of the transaction approval system that Perry mentioned and on the fees associated with the payment system.

Legal Counsel Comments

Board legal counsel Harry Vorhoff rendered an opinion to a question (see item b under "Other Business" on the January meeting agenda) that was originally posed at the October 2017 board meeting: If a mistake is made in recommending an applicant for licensure, what are the board's options in rectifying that mistake (i.e., is the license agreement a contractual arrangement?)?

After reviewing counsel's advice, the board then discussed their options. The consensus was that a certified letter, written by the Application Review Committee and reviewed by legal counsel, should be sent to the licensee to give that person an opportunity either to provide additional information to rectify the situation or to forfeit the license. As Stiegler pointed out and the rest of the board agreed, proceeding with caution, but proceeding nonetheless, was determined to be the best course of action.

The board then voted to go into executive session to discuss this issue more fully.

Other Business

Update on reciprocity request from Arkansas: Macon reported that the reciprocity agreement had been signed by Finley on behalf of LBOPG and returned to Arkansas for that board's approval. She said that, since Arkansas initiated the agreement, no problems are expected in having the agreement signed and was waiting simply for the Arkansas board to meet. Meaney commented that Arkansas has no strict continuing education requirements; he suggested that reviewers keep this in mind when reviewing applications under this reciprocity agreement. Finley agreed, saying that applicants who are not required

to keep up with changes in the field by a state with which Louisiana has reciprocity may not have the level of education required in Louisiana.

Vorhoff opinion on question from December meeting: If a person is qualified for the full license, is the person allowed to apply for GIT status? Vorhoff could not be at this meeting and had previously communicated his offer to have an opinion on this question for the March meeting.

New Business

Amended agreement with ASBOG: Macon explained that ASBOG was increasing the cost of the Fundamentals of Geology examination from \$150 to \$200, effective with the March 2018 examination period. Because the original agreement between Louisiana and ASBOG stated that the cost is \$150, ASBOG needed to send out an amendment to certify approval by its member states. Hoover asked about the type of agreement in question; Macon explained that the agreement outlines the responsibilities and services that ASBOG provides for the examination integrity and the responsibilities and costs the board accepts in return for those services. Hoover took exception to the amendment being instituted so late in the contract and expressed the opinion that the board should defend its constituents. Discussion ensued. Perry moved to sign the agreement; Klekamp seconded. Discussion again ensued. The motion passed unanimously.

Letter from Governor John Bel Edwards regarding allowances for military families: The board discussed this request from Governor Edwards to provide special consideration to those members of the military and their families who may be practicing in the state either permanently or temporarily and to expedite the licensing process if possible. The board went on record to acknowledge awareness of this request and to work with military families to the best of its abilities without compromising the licensing process and requirements.

Adjourn

The date of the next regular meeting of the board, which was originally scheduled for March 13, 2018, was discussed because at least one board member had a calendar conflict. Because of the need to establish a quorum, the board discussed the number of board members currently serving and how many people constituted a quorum; the consensus was that at least five members must be present. Discussion then turned to filling the two vacancies on the board; Perry offered to contact the geological societies and the director of Boards and Commissions to expedite the process of filling those vacancies; the board accepted his offer. The board unanimously decided to reschedule the meeting for Thursday, March 8, 2018, at 1:00 p.m. in the conference room at the Brookline Avenue building. Perry moved to adjourn the meeting, seconded by Meaney and Stiegler simultaneously. Motion carried unanimously. Finley adjourned the meeting at 2:10 p.m.