



**VIRTUAL/TELECONFERENCE
PROFESSIONAL GEOLOGIST SECTION
EXAMINING BOARD OF PROFESSIONAL GEOLOGISTS,
HYDROLOGISTS, AND SOIL SCIENTISTS
Virtual, 4822 Madison Yards Way, Madison
Contact: Brad Wojciechowski (608) 266-2112
August 11, 2021**

The following agenda describes the issues that the Board plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a record of the actions of the Board. A quorum of the Board may be present during any committee meetings.

AGENDA

12:00 P.M.

OPEN SESSION – CALL TO ORDER – ROLL CALL

- A. Adoption of Agenda (1-3)**
- B. Approval of Minutes of February 17, 2021 (4-9)**
- C. Introductions, Announcements and Recognition**
- D. Administrative Matters**
 - 1) Department, Staff and Section Updates
 - 2) Delegation of Authorities **(10)**
 - 3) Board Members – Term Expiration Dates
- E. Association of State Boards of Geology (ASBOG) Matters – Discussion and Consideration**
 - 1) 2021 Fall Administrator’s Workshop, Annual Meeting and Fall COE Workshop – October 25-30, 2021 – Little Rock, AR **(11)**
 - 2) Call for Nominations Committee Members
- F. Legislative and Policy Matters – Discussion and Consideration**
- G. Administrative Rule Matters – Discussion and Consideration**
 - 1) Pending or Possible Rulemaking Projects
- H. Deliberation on Items Added After Preparation of Agenda:**
 - 1) Introductions, Announcements and Recognition
 - 2) Administrative Matters
 - 3) Election of Officers
 - 4) Appointment of Liaisons and Alternates

- 5) Delegation of Authorities
- 6) Education and Examination Matters
- 7) Credentialing Matters
- 8) Practice Matters
- 9) Legislative and Policy Matters
- 10) Administrative Rule Matters
- 11) Liaison Reports
- 12) Board Liaison Training and Appointment of Mentors
- 13) Informational Items
- 14) Division of Legal Services and Compliance (DLSC) Matters
- 15) Presentations of Petitions for Summary Suspension
- 16) Petitions for Designation of Hearing Examiner
- 17) Presentation of Stipulations, Final Decisions and Orders
- 18) Presentation of Proposed Final Decisions and Orders
- 19) Presentation of Interim Orders
- 20) Petitions for Re-Hearing
- 21) Petitions for Assessments
- 22) Petitions to Vacate Orders
- 23) Requests for Disciplinary Proceeding Presentations
- 24) Motions
- 25) Petitions
- 26) Appearances from Requests Received or Renewed
- 27) Speaking Engagements, Travel, or Public Relation Requests, and Reports

I. Public Comments

CONVENE TO CLOSED SESSION to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85(1)(b), and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85(1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.).

J. Deliberation of Items Added After Preparation of the Agenda

- 1) Education and Examination Matters
- 2) Credentialing Matters
- 3) DLSC Matters
- 4) Monitoring Matters
- 5) Professional Assistance Procedure (PAP) Matters
- 6) Petitions for Summary Suspensions
- 7) Petitions for Designation of Hearing Examiner
- 8) Proposed Stipulations, Final Decisions and Order
- 9) Proposed Interim Orders
- 10) Administrative Warnings
- 11) Review of Administrative Warnings
- 12) Proposed Final Decisions and Orders
- 13) Matters Relating to Costs/Orders Fixing Costs
- 14) Case Closings
- 15) Board Liaison Training
- 16) Petitions for Assessments and Evaluations
- 17) Petitions to Vacate Orders
- 18) Remedial Education Cases
- 19) Motions

- 20) Petitions for Re-Hearing
- 21) Appearances from Requests Received or Renewed

K. Consulting with Legal Counsel

RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

L. Vote on Items Considered or Deliberated Upon in Closed Session, if Voting is Appropriate

M. Open Session Items Noticed Above Not Completed in the Initial Open Session

ADJOURNMENT

NEXT MEETING: TBD

MEETINGS AND HEARINGS ARE OPEN TO THE PUBLIC, AND MAY BE CANCELLED WITHOUT NOTICE.

Times listed for meeting items are approximate and depend on the length of discussion and voting. All meetings are held at 4822 Madison Yards Way, Madison, Wisconsin, unless otherwise noted. In order to confirm a meeting or to request a complete copy of the board's agenda, please call the listed contact person. The board may also consider materials or items filed after the transmission of this notice. Times listed for the commencement of disciplinary hearings may be changed by the examiner for the convenience of the parties. Requests for interpreters for the deaf or hard of hearing, or other accommodations, are considered upon request by contacting the Affirmative Action Officer, 608-266-2112, or the Meeting Staff at 608-266-5439.

**VIRTUAL/TELECONFERENCE
PROFESSIONAL GEOLOGIST SECTION
EXAMINING BOARD OF PROFESSIONAL GEOLOGISTS, HYDROLOGISTS, AND
SOIL SCIENTISTS
MEETING MINUTES
FEBRUARY 17, 2021**

PRESENT: Brenda Halminiak, William Mode, Stephanie Williams

STAFF: Christine Poleski, Executive Director; Jon Derenne, Legal Counsel; Kimberly Wood, Program Assistant Supervisor-Adv.; and other Department staff.

CALL TO ORDER

William Mode, Chairperson, called the meeting to order at 2:00 p.m. A quorum was confirmed with three (3) members present.

ADOPTION OF AGENDA

MOTION: Brenda Halminiak moved, seconded by Stephanie Williams, to adopt the Agenda as published. Motion carried unanimously.

APPROVAL OF MINUTES OF AUGUST 12, 2020

MOTION: Brenda Halminiak moved, seconded by Stephanie Williams, to approve the Minutes of August 12, 2020 as published. Motion carried unanimously.

ADMINISTRATIVE MATTERS

Election of Officers

Slate of Officers

NOMINATION: Brenda Halminiak nominated the 2020 slate of officers to continue in 2021.

Christine Poleski, Executive Director, called for nominations three (3) times.

The Slate of Officers were elected by unanimous voice vote.

ELECTION RESULTS	
Chairperson	William Mode
Vice Chairperson	Brenda Halminiak
Secretary	Stephanie Williams

Appointment of Liaisons

LIAISON APPOINTMENTS	
Credentialing Liaison(s)	Brenda Halminiak <i>Alternate: William Mode</i>
Monitoring & Professional Assistance Procedure (PAP) Liaison(s)	William Mode
Travel Liaison(s)	Brenda Halminiak
Screening Panel	William Mode, Stephanie Williams

Delegation Motions

Document Signature Delegations

MOTION: Brenda Halminiak moved, seconded by Stephanie Williams, to delegate authority to the Chairperson (or in absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) to sign documents on behalf of the Section in order to carry out its duties. Motion carried unanimously.

MOTION: Brenda Halminiak moved, seconded by Stephanie Williams, in order to carry out duties of the Section, the Chairperson (or in absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) has the ability to delegate signature authority for purposes of facilitating the completion of assignments during or between meetings. The members of the Section hereby delegate to the Executive Director or DPD Division Administrator, the authority to sign on behalf of a section member as necessary. Motion carried unanimously.

Delegated Authority for Urgent Matters

MOTION: Brenda Halminiak moved, seconded by Stephanie Williams, that in order to facilitate the completion of urgent matters between meetings, the Section delegates its authority to the Chairperson (or, in the absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession), to appoint liaisons to the Department to act in urgent matters. Motion carried unanimously.

Delegation to Chief Legal Counsel Due to Loss of Quorum

MOTION: Brenda Halminiak moved, seconded by Stephanie Williams, to delegate the review and authority to act on of disciplinary cases to the Department's Chief Legal Counsel due to lack of/loss of quorum after two consecutive meetings. Motion carried unanimously.

Monitoring Delegations

Delegation of Authorities for Monitoring

MOTION: Brenda Halminiak moved, seconded by Stephanie Williams, to adopt the "Roles and Authorities Delegated for Monitoring" document as presented in the February 16, 2021 agenda materials on pages 13-14. Motion carried unanimously.

Delegation of Authorities for Legal Counsel to Sign Monitoring Orders

MOTION: Brenda Halminiak moved, seconded by Stephanie Williams, to delegate to Legal Counsel the authority to sign Monitoring orders that result from Section meetings on behalf of the Section Chairperson. Motion carried unanimously.

Credentialing Authority Delegations

Delegation of Authority to Credentialing Liaison (Generic)

MOTION: Brenda Halminiak moved, seconded by Stephanie Williams, to delegate authority to the Credentialing Liaison(s) to serve as a liaison between the Department and the Section and to act on behalf of the Section in regard to credentialing applications or questions presented to them, including the signing of documents related to applications. Motion carried unanimously.

Delegation of Authority for Predetermination Reviews

MOTION: Brenda Halminiak moved, seconded by Stephanie Williams, to delegate authority to the Department Attorneys to make decisions regarding predetermination applications pursuant to Wis. Stat. § 111.335(4)(f). Motion carried unanimously.

Delegation to DSPS When Applicant's History Has Been Previously Reviewed

MOTION: Brenda Halminiak moved, seconded by Stephanie Williams, to delegate authority to Department staff to approve Firm, Partnership or Corporation Certificate of Authorization applications in which the identified licensed Professional Geologists in responsible charge of the firm, partnership or corporation have previously been approved for a Professional Geologist credential or renewal after criminal background check and there has been no criminal activity since the previous license/renewal approval. Motion carried unanimously.

Delegated Authority for Application Denial Reviews

MOTION: Brenda Halminiak moved, seconded by Stephanie Williams, that the Department's Attorney Supervisors are authorized to serve as the Section's designee for purposes of reviewing and acting on requests for hearing as a result of a denial of a credential. Motion carried unanimously.

Voluntary Surrenders

MOTION: Brenda Halminiak moved, seconded by Stephanie Williams, to delegate authority to the assigned case advisor to accept or refuse a request for voluntary surrender pursuant to Wis. Stat. § 440.19 for a credential holder who has a pending complaint or disciplinary matter. Motion carried unanimously.

Screening Decision Delegation

MOTION: Brenda Halminiak moved, seconded by Stephanie Williams, to authorize DSPS to contact the Chairperson (or, in the absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) when enforcement action is needed, and to authorize the Chairperson (their designee or, in the absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) to request that a screening panel be convened. Motion carried unanimously.

Authorization for DSPS to Provide Board Member Contact Information to National Regulatory Related Bodies

MOTION: Brenda Halminiak moved, seconded by Stephanie Williams, to authorize DSPS staff to provide national regulatory related bodies with all Section member contact information that DSPS retains on file. Motion carried unanimously.

Optional Renewal Notice Insert Delegation

MOTION: Brenda Halminiak moved, seconded by Stephanie Williams, to designate the Chairperson (or, in the absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) to provide a brief statement or link relating to section-related business within the license renewal notice at the Section's or Section designee's request. Motion carried unanimously.

Travel Liaison(s) Delegation

MOTION: Brenda Halminiak moved, seconded by Stephanie Williams, to delegate authority to the Travel Liaison(s) to approve any section member travel. Motion carried unanimously.

CLOSED SESSION

MOTION: Brenda Halminiak moved, seconded by Stephanie Williams, to convene to closed session to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85 (1)(b), and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85(1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.). William Mode, Chairperson, read the language of the motion. The vote of each member was ascertained by voice vote. Roll Call Vote: Brenda Halminiak-yes; William Mode-yes; and Stephanie Williams-yes. Motion carried unanimously.

The Section convened into Closed Session at 3:15 p.m.

CREDENTIALING MATTERS

Application Review

Anna Beckman – Professional Geologist Applicant

MOTION: Brenda Halminiak moved, seconded by Stephanie Williams, to send the Professional Geologist application of Anna Beckman back to Credentialing for additional information as outlined in the meeting. Motion carried unanimously.

RECONVENE TO OPEN SESSION

MOTION: Brenda Halminiak moved, seconded by Stephanie Williams, to reconvene into Open Session. Motion carried unanimously.

The Section reconvened into Open Session at 3:26 p.m.

VOTING ON ITEMS CONSIDERED OR DELIBERATED IN CLOSED SESSION

MOTION: Brenda Halminiak moved, seconded by Stephanie Williams, to affirm all motions made and votes taken in Closed Session. Motion carried unanimously.

(Be advised that any recusals or abstentions reflected in the closed session motions stand for the purposes of the affirmation vote.)

ADJOURNMENT



MOTION: Brenda Halminiak moved, seconded by Stephanie Williams, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 3:27 p.m.

DRAFT


**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: <p style="text-align: center;">Brad Wojciechowski</p>		2) Date When Request Submitted: <p style="text-align: center;"><i>July 22, 2021</i></p>	
		Items will be considered late if submitted after 4:30 p.m. and less than: <ul style="list-style-type: none"> ▪ 10 work days before the meeting for Medical Board ▪ 14 work days before the meeting for all others 	
3) Name of Board, Committee, Council, Sections: <p style="text-align: center;">Professional Geologist Section</p>			
4) Meeting Date: <p style="text-align: center;">08/11/2021</p>	5) Attachments: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	6) How should the item be titled on the agenda page? <p style="text-align: center;">Administrative Matters</p> <p>1) Delegation of authorities.</p>	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session <input type="checkbox"/> Both	8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes (Fill out Board Appearance Request) <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required:	
10) Describe the issue and action that should be addressed: <p>1) The board should consider revising its existing delegation of authority to DSPS chief legal counsel to act on disciplinary cases in the event of a loss of quorum. The current delegation requires 2 consecutive meetings be cancelled due to loss of quorum before DSPS chief legal counsel is able to act. The section should consider making this delegation after only one cancelled meeting due to quorum loss given the infrequency of the section's meetings.</p>			
11) Authorization			
 Signature of person making this request		<i>July 22, 2021</i> Date	
Supervisor (if required)  Executive Director signature (indicates approval to add post agenda deadline item to agenda)		Date <i>July 22, 2021</i>	
Directions for including supporting documents: <ol style="list-style-type: none"> 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, Provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting. 			

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and title of person submitting the request: Megan Glaeser, Bureau Assistant		2) Date when request submitted: 5 August 2021 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small>	
3) Name of Board, Committee, Council, Sections: Professional Geologist Section			
4) Meeting Date: 11 August 2021	5) Attachments: <input type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? ASBOG Matters - 2021 Fall Administrator's Workshop, Annual Meeting and Fall COE Workshop – October 25-30, 2021 – Little Rock, AR	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <i>(If yes, please complete Appearance Request for Non-DSPS Staff)</i> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required: N/A	
10) Describe the issue and action that should be addressed:			
11) Authorization			
 Signature of person making this request		5 August 2021 Date	
Supervisor (if required)		Date	
Executive Director signature (indicates approval to add post agenda deadline item to agenda) Date			
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			