

**MINUTES
BOARD FOR PROFESSIONAL LAND SURVEYORS**

DATE: March 2, 2016
TIME: 10:00 a.m.

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

PRESENT: Donald Ocker
John Jensen
Thomas Orisich
Brian Dunne

OTHERS

PRESENT: Steve Long, Executive Director
James Baseman, Assistant Executive Director
Milena Trust, Assistant Attorney General
Janet Morgan, Web Content
Pat Simon, MSS

ABSENT: John V. Mettee, III, Chairman
Daniel Lavelle

CALL TO ORDER

Don Ocker, Vice-Chairman, called the meeting to order at 10:09 a.m.

MINUTES

A motion (I) was made by Tom Orisich, seconded by Brian Dunn and unanimously carried to approve the minutes of the February 3, 2016 meeting as submitted.

COMPLAINT COMMITTEE REPORT

John Jensen provided the status of two complaints as follows:

- 16-LS-03 New information submitted by complainant was reviewed. The complaint was not reopened due to a lack of information.
- 16-LS-04 The CC reviewed a new complaint against two surveyors. The first surveyor will be sent a letter regarding minor violations of the minimum

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standards of practice. A letter will be sent to the second surveyor requesting more information.

Motion (II) was made by Brian Dunne, seconded by Tom Orisich and unanimously carried to accept the Complaint Committee's report.

NEW BUSINESS

There was no new business to report.

OLD BUSINESS

Milena Trust confirmed that the CPC Concept Sheet has been approved. She asked that the CPC Task Force be notified of the April 6, 2016 meeting at 1:30 p.m. Ms. Trust and John Jensen will send all of the notes that they have regarding the previous task force meetings to Steve Long to disseminate to the members prior to the next meeting. Ms. Trust asserted that the Board is required to advertise the meeting due to the fact that more than two board members will be in attendance. A meeting notice will be placed on the website as required.

Tom Orisich will be attending the TUGIS MSPS Geospatial Conference on March 15, 2016. Ms. Trust shared that she has obtained approval from the Ethics Committee for him to attend this meeting. Mr. Orisich requested that he be provided with a copy of Title 15, the Professional Land Surveyor statute, as well as a copy of "The Board Report Licensure Bulletin" found in the *Kentucky Engineer Quarterly Magazine*, written by David Cox, the Executive Director of the Kentucky State Board of Licensure for Professional Engineers and Land Surveyors. This article outlines Kentucky's view on GIS, GPS and mapping technologies. Mr. Orisich said that he will be discussing reconvening the Aerial Mapping Committee to explore expanding the definition of authoritative mapping.

Mr. Orisich reported that the conference will cover issues pertaining to defining the scope of practice, authoritative mapping, and photogrammetry. He stated the public should be aware that GIS, GPS and mapping technologies are simply tools and should not be considered the authoritative source for this information.

Ms. Trust asked that any written material presented in the conference be provided to the Board for informational purposes. She also stated that she checked with the State Ethics Commission and advised that Mr. Orisich could attend the conference without any conflicts.

Tom Orisich mentioned that he had been in contact with the Baltimore City Office of Sustainability, regarding the certification of FEMA elevation surveys. The office clarified their usage of the elevation surveys and it was learned that the forms can be

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used for their intended purpose; however, it was still unclear if engineers could legally sign the form.

The Board reviewed the form and determined that if Section C is left blank, then it is acceptable for an engineer to sign the document. It was agreed that since any aspect involving elevation measurements falls exclusively under the authority of land surveyors, Section C can only be signed by a land surveyor. Milena Trust made mention of an article written by John Mettee, which sheds light on the scope of authority of land surveyors and stated that she would contact Baltimore City Office of Sustainability and also mail this information to them for clarification purposes.

CORRESPONDENCE

There was no correspondence to review.

EXECUTIVE DIRECTOR'S REPORT

Steve Long recapped a discussion at the last board meeting regarding the issue of administering Maryland state-specific examinations through a testing agency. Mr. Long met with Pearson VUE and it was determined that due to the low number of examinees per year, computerizing the tests would not be cost effective at this time. Tom Orisich asked if we could combine the data from all the tests given and compile a test bank of questions. Mr. Long stated that having information in a database would not necessarily validate the test or make it defensible. Mr. Orisich speculated that the test could be given in a different way, with distinct modules being required for applicants with different needs, so that the tests could be given separately, based on the state and area of expertise. Brian Dunn questioned if the State could request services from a testing vendor as a single entity, under one purchase order number, to eliminate the need for a large number of examinees for a particular test, and to spread the cost of testing throughout the agency. Mr. Long explained that the procurement system is not set-up in this manner, and that this was not possible.

Mr. Long confirmed that he has eliminated a step in the process of obtaining a license from the professional licensing boards. Starting today engineers approved for licensing will receive a link via email that will allow them to print their license. If an applicant does not have an email address the license will continue to be mailed. The Board agreed that this was a great improvement and gave approval to implement this capability for surveyors.

Steve Long addressed the issue of licensees paying online for services and not being able to receive an email confirmation of their payment unless they called the staff to request one. Starting the week of March 7th, individuals will be sent an automatic email confirmation of payment.

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Mr. Long stated that Milena Trust was not approved to attend the NCEES 2016 Northeast Zone Meeting due to the large number of Board representatives already attending.

Ms. Trust asked Mr. Long to look into the replacement for board member Brian Dunn. Mr. Dunn is unable to continue service, although he will support the board until his replacement is found. Mr. Long will look into finding a replacement.

BOARD COUNSEL'S REPORT

Ms. Trust reported that House Bill 1457 (the "education bill") is up for a hearing on March 15, 2016. She confirmed that the bill, as read, is what was submitted, and that the Board is in favor of this bill. John Mettee and Ms. Trust will attend the hearing and the Board was invited to attend.

Ms. Trust stated that there is movement to shield applicants or licensee with certain criminal convictions from denial or revocation based on the conviction. In particular, an upcoming bill, if passed, would shield non-violent felonies. She noted that the bill may ultimately come before the complaint committee if passed. Ms. Trust stated that she believes that this bill is harmful to the professional boards.

MSS REPORT

Pat Simon commented that House Bill 1457 has some minor indexing issues. Ms. Trust said the issues will be corrected and that the wording of the bill is correct. Mr. Simon mentioned that March 20 - 26, 2016 is National Surveyors Week. In recognition of that, MSS is asking members to participate in a nationwide Opus Session on Wednesday, March 23rd, from 1 - 5 p.m.

Mr. Simon reminded the board of several upcoming events - the Spring Conference on April 7 – 8, 2016 and the dedication ceremony for the replacement of the Mason – Dixon Crown Stone #40 on May 21, 2016. The Fall Conference is being held at Solomon's Island this year and Mr. Ocker said that he would send Mr. Simon information about activities for individuals not in attendance.

The National Society of Professional Surveyors (NSPS) has been having discussions regarding the deregulation of surveyors. The organization has been active in monitoring this issue. The MSS Board has instructed their representatives to create a mission statement to submit to NSPS concerning this issue. In regards to deregulation, Ms. Trust added that in West Virginia there is currently legislation being pushed to essentially combine the surveyor and engineer board; she said that this matter needs to be researched.

APPLICATIONS FOR REVIEW

The following applications were approved for the LS exam:

- Jerod S. Foor
- Ray J. Footland Jr.

The following applications were approved for Reciprocity:

- Grant Anderson

The following applications were approved for Firm Permits:

- HAKS Engineers, Inc.

Three applications for examination were denied because the applicants need education in minor engineering/subdivision planning.

One application for reciprocity was denied because applicant needs education in minor engineering.

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

OTHER BUSINESS


The Board noted that the next Board meeting is scheduled for April 6, 2016 at 10 a.m.

ADJOURNMENT

There being no further business, a motion (IV) was made by Don Ocker, seconded by John Jensen and unanimously carried to adjourn the meeting at 11:55 a.m.

Without Corrections

With Corrections



Donald Ocker, Vice-Chairman

Date: 4/6/2016