

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

Monday, November 4, 2013
Bora Bora 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 4, 2013 in the Bora Bora Meeting Room, of the Ramada Oasis Convention Center, 2546 North Glenstone Avenue, Springfield, Missouri. A quorum being present, Chairman Mike Freeman declared the meeting open for business.

Members Present

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

Others Present

Bob Shotts, Landscape Architect Member and Professional Land Surveyor
Curt Thompson, Legal Counsel
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 5 and 6, 2013 Professional Land Surveying Division open meetings were approved as submitted. Mike Flowers seconded the motion. Voting in favor of the motion were Dan Govero and Mike Flowers.

Report on NCEES Annual Meeting Held in San Antonio, Texas, and Specifically a Report on How Other States will be Administering the State Specific Examination in Light of the Upcoming Computer Based Testing

Next, Mike Freeman reported on the annual NCEES meeting in San Antonio, Texas, by stating that the number of licensed professional land surveyors has declined nationally which also causes the decline of number in surveyor crews. In addition, the Land Surveying Division members discussed the possibility of the Missouri State Specific examination becoming computer based. Upon discussion, the Members unanimously agreed that it is not practical for the state exam to be administered electronically therefore Mike Flowers made a motion for the Missouri State Specific examination to continue to be given as a paper and pencil examination twice a year despite the NCEES national exams becoming computer based examinations and directed Board staff to work out the details regarding the location and dates for the exams to be given. Dan Govero seconded the motion and it unanimously carried. Voting in favor of the motion were Mike Flowers and Dan Govero.

Please note that Board Staff, Laurie Koelling, joined the meeting at 8:30 a.m.

Please note that Executive Director, Judy Kempker, joined the meeting at 8:40 a.m.

Memorandum of Understanding (MOU) Between the Board and the Department of Agriculture (Formerly MOU Between the Board and the Department of Natural Resources)

Next, the Division members discussed and reviewed the Memorandum of Understanding (MOU) between the Board and the Department of Agriculture. Upon review, Mike Flowers made a motion directing Executive Director, Judy Kempker to revise the MOU with the changes that were agreed upon at the meeting and make a recommendation that the Land Surveying Division members seek authorization from the full Board at the November 5, 2013 meeting to allow the Land Surveying Division Chair sign the MOU once it is in final form. Dan Govero seconded the motion and it unanimously carried. Voting in favor of the motion were Dan Govero and Mike Flowers.

Should a Solicitation From the U.S. Army Corps of Engineers for Work to be Performed by a Brooke Act A & E Qualifications Based Selection?

Upon discussion by the Land Surveying Division members it was determined that they needed to seek legal advice from the Board's Legal Counsel, Curt Thompson; therefore this matter was addressed in closed session.

Discuss Possible Changes to Total Experience Requirement in Board Rule 20 CSR 2030-5.110 Standards for Admission to Examination- Professional Land Surveyors

The members of the Professional Land Surveying Division then reviewed possible changes to the total experience required in Board Rule 20 CSR 2030-5.110 – Standards for Admission to Examination – Professional Land Surveyors. Upon review, Mike Flowers made a motion directing Executive Director, Judy Kempker, to amend 20 CSR 2030-5.110(C)(2) to read “For professional field and office experience in land surveying to be deemed satisfactory, the applicant shall have obtained at least **24 months** [*one third (1/3)*] of the required experience as field experience and at least **16 months** [*one third 1/3*] of the required experience as office experience. Furthermore, all professional field and office experience in land surveying shall be completed under the immediate personal supervision of a licensed professional land surveyor as defined in 20 CSR 2030-13.020. The motion further directed Ms. Kempker to amend Board Rule CSR 2030-5.110(2)(D) to read “Design or construction surveying work experience in the field or office will receive no more than **8 months credit**” [*twenty five percent (25%) credit (the maximum credit given shall be no more than twenty-five percent (25%) of the total experience required.)*]

Update Regarding MSPS' Proposed Changes to Section 327.312 Which will Increase the Education Requirements for LSIT Applicants That Apply for Enrollment

Division Member, Dan Govero, reported that MSPS is pursuing, in a separate bill, to increase the educational requirements in Section 327.312 to 60 semester hours and ultimately require a full degree in land surveying. After some discussion, it was noted by the Division Members that there are a number of allies in the House of Representatives who could perhaps give the 327 Bill an added push if it included the proposed changes to Section 327.312.

Therefore, it was decided to make a recommendation to the full Board at its November 5, 2013 meeting that it support the proposed changes in Section 327.312 increasing the education requirements for land surveyors, and to include these changes in the 327 bill with all of the other proposed changes to the Chapter instead of keeping it a separate bill.

Discuss the Newly Drafted Proposed Changes to Board Rule 20 CSR 2030 – Chapter 16

Next, the Division Members discussed the newly drafted proposed changes to Board Rule 20 CSR 2030 – Chapter 16. Upon discussion, Mike Flowers made a motion directing Executive Director, Judy Kempker, to amend Board Rule 20 CSR 2030 – Chapter 16 with the additions, deletions, and/or corrections to the rule that was discussed in the meeting for joint promulgating of the rule with the Department of Agriculture as follows:

(3) Semi-permanent monuments shall be selected from the following:

(A) Iron pipe markers not less than three-fourths inch (3/4") outside one half inch (1/2") inside diameter at least eighteen inches (18") in length and having a plastic or metal cap; (The Board Members agreed with your language and added it in.)

(B) Steel or aluminum rod markers not less than one-half inch (1/2") in diameter and not less than eighteen inches (18") in length and having a plastic or aluminum cap;

(C) A cross-cut or drill hole in concrete, brick, stone paving, or bedrock at the precise position of the corner or on a prolongation of a boundary line; and (The Board Members did not agree with your language to add "In urban built-up areas," at the beginning of this sentence because they felt it could also apply to rural areas. Therefore, they did not change their language.)

(D) In asphalt paving, cotton picker spindles, railroad spikes (center punched or chiseled cross), semi-permanent 1/2" rebar, and magnetic spikes (minimum of 8" in length) that are solid and not easily removed or destroyed. (The Board did not believe the language in your version was adequate; especially with regard to "other metal devices," and therefore felt it necessary to keep their language as noted here with the addition of "(center punched or chiseled cross)" inserted after railroad spikes.)

Once Ms. Kempker has amended the changes to Board Rule 20 CSR 2030 – Chapter 16 she is to present it once again to Darrell Pratte with the Department of Agriculture for approval. Dan Govero seconded the motion and it unanimously carried. Voting in favor of the motion were Mike Flowers and Dan Govero.

Possible Changes to the Board Rules and/or Chapter 327 RSMo (for information and/or discussion)

The Land Surveying Division members had no further proposed changes to make to the Board Rules and/or Chapter 327 RSMo at this time.

Please note that Executive Director, Judy Kempker, departed the meeting at 10:30 a.m.

Please note that Board Investigator, Kevin Oligschlaeger, joined the meeting at 10:35 a.m.

Motion to Close

At 10:40 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 Dan Govero and Mike Flowers.

Reconvene

At 4:05 p.m. the Members of the Land Surveying Division reconvened in open session for the purpose of reviewing and discussing the pdu preapproval request from McKissock 100% Education and to adjourn the meeting.

Review and Discuss Request for Preapproval of PDU Programs for McKissock 100% Education

In conclusion, the Division Members discussed the McKissock 100% online training courses. Upon review, Mike Flowers made a motion directing Executive Director, Judy Kempker, to write a letter to McKissock 100% Education and quote the acceptable criteria for pdu credit defined in 20 CSR 2030-8.020 (4)(A) (1-5) as well as explaining that the Board has found that when you log-in, per their instructions in the supporting documentation, to actually review the course content it does not allow you to do so. Therefore, until the Board is able to actually review the course content from McKissock 100% Education's website their pdu preapproval requests will not be approved. Dan Govero seconded the motion and it unanimously carried. Voting in favor of the motion were Mike Flowers and Dan Govero.

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 4:20 p.m. on November 4, 2013.

ATTEST: _____
Executive Director

Approved by Board on: _____