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

Monday, July 30, 2018
Salon C Meeting Room
Adams Pointe Conference Center
and Courtyard by Marriott
1400 NE Coronado Drive
Blue Springs, Missouri

The Professional Land Surveying Division of the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Professional Landscape Architects was called to order at 8:00 a.m. on Monday, July 30, 2018 in Salon C Meeting Room, Adams Pointe Conference Center and Courtyard by Marriott, 1400 NE Coronado Drive, Blue Springs, Missouri. A quorum being present, Chairman 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.

Open House with Area Licensees to Discuss Items of Common Interest Relative to Licensure, Enforcement, and Regulation of Land Surveying in the State of Missouri as set Forth in Chapter 327, RSMo

At approximately 8:00 a.m. the Members of the Professional Land Surveying Division were joined by Professional Land Surveyor licensees; James S. Anderson (Jim) PLS-1726; Karl Peterson (PLS-2017040270); Michael W. Price (2001001913); Christopher S. Spears (PLS-200014869); John Paul Webster (PLS-2009000066) and Clay Gregg to discuss items of common interest relating to licensure, enforcement, and regulation
of land surveying in the State of Missouri as set forth in Chapter 327, RSMo. Upon conclusion of the discussion all were thanked for attending the meeting and departed at approximately 9:00 a.m.

Please note that Board Chair, Bob Hartnett, joined the meeting at 8:15 a.m. and departed the meeting at 8:30 a.m.

Please note that Executive Director, Judy Kempker, joined the meeting at 8:10 a.m. and departed the meeting at 8:35 a.m.

**Approval of Minutes**

On motion by Dan Govero, the minutes of the April 23, 2018 Professional Land Surveying Division open meeting were approved as submitted. Mike Flowers seconded the motion. Voting in favor of the motion were Dan Govero and Mike Flowers.

**Discuss Status of, or Potential Changes to, the Board Rules and/or Chapter 327 RSMo, Regarding the Professional Land Surveying Profession**

Next, the Professional Land Surveying Division Members discussed the current language of 20 CSR 2030-16.020(5) which reads “Original Survey – A survey which creates a new parcel, or parcels, out of a larger parent tract”. Upon discussion, Mike Flowers made a motion to recommend to the full Board to promulgate a rule change to Board Rule 20 CSR 2030-16.020(5) to revise the language back to its previous language that read “An original survey is a survey which creates a new parcel out of a large parent tract, for the purpose of conveying the new parcel. Boundary adjustment plats, consolidation plats, riparian plats, lot splits, and minor subdivisions are examples of original surveys”. (Previously Board Rule 20 CSR 2030-16.020 (8) (A). Dan Govero seconded the motion and it unanimously carried. Voting in favor of the motion were Mike Flowers and Dan Govero.

**Motion to Close**

At approximately 10:00 a.m., Dan Govero made a motion to close the meeting to the general public to discuss and meet with a licensee who has an active complaint against him as well as 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.

Reconvened to Open Session

At approximately 2:35 p.m., the Professional Land Surveying Division Members reconvened in Open Session for the purpose of discussing the remaining items on their Open Agenda and adjournment.

Review and Discuss Open Items on the Full Board’s July 30 and 31, 2018 Agenda

Discussion of the Mississippi LS Board’s Opinion on Plotting Descriptions and Satellite Photography requiring a Professional Land Surveyor

The Professional Land Surveying Division members then reviewed and discussed the article shared by Mike Flowers entitled “Mississippi licensing board says plotting lines on a satellite photo requires a surveyor’s license” posted on “Techspot’s” website https://www.techspot.com/news/75439-mississippi-startup-files-first-amendment-countersuit-against-state.html#commentsOffset. Upon discussion, it was determined by the Division Members that since Vizaline, LLC provides a disclosure that they are not providing a boundary survey they are not in violation of the law and no further action was taken regarding this matter.

Update from NCEES Central Zone Meeting Held on May 2, 3, 4, and 5, 2018 in Rapid City, South Dakota

Next, Division Chair, Mike Freeman, updated the other Professional Land Surveying Division Members on actions taken at the NCEES Central Zone Meeting that he attended on May 2, 3, 4, and 5, 2018 in Rapid City, South Dakota. The members then discussed the resolutions that will be presented at the upcoming annual NCEES meeting, August 15-18, 2018 in Scottsdale, Arizona for a vote of the Council.
Discussion Regarding Kansas City Star News Article Entitled, “Ride the Ducks designer lacked engineering background, court documents say”

In conclusion, the Land Surveying Division members reviewed and discussed the Kansas City Star News article entitled “Ride the Ducks designer lacked engineering background, court documents say”. Upon discussion, the Division Members unanimously agreed that they had no recommendation to make to the full Board since this appears to be an engineering issue.

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 2:35 p.m.

ATTEST:

__________________________________
Executive Director

Approved on: _______________________