

OPEN MINUTES
Professional Land Surveying Division of the
Missouri Board for Architects, Professional Engineers,
Professional Land Surveyors and Landscape Architects

Monday, November 7, 2011
Kansas B Meeting Room
University Plaza Hotel and Convention Center
333 John Q. Hammons Parkway
Springfield, Missouri

The Professional Land Surveying Division of the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects was called to order at 8:00 a.m. on Monday, November 7, 2011 in the Kansas B Meeting Room of the University Plaza Hotel and Conference Center, 333 John Q. Hammons Parkway, Springfield, Missouri. A quorum being present, Mr. Mike Freeman declared the meeting open for business.

Members Present

Michael C. Freeman, Chair of the Division
John Michael Flowers, Member of the Division
Dan Govero, Member of the Division

Others Present

Laurie Koelling, Board Staff
Karen Payne, Board Staff

To better track the order in which items were taken up on the agenda, each item in the minutes will be listed in the order it was discussed in the meeting.

Approval of Minutes

On motion by Dan Govero, the minutes of the previous August 8, 2011 open meeting were approved. Mike Flowers seconded the motion. Voting in favor of the motion were Mike Flowers and Dan Govero.

Status Report Regarding Actions Taken at the August 2011 Annual NCEES Meeting which was Held in Providence, Rhode Island

Next, Division Chair, Mike Freeman, provided a report on the August 24-27, 2011 Annual NCEES meeting that he, PE Member, Abe Adewale, and Executive Director, Judy Kempker, all attended in Providence, Rhode Island. A summary from his report follows:

During the course of the meeting NCEES sponsored a number of continuing education opportunities for attendees. There were also workshops on the 2011 Minimum Standard Detail Requirements for the ALTA/ACSM Land Title Surveys and Orientation to Digital Signatures. In the Surveyor's Forum portion of the meeting we discussed a number of topics including (1) the use of Affidavits for mortgage lenders in lieu of boundary surveys; (2) unlicensed practice by individuals and/or organizations offering to locate boundary markers using handheld type devices; (3) unlicensed practice by zoning officials determining setbacks and soil scientists locating boundary for septic systems; (4) declining number of applicants taking the exam and whether or not the cause is the economy or additional educational requirements being imposed by a number of states; (5) Rhode Island wants to remove reference to Engineering surveys from Model Law; (6) Delaware is trying to change their laws to require a boundary survey for property conveyance; (7) who can/should be writing property descriptions? Should this be a part of the definition of surveying? And lastly; (8) is GIS collection surveying without a license?

The Computer Based Testing (CBT) is scheduled to go on-line January 2014 with the FE and FS modules. At the present time the vendor will be testing at their own sites in Kansas City (2); St. Louis (2); Columbia, and Springfield. They are negotiating additional sites at Joplin, Jefferson City, Cape Girardeau and Kirksville. The testing window will be two (2) months of each quarter. All re-tests must wait until the next quarter. Last paper exam will be October 2013...cost for the new exam will be \$250.00 plus the exam administration fee of \$100.00. As a part of the CBT there is going to be a conversion in 2013 to closed book exams. Reference materials will be provided electronically and will be available on-line. They are presently looking at developing a "Sample Test" for the NCEES website. In preparation for the conversion, a number of states have to change their Statutes and Rules.

NCEES is presently going through a new PAKS (Professional Activity & Knowledge Study) and every PLS is invited to participate...for more detail visit the NCEES website.

Status Report Regarding Actions Taken at the August 2011 Annual NCEES Meeting which was Held in Providence, Rhode Island Continued:

There was discussion about the CST program and the "TWIST" program (Teaching with Spatial Technology) that provides scholarships to send K-8 grade teachers for specialized training to teach how to use GIS/GPS to create meaningful and challenging lesson plans for students. In conclusion, there was

some discussion on the reorganization of NSPS and we discussed Light-Squared and the efforts to protect the GPS spectrum. This information was provided as informational only and no further action was taken.

Update from Dan Govero Regarding Possible Revisions to Section 327.312 Land Surveyor-in-Training Applicant for Examination and Enrollment, Qualifications-Certificate Issued When; and, Board Rule 20 CSR 2030-14.040 Definition of Twelve Semester Hours of Approved Surveying Course Work as Used in Section 327.312.1(3)

Next, Board Member, Dan Govero, reported that the Board's recommendation regarding the possible revisions to Section 327.312 had been sent to the Standards Committee of the Missouri Society of Professional Surveyors (MSPS) for review and consideration.

Please note that Executive Director, Judy Kempker, joined the meeting at 9:20 a.m. Also, please note that Legal Counsel, Curt Thompson, joined the meeting at 9:20 a.m.

Discuss Letter of Response Dated October 18, 2011 Received from Christopher M. Wickern, LS-2000161240, Regarding Standards for the Recording of Certain Boundary Surveys

The Land Surveying Division members then discussed the most recent letter of response received from Mr. Christopher M. Wickern, PLS-2000161240 dated October 18, 2011 regarding the standards for recording certain boundary surveys with Legal Counsel, Curt Thompson. Upon discussion, Dan Govero made a motion directing Mr. Thompson to send a letter of response to Mr. Wickern stating that what he is suggesting concerning the recording of certain boundary surveys would require a statutory change through the General Assembly and advise him that the deadline for pre-filing bills is December 1st and it is the Board's recommendation that he contact his State Senator and/or Representative with his proposed changes as soon as possible. Mike Flowers seconded the motion and it unanimously carried. Voting in favor of the motion were Mike Flowers and Dan Govero.

Please note that Executive Director, Judy Kempker, departed the meeting at 9:40 a.m.

Please note that Legal Counsel, Kurt Thompson, departed the meeting at 9:40 a.m.

Review and Discuss a PDU Preapproval Request from Dyersburg State Community College for their Seminars Entitled “Standards of Practice” and “The Land Surveyor’s Code of Conduct” to be held on November 29, 2011 in Dyersburg, TN, for 4 PDUs

In conclusion, the Division Members reviewed the PDU preapproval request received from the Dyersburg State Community College for their seminars entitled “Standards of Practice” and “The Land Surveyor’s Code of Conduct” to be held on November 29, 2011 in Dyersburg, TN, for a total of 4 PDUs. Upon review, Mike Flowers made a motion approve the PDU preapproval request for 4 PDUs. Dan Govero seconded the motion. Voting in favor of the motion were Mike Flowers and Dan Govero.

Motion to Close

At 9:15 a.m., Chairman Freeman called for a motion to close the meeting to the general public for the purpose of discussing confidential or privileged communications between this agency and its attorney as well as to discuss pending litigation and complaint matters. Dan Govero made a motion that the meeting be closed to the general public pursuant to Chapter 610.021 subsection (14) and 324.001.8 and 324.001.9, RSMo for the purpose of discussing investigative reports, complaints, audits and/or other information pertaining to licensees or applicants; Chapter 610.021 subsection (1) RSMo for the purpose of discussing general legal action, causes of action or litigation and any confidential or privileged communication between this agency and its attorney, and for the purpose of reviewing and approving closed meeting minutes of one or more previous meetings under Chapter 610.021 RSMo which authorizes this agency to go into closed session during those meetings. The motion was seconded by Mike Flowers and unanimously carried. Voting in favor of the motion were Mike Flowers and Dan Govero.

Reconvene in Open Session

At 3:00 p.m., the Professional Land Surveying Division reconvened in open session for the purpose of adjourning.

Adjournment

There being no further discussion, a motion was made by Dan Govero and seconded by Mike Flowers to adjourn. The motion carried unanimously. The meeting adjourned at 3:00 p.m. on November 7, 2011.

ATTEST:

Executive Director

Approved by Board on: _____