

MINUTES

UTAH PROFESSIONAL GEOLOGISTS LICENSING BOARD MEETING

February 14, 2013
Heber Wells Building
160 East 300 South
Salt Lake City, Utah

CONVENED: 1:57 P.M.

ADJOURNED: 4:02 P.M.

Bureau Manager
Bureau Secretary

Richard J. Oborn
Lee Avery

BOARD MEMBERS PRESENT:

Dan Matthews, Chairperson
William Loughlin
Daniel Horns
Richard Allis
Steve Bowman, Ph.D.

Compliance report:

Mr. Copfer is not in compliance with his stipulation because he has a criminal conviction to include

1. Unlawful use of a financial transaction card, 3rd degree felony, dismissed
2. Theft 3rd degree felony amended to class A misdemeanor, guilty.
3. Obstruction of Justice, class A misdemeanor, dismissed.

His supervisor and therapy reports have been submitted.

TOPICS FOR DISCUSSION

DECISIONS AND RECOMMENDATIONS

MINUTES

The Board reviewed the minutes dated October 11, 2012. Mr. Allis motioned to approve the minutes with changes, seconded by Mr. Bowman. The motion carried with Mr. Matthews abstaining because he was not in attendance at that Board meeting.

APPOINTMENTS:

Torrey Copfer, probation interview

Mr. Copfer met with the Board. Mr. Horns conducted the interview. The Board reviewed the final judgment regarding Mr. Copfer's additional criminal charges. The Board reviewed Mr. Copfer's stipulation, noting that he violated his probation with the Board. The Board reviewed possible additional sanctions against Mr. Copfer's license to include:

1. Suspension of license.
2. Revoke license.
3. Add additional time to his probationary license.
4. Add additional sanctions to his probationary license, ie cannot travel out of state alone.
5. Cannot handle money or have access to funds.
6. Supervision while out of state on company business.

The Board reviewed Mr. Copfer's history and discussed other possible sanctions to include community service and additional therapy. Mr. Copfer advised the Board that he is required to be in therapy for his criminal probation and that the therapist he was seeing, terminated his therapy in July, citing his lack of progress. She said he was progressing too slowly in her program. She indicated that Mr. Copfer is still minimizing and downsizing his actions. This therapist sent a letter to his probation officer stating that Mr. Copfer's therapy had been terminated. He was arrested for violating the terms of his criminal probation and put in jail for four weeks. Mr. Copfer stated that about half of his job falls under his geology license and about half falls under a technician. Mr. Copfer advised the Board that he will be traveling with his current employer. They are aware of his criminal probation and will work around his treatment with AP&P. I would be traveling with another technician and that person would have access to funds and credit/debit cards.

Mr. Bowman motioned to close the Board meeting at 2:44 P.M. to discuss the character, professional competence, or physical or mental health of an individual. The motion was seconded by Mr. Loughlin. There were no written notes taken. A recording was not made. The Board meeting opened at 3:00 P.M.

Mr. Horns made the following motion to recommend to the Division: Mr. Copfer needs to:

1. Have his supervisor write letter stating he knows about the conviction, submit in 2 weeks.
2. Suspend for 3 months at least, this would move his probation deadline an additional 3 months.
3. Include in the new stipulation that he has no access to client funds.
4. Include in the new stipulation that he has no

access to company funds.

5. Include in the new stipulation that he always travels with supervisor.

6. Cory Walker, EPIC, confirm conditions of employment, willingness to supervise more closely.

7. Have his supervisor meet with the board at the end of the suspension.

8. Have them confirm in writing he is not the principal in charge, for the 3 months.

9. All other requirements of probation still apply.

The motion was seconded by Mr. Allis. The motion and carried unanimously.

The Board advised Mr. Copfer that this is only a recommendation to the Division. The Division Director may not accept the Boards recommendation. Contact Mr. Oborn with any questions.

The Board asked to see Mr. Copfer on June 13, 2013.

Mr. Copfer is not in compliance with his stipulation.

DISCUSSION:

1 Consideration of AEG request for use of Education and Enforcement Fund

Mr. Oborn advised the Board that the additional information submitted by Ms. Sheila Kluck was received and the requests for reimbursement were justified. There were 3 events AEG presented, and payment has been made. The total disbursement for the 1st short course, \$630.68, 2nd short course, \$2,188.94 and the 3rd short course, \$796.25 totaling: \$3,615.87. The check has been mailed to her.

2. Consideration of proposal for more specific definition of unprofessional conduct in Utah Admin. Code R156-76-502

The Board reviewed an article printed in AEG News regarding the "Primacy Clause" in Codes of Ethics: A window into Licensure Board and Professional Organization Values. The Board reviewed Utah Admin. Code R156-76-502 Unprofessional Conduct, and decided to table discussion for the June 13, 2013 Board meeting. The Board wanted more time to review the rule and obtain input from AEG.

3. Consideration of proposal to amend exam requirement in Utah Admin. Code R156-76-302d (3)(c)

The Board reviewed the proposal to amend exam requirement in Utah Admin. Code R156-76-302d (3)(c) #4, *In accordance with Section 58-1/302, prior to submitting an application to sit for the FG examination, an applicant must certify under penalty of perjury as evidenced by signature on the application for examination that the applicant: (a) has completed the education requirement as*

established in rule or has only one semester, or the equivalent or one semester remaining before the applicant completes the education.

(5) In accordance with section 58-1-302, prior to submitting an application to sit for the PG examination, an applicant must certify under penalty of perjury as evidenced by signature on the application for examination that the applicant has completed the experience requirement established in subsection 58-76-302(4) and further defined in R156-76-302c and the education requirement established in Subsection 58-76-302(4) and further defined in R156-76-302b.

Mr. Oborn advised the Board that making this change will mean that applications are not held open in DOPL. Mr. Allis motioned to accept the language, seconded by Mr. Horns. The motion carried unanimously.

5. Report regarding ASBOG Annual Meeting,
Oct. 30 – Nov. 4

Mr. Horns reviewed information from the ASBOG Annual Meeting he attended October 30-November 4, 2012. There are 31 states and 25 jurisdictions represented at the meeting. The Board discussed sending a Board member to both the fall and spring meetings, noting that funding comes from the Education and Enforcement Funds. Mr. Bowman stated he would attend the fall meeting.

5. Upcoming vacancy of Board's public
member position

Mr. Oborn noted that Mr. Matthew's term on the Board ends June 2013. The Board would need to elect a new chairperson. Mr. Oborn noted that Mr. Matthews is a public member and encouraged Board member to let him know if they are aware of anyone from the general public, who would like to serve a term on the Board.

Agenda items:

- 1 Meet with Torrey Copfer and his supervisor.
2. Review the unprofessional conduct definition.

NEXT MEETING SCHEDULED:

June 6 2013, 2:00PM

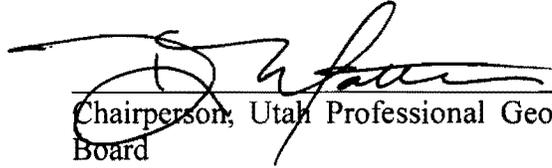
2013 Board meetings have been tentatively scheduled:
June 6, October 10

ADJOURN:

The Board meeting adjourned at 4:02 P.M:

Note: This report is not intended to be a verbatim transcript, but is intended to record the significant features of what was discussed in the meeting. Discussed items are not necessarily arranged in chronological order

6/6/13
Date:


Chairperson, Utah Professional Geologist Licensing Board

6/6/2013
Date:


Bureau Manager, Division of Occupational and Professional Licensing