

BOARD OF EXAMINERS FOR LAND SURVEYORS

September 11, 2014

The Board of Examiners for Land Surveyors convened at 8:55 A.M. at 555 N. Cotner Blvd., Lower Level, Lincoln, Nebraska with the following members present:

Jerry G. Hain, Chair
Dennis L. Whitfield, Vice-Chair
Richard L. Hansen
Mary Pro
James W. Hawks

Others present:
Steven C. Cobb, Secretary
Steven Masters
Lisa Mathews
Gerri Monahan

Public notice of this meeting was given by publication in the *Lincoln Journal Star* on August 27, 2014.

All items voted on were done so in the form of a roll call.

The Chairman stated that this meeting is being held in compliance with the updated Open Meetings Act and that a current copy of the Open Meetings Act is available on the table.

Moved by Hansen and seconded by Hawks Pro that the minutes of the June 26, 2014 meeting be approved.

Voting Aye: Hain, Hansen, Hawks, Pro, Whitfield.

Motion carried.

Possible complaint, enforcement, and statute questions for Attorney General Office review were further discussed. Representatives from the Board of Engineers and Architects discussed similar issues. Items in particular: unregistered individuals practicing land surveying, Nebraska registrants holding a license in another state where an action against the registrant has occurred, the process to codify and enforceability of the Code of Practice, and disciplinary actions for repeat offenders.

The interpretation of "survey" was discussed. It was reported that a fence installation company is advertising to do a survey. As this term is protected and part of the BELS mission statement, "for the protection of the public", a letter of notification will be sent to the company.

A response to the dismissal of Complaint 13-4 was discussed.

Moved by Pro and seconded by Hawks to go into executive session at 10:20 A.M. with Steven Cobb, Lisa Mathews and Gerri Monahan for the purpose of discussing complaint 14-1.

Voting Aye: Hansen, Hawks, Pro, Whitfield, Hain.

Motion carried.

The chairperson stated that the discussion in executive session will be limited to Complaint 14-1. Moved by Hansen and seconded by Hawks that the board return to regular session at 10:40 A.M.

Voting Aye: Hawks, Pro, Whitfield, Hain, Hansen.

Motion carried.

The chairperson stated that no subject matter other than Complaint 14-1 was discussed in closed session.

Moved by Hawks and seconded by Pro that Secretary Cobb a send letter to the land surveyor, asking for more specific information and for him or her to appear at the December 4th board meeting. A copy of the letter sent to the land surveyor will be placed in his or her permanent file.

Voting Aye: Pro, Whitfield, Hain, Hansen, Hawks.

Motion carried.

Moved by Hawks and seconded by Hansen to go into executive session at 10:43 A.M. with Steven Cobb, Gerri Monahan and Lisa Mathews for the purpose of discussing complaint 14-2.

Voting Aye: Whitfield, Hain, Hansen, Hawks, Pro.

Motion carried.

The chairperson stated that the discussion in executive session will be limited to Complaint 14-2.

Moved by Hawks and seconded by Hansen that the board return to regular session at 10:56 A.M.

Voting Aye: Hain, Hansen, Hawks, Pro, Whitfield.

Motion carried.

The chairperson stated that no subject matter other than Complaint 14-2 was discussed in closed session.

Moved by Hawks and seconded by Pro that Secretary Cobb send letters to both parties advising them of the status of the complaint. The complaint will be placed in the land surveyor's permanent file.

Voting Aye: Hansen, Hawks, Pro, Whitfield, Hain.

Motion carried.

Land surveyor registration numbers on monument caps was discussed.

Possible upcoming legislation changes to the statutes and rules and regulations was discussed. Professional code of practice and education was considered. It was decided to focus on professional code-of-practice for statute change.

Moved by Hawks and seconded by Whitfield that inasmuch as Jason M. Gustafson passed the reciprocity examination on August 7, 2014 and has completed the requirements for registration in Nebraska by reciprocity from Wisconsin and that upon receipt of the registration fee in the amount of \$100.00 he be granted registration dated September 11, 2014 under Certificate No. 764.

Voting Aye: Pro, Whitfield, Hain, Hansen, Hawks.

Motion carried.

Moved by Hawks and seconded by Whitfield that the following have met all the Class I requirements to be granted active registration and upon receipt of the registration fee in the amount of \$100.00 be granted registration effective September 11, 2014 and assign consecutive LS numbers:

Ryan O'Toole	LS-765
Joshua S. Borchers	LS-766
Eric Mickeliunas	LS-767

Voting Aye: Hawks, Pro, Whitfield, Hain, Hansen.

Motion carried.

Moved by Hawks and seconded by Pro that the reinstatement of cancelled registration of Travis P Gray of Colorado be approved for registration by receipt of reinstatement fee of \$220.00 and proof of 30 professional development hours.

Voting Aye: Whitfield, Hain, Hawks, Pro. Voting Nay: Hansen.

Motion carried.

Hawks reported on the summer PSAN conference. The Board was well represented at the meetings. Hain and Hawks reported on the 2014 NCEES Annual Meeting in Seattle, WA.

Cobb reported the 2015-2017 Biennium BELS budget is ready for submission to the Nebraska State Budget Division.

Moved by Hawks and seconded by Pro that the following vouchers be approved:

BELF Rent, April 1, 2013 to June 30, 2014.....	658.75
DAS-Building Div., May Parking.....	15.00
DAS-IM Services, May static web hosting.....	20.00
DAS-Materiel Div., May postage.....	37.20
JP Cooke, seals.....	183.28
Whitfield, Dennis L., Central/Western Zone meeting, Lincoln.....	937.88
June Total	<u>1,668.83</u>
Comfort Inn & Suites, Hawks June lodging.....	75.00
DAS-Building Div., June parking	15.00
DAS-IM Services, June static web hosting.....	20.00
DAS-Materiel Div., June postage.....	27.30
DAS-Material Div., May office supplies.....	4.62
General Fund Reimbursement, fourth quarter 13-14	1,240.29
Hanson, Richard, June Board meeting.....	76.16
Hawks, James, June Board meeting.....	253.12
J.P. Cooke Company, seals and freight.....	112.28
NE Assn of Co Officials Directory.....	17.00
Whitfield, Dennis, June Board meeting.....	56.00
July Total.....	<u>1,193.48</u>

DAS Building Division, July parking.....	15.00
DAS IM Services July static web hosting.....	20.00
DAS-Materiel Div., July postage.....	20.80
J.P. Cooke Company, seals and freight.....	29.93
August Total.....	<u>85.01</u>

Voting Aye: Hain, Hansen, Hawks, Pro, Whitfield.

Motion carried.

The next meeting is scheduled for December 4, 2014 Lincoln.

Moved by Hansen and seconded by Pro that the Board adjourn.

All in favor, motion carried.

The Board adjourned at 12:03 P.M.

Steven C. Cobb, Secretary