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 9:00 a.m. on Thursday, November 8, 2018 in the Taneycomo Meeting Room, University Plaza Hotel and Convention Center, 333 John Q. Hammons Parkway, 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  
Jerrod Hogan, 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 July 30, 2018 Professional Land Surveying Division open meeting were approved as submitted. Mike Freeman seconded the motion. Voting in favor of the motion were Dan Govero and Mike Freeman. Jerrod Hogan recused himself from the vote since he was not serving as a Professional Land Surveying Division Member when the Division met on July 30, 2018.

**Elect Audit Chair Due to the Departure of J. Michael Flowers from the Board**

Dan Govero made a motion to elect Jerrod Hogan as Audit Chair for the Land Surveying Division. Mike Freeman seconded the motion. A roll call vote was taken and unanimously carried.
Discuss Status of, or Potential Changes to, the Board Rules and/or Chapter 327 RSMo. Regarding the Professional Land Surveying Profession; Especially the Changes to 20 CSR 2030-14.020; 2 CSR 2030-14.030, and 20 CSR 2030-14.040, and Potennials Changes to 20 CSR 2030-16.020(8)

Next, the Land Surveying Division Members reviewed and discussed Board Rule 2030-16.020(8). Upon discussion, Dan Govero made a motion directing Executive Director, Judy Kempker, to send a letter to the Missouri Department of Agriculture proposing that they amend Board Rule 2 CSR 90-60.010(8) to read “Property Boundary Survey – Any survey that creates, defines, marks, remarks, retraces, or reestablishes the boundaries of parcels of real property or the subdivision of lands, boundary adjustment plots, consolidation plats, riparian plats, lot splits, and minor subdivision are examples of property boundary surveys”. The motion further directed Ms. Kempker to promulgate a rule change to Board Rule 20 CSR 2030-16.020(8) to read the same to be in compliance with the “Memorandum of Understanding” between the Missouri Department of Agriculture and the Board. The motion was seconded by Jerrod Hogan and it unanimously carried.

In addition, the Professional Land Surveying Division members discussed and unanimously agreed to report to the full Board that they support the Professional Landscape Division’s proposed amendment to Section 327.603, RSMo., allowing only Professional Landscape Architects to serve as the Managing Agent for Professional Landscape Architectural firms.

Review and Discuss Open Items on the Full Board’s November 8 and 9, 2018 Agenda

Report on the Mississippi Land Surveying Board’s Opinion on Plotting Descriptions and Satellite Photography requiring a Professional Land Surveyor

Board Member, Dan Govero, stated that the Mississippi court case relating to plotting descriptions and satellite photography requiring a Professional Land Surveyor has not yet been settled in court; therefore there was no further discussion regarding this matter.

Discussion of Future Legislative Priorities and Proposed Changes to Chapter 327 RSMo. and/or the Board Rules

There was no further discussion of future legislative priorities or proposed changes to Chapter 327, RSMo., and/or the Board Rules other than what was proposed earlier in the meeting regarding Board Rule 20 CSR-16.020(8) and Section 327.603, RSMo.
Update from NCEES Annual Meeting Held on August 15, 16, 17 and 18, 2018 in Scottsdale, Arizona

Next, Division Chair, Mike Freeman, updated the other Professional Land Surveying Division Members on the resolutions that were presented at the NCEES Annual held on August 15, 16, 17, and 18, 2018 that he attended in Scottsdale, Arizona along with the Professional Engineering Division Members “Abe” Adewale, Craig Lucas, and Kevin Skibiski. Mike explained that attendees discussed in quite detail emerging technology such as drones and that the NCEES Members are working toward developing a definition of “land surveying” that could be used system wide due to the differing surveying rules and procedures among licensing states.

The second topic of discussion was on state surveying societies and the fact that some Members feel that their state licensing board is not receiving support from their local societies; are experiencing a decline in membership; and that Members are failing to take on leadership roles. Mike voiced his opinion that Missouri is very fortunate that the Missouri Society of Professional Surveyors (MSPS) is very active in supporting the Board in pushing changes in the statutes when needed and for providing Professional Development Unit (PDU) education programs for not only their Members but for all licensees. In conclusion, Mike shared that the last and most discussed topic dealt with the Mississippi disciplinary action in which they are seeking a cease/desist order against a business that was marketing their service by providing aerial photos with line overlay which the Mississippi Board finds to be the unlicensed practice of land surveying. In addition to the cease/desist order the Mississippi Board is also attempting to levy a civil penalty requiring that the offending business refund every dollar obtained by distribution of their “illegal” product.

Motion to Close

At 9:55 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 Jerrod Hogan and unanimously carried. Voting in favor of the motion were Dan Govero and Jerrod Hogan.

**Adjournment**

There being no further discussion, a motion was made by Dan Govero and seconded by Jerrod Hogan to adjourn. The motion carried unanimously. The meeting adjourned at 2:35 p.m.

ATTEST:

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Executive Director

Approved by Board on: _____________