

**KENTUCKY BOARD OF REGISTRATION FOR PROFESSIONAL GEOLOGISTS
MEETING MINUTES
February 6, 2012**

A meeting of the Kentucky Board of Registration for Professional Geologists was held at the Office of Occupations and Professions on February 6, 2012.

MEMBERS PRESENT

Larry R. Rhodes, Chair
Gil Cumbee, Vice Chair
Marsha Meyer
Stephen R. Wyatt

OCCUPATIONS AND PROFESSIONS STAFF

Courtney Bourne, Executive Director
Jeremy Horton, Deputy Executive Director
Lucie Duvall, Board Administrator
Susan Ellis, Operations Section Supervisor

OTHERS

MEMBERS ABSENT

James Cobb, Ph.D.

Mark Brengelman, Office of the Attorney General
Judith Hower, Communications Specialist

CALL TO ORDER

Larry R. Rhodes, Board Chair, called the meeting to order at 1:30 p.m.

MINUTES

A motion was made by Marsha Meyer to approve the minutes from the December 5, 2011 meeting. Motion, seconded by Gil Cumbee, carried.

REPORT FROM O&P

The Board reviewed the Biennial Budget Request Memo from Courtney Bourne, Executive Director. The Office of Occupations and Professions answered questions from the Board regarding the matter. No further action was required.

The Board was presented with one bid on the contract for a Request for Proposal from Vaughn Murphy, PLLC. The Board was also informed they could do a Memorandum of Agreement with the Board of Physical Therapy Board with their investigator Stephen Curley for a limited time.

A motion was made by Mr. Cumbee to accept the Request for Proposal from Vaughn Murphy, PLLC at the going rate of \$60/hr. Motion, seconded by Ms. Meyer, carried as amended. A motion was made by Ms. Meyer to accept an MOA with the Physical Therapy Board at a going rate of \$40/hr with a maximum of fifty (50) hours. Motion, seconded by Mr. Cumbee, carried.

FINANCIAL STATEMENT

Financial statements for the months ending December 31, 2011 and January 31, 2012 were presented to the Board for review. The Board acknowledged the financial statements as presented.

NEW BUSINESS

The Board reviewed a letter from the Office of the Attorney General regarding legal representation. No further action was required.

Mark Brengelman, Board Attorney presented and discussed with the Board a memo regarding the 2012 FARB Forum in which he attended. No further action was required.

Mr. Cumbee presented the Board with the Knob Farm Access Agreement regarding the field trip for the ASBOG COE workshop in April. A motion was made by Ms. Meyer to approve the agreement. Motion, seconded by Stephen Wyatt, carried.

The Board reviewed correspondence from ASBOG. No further action was required.

The Board briefly discussed expired licenses from the last renewal period which ended on December 29, 2011. A motion was made by Mr. Cumbee to send certified cease and desist letters to those whose licenses expired. Motion, seconded by Ms. Meyer, carried.

The Board briefly reviewed ASBOG's Code of Ethics. Mr. Rhodes requested the Board members review the Code of Ethics and be prepared to discuss at the next meeting. No further action was required.

The Board briefly discussed rescheduling the April 2, 2012 meeting. A motion was made by Mr. Cumbee to move the April 2, 2012 meeting to March 26, 2012. Motion, seconded by Ms. Meyer, carried.

The Board scheduled a Special Meeting for the Complaints Committee on Friday, February 24, 2012 at 11:30 a.m. at the Office of Occupations and Professions.

OLD BUSINESS

The Board reviewed recommended changes to KRS 322A. Mr. Brengelman is to draft the language requested by the Board for the changes. A motion was made by Mr. Cumbee to amend the proposed changes to 322A regarding grandparenting in of current state and local government levels with language to include exemption of the ASBOG exam. Motion, seconded by Ms. Meyer, carried.

The Board discussed purchasing gifts for those attending the ASBOG COE workshop in April which the Board is sponsoring. A motion was made by Mr. Wyatt to approve spending no more than \$975.00 for gift bags for participants to the ASBOG COE workshop in April. Motion, seconded by Mr. Cumbee, carried.

The Board was informed from legal counsel the Regulation changes from 2011 were pending on the Statute changes to go through before they were filed. No further action was required.

LEGAL COUNSEL

Mr. Brengelman informed the Board the cease and desist letter regarding the title act violation for Sabry Hanna Ph.D. was sent. No further action was required.

COMMITTEE REPORTS

The applications committee reviewed three (3) applications for Christopher Powell, Joshua A. White, and Sabry Hanna, Ph.D. Mr. Cumbee made a recommendation to approve the applications for Christopher Powell and Joshua A. White. Mr. Cumbee requested official transcripts in Arabic for Sabry Hanna's application for further review.

The application committee also reviewed two (2) renewals for Billy Yarnell and Gregory Mullins. Mr. Cumbee made a recommendation to send Billy Yarnell's renewal to the complaint committee for review. Mr. Cumbee also made a recommendation to approve the renewal for Gregory Mullins.

A motion was made by Ms. Meyer to have legal counsel draft a letter to Gregory Mullins ordering him to provide a final disposition within ten (10) days of the Tennessee's decision. Motion, seconded by Mr. Cumbee, carried.

A motion was made by Mr. Wyatt to approve the recommendations of the applications committee. Motion, seconded by Mr. Rhodes, carried.

The complaints committee requested the renewal for Billy Yarnell be assigned an agency case number. Mr. Wyatt recommended the complaint be contracted to the Physical Therapy Board Investigator once the MOA is complete.

The complaint committee reviewed and accepted the Affidavit sent by Sabry Hanna, Ph.D. saying he would cease and desist using the title Professional Geologist.

Mr. Wyatt recommended agency complaint #2010-02 be contracted to Vaughn Murphy, PLLC once the Request for Proposal is complete.

Mr. Wyatt recommended agency complaints 2009-01 and 2009-02 be tabled until the next meeting for further review.

A motion was made by Mr. Cumbee to approve the recommendations of the complaint committee. Motion, seconded by Mr. Rhodes, carried.

The Board recessed at 4:16 for the complaint committee to meet.

The Board resumed the meeting at 4:50.

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 1:30 on March 26, 2012 at the Office of Occupations and Professions.

ADJOURN

Ms. Meyer made a motion to adjourn at 5:06 p.m., having no further items of discussion. The motion, seconded by Mr. Wyatt, carried.

Mr. Rhodes reconvened the meeting at 5:11 p.m.

Mr. Cumbee recused at 5:12 p.m. and left the room during this part of the meeting.

The Complaint Committee briefly discussed agency complaint #2011-01. A motion was made by Mr. Wyatt to assigned Stephen Curley, Investigator with the Physical Therapy Board to the case. Motion, seconded by Mr. Rhodes, carried.

Mr. Cumbee returned to the meeting at 5:13 p.m.

Ms. Meyer made a motion to adjourn at 5:14 pm, having no further items of discussion. The motion, seconded by Mr. Wyatt, carried.



Larry Rhodes, Board Chair