

**KENTUCKY BOARD OF REGISTRATION FOR PROFESSIONAL GEOLOGISTS  
MEETING MINUTES  
February 1, 2010**

A meeting of the Kentucky Board of Registration for Professional Geologists was held at the Frankfort office on February 1, 2010.

MEMBERS PRESENT

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

OCCUPATIONS AND PROFESSIONS STAFF

Frances S. Short, Division Director  
David Garr, Deputy Executive Director  
Lucie Duvall, Board Administrator

OTHERS

Michael West, Office of the Attorney General  
Judith Hower, Communications Specialist  
David Jackson, Geologist Registered Supervisor  
Mark Brengelman, Office of the Attorney General

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**CALL TO ORDER**

Larry R. Rhodes, Board Chairman, called the meeting to order at 1:07 p.m.

**MINUTES**

Motion was made by Gil Gumbec to approve the minutes of the December 7, 2009 meeting. Motion, seconded by Marsha Meyer, carried unanimously.

**FINANCIAL STATEMENT**

A motion was made by Ms. Meyer to accept the financial statements for months ending December 31, 2009 and January 31, 2010, as presented. Motion seconded by Mr. Cumbee, carried unanimously.

**DIRECTOR'S REPORT**

Frances Short, Director, reported on the revised administrative fee formula to the Board. Ms. Short informed the Board that the previous formula had been in place for about five years or more and was difficult to understand and interpret. The new formula is simpler and provides a level playing field with other Boards. Ms. Short reported that the base fee is set per a range of the number of licensees and based on the time required to work on the Board by the Administrator. Charge per licensee is also based on the range of the number of licenses. The charge of \$35 per licensee is the same for all twenty Boards. Ms Short also explained the base could go up or down based on the number of licensees. There are four different levels for the base fee and the Board of Professional Geologist was listed in the mid-range giving them a base fee of \$7,500.00 for 2010.

Ms. Short reported on the budget for the Board and possible fee sweeps. Ms. Short stated the Board should anticipate parts of the Board being possibly swept. Franklin Circuit said they could sweep funds/budget into the General funds, but do not know the amounts yet. Boards will be aware of any fee sweeps by June 30, 2010. Motion was made by Dr. Cobb to send a letter to

Legislation requesting no funds be transferred from the Board's budget to the General Fund. Motion, seconded by Ms. Meyer, carried unanimously.

## **NEW BUSINESS**

Mr. Rhodes, Chair, suggested someone should attend the COE Council of Examiners meeting on April 8-9 in Raleigh, NC. Mr. Rhodes shared the meeting would be a continuation from the ASBOG twentieth Annual meeting held on November 2-8, 2009 in Birmingham, Alabama. The COE Council of Examiners meets twice a year after each ASBOG exam. Motion was made by Ms. Meyer to send Mr. Cumbee to the meeting. Motion, seconded by Dr. Cobb, carried unanimously.

Mr. Rhodes briefly spoke about adding a link to the ASBOG Foundation on the Kentucky Board of Professional Geologists website. No further action was required.

Mr. Rhodes discussed the Revision of the Consumer Guide to Geological Services. Mr. Rhodes requested someone review the website and see if anything needed to be updated or changed and report back to the Board at the next scheduled Board meeting. James Cobb, Ph. D. volunteered to review the website and report back to the Board. No further action was required.

Mr. Rhodes briefly discussed the idea of having Lapel pins ordered for Board members. The Board agreed against the Lapel pins. No further action was required.

## **OLD BUSINESS**

The Board discussed the Geology Bill and the changes proposed by the Board. One change is the exemption of State and Local Government employed Geologists under KRS322A. A second change proposed by the Board is instituting a maximum fine of \$1,000.00 for violation of KRS322A per violation. A third change proposed and passed by the Board is instituting biennial renewal to go along with the fourth recommendation of having continuing education requirements.

David Jackson, Geologist Registered Supervisor discussed some of his concerns with the Board regarding the Geology Bill. Mr. Jackson, as a state worker himself, said when looking at the Bill it looked as if it would affect mostly state workers. Mr. Jackson was concerned how the Bill would affect state workers and questioned whether they could be grandfathered in or would supervisors have to move and replace non-licensed Professional Geologist with licensed PG. Mr. Jackson also questioned if the current workers within the state who are not licensed PG's would have to get their GIT or PG license and would that be sufficient enough. Mr. Cumbee posed the question to Mr. Jackson, who would be assigned to looking over the GIT's or mentoring them. Mr. Cumbee suggested if it had to be a direct supervisor to watch over them that would be hard on the state. Mr. Cumbee stated if a mentor was allowed it would work better. The Board addressed the concerns of Mr. Jackson by stating if one is not a licensed PG they can work under the direct supervision of a PG according to the Laws and Regulations. The Board further mentioned an exemption would be put in place to help non-licensed PG's to keep their jobs while obtaining their license. The proposed language would include a three year plan for one to get their license and would waive CE's until the next renewal date. The further action was required.

Dr. Cobb briefly spoke on changing the regulations in Section 322A.020 from saying "The fifth member shall always be the state geologist" to say "The fifth member shall always be the state geologist or designee". No further action was required.

The Board reviewed an application for Professional Geologists from a John Pyles. Motion was made by Ms. Meyers to approve the application by comity. Motion, seconded by Mr. Cumbee, carried unanimously.

The Board discussed the renewal of the Board's newsletter. Ms. Short, Director, suggested the Office of Occupations and Professions (OOP) provide the newsletter for the Board at no additional cost. Ms. Short informed the Board that the Office of Occupations and Professions would not draft the articles, but would leave that to Board members or people in the profession. Ms. Short did add the Occupations and Professions could format, add pictures and distribute the newsletter for the Board. The Board discussed the matter and agreed they would like to continue their relationship with UK and Judith Hower, Communications Specialist with UK. However, the Board requested to review the memorandum agreement with UK and suggested negotiating with a party at UK. The Board suggested a cap for two newsletters per year at a cost of \$6,500.00 per year. The Board further stated the need for a new memorandum agreement altogether and requested the agreement be reviewed and renewed on an annual basis. Motion was made by Ms. Meyer to establish a new memorandum agreement with UK including a cap for two newsletters per year. Motion, seconded by Dr. Cobb, carried unanimously.

The Board inquired about the Kentucky Board of Professional Geologist website and the information provided on the website. Ms. Short informed the Board application and renewal forms, Laws and Regulations, complaint information, open records request, list of Board Administration and Attorney contacts, links to associations, on-line verification, Consumer Guide to Geological Services, minutes and Board newsletter were all listed on the website for review. No further action was required.

## **COMPLAINTS AND OTHER LEGAL MATTERS**

Agency Complaint #09-01 – Still pending  
Agency Complaint #09-02 – Still pending

## **TRAVEL AND PER DIEM**

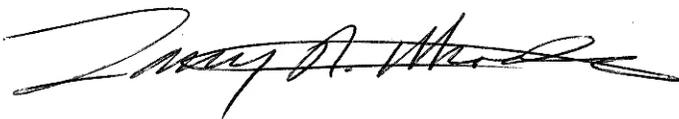
Ms. Meyer made a motion to approve the travel and per diem for members attending today's meeting. The motion, seconded by Mr. Cumbee, carried.

## **NEXT MEETING**

The next meeting is scheduled for April 5, 2010 at the Frankfort office at 1:30 p.m.

## **ADJOURN**

Dr. Cobb made a motion to adjourn at 3:39 p.m., having no further items of discussion. The motion, seconded by Ms. Meyer, carried.



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Larry Rhodes