

Nebraska Board of Geologists  
**Board Meeting Minutes**  
**April 26, 2017**  
**215 Centennial Mall South, Large Conference Room, Lincoln, NE**

**CALL TO ORDER**

The meeting was held at 215 Centennial Mall South, Lincoln, Nebraska. Chairperson Svingen called the meeting to order at 1:00 pm and noted the location of the Open Meetings Act. Notice of the meeting was published in the Lincoln Journal Star on April 12, 2017, and on the Board's website in accordance to the Open Meetings Act.

**Roll Call:** Douglas Hallum, Andrew Grimm, Martha Link, Charles Joyce, Harmon Maher, Ralph Martin, David Svingen

**Staff Present:** Jean Lais, Administrative Assistant (AA); Lindy Rauscher, Compliance Officer (CO); Sandra Weaver, Business Manager (BM)

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**Election of Officers**

**Action** Motion by Martin, second by Link to elect Grimm as Chairperson, Joyce as Vice-Chairperson, and Maher as Secretary. Voting Yes: Link, Joyce, Grimm, Hallum, Maher, Martin, Svingen; Voting No: None

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**Public Comment/Appointments**

No members of the public were present.

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**A Consent Agenda**

**January 19, 2017, Meeting Minutes** were approved as presented.

**Certificates of Authorization** – None

**Temporary Permits** – None

**Renewal Disclosures** - None

**Action** Motion by Link, second by Joyce to approve the Consent Agenda as presented. Voting Yes: Link, Joyce, Grimm, Maher, Martin, Svingen; Voting No: None; Abstain: Hallum

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*BM Weaver entered the meeting at 1:04pm.*

**B Financial Matters**

**Budget Status Report** – January, February, March 2017

**MTD General Ledger Detail Report** – January, February, March 2017

**Fund Summary Report** – January, February, March 2017

**Financial Profile FY 2016/2017** – January, February, March 2017

BM Weaver reported that with 75% of the fiscal year elapsed at the end of March just under 70% of the appropriated expenditures have been used and 91% of the projected revenue has been received. The 4% of the FY15/16 rollover that was being held by the Governor was returned to the agency during the last quarter of the year.

The Cash Fund is at about the same level as last year due partly to not spending as much on travel as budgeted.

**LB327 2017-2019 Biennium Budget Bill Update**

The Appropriations Committee recommendation amendment was filed with the Legislature on April 21, 2017. The committee is recommending the Board receive the full amount requested.

**Action** Motion by Maher, second by Link to approve the Financial reports as presented. Voting Yes: Link, Joyce, Grimm, Hallum, Maher, Martin, Svingen; Voting No: None

**Contracts**

**Administrative Services Contract** with the Nebraska Board of Engineers and Architects (NBEA)

Time and cost worksheets were provided to the Board for review. The proposed new weighted hourly rate for FY 17/18 is \$19.33. The proposed contract amount for FY 17/18 is \$13,174 or \$3,293.50 per quarter. This is an increase of \$66.75 per quarter from the previous contract. The contract includes the services to be provided and was approved by the NBEA at its February 19, 2016, meeting.

**Action** Motion by Link, second by Martin to approve the Administrative Services Contract with the NBEA. Voting Yes: Link, Joyce, Grimm, Hallum, Maher, Martin, Svingen; Voting No: None

**ASBOG Exam Proctor Contract** with Stan Fehlhafer

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A copy of the contract was provided for review. The contract provides for the service of proctoring the ASBOG licensing examination administrations for FY16/17. Included in the contract is the hourly wage (\$17.00/hr), terms of payment, frequency of the examinations, and the litigation process.

**Action** Motion by Maher, second by Hallum to approve the ASBOG Exam Proctor Contract with Stan Fehlhafer. Voting Yes: Link, Joyce, Grimm, Hallum, Maher, Martin, Svingen; Voting No: None

**Online Renewal Processing Contract with Official Payments Notice of Not Renewing**

The Online Renewal Processing contract with Official Payments has an expiration date of August 31, 2017. A sixty day notice is required for non-renewal of the contract. At the direction of the Board, staff has been working with Nebraska Interactive (NIC) to implement a new online payment portal. The current tentative "go live" date is August/September 2017. The voted to not renew the contract with Official Payments since NIC's portal will be available for the 2017 renewal cycle.

**Action** Motion by Martin, second by Link to not renew the contract with Official Payments for online license renewal processing. Voting Yes: Link, Joyce, Grimm, Hallum, Maher, Martin, Svingen; Voting No: None

**Other Financial Matters**

**Fee Schedule Review**

A copy of the current Fee Schedule was provided for review. It was noted that there is no fee listed for return checks. State statute authorized a fee up to \$30. Board approved a \$30 charge for return checks to cover the Board's cost in recovering the funds.

**Action** Motion by Joyce, second by Link to add a return check fee of \$30 to the Fee Schedule with all other fees remaining the same. Voting Yes: Link, Joyce, Grimm, Hallum, Maher, Martin, Svingen; Voting No: None

*BM Weaver left the meeting at 1:40pm.*

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**C Committee Reports**

Officers Report

**ASBOG**

**ASBOG Spring COE Workshop Report**

Martin provided an email from ASBOG President Dennis Anderson giving a summary of the ASBOG Spring COE Workshop. Representatives from 25 member states and New Mexico (non-member) attended the workshop; nearly 30% of those attending were new participants; 18% were women; representation of different age groups continues to improve. Martin reported that there was a record number of SMEs (55). He reported any licensed geologist may submit exam questions through the State board. Fewer question being double keyed or eliminated.

Ethics questions are beginning to making it through review.

**Office/Staff**

AA Lais gave an update on the office renovations and database conversion. She also informed the Board that Tanna Dittmar is no longer the Public Information Officer for the NBEA. She left the beginning of February. Molly Mayhew has been hired as her replacement. She began in February.

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**D Old Business**

**Government Issues**

**2017 Legislative Bills Update**

AA Lais gave an update on the Legislative bills staff is monitoring.

**Geologist Issues – None**

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**E New Business**

**Government Issues – None**

**Geologist Issues – None**

**Strategic Plan**

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**Student Outreach** – Maher and Hallum appointed to work on this section.

Maher reported there have been discussions to requiring the Fundamentals of Geology (FG) exam for graduation – right now it is being highly recommended that students sit for the exam.

**Common Practice Areas and Cooperative Agreements**

Emails from Joyce between the Department of Roads and the Water Well Standards and Contractors Board regarding cooperative agreements were provided for review.

Joyce met with the Tom Christopherson, Program Manager, of the Water Well Standards and Contractors Board on March 31, 2017. Title 178 12.010.2B1c specifies a professional geologist or engineer must be involved when a closed loop heat pump system is within 1,000 feet horizontal separation distance. An exception can be made when the licensee can demonstrate the location will not constitute a pollution hazard to the safety of the water supply and that the owner(s) of the community water system has no objection to the location of the wells. Christopherson indicated he would notify the Board if he became aware of anyone practicing or purporting to practice geology without a license. Joyce indicated the Board would do likewise if it became aware of any unlicensed practiced related to water wells.

No response has been received from the Department of Roads.

**Website Redesign**

AA Lais gave an update on the progress of website redesign. It was the hope of the staff that some of the remaining FY16/17 appropriated funds could be used to get the project started. However, Nebraska Interactive has informed staff that due to the backlog of current projects, they will not be able to start this project until September or October 2017. We are unable to use funds for services not yet rendered so the Board will not be able to use any FY16/17 funds for the project. However, the funds were requested in the 2017-2019 Biennium Budget and with the full requested amounts being recommended by the Appropriations Committee, funds should available in FY17/18.

**Professional and Public Outreach** – Link was appointed to replace Correll.

Link reported there are a couple of Department of Environmental Quality regulations that require a licensed geologist such as Petroleum Remediation and Super Funding projects. May 23 is the Department of Environmental Quality's Legislative Day presentation – members requested CO Rauscher and Link create a handout on the practice of geology and when a licensed geologist is required to be used during Link's presentation.

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*CO Rauscher entered the meeting at 2:30pm.*

**F Compliance**

**Action** Motion by Maher, second by Hallum to go into executive session for the discussion of compliance cases brought to the Board not a matter of public information to prevent needless injury to the reputation of those involved. Voting Yes: Link, Joyce, Grimm, Hallum, Maher, Martin, Svingen; Voting No: None

*Joyce recused himself at 2:31pm.*

**Pending Cases**

Case 16.01 – Discussed in Executive Session

**New Cases - None**

**Action** Motion by Link, second by Martin to close the executive session on the discussion of compliance cases brought to the Board not a matter of public interest to prevent needless injury to the reputation of those involved. Voting Yes: Link, , Grimm, Hallum, Maher, Martin, Svingen; Voting No: None; Absent: Joyce

*Joyce re-entered the meeting at 3:22pm.*

**Action** Motion by Maher, second by Hallum to appoint Svingen and Grimm to work with CO Rauscher to draft a Consent Agreement in Case 16.01 and once approved by the Attorney General's office, present it to the Respondent. Voting Yes: Link, Hallum, Maher, Martin, Svingen; Voting No: None; Abstained: Joyce, Grimm

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*CO Rauscher left the meeting at 3:26pm.*

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**G Applications**

**Licensure/Examination**

The Core Course Equivalency Chart and Rational for Core Courses was provided for review.

**Applications for Licensure by Reciprocity**

**Approved:** Robert Marley, NM

**Applications for Licensure by Experience**

**Approved:** Richard Major, MI

**Applications for Licensure Reinstatement – None**

**Applications to sit for the ASBOG FG Exam**

**Approved:** Nicholas Anderson, NE

**Applications to sit for the FG/PG ASBOG Exams - None**

**Applications to sit for the PG ASBOG Exam – None**

**Action** Motion by Martin, second by Link to approve the application as presented and reviewed.

Voting Yes: Link, Joyce, Grimm, Hallum, Maher, Martin, Svingen; Voting No: None

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**H General Information**

**Public Notice publication** were provided for review.

**Board meetings and schedule** were provided for review.

**Roster of Board members** provided for review.

**Governor's Appointment of Douglas Hallum** provided for review.

**Licensing Trends**

The Trends in Licensure and Fiscal Activity reports were provided for review.

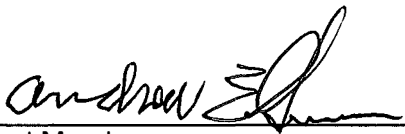
**Other**

**Approved Board Policies** were provided for review.

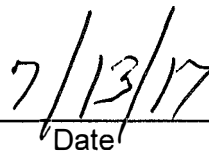
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**Adjournment:** Motion by Link, second by Maher to adjourn the meeting at 3:31pm.

The next Board of Geologist board meeting will be held on July 13, 2017 at 1:00pm at 215 Centennial Mall South, Lincoln, Nebraska, fifth floor, large conference room.



Board Member



Date