

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

Monday, January 30, 2012  
St. Louis Room, Second Floor  
Capitol Plaza Hotel and Convention Center  
415 West McCarty  
Jefferson City, 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, January 30, 2012 in the St. Louis Room, Second Floor, of the Capitol Plaza Hotel and Convention Center, 415 West McCarty, Jefferson City, 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**

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 November 7, 2011 open meeting and the December 13, 2011 open conference call were approved. Mike Flowers seconded the motion. Voting in favor of the motion were Mike Flowers and Dan Govero.

**Election of Division Chair, Exam Chair, PDU Audit Chair, and PDU Preapproval Chair**

Mike Flowers made a motion to re-elect Mike Freeman as Division Chair for the Land Surveying Division. Dan Govero seconded the motion. A roll call vote was taken and unanimously carried.

Mike Flowers made a motion to re-elect Dan Govero as Exam Chair for the Land Surveying Division. Mike Freeman seconded the motion. A roll call vote was taken and unanimously carried.

Dan Govero made a motion to re-elect Mike Flowers as Audit Chair for the Land Surveying Division. Mike Freeman seconded the motion. A roll call vote was taken and unanimously carried.

Dan Govero made a motion to have the position of PDU Preapproval Chair be assigned on a one year rotating basis with Mike Freeman serving the first year; Dan Govero serving the second year, and Mike Flowers serving the third year. Mike Flowers seconded the motion. A roll call vote was taken and unanimously carried.

**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 members of MSPS voted at their last meeting to proceed with the proposed revisions to Section 327.312 through the legislative process which would require a minimum of 30 semester hours of surveying coursework with 5 of those hours being in Legal Aspects of Boundary Survey.

Mike Flowers made a motion directing Executive Director, Judy Kempker, to write a letter to MSPS addressed to the President thanking them for their support and state that the Board is looking forward to the new surveying requirements. Dan Govero seconded the motion and it unanimously carried. Voting in favor of the motion were Mike Flowers and Dan Govero.

**Discuss Letter of Response Dated November 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 November 18, 2011 regarding the standards for recording certain boundary surveys in which he asked "Are there requirements in state statutes to record boundary surveys beyond those found in Section 60.650?"

Upon discussion, it was the consensus of the Land Surveying Division members that the answer is "No" outside of what is provided in Section 60.650. Mike Freeman volunteered to draft a letter of response to Mr. Wickern that he would present to the Full Board meeting on January 31, 2012 for the Board's approval.

**Motion to Close**

At 8:45 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. Mike Flowers 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 Dan Govero and unanimously carried. Voting in favor of the motion were Mike Flowers and Dan Govero.

**Returned to Open Session**

At 1:00 p.m., the Professional Land Surveying Division reconvened in open session for the purpose of meeting with Dr. Richard Elgin.

**Personal Appearance**

At 1:00 p.m., the Members of the Professional Land Surveying Division met with Dr. Richard Elgin, PE-18619 and PLS-1682, at his request, for the purpose of

discussing whether or not to make the Missouri State Specific Exam a two-part examination with one part covering Re-Surveys, GLO, and Calculations and part two covering all other aspects of the examination. Upon discussion, Mike Flowers made a motion to recommend to the Full Board on January 31, 2012 to change the Missouri State Specific examination to a two part examination beginning with the April 12, 2013 exam. Dan Govero seconded the motion and it unanimously carried. Voting in favor of the motion were Mike Flowers and Dan Govero.

Dr. Elgin stated that he would name the two sections of the examination and that he would be in contact with the Kansas Board since they will be implementing their 2 part examination in October 2012 to determine if the proctoring of the Kansas State exam with NCEES was successful.

Dr. Elgin also recommended to the Land Surveying Division members that the Board offer a group review of the Missouri State Specific examination beginning with the April 2012 examination which he would conduct at Professional Registration in Jefferson City, MO, in either July or August, 2012. Dr. Elgin stated that he will recommend a tentative date for the review when he returns the scored exams and pass/fail line recommendation to the Board for the April 2012 examination so Board staff can come up with a flyer to send out with the fail notices that the candidates can use for R.S.V.P. purposes and schedule a conference room at Professional Registration.

### **Go Back Into Closed Session**

At 1:30 p.m., Mr. Freeman called for a motion to go back into closed session for the purpose of discussing confidential Missouri State Specific examination candidate results with Dr. Elgin and to continue discussion on confidential or privileged communications between this agency and its attorney as well as to discuss pending litigation and complaint matters. Mike Flowers made a motion that the Professional Land Surveying Division go back into closed session, closing the meeting to the general public pursuant to Chapters 610.021 subsection (14), 610.021 subsection (1) and 324.001.8 and 324.001.9, RSMo. Dan Govero seconded the motion. A roll call vote was taken and unanimously carried. Mr. Freeman asked that all visitors leave the room, with the exception of Dr. Elgin. There being none, Mr. Freeman declared the meeting closed to the general public.

### **Return to Open Session**

At 3:15 p.m., the Members of the Professional Land Surveying Division reconvened in open session for the purpose of adjourning the meeting.

**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 3:15 p.m. on January 30, 2012.

ATTEST:

\_\_\_\_\_  
Executive Director

Approved by Board on: \_\_\_\_\_