

MINUTES

BOARD FOR PROFESSIONAL LAND SURVEYORS

DATE: March 4, 2015
TIME: 10:00 A.M.
PLACE: 500 N. Calvert Street
Room 308
Baltimore, Maryland 21202
PRESENT: John Mettee, Chairman
John Jensen
Donald Ocker
Daniel Lavelle
Thomas Orisich
Brian Dunne

OTHERS

PRESENT: Pamela J. Edwards, Executive Director
James Baseman, Assistant Executive Director
Milena Trust, Assistant Attorney General

CALL TO ORDER

John Mettee, Chairman called the meeting to order at 10:00 a.m.

MINUTES

A motion (I) was made by Donald Ocker, seconded by John Jensen, and unanimously carried to approve the minutes of the February 4, 2015 meeting without changes.

COMPLAINT COMMITTEE REPORT

Donald Ocker reported that the Complaint Committee did not meet today as there were no new complaints or a change in status of the existing open complaint. Mr. Ocker noted that a recording of the civil trial for 15-LS-04 had been ordered as requested by the Assistant Attorney General.

15-LS-04 In pre-charge review.

A motion (II) was made by Danielle Lavelle, seconded by John Jensen, and unanimously carried to accept the complaint committee's report.

EXECUTIVE SESSION

A motion (III) was made by Mr. Ocker, seconded by Thomas Orisich, and unanimously carried to go into Executive Session at 10:20 a.m. at 500 North Calvert Street, 3rd Floor Conference Room, Baltimore, Maryland 21202. This session is permitted to be closed pursuant to State Government Article, Title 10-508(a)(7). Upon completion of the session, the Board reconvened its public meeting at 10:35 a.m.

CORRESPONDENCE

The Board reviewed Milena Trust's email response to Brian Dietz whose inquiry was reviewed by the Board at last month's meeting. Milena Trust responded to the email on February 20, 2015.

The Board reviewed a memo from Secretary Schulz regarding testimony before the General Assembly. The memo reminds the members of the responsibility of their position on the Board, and prohibits testimony on legislation unless specifically authorized by the Department

John Mettee sent an email thanking those who participated in the Maryland Law & Ethics Content Workshop held on February 13th.

The Board reviewed a memo from Mr. Jerry Carter, CEO of NCEES, regarding the transition from the paper and pencil Professional Surveyors exam to a computer based testing format. The first available appointments for the exam in the CBT format will be October 1, 2016.

The Board also reviewed a letter regarding digital signatures that was sent to all county permit offices from the Executive Director.

NEW BUSINESS

While reviewing an ALTA survey Tom Orisich noted the printed instructions to "delete" text. A discussion followed and it was determined that title company attorneys require the surveyor to use the exact language that is used in the title report. The Board determined that no further action was required.

Mr. Orisich also noted that there was an article about surveying in the recent NCEES Exchange newsletter.

EXECUTIVE DIRECTOR'S REPORT

Pamela Edwards reported that she is continuing with the paperwork for a permanent employee to fill the Board Secretary position. Also, preparations are underway for the upcoming exam in April. She is working on authorization for out of state travel to the NSPS meeting for Mr. Orisich and Mr. Mettee. Ms. Edwards also reported that work on the newsletter is continuing.

BOARD COUNSEL'S REPORT

Milena Trust discussed the recent Supreme Court of the United States decision regarding the NC Dental Board v. FTC. The Attorney General's Office believes that our Boards are sufficiently supervised by the State to ensure antitrust immunity but it is reviewing the decision.

Ms. Trust also stated that due to this decision, the language in the Board's Cease and Desist letters should be revised. A Cease and Desist order is not within the Board's scope of authority; the Board can only make the suggestion.

LEGISLATIVE REPORT

John Mettee reported that he attended but did not testify at the hearing before a House Committee on February 27, 2015 regarding HB 720. He stated that the bill had no opposition in the House.

MARYLAND SOCIETY OF SURVEYORS

A representative of the MSS did not attend the meeting. There was no MSS report.

REVIEW OF APPLICATIONS

The following applications were approved for the Fundamentals of Surveying Examination:

Nathan Travis

Anastassiya Suprunova

The following application for firm permit was approved:

Design Teams, Inc.

3728

One application for reciprocity was denied because the applicant lacked the required amount of minor engineering experience.

Following a review of the above applications by a minimum of two board members, a motion (IV) was made by John Jensen, seconded by Tom Orisich, unanimously carried to approve/deny the applications.

ADJOURNMENT

There being no further business, motion (V) was made by Donald Ocker, seconded by Brian Dunne, and unanimously carried to adjourn the meeting at 11:20 a.m.

With Corrections

Without Corrections



John V. Mettee III, Chairman
Date: 4/1/2015