

**KENTUCKY BOARD OF REGISTRATION FOR PROFESSIONAL GEOLOGISTS
MEETING MINUTES
October 4, 2010**

A meeting of the Kentucky Board of Registration for Professional Geologists was held at the Frankfort office on October 4, 2010.

MEMBERS PRESENT

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

OCCUPATIONS AND PROFESSIONS STAFF

Frances Short, Executive Director
David Garr, Deputy Executive Director
Jennifer Smith, Internal Policy Analyst II
Lucie Duvall, Board Administrator

OTHERS

Michael West, Office of the Attorney General
Mark Brengelman, Office of the Attorney General
Judith Hower, Communications Specialist
KFTC representatives: Ted Withrow, Bob Burns, Erik Lewis, Trudi Lewis and Doug Doerrfeld

CALL TO ORDER

Larry R. Rhodes, Board Chairman, called the meeting to order at 1:34 p.m.

MINUTES

Motion was made by Stephen R. Wyatt to approve the minutes from the August 2, 2010 meeting. Motion, seconded by Gil Cumbee, carried unanimously.

FINANCIAL STATEMENT

Financial statements for the year ending July 1, 2009-June 30, 2010, month ending August 31, 2010 and month ending September 30, 2010 were presented to the Board for review. A motion was made by Marsha Meyer to approve the financial statements, as presented. Motion, seconded by Mr. Wyatt, carried unanimously.

DIRECTOR'S REPORT

Ms. Short presented the Board with a final draft an MOA between the Commonwealth of Kentucky, Public Protection Cabinet, Office of Occupations and Professions and The Kentucky Board of Professional Geologists for review. Ms. Short stated the MOA would be good through June 30, 2012. Michael West, Board Attorney recommended striking sections 2.2, 2.3 and 7.2. The Board agreed to have legal counsel change the language and content regarding the sections set forth above. A motion was made by Ms. Meyer to approve the MOA as amended. Motion, seconded by Dr. Cobb, carried unanimously.

Ms. Short a presented a Personal Service Contract invoice form to the Board. Ms. Short told the Board the contract was effective September 1, 2010 and an invoice must be used by contractors for submitting invoices for payment to this agency. Ms. Short informed the Board they could

give her permission to approve invoices or the Board could approve them themselves. No further action was required.

NEW BUSINESS

Michael West, Board Attorney announced to the Board that Mark Brengelman with the Office of the Attorney General would be replacing him as the new Board Attorney for the Kentucky Board of Professional Geologists. The change would reflect a re-organization of the Office of the Attorney General in efforts to balance the current work load with the Attorneys. No further action was required.

OLD BUSINESS

The Board reviewed correspondence from the Rowan County Chapter of Kentuckians for the Commonwealth and from the Underground Storage Tank Branch, Division of Waste Management. The Board discussed the question presented by the KFTC whether certified contractors not licensed as Professional Geologists are exempt from registration. The Board agreed to make a determination of what direct professional knowledge means and to send a letter to the KFTC and USTB stating the Boards interpretation of the law. No further action was required.

The Board reviewed their current comity status with Tennessee. No further action was required.

The Board discussed the upcoming ASBOG Annual Meeting on November 4-6th. Larry Rhodes, Board Chair asked the Board how he should vote regarding the budget, officer slate and minutes at the meeting. A motion was made by Dr. Cobb to abstain from the budget and approve the officer slate and minutes. Motion, seconded by Ms. Meyer, carried unanimously.

The Board briefly discussed changes to the Geology Bill for the upcoming Legislative session. The Board agreed to defer the statutory changes for a year. No further action was required.

The Board reviewed an Agreed Oder regarding John McNulty. The Board was satisfied by the terms of the Agreement and entered the Settlement Agreement as a Final Order of the Board. A motion was made by Dr. Cobb to post all final disciplinary actions on the website effective October 4, 2010. Motion, seconded by Mr. Cumbee, carried. Stephen Wyatt opposed.

COMMITTEE REPORTS

The complaint committee reviewed agency complaints 2009-01, 2009-02 and 2010-02. All three complaints were deferred until the next meeting.

The application committee reviewed five (5) applications for Thomas DeVoe, Robert George, Jr., Robert Stanton, Ryan Spencer Tinsley and Stephen R. Varsa for licensure as Professional Geologists. The application committee also reviewed one (1) application for Wayne D. Staggs regarding licensure as a Geologist-In-Training. Mr. Cumbee made a motion to approve the following applications, Thomas DeVoe, Robert George, Jr., Wayne D. Staggs, Robert Stanton and Ryan S. Tinsley. Motion seconded by Ms. Meyer, carried unanimously.

A motion was made by Mr. Cumbee to approve the application for licensure as a professional Geologist for Stephen R. Varsa pending receipt of license verifications from other states. Motion, seconded by Ms. Meyer, 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 Ms. Meyer carried unanimously.

NEXT MEETING

The next meeting is scheduled for December 6, 2010 at the Frankfort office at 1:30 p.m.

ADJOURN

Ms. Meyer made a motion to adjourn at 4:33 p.m., having no further items of discussion. The motion, seconded by Dr. Cobb, carried unanimously.



Larry Rhodes, Board Chair