MINUTES

BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS

GENERAL BUSINESS - PART I

CARIBE ROYALE ORLANDO
8101 WORLD CENTER DRIVE
ORLANDO, FLORIDA 32821

Tuesday, July 23, 2019

The meeting was called to order by Steven Hyde, Board Chair, at 10:36 a.m.

BOARD MEMBERS AND STAFF PRESENT

Steven Hyde, Board Chair
George Grubbs, Board Vice Chair
Deborah Hill, Board Member
Christopher McLaughlin, Board Member
Nick Campanile, Board Member
David Schryver, Board Member
Frank Conkling, Board Member
Keith Fountain, Board Member
Michael Zoltek, Board Member
Jenna Harper, Executive Director
Regenia Lee, Government Analyst
Robert Summers, Board Counsel
Amanda McKibben, Prosecuting Attorney
Corey Fedrick, Investigator

OTHERS PRESENT

Larry Sharp
Neil Benefield
Taylor Henninge
David McCrory
David Yaple
Alvin Gloer
Lamar Evers
Patrick Tami
Thomas Walker
Bill Merten
Lou Campanile
Danny Williams
John Richard Noland
Robert L. Thompson
Dianne Collins
Don Elder
Robin Petzold
Earl Soeder
Howard Ehmke
Thomas Robinson
Richard Allen
Amy Topol
REVIEW AND APPROVAL OF THE APRIL 2019 GENERAL BUSINESS MINUTES

After discussion, the following motion was made:

MOTION: Mr. Conkling made a motion to approve the April 2019 minutes.
SECOND: Mr. McLaughlin seconded.
ACTION: The motion passed unanimously.

CHAIRPERSON'S REPORT – STEVEN HYDE

Mr. Hyde reported that he, Robin Petzold, Nicholas Campanile and Pamela Nobles attended the combined NCEES Southern Zone and Western Zone Meeting on May 16-18, 2019 in Boise, Idaho.

EXECUTIVE DIRECTOR'S REPORT – JENNA HARPER

Ms. Harper welcomed the newest Board member, Michael Zoltek. He is succeeding Robin Petzold whose term ended on October 31, 2019. Mr. Petzold continued to serve until the vacant position was filled. She also announced that Mr. Campanile and Mr. Grubbs have been reappointed to their second terms. She welcomed Amanda McKibben, who has been appointed as the Board’s new prosecuting attorney. Ms. McKibben succeeded Erik Sayler who was promoted out of this position. Ms. Harper also announced that Deborah Hill would be vacating her Board member position at the end of her term on October 31, 2019. Ms. Harper said that applications are being received at the Board office. Ms. Harper said that she ran a statistical report approximately mid-March following the biennium renewal for 2019-2021 and there are 84 licensees whose licenses are now in delinquent status and 155 licenses are in null and void status.

BOARD COUNSEL REPORT – ROBERT SUMMERS

Mr. Summers said that he was happy to have Amanda McKibben on board as the new prosecuting attorney and the newly appointed and reappointed Board members. He said that the first Rules Adoption package has gone into effect and the second Rules Adoption package will go into effect shortly.

NCEES BOARD LEADERSHIP – PATRICK TAMI

The NCEES Past President and licensed Surveyor and Mapper, Patrick Tami, gave a presentation about the status of NCEES including the outreach to members, statistics, FS and PS examinations and the fail and pass rates, voting at the NCEES national meetings, etc.

RECESSMENT

The General Business Meeting – Part I recessed at 11:40 a.m. and reconvened at 1:06 p.m.

CONSIDERATION OF REINSTATEMENT OF NULL AND VOID APPLICATIONS

THOMAS E. ROBINSON, LS4075 (PRESENT)

After discussion, the following motion was made:

MOTION: Ms. Hill made a motion to APPROVE Mr. Robinson’s Application for Null and Void Reinstatement based on health issues and the inability to make notification regarding his renewal fees.
SECOND: Mr. Fountain seconded.
ACTION: The motion DID NOT pass. 5 Nays from Mr. Hyde, Mr. Schryver, Mr. McLaughlin, Mr. Conkling and Mr. Zoltek and 4 Yays from Ms. Hill, Mr. Grubbs, Mr. Campanile and Mr. Fountain.
After discussion, the following motion was made:

MOTION: Mr. Campanile made a motion to APPROVE the reinstatement of Mr. Yaple’s Application for Null and Void.
SECOND: Mr. Schryver seconded.
ACTION: The motion passed unanimously.

NCEES UPDATES

Decoupling: Is it in our future?

Ms. Harper said that ‘decoupling’ means that surveying and mapping candidates would be able to take the Florida Jurisdictional Examination and NCEES FS and PS Examinations before acquiring the required education and experience. The candidates would not come before the Board for approval until they are ready for licensure. She said that she polled 4 states that are exclusively land surveying boards that are currently using the decoupling process. She said that they all reported that the process is running smoothly. She said that Oklahoma is also considering this process. She said that the additional 15 states that she polled were not considering decoupling. Mr. McLaughlin and Mr. Schryver stated that they fully support the idea.

After discussion, the following motion was made:

MOTION: Mr. Zoltek made a motion to assign the decoupling process discussion to the Rules Committee.
SECOND: Mr. Grubbs seconded.
ACTION: The motion passed unanimously.

NCEES Annual Meeting

Ms. Harper said that the NCEES Annual Meeting is scheduled for August 14-17, 2019 in Washington, D.C. She said that she and Mr. Hyde, Mr. Fountain, Mr. Schryver, Mr. McLaughlin, Mr. Petzold, Mr. Fusco, Ms. Nobles and Mr. Fedrick would be attending. Mr. Zoltek’s attendance is tentative.

DISCUSSION ON THE FUTURE OF THE FLORIDA JURISDICTIONAL EXAMINATION

Mr. Hyde said that there has been some discussion as to whether the State should continue to offer the Florida Jurisdictional Examination. He stated that he knows of a state that has discontinued their state examination because they felt that the NCEES FS and PS examinations is sufficient and he also knows of another state that has had their state examination removed by their legislature. He said that discontinuing vs. keeping state examinations has been discussed by NCEES, as well. Mr. Hyde said that the current Florida examination given is a 3-hour, open book, multiple choice examination on Florida’s laws and rules. He said that one of the problems he has with the current examination is that if a licensure candidate is from a Colonial state/Metes and Bounds state, most are not knowledgeable about public lands; however, examinees read the laws and rules in an open book examination to become a licensed Florida Surveyor and Mapper and are eligible to start surveying public lands. Mr. Hyde said that he could see this becoming a consumer protection issue. Mr. Hyde stated that laws and rules change every 2 to 4 years so why is an examination on laws and rules needed? He said that professionalism is knowing the laws and rules each time they change.

Mr. Zoltek said that he is in favor of keeping the Florida Jurisdictional Examination in some form. Mr. Conkling said that when he took the examination it was a true jurisdictional examination that included a written, critiqued, legal description, etc. He said that the Florida Jurisdictional Examination has evolved into an examination that has minimal value. Mr. Don Elder said that the current examination is a test in literacy vs, a test in surveying. He said that an exam of applied use of statutes would retain
value going forward even if in a modular situation. He said that he would address this at the FSMS meeting to get opinions and would report back to the Board. Mr. Lamar Evers said that laws and rules should be a part of the examination to maintain consumer protection. He said that we need a true jurisdictional examination. Mr. Richard Allen said that the Florida Jurisdictional examination should remain a requirement for licensure.

**NEW/OLD BUSINESS**

Mr. Schryver said that it had come to his attention, as a county surveyor, that property owners are being allowed to draw, make changes, etc., on their copies of surveys, i.e. pool placement, fences, etc., without the surveyor’s knowledge, and obtain a permit(s) from their local building department and then use the updated survey to make the additions etc. He said that it is allowed in the county where he works. He said that this may cause a problem if the property is sold to a new homeowner and the pool, fence, etc. is, for example, is in a drainage easement. He said that this could possibly cause a decline in property value because there is no verification by the surveyor for the additions that are permitted by the county. He said that a possible solution is to have the various building departments ask the property owner to sign an affidavit which would absolve the surveyor from the liability and responsibility of the changes made to the original survey. Mr. Summers said that if someone has an issue with a revised survey, they could file a complaint with the Department for investigation.

**PUBLIC COMMENT**

None

The General Business Meeting – Part I recessed at 3:09 p.m.
MINUTES
BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS
GENERAl BUSINESS - PART II
CARIBE ROYALE ORLANDO
8101 WORLD CENTER DRIVE
ORLANDO, FLORIDA 32821

Wednesday, July 24, 2019

The meeting was called to order by Steven Hyde, Board Chair, at 8:30 a.m.

BOARD MEMBERS AND STAFF PRESENT
Steven Hyde, Board Chair
George Grubbs, Board Vice Chair
Deborah Hill, Board Member
Christopher McLaughlin, Board Member
Nick Campanile, Board Member
David Schryver, Board Member
Frank Conkling, Board Member
Keith Fountain, Board Member
Michael Zoltek, Board Member
Jenna Harper, Executive Director
Regenia Lee, Government Analyst
Robert Summers, Board Counsel
Amanda McKibben, Prosecuting Attorney
Corey Fedrick, Investigator

OTHERS PRESENT
Howard Ehmke
Stephen Shawles
Patrick Tami
Lamar Evers
Thomas Walker
Danny Williams

COMMITTEE REPORTS
PROBABLE CAUSE PANEL – STEVEN HYDE
Mr. Hyde reported that there was one case and one companion case that was discussed. Both cases were deemed Probable Cause by the Committee.

PROBATION COMMITTEE – CHRIS MCLAUGHLIN
Mr. McLaughlin reported that one survey was reviewed by the Committee. He said that after discussion, the Committee voted to table 2 surveys until the next scheduled Board meeting. He reported that there
were 7 cases in tracking – 3 were released from discipline tracking, 1 was referred to the Department, 2 were on schedule and 1 would be reviewed at the next scheduled Board meeting.

After discussion, the following motion was made:

MOTION: Mr. Grubbs made a motion to approve the Probation Review Committee report.
SECOND: Mr. Conkling seconded.
ACTION: The motion passed unanimously.

APPLICATION REVIEW COMMITTEE – DEBORAH HILL

Ms. Hill reported that on the consent agenda, there were 12 examination applications, 3 endorsement applications, and 2 Surveyor-in-Training applications, and all were approved. She said that the remaining applications were discussed – 4 examination applications, 1 endorsement application and, and 2 Surveyor-in-Training applications that were approved.

After discussion, the following motion was made:

MOTION: Mr. Fountain made a motion to approve the Application Review Committee report.
SECOND: Mr. McLaughlin seconded.
ACTION: The motion passed unanimously.

CONTINUING EDUCATION REVIEW COMMITTEE – GEORGE GRUBBS

Mr. Grubbs reported that there was a discussion on the continuing education carry over hours.

MOTION: Mr. Schryver made a motion to approve the Continuing Education Review Committee report.
SECOND: Mr. McLaughlin seconded.
ACTION: The motion passed unanimously.

EXAM COMMITTEE – FRANK CONKLING

Mr. Conkling reported that the April 2019 minutes were reviewed and approved.

MOTION: Mr. Schryver made a motion to approve the Exam Committee report.
SECOND: Mr. McLaughlin seconded.
ACTION: The motion passed unanimously.

RULES COMMITTEE – DAVID SCHRYVER

Mr. Schryver reported the Committee approved the April 2019 meeting minutes and Mr. Summers gave a report on the status of the Rule Adoption packages.

After discussion, the following motion was made:

MOTION: Mr. McLaughlin made a motion to approve the Rules Committee report.
SECOND: Mr. Grubbs seconded.
ACTION: The motion passed unanimously.
NCEES LIAISON REPORT – STEVEN HYDE

Mr. Hyde reported that he, Robin Petzold, Nicholas Campanile and Pamela Nobles attended the combined NCEES Southern Zone and Western Zone Meeting on May 16-18, 2019 in Boise, Idaho. He said that NCEES has relocated their headquarters from 280 Seneca Creek Road, Clemson, South Carolina to 200 Verdae Boulevard, Greenville, South Carolina. He reported that the examinees no shows for the computer-based exams has generated $646,000 in no show fees to date. He said that the Fundamentals of Surveying and the Principles and Practices examination numbers are down this year. He said that the Survey Module Task Force may determine if the state Boards would require a state-specific examination if the Principals and Practices examinations were separated into modules. He said that the five modules are as follows: Mapping, Science, Topography, PLSS, and Incidental Drainage Design. He said that the Southern Zone Board has nominated Christopher Knotts from Louisiana as President-Elect who will be on the ballot at the August 2019 NCEES National Meeting in Washington, D.C. He reported that the Southern Zone Board officers for 2020 are as follows: Vice President - Tim Lingerfelt, Tennessee, Assistant Vice President – Andy Zoutewelle, North Carolina, and Secretary/Treasurer – Ivan Hoffman, Arkansas. He said that there would be a vote for the Secretary/Treasurer position at the Spring 2020 Southern Zone meeting. He said that future Southern Zone meetings would be held in Houston, Texas in 2020, North Carolina in 2021, and Oklahoma in 2022. He said that he is serving on the NCEES Education Committee and the NCEES Site Selection Committee for the Southern Zone. He said that Mr. Petzold is serving on the NCEES Examinations for Professional Surveyors Committee. He said that the NCEES Annual Meeting would be held on August 14-17, 2019 in Washington, D.C.

NSPS LIAISON REPORT – NICK CAMPANILE

Mr. Campanile reported the following:

During the Spring 2019 NSPS Board of Directors meeting in April 2019, Lisa Van Horn was inducted as NSPS President. He said that Ms. Van Horn is the third woman to be elected as NSPS President, and the first since Rita Lumos served in that capacity in 2007. The officers are as follows:

President, Lisa Van Horn (WI)
President-Elect, Mark Sargent (NH)
Vice President, Tim Burch (IL)
Treasurer, Bob Miller (PA)
Secretary, Craig Arney (MI)
Immediate Past Present, Kim Leavitt (ID)

International Federation of Surveyors (FIG) held a Working Week in Hanoi, Vietnam in April 2019. NSPS was selected to host the 2023 FIG Working Week in Orlando, Florida. It will have been 21 years since the last FIG conference was held in the United States. In 2002, attended by more than 5000 attendees from over 90 countries.

In May, Rusty Steel joined NSPS Radio Hour to talk about his passion for surveying. NSPS Radio Hour is ending its 8½ year run, which started in 2011.

QBS for Surveying Becomes Law in Maryland – the Maryland Governor signed into law a bill authorizing use of qualification-based selection as a method of procuring land surveying services. While most states have a qualification-based selection (QBS) law, Maryland was one of just a handful of states that had such a law for architecture and engineering contracts, but not surveying.

Pennsylvania enacts occupational licensing reform to facilitate out of state recognition - Pennsylvania Governor Tom Wolf signed a bill that will allow the use of out-of-state occupational licenses in Pennsylvania. Wolf said the “new law” will reduce barriers for new Pennsylvanians to work here and shows this is a “Land of Opportunity”. Along with Montana and Arizona, Pennsylvania is among the first
states in the Nation to take such decisive action toward occupational licensing reform, which involves simplifying the processes required to gain a license to practice certain occupations. The new law permits a licensing board to administer a state-specific examination and other requirements and does not provide a blanket acceptance of any individual licensed in another state.

The National Flood Insurance Program has been extended to September 30, 2019. There is a push to move it out of FEMA and extend further.

FAA certifies first UAV airline for package delivery – the FAA awarded the first air carrier certification to a drone delivery company, Wing Aviation. The certification paved the way for Wing Aviation to begin commercial package delivery in Blacksburg, Virginia.

Women surveyors from across the country are invited to attend the first-ever Women Surveyors Summit. It will be held by the Texas Society of Professional Surveyors, August 23-24, 2019 in Austin.

The Federal Land Rights Series — Exploring boundary and title issues in the federal context, there is a quarterly series on the wide variety of issues associated with boundary and easement disputes which arise in the federal context, emphasizing the importance of understanding the historical origin of federal land rights, from the perspective of a professional land surveyor.

Technician Resource Initiative—Practical Online Development (TRIPOD) - Idaho State University's Surveying and Geomatics Engineering Technology program announced a new online surveying program for people currently working as survey technicians. TRIPOD offers an opportunity for current survey technicians and other survey personnel to earn college credits and gain additional certifications while working in their current positions. Eight courses from ISU's ABET-accredited Surveying and Geomatics Engineering Technology program have been grouped together to prepare students to pass NSPS Certified Survey Technician Examinations, Levels 1, 2 or 3. This grouping of 8 courses is called the TRIPOD program.

On July 25, 2019, NSRS Modernization Manager, Dr. Dru Smith, will present a two-hour webinar entitled, Blueprint for 2022, Part III: Working in the Modernized NSRS.

Subsidence is occurring in several areas in the United States due to excessive groundwater pumping, man-made landfills, lingering effects of the Ice Age, or a combination of these factors. A 2016 NASA study found that certain parts of New Orleans are sinking at a rate of 2 inches per year, putting them on track to be underwater by 2100. Data from the US Geological Survey shows that parts of Houston have sunk around 10 to 12 feet since the 1920’s. Today, the city's northwestern areas are sinking by as much as 2 inches per year. California's Central Valley has one of the worst subsidence crises in the Country.

NCEES announced the recipients of the 2019 NCEES Surveying Education Award. This annual award recognizes surveying programs that best reflect the organization's mission to advance licensure for surveyors to safeguard the health, safety, and welfare of the public.

NCEES awarded the New Mexico State University Geomatics/Surveying Engineering program the $25,000 grand prize. Six additional prizes were awarded to qualifying programs to assist with each program’s continued efforts to promote the importance and value of surveying licensure. NCEES Surveying Education Award juror, Henry Dingle, P.S., stated, “The jury was very impressed with the constant advancement of the geomatics/surveying engineering program over the last four years. It could be a model for other programs across the Country.”
Mr. Hyde reminded everyone that the next Board meeting is scheduled for October 28-30, 2019 in St. Augustine, Florida. He asked the Board members and staff to think about possible meeting locations for 2020 and to check their schedules.

ADJOURNMENT - The meeting was adjourned at 8:57 a.m.