

**OREGON STATE BOARD OF GEOLOGIST EXAMINERS**  
**MEETING MINUTES**

March 23, 2007

*Chair Webb* convened a telephone meeting of the Board at 9:05 AM on Friday, March 23, 2007. Oral role call was taken with the following in attendance:

**BOARD MEMBERS PRESENT:**

Christopher Humphrey, RG, CEG, Portland  
Vicki McConnell, RG, State Geologist, Portland  
Allen Morris, Public Member, Canby  
Stephen Taylor, RG, Corvallis  
Eileen Webb, RG, Tigard  
Rodney Weick, RG, CEG, Portland

**STAFF PRESENT:**

Susanna Knight, Administrator, Board Office, Salem

**NO GUESTS PRESENT**

*Webb* directed the Board to a revised draft budget emailed to Board members that incorporated all fee changes as approved at the March 15, 2007, Board meeting. The revised budget also included a removal of the computer hardware expense in year one of the 2007-09 draft budget because this expenditure was approved at the March 15, 2007 Board meeting for the current biennium. *Webb* stated that the approval of fee increases through the revision of OAR 809-010-0025, Fees, will provide the necessary income for the Board needed in the 2007-09 budget cycle. In the initial draft budget reviewed at the March 15, 2007, Board meeting, a deficit of \$43,198 was projected. Incorporating the fee changes now provides for additional dollars, which are expended in an additional line item titled FUND FOR ADDITIONAL LEGAL FEES. *Webb* stated that an appeal by a former registrant of the revocation of his registration is currently underway. The Board revised budget now includes a \$30,000 line item for anticipated legal fees relative to this appeal.

The following discussion ensued. *McConnell* stated that the fee increase of \$87,870 is a significant amount. Should the Board consider the fee increase for only the second year of the 2007-09 biennium? *Weick* stated that when the Board uses reserve funds, those must be replaced. Knowing that significant legal costs will be incurred allows the Board to prepare for the expenditure. *Humphrey* suggested that perhaps the Board should wait to raise fees for the second year of the biennium. *Morris* offered that it would be better to have the funds available as the legal fees on the appellate side are expected to add up quickly. *Taylor* inquired if any Board member had a problem with the revenue items highlighted pink in the spreadsheet (fee increases as approved at the March 15, 2007, Board meeting) and if any Board member wished to consider *McConnell's* input regarding a fee increase only in year 2 of the biennium budget. *Webb* stated that she agreed with the pink highlighted items and that the Board should keep the fee increase effective with the beginning of the new biennium. *Weick* offered that he had no problem with the fee increase and as far as *McConnell's* suggestion for increasing fees in year two only; he believes it is prudent and smart to project into the future, as he would anticipate that the appeal legal fees could exceed the \$30,000 line item for additional legal fees. *McConnell* stated that she would defer to *Weick*, as he has more experience coming from a much larger agency on the costs of attorney fees, and he suggested that even with the line item of \$30,000 for legal fees, the Board may also have to use current reserves to cover the legal fees. If that should happen, then money from the 2009-11 budget would have to restore those reserve funds. With no additional comments offered, *Webb* asked if the Board was ready to take action on the budget.

*Morris* moved to accept the \$467,915 budget for the 2007-09 biennium as presented. Motion *seconded* by *Weick*. Discussion continued. *Taylor* articulated the importance of being prepared with justification for the fee increase based on data and asked if the Board could rebate fees if an overage occurs. *McConnell* expressed that *Taylor* is correct and that the Board must be prepared to answer questions from our constituents about the budget. *Webb* voiced her recognition that legal fees could use up the fee increase revenue and that the outcome of this appeal has a strong message for the future about the Board's ability to afford expensive enforcement costs.

*Webb* called for an oral vote on the motion to approve the draft budget: *Humphrey*, yes; *Morris*, yes; *Taylor*, yes; *Webb*, yes; *Weick*, yes. *Motion carried*.

*Weick* inquired if the budget would be published in the newsletter and if the justification for fee increase would also be there. *Knight* communicated that the lead article for the April newsletter would be the budget changes and inquired as to how the budget figures should be presented. The Board agreed that revenue increases should be explained and that both expenditure categories, Personnel and Service & Supplies, should also be explained in the article. *Morris* recommended that *Knight* & *McConnell* work together in preparing the newsletter article. *Taylor* declared that it is important for *McConnell* to review the article. *McConnell* affirmed the importance of being very transparent with all the budget items by presenting all the facts. All Board members concurred. The budget information should be in the newsletter; in the public domain through the Secretary of State Bulletin; and announced on the Board's web page.

*Knight* reported that an Administrative Rules Hearing on both the budget and the fees would be held prior to the June 7, 2007, Board meeting. All input from that hearing would then be summarized to the Board. *Taylor* inquired as to the process after that. *McConnell* offered that depending on public input, some amendments could be made to the budget, as approved today, during the June 7, 2007, Board Meeting.

*Humphrey* asked that the information presented include an explanation that the stipend is for official meetings only, and not for the hours spent in research and preparation for various Board assignments. *McConnell* also offered that information include clarification that state employees that are Board members are not eligible for the stipend. *Webb* expressed the importance of recognizing that Board members are volunteers. *Taylor* suggested that expenses incurred for the engineering geology examination development also be noted in the newsletter article.

*McConnell* verbalized that this is a good opportunity to explain expenses of the Board and to make known the business side of the Board. *Knight* will draft the article and forward it to *McConnell* for review.

*Webb* adjourned the meeting at 9:40 AM.

Respectfully submitted,

Susanna R. Knight  
Administrator

The minutes of the March 23, 2007, Board meeting were approved as presented during the June 7, 2007, Board Meeting.

Respectfully prepared,  
Susanna R. Knight, Administrator