

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

Monday, November 12, 2012
Fiji Meeting Room
Ramada Oasis Convention Center
2546 North Glenstone Avenue
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 12, 2012 in the Fiji Meeting Room, of the Ramada Oasis Convention Center, 2546 North Glenstone Avenue, 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

Chris Wickern, PLS-2000161240 and Member of the MSPS Standards Committee
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 August 2012 Professional Land Surveying Division open meeting were approved. Mike Flowers seconded the motion. Voting in favor of the motion were Mike Flowers and Dan Govero.

Report from NCEES Annual Meeting

Division Chair, Mike Freeman and Division Member Mike Flowers provided a report on the August 22-25, 2012 Annual NCEES meeting that they attended along with PE Members, Abe Adewale, Melissa Edwards, and Kevin Skibiski, as well as Executive Director, Judy Kempker and Board Staff, Sandy Robinson, in St. Louis, Missouri. Mike Flowers reported that NCEES is on track for the computer based testing for FE and FS exam candidates to begin April 11, 2014. In addition, Mike Freeman stated that NCEES is moving toward the Principle and Practice of Surveying exam becoming computer based testing as soon as possible thereafter. This was given for information purposes only and no further action was taken.

Update from Committee Member Mike Flowers and Discussion Regarding Proposed Changes to Chapter 327 Specifically Regarding Incidental Practice and Sections 327.091, 327.101, 327.181, 327.191, 327.600 and 327.603, RSMo

Next, the Division members discussed the proposed changes to Chapter 327. Upon discussion, Mike Flowers made a motion to recommend to the full Board to delete Section 327.391 in its' entirety. This is the 20 years of experience law with no education. The Land Surveying Division reported that for at least the last four years, no one had ever passed the Land Surveying exam based on solely the 20 years of experience requirement and that Missouri is only one of five remaining states that have a zero education requirement for licensure as a Professional Land Surveyor. Dan Govero seconded the motion and it unanimously carried. Voting in favor of the motion were Mike Flowers and Dan Govero. In addition, Dan Govero reported that in reviewing the latest proposed changes to Section 327.312 being considered by MSPS it was noted that they were proposing 30 semester hours of surveying coursework under Section 327.312(3) with 6 of those hours being in Legal Aspects. Dan Govero made a motion to edit the MSPS proposal to read "30 hours of approved curriculum" for all three sections; Section 327.312(1), Section 327.312(2) and Section 327.312(3). Once Dan has made the revisions he will forward the revised version to Executive Director, Judy Kempker, to forward to Sandy Boeckman at MSPS for consideration before their December Board meeting. Mike Flowers seconded the motion and it unanimously carried. Voting in favor of the motion were Dan Govero and Mike Flowers.

Please note that Executive Director, Judy Kempker, entered the meeting at 8:20 a.m.

Chris Wickern – Chapter 137

The Members of the Land Surveying Division along with Chris Wickern then discussed Chapter 137 of the law to determine whether it should be included in the new Minimum Standards and also how it relates to land surveyors enforcing the law. Upon discussion, it was determined and relayed to Mr. Wickern by the Division members that the Board has no provision under Chapter 137.185 to enforce the recording of partial tracts. The Land Surveying Division members further explained to Mr. Wickern that if the MSPS Standards Committee presents a proposal regarding Chapter 137 the Board would revisit the issue at that time.

Please note that Chris Wickern departed the meeting at 8:50 a.m.

Standards – Quote Laws or Not & What Defines Other Metal Devices Monuments (Sec. D)

In conclusion, Dan Govero made a motion to recommend to the full Board to delete or further define “metal devices” from Board Rule 20 CSR 2030.16.060(D) since a monument is not necessarily a “metal device”. Mike Flowers seconded the motion and it unanimously carried. Voting in favor of the motion were Mike Flowers and Dan Govero. Per the “Memorandum of Understanding” (MOU) with the Department of Natural Resources this proposed amendment must also be approved by DNR before proceeding with promulgation. So once approved at the Board level, the Land Surveying Division will hold a joint meeting with representatives from DNR.

Please note that Executive Director, Judy Kempker, departed the meeting at 9:20 a.m.

Motion to Close

At 9:45 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.

Return to Open Session

At 5:05 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 5:05 p.m. on November 12, 2012.

ATTEST:

Executive Director

Approved by Board on: _____