

# LOUISIANA BOARD OF PROFESSIONAL GEOSCIENTISTS

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



## REGULAR MEETING OF LBOPG

Tuesday, December 12, 2017, 12:30 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 12:50 p.m., Tuesday, December 12, 2017. He then commenced roll call.

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

Absent: Lloyd Hoover and Daisy Pate, Board Members; Harry Vorhoff, Legal Counsel.

Guest: Donna Sentell, Executive Director, LAPELS.

Quorum established. Roll Call sheet was circulated for signatures. Visitor sign-in sheet was also circulated.

### Public Comment Opportunity

Finley invited visitors to address the board with comments, suggestions, and announcements.

### Meeting Minutes

Meeting Minutes of October 10, 2017, were reviewed. Perry moved to accept the minutes; Stiegler seconded. The motion passed.

### Treasurer's Report

Klekamp presented the October 2017 / November 2017 Treasurer's Report. Klekamp pointed out that the bank account balance is steadily increasing, primarily because of the adoption of the online payment system and other improvements. Perry moved to accept the treasurer's report; Meaney seconded. The motion passed.

### Standing Committees

Application Review Committee: Stiegler reported that quite a few of the grandfathered applicants had completed their applications during this period of review. Thirty-one candidates for full licensure were reviewed and all, 1 – 31, were recommended for approval. She also noted that three people had applied for GIT certification and all three, 1 – 3, were recommended for approval. Three testing candidates applied to take the ASBOG exams in March 2018; two are requesting to take both the FG and PG exams;

one is requesting to take the FG exam only. All three were recommended to be approved to take the exams. Klekamp moved to accept these candidates; Meaney seconded the motion; the motion carried.

License Examination Committee: Meaney reported that, of the fifteen candidates approved to take the ASBOG Fundamentals of Geology exam on October 6, thirteen were on hand. Of those, eight passed the exam. Meaney commented that the number of those who passed the FG exam was far better this time than in the spring, with a better than 60% rate. He stressed that the exam is difficult. He further reported that the five candidates who were approved to take the ASBOG Practice of Geology exam all passed. Additionally, Meaney raised the issue of whether passing the exam automatically qualified an applicant for a license. He suggested discussing this issue at some point to clarify the board's position. Stiegler asked if statistics are kept on those who fail the exam and if those people retake the exam. Macon mentioned that no one has yet retaken the exam, though one candidate was scheduled to retake the exam in October but had a work conflict. She indicated that statistics can easily be kept on the ASBOG exam success/failure/retake rates and on the persistence of the applicants in retaking the exams. In response to Stiegler's question about the candidates' motivation, Macon cited the anecdotal response from a candidate who failed the FG and who decided to wait until he had a few years of experience before he attempted it again. Macon mentioned that the test is intimidating. In response to Finley's question regarding study guides for the exams, Macon explained that ASBOG provides a candidate handbook, sample exams, and study guides on their website. Meaney mentioned that even licensed Professional Geoscientists struggle with the exam. Klekamp cited the example of previous candidates who formed a study group and passed the exams. Meaney proposed graphing the results of the exams in the future. Klekamp asked if the candidates are given information on how well they did on the different parts of the exam; Macon explained that they are.

Complaint Review Committee: Perry reported that the MOU with LAPELS is now in place, which establishes a framework for setting up the complaint review process. Perry mentioned that he will be responding to the request for information from the ASBOG ethics committee, and he is researching how other states handle complaints, including monetary fines, to develop a process in Louisiana. He said that he plans to have a meeting of the Complaint Review Committee prior to the next board meeting on January 9, 2018, to create a plan. Perry mentioned that he had recently met with the state fire marshal, who maintains an active database of the licensed architects in the state and turns over the names of architects who have felony convictions and code violations to the state board that licenses architects. He plans to investigate the possibility of adding licensed geoscientists to that database to receive information on licensees who are in violation of LBOPG rules and standards. Donna Sentell mentioned that LAPELS routinely asks on the application for license and on their renewal form if the licensee has been convicted of a felony. She offered to share LAPELS's forms with LBOPG; Perry accepted her offer with gratitude. Finley asked Perry to put together a written report for the board, and he suggested that the board's attorney, Harry Vorhoff, should be involved in the process.

Office Committee: Finley called on Macon to report on proposed changes in the board's banking procedures. Macon explained that the staff have often had difficulty in paying bills in a timely manner because most payments are made by check, and each check must be signed by two board members. One proposal is to institute online banking, with the board chair and treasurer acting as the bank account administrators. She conveyed McCreary's request that the office staff have view only access to the online banking accounts so that she can more easily reconcile the growing number of deposits from online payments. She explained that the online payment process begins with Authorize.net, which processes each transaction with the name and credit card number; then Evo International (Deutsche Bank) batches those transactions into groups containing only card numbers and dates; and finally, Campus Federal

prints the batch deposit with just a date. Because the board accounting system is set up to record the name of each payee within a deposit, the office staff has had to develop a complicated tracking process to determine which licensees' payments are included in each specific deposit. This process would be much easier if it could be handled each day instead of waiting until the end of the month and having only the paper copy of the bank statement. Perry agreed that having view access to the account would be beneficial. Finley added that, if no other options are available, the board meetings may need to be changed to later in the month. Finley, Klekamp, and Macon plan to meet with staff at Campus Federal to investigate better options, including online banking, for reconciling the bank account.

Macon also explained that Finley, Klekamp, and she have discussed making payments to individuals through direct deposit rather than by check. Direct deposit would speed up the process so that people can be paid in a timely manner and would take the office staff out of the process. Finley added that it would also take away the need to have checks signed.

Macon asked if board members had an opportunity to review the Usable Creative software maintenance contract for the next three years and if it appeared to be acceptable. Perry commented that he had and it appeared to be fine. Macon explained that the only change was in the security provided: Usable Creative will be providing more security certificates to prevent fraud; a slight increase in cost accompanied that change. Macon mentioned the online payment system as an example of the need for more security; Finley commented that the board is getting something in return for the increase in cost. Perry moved to accept the three-year contract; Meaney seconded his motion; the motion passed.

Meaney asked if the office staff had purchased a new computer. Macon explained that she had not because she felt that the problem was not with the computers but with the way the system operates. She said that she has been investigating several IT consultants to find the right fit for the administrative office. She indicated that she wants an IT professional to assess the board's current system and make recommendations for improving computer performance and efficiency. She has contacted three companies – Dot Calm, Computer Heaven, and Rooted Consulting – about working with the staff, but she wants to contact at least one more. She explained that both Dot Calm and Computer Heaven offered far more than the office needs, taking over the entire system with their own backup systems, security software, and round-the-clock monitoring. Rooted Consulting, at \$150 per hour, seems expensive, but may be cheaper in the long run because they only come in when they are called, rather than charging a monthly fee. She pointed out that the office already has adequate backup, with Crashplan Pro and external hard drives; they also have a file sharing system through Dropbox. She shared that she was looking forward to having someone recommend a better security software and getting rid of the heavy-handed Norton antivirus software and the perennially invasive McAfee software. She said that Rooted Consulting had suggested Avast, which has both a free and a low-cost version. She said she would get more information to the board at the January meeting. She asked board members for suggestions of companies they may know that offer IT services. Finley mentioned that he had someone in mind and would get back with Macon as soon as he could.

### **Other Business**

Vanity plate update: Macon reported that the plate has been finalized and is now available online. Staff at the Office of Motor Vehicles were setting aside specific plate numbers – Perry told the board that he has been given the number 1; Finley asked Macon to reserve the number 6.

Recommended review for: Environmental Site Assessments (Phases I and II): Perry restated the question from the October meeting that was posed by a licensee: Is it the Board's opinion that Phases I and II Environmental Site Assessments (ESA) performed by an individual or company for another within the

State of Louisiana constitutes practicing geoscience within Louisiana, and that the Phase II Environmental Site Assessment report is to be signed and sealed by a Louisiana licensed geoscientist? Perry explained that ASTM has a specific standard for Phase I that outlines exactly what to identify during the investigation. Perry stated that no geoscientist in Louisiana should be required to sign off and stamp a Phase I ESA because the standard requires a Phase I assessment to look for environmental hazards (“Recognizable Environmental Concerns” or RECs) on the surface. If investigators see an underground storage tank, stains, or other indicators that a subsurface investigation is warranted, then a Phase II ESA is initiated. Discussion ensued. Perry explained what happens if a Phase II ESA is required, and he recommended that it would be highly appropriate for a registered, licensed professional geoscientist to be required to sign off and stamp Phase II ESAs. Perry offered to develop a memo to be adopted by the board regarding when PGs should be required to sign off on work done during Phase II ESAs. Perry explained that regulations in some states require PGs to be involved and others waive that requirement. He suggested that the board needs to develop guidance and opinion on this topic for Louisiana geoscientists. Macon mentioned that DEQ is currently working on ESA guidelines and asked if it would be appropriate to work with them. Perry agreed that it would be a good idea. Perry further proposed to continue working with DEQ as part of the complaint review development. Finley asked Perry to write a report for the board on these issues. Klekamp suggested adding something in the newsletter regarding this issue, and Macon asked Perry to work with her on creating this item for the newsletter.

Grandfathered applications, miscommunications, etc.: Klekamp suggested extending the deadline beyond December 31, 2017, because of the complications related to the backlog of applications. Macon reported that reactions to the deadline have been mixed. She stated that more than 1,000 applicants have yet to respond. Finley and Perry both expressed the opinion that the deadline should stand at December 31 to prevent the “fire sale” effect. Perry suggested giving the application review committee authority to decide when to be lenient with the deadline. Discussion ensued. Klekamp then rescinded his initial suggestion. Finley suggested being lenient with those who have only one item (transcript, reference response) that still remains to be completed. Finley also pointed out that the three-year window is closing anyway on these applications (if an application has not been completed in three years, the applicant must start over, including paying the \$200 application fee again).

Macon asked if someone misses the deadline and then decides to apply through reciprocity in 2018, does that person need to pay the \$200 application fee all over again? Board members were all in agreement that applicants who wait to apply through reciprocity must pay the \$200 application fee again.

She also asked if someone is eligible for licensure but decides to apply first for the GIT certification, does that person pay both the \$100 GIT fee and then, less than a year later, the \$200 license application fee as well? Discussion ensued, with Meaney recalling that the board had previously discussed the question in the past and had decided that the applicant would pay the difference (\$100). Perry moved to create a policy to limit the maximum application fees paid within a 12-month period to \$200. Additional discussion ensued. Perry withdrew his motion. The final decision was that the applicant must pay the full fee for each step (a total of \$300).

Macon then asked if GIT continuing education requirements are the same as those for PG licensees. She pointed out that two GITs are up for renewal – LBOPG’s first GIT renewals – and policy has not been set on this issue. Donna Sentell offered information regarding the way LAPELS handles its EIT program; EITs are not required to provide proof of continuing education. Discussion ensued, with Finley stating that GITs are supposed to be in training and learning on the job and, therefore, should not be expected to

attend additional classes. The consensus is that GITs do not need to document continuing education. Stiegler asked if a person is qualified for the full license, is the person allowed to apply for GIT status? Discussion ensued, and the consensus was that it is up to the applicant. Finley suggested that Board Attorney Harry Vorhoff should review this decision to be sure that it is on solid legal ground.

Meaney asked about the previous decision by the board that not all three references for an applicant can be from the same company. He pointed out that, as he has begun to review applications again after a long time away from the task, this decision causes problems for some applicants. Finley agreed, recalling that, in some cases in which a person has only worked for one company, the applicant had no other contacts that could provide a reference. Meaney suggested modifying the previous board decision to allow the application review committee the leeway to accept all three references to be from the same company in specific situations. Discussion ensued, with Meaney pointing out that the board needs to set up better guidelines for applicants to use when they select people to serve as references, for example, making sure the references are familiar with the applicant's work product. Additional discussion ensued, with Perry suggesting that the reviewer or the executive secretary contact the reference for more in-depth information. Meaney agreed, adding that he would like to revise the reference form to include, for example, what the reference's degree is in specifically – not just in geoscience – and to include contact information so that the reviewer can contact the reference. Stiegler agreed with Meaney's determination that the form needs to be revised, and, she added, the form needs to provide consistency in the process. Finley charged the committee to meet and decide how the form should be revised. Discussion regarding other aspects of the application then ensued, primarily regarding the work experience section. The consensus agreed that the application needs revision to guide applicants to provide better information. Macon asked, in regard to discussion of the last five years of work experience, if a person spent the early part of the career performing geoscience, but now owns a company and others perform most of the geoscience, is that person no longer eligible for license. Discussion ensued, with the consensus agreeing that a person's career history can be used to satisfy the five years of experience required. Stiegler reiterated that the committee will discuss ways to improve the application/review process and will present suggestions at the January meeting. Sentell offered to share LAPELS forms with the committee so they can see how another board handles these issues.

Meaney brought up the question of whether an applicant should be allowed to be licensed automatically if the person passes the ASBOG Fundamentals of Geology and Practice of Geology exams. He had the experience of reviewing one application with inadequate references, but the applicant had recently passed both exams and thought his license was automatic. Meaney disagreed, and the applicant found better references. Finley agreed with Meaney, saying that the applicants must have the "Four Es: Education, Experience, Ethics, and Examination." If an applicant is missing any one of those components, that person is not qualified. Perry agreed as well.

Reciprocity request from Arkansas: Finley explained that the board apparently had some communication with Arkansas two years ago but nothing is in the minutes to indicate that the board ever followed through. Those present did not recall previous discussion. Perry and Klekamp both suggested that LBOPG should accept the current offer from Arkansas. Meaney asked if previously Arkansas's rules had been in conflict with Louisiana's; Perry stated that any conflicting conditions no longer existed. Discussion ensued. Perry moved to accept Arkansas's offer of reciprocity; Meaney seconded the motion. The motion passed.

## **New Business**

Finley called for nominations for a new Vice-Chair to replace John Johnston, who resigned effective November 8, 2017. Klekamp nominated Todd Perry; no other nominations were made. Perry was elected unanimously. Finley then called for changes in committee assignments. He stated that the Office Committee, as it was originally charged, is no longer necessary and suggested that the new configuration of the "committee" should consist of the Chair, the Treasurer, and the Executive Secretary, but the official committee would eventually no longer exist. Perry asked to go through the committee roster. Finley listed:

William Finley: Chair

Melanie Stiegler: Secretary; Chair, Application Review Committee; member, License Examination Committee

Thomas Klekamp: Treasurer; member, Application Review Committee

Lloyd Hoover: member, Complaints Committee

Todd Perry: Vice-Chair; Chair, Complaints Committee; member, License Examination Committee

William Meaney: Chair, License Examination Committee; member, Application Review Committee

Daisy Pate: member, Complaints Committee

Meaney asked about how receipts for expenses should be submitted. Macon confirmed that a copy is all that is needed for reimbursement. Finley stated that renting vehicles through the state's contract with Enterprise will save the board money and has been easy to use. Perry asked how the process works; Macon and Finley explained. Discussion regarding expenses ensued.

## **Adjourn**

The next regular meeting of the board will be held on Tuesday, January 9, 2018, at 1:00 p.m. in the conference room at the Brookline Avenue building. Meaney moved to adjourn the meeting, seconded by Klekamp. Motion carried unanimously. Finley adjourned the meeting at 2:41 p.m.