

MINUTES

BOARD FOR PROFESSIONAL LAND SURVEYORS

DATE: January 6, 2016
TIME: 10:00 A.M.

PLACE: 500 N. Calvert Street
Room 308
Baltimore, Maryland 21202

PRESENT: John V. Mettee, III, Chairman
Donald Ocker
John Jensen
Daniel Lavelle
Thomas Orisich
Brian Dunne

OTHERS

PRESENT: James Baseman, Assistant Executive Director
Milena Trust, Assistant Attorney General
Susan Cherry, Assistant Attorney General
Pat Simon, MSS
Matthew Brien, visitor

CALL TO ORDER

John Mettee, Chairman, called the meeting to order at 10:18 a.m.

MINUTES

A motion (I) was made by Don Ocker, seconded by Tom Orisich and unanimously carried to approve the minutes of the December 2, 2015 meeting with changes.

COMPLAINT COMMITTEE REPORT

Mr. Ocker provided the status of two complaints as follows:

16-LS-01 Case closed, license cannot be issued until CPC's are complete.
16-LS-03 Case closed, there is no basis for the complaint.

Motion (II) was made by John Jensen, seconded by Brian Dunne and unanimously carried to accept the complaint committee's report.

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NEW BUSINESS

The NCEES Zone Meeting will be held April 21-23 in Burlington, Vermont. The primary purpose of the meeting is for representatives from the licensing boards to hear reports from the CEO and board of directors as well as committee and task force reports. The NCEES will fund two delegates from the Board. A motion (III) was made by Don Ocker to send John Mettee and Tom Orisich, as the funded delegates, and Milena Trust to the zone meeting. The motion was seconded by Dan Lavelle and unanimously carried by the Board.

Informational documents were passed out to the Board regarding a national campaign that seems to be taking aim at licensing laws. Milena Trust acknowledged that deregulation is a national issue but surveying has not been targeted. Ms. Trust advised that there is nothing for the Board to do except stay aware of regulatory reforms.

OLD BUSINESS

Matthew Brien appeared before the Board as required by his agreement. There were no questions or concerns. The Board thanked him for his appearance.

John Mettee discussed the Overlapping Practice Guide and the Governor's Commission on Regulatory Reform. The Overlapping Practice Committee was discussed in relation to comments that were directed toward the Committee during the Commission's 2015 meeting. The Board agreed that changes to the guide are not necessary. It was observed that there has been a decline in requests to the Committee for advisory opinions. The process was reviewed and it was agreed to leave the procedure as is for now. Milena Trust stated that she spoke to the Secretary and it was agreed that no action was required at this time.

Tom Orisich stated that he will be attending the Professional Surveying Exam Committee meeting in Clemson, South Carolina at the end of the month. John Mettee will be attending the NCEES Technical Committee meeting at the end of the month. Milena Trust stated that she will be attending the NCEES Uniform Procedures and Legislative Guidelines(UPLG) committee meeting.

CORRESPONDENCE

The Board reviewed an email sent from Louis Terrell, questioning whether continuing education classes being offered by the New York State Association of Professional Land Surveyors were appropriate for credit. The Board requested that Mr. Terrell be informed that national, regional, or state accredited academic

institutions are automatically authorized providers without any further action by the Committee.

EXECUTIVE DIRECTOR'S REPORT

James Baseman reported that the Board's web pages are currently being revised and updated. Mr. Baseman advised the Board that the website refers to a Land Surveyor In-Training (LSIT) certificate; however, there is no statutory or regulatory authority to issue an LSIT certificate. The Board decided that certificates should still be offered for passing the Fundamentals of Surveying Exam but that the term "Land Surveyor In-Training" should be removed from the certificate. The Board agreed that a certificate will only be issued upon request and there will be no fee associated with it. It was confirmed that the website will be updated to notify applicants of the need to request a certificate. All references of the term "Land Surveyor In-Training" or LSIT will be removed from the website. A motion (IV) was made by Don Ocker, seconded by Tom Orisich, and unanimously carried by the Board to approve these updates to the website and certificate.

Mr. Baseman notified the Board that Steve Long has been appointed as the new Executive Director. Mr. Long will start on January 11, 2016. Mr. Long is familiar with the agency and has worked in the Department of Labor, Licensing and Regulation as the Assistant Executive Director of the Real Estate Commission.

Mr. Baseman advised the Board that the Professional Engineering Board has agreed that the elevation certificates, discussed in the last surveyor meeting, should not be signed by engineers. Although this form is only used in Baltimore City, it was decided that Milena Trust should draft a joint letter from the engineering and surveying boards to be sent to Baltimore City clarifying this position. Ms. Trust will set up a meeting with representatives from Baltimore City to discuss the issue. John Mettee offered to attend the meeting with Milena Trust. A motion (V) was made by Tom Orisich that Ms. Trust will draft the letter and Ms. Trust and John Mettee will speak with city officials to discuss the issue. The motion was seconded by John Jensen and unanimously carried by the Board.

BOARD COUNSEL'S REPORT

Milena Trust reported that she has met with the Secretary and the Commissioner and has their approval to move forward with the efforts to streamline CPC regulations. Ms. Trust believes that the CPC Committee can be reinstated at this point. The Board maintained that before the CPC Committee reconvenes the Joint Chairs Committee should meet and report to the Board. John Mettee requested that a CPC Committee meeting be scheduled after the February board meeting.

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Ms. Trust mentioned that she has not seen the final draft of the Education Bill and asked Pat Simon of MSS to forward the final draft to the Board, Mr. Simon agreed.

Ms. Trust advised the Board members that during the Maryland General Assembly they will not be allowed to testify on bills or offer testimony to the General Assembly unless they have been specifically authorized by the Legislative Office. This policy is in effect due to Board members being considered DLLR employees for purposes of the Ethics law.

Milena Trust reviewed the Board's previous decision on Seal Authority Digital Signatures. It was reiterated that the Board is not endorsing this product and that it is the decision of licensees to use this service.

Ms. Trust reminded the Board that the reappointment or replacement of Board members required submission of names to the Governor before January 15, 2016. It was determined that no one on the surveyor board is up for reappointment this year. Ms. Trust said that there are four options presented to Board members: 1) reappointment, 2) remain on the Board until replaced, 3) resign on June 30th or 4) recommendation not to be reappointed.

The Board was notified that Board Council has decided that DLLR will no longer release licensee email addresses due to the fact that the database cannot differentiate between personal and business email addresses. It was reported that all applications will be revised to differentiate between the email addresses and to give applicants a right to remove themselves from the contact list.

MSS REPORT

Pat Simon reported that there will be a MSS general membership and Board of Directors meeting on January 12, 2016, a workshop on January 16 at AACC, and the spring conference will be held from April 7-8 at the Maritime Institute.

Mr. Simon is not sure when the Education Bill will be officially submitted, but he will contact Mr. Tim Quinn to find out. There is now a sponsor for the bill, Mr. Michael Wong of PG County. Mr. Simon also stated that the CST exam will be offered at the spring session at the Maritime Institute. A prep class will be offered 3 or 4 weeks in advance.

REVIEW OF APPLICATIONS

Two applications for the PS exam were denied because the applicants lacked the required amount of education.

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Applications for Fundamentals of Surveying Exam

1. William Furman - approved

Applications for Firm Permits:

1. G-A-I Consultants – Approved
2. Hatch Mott MacDonald, LLC. – Approved
3. LW Survey Company – Approved
4. Packard & Associates – Approved

Following a review of the above applications by a minimum of two board members, a motion (VI) was made and was unanimously carried by the Board.

OTHER BUSINESS

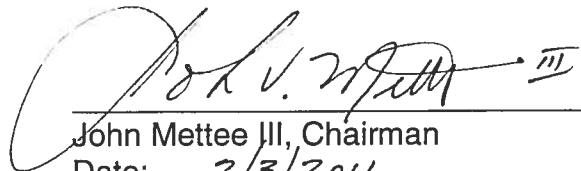
The Board noted that the next scheduled Board meeting is February 3, 2016.

ADJOURNMENT

There being no further business, a motion (VII) was made by Don Ocker, seconded by John Jensen and unanimously carried to adjourn the meeting at 11:32 a.m.

Without Corrections

With Corrections



John Mettee III, Chairman
Date: 2/3/2016