

MINUTES

STATE BOARD OF REGISTRATION FOR LAND SURVEYORS

**Meeting held
Friday, January 11, 2008
at 8:30 a.m.**

**Indiana Government Center South
302 West Washington Street, Room W064
Indianapolis, Indiana**

I. CALL TO ORDER & ESTABLISHMENT OF QUORUM

Ms. Arnold called the meeting to order at 8:30 a.m. in Indiana Government Center South, 402 West Washington Street, Room W064, Indianapolis, Indiana and declared a quorum in accordance with IC § 25-4-1.

Members Present:

Christine Arnold, Chairman
Gary Kent, Vice-Chairman
Ross Holloway
Richard Hudson
Doug Lechner
Michael DeBoy

Members Not Present:

John Stephens

State Officials Present:

Angela Smith Jones, Board Director, Indiana Professional Licensing Agency
Mary Kate Adams, Assistant Director, Indiana Professional Licensing Agency
James Schmidt, Advisory Counsel, Office of the Attorney General

II. ADOPTION OF AGENDA

Board Action: A motion was made to adopt the agenda with changes.

Hudson/DeBoy
Motion carried 6/0/0

III. ADOPTION OF THE MINUTES FROM NOVEMBER 15, 2007 MEETING OF THE BOARD

Board Action: A motion was made to adopt the November 15, 2007 minutes with changes.

Hudson/DeBoy
Motion carried 4/0/0 (abstain Holloway and Arnold)

IV. PERMIT/LICENSURE APPLICATIONS

Board Action: A motion was made and seconded to approve all recommendations and decisions made by the Board members on applications by examinations and Land Surveyors applications for licensure by Comity that were reviewed throughout the Board meeting.

Holloway/DeBoy
Motion carried 6/0/0

Board Action: A motion was made to dismiss Kurt Nafziger's matter (SBRLS 07-34) as moot has since reapplied and been admitted.

Lechner/Hudson
Motion carried 6/0/0

V. PERSONAL APPEARANCES

None.

VI. ADMINISTRATIVE HEARINGS

A. In the Matter of Lawrence Deckard
Administrative Cause No.: SBRLS 07-29
Re: Final Hearing

Board Action: A motion was made accepting this course taken in October 2003 as mandatory.

Lechner/Hudson
Motion carried 5/0/0 (DeBoy abstained.)

The State made a motion to dismiss the matter against Mr. Deckard.

Board Action: A motion was made to accept the State's motion to dismiss.

Holloway/Kent
Motion carried 5/0/0 (DeBoy abstained)

B. In the Matter of Craig Steffensmeier
Administrative Cause No.: SBRLS 07-03
Re: Final Hearing/Consideration of Settlement

Board Action: The settlement language does not seem to be consistent with other orders thus Mr. DeBoy requested a continuance.

C. In the Matter of Steven B. Williams
Administrative Cause No.: SBRLS 07-01
Re: Final Hearing
(CONTINUED)

This matter was continued.

D. In the Matter of Michael Fruth
Administrative Cause No.: SBRLS 07-05
Re: Settlement Presentation

Board Action: A motion was made to accept the settlement as presented.

Holloway/Kent
Motion carried 6/0/0

VII. CONSIDERATION OF ADMINISTRATIVE LAW JUDGES ORDER

A. In the Matter of DeWitt Keeler

Administrative Cause No.: SBRLS 07-16
Re: Surrender of License

Board Action: A motion was made to accept the surrender of Mr. Keeler's license and should he seek reinstatement he must meet the requirements of the current registration in making new application.

Lechner/Kent
Motion carried

Discussion: A motion was made amend the motion as accepting the surrender with condition of completing the deficient continuing education as well as meeting current requirements.

Lechner/Kent
Motion carried 6/0/0

VIII. REPORT FROM THE BOARD LIAISON

a) Litigation Update Report

1. *R. Holloway prior to 11/16/2006*
2. *M. DeBoy after 11/15/2006*

b) Office of the Attorney General – Gabrielle Owens

Ms. Owens gave a detailed report on the status of cases with the Office of the Attorney General. Currently, there are 22 open matters.

IX. DELIBERATION AND POSSIBLE FINAL ACTION

A. In the Matter of David P. Devine

Administrative Cause No.: SBRLS 07-32
Re: Final Order Moot

Board Action: Mr Devine is now licensed. A motion was made to dismiss the matter as moot.

Kent/Holloway
Motion carried 6/0/0

B. In the Matter of Richard J. Gustafson

Administrative Cause No.: SBRLS 07-30
Re: Final Order Moot

C. In the Matter of Joshua Foster

Administrative Cause No.: SBRLS 07-31
Re: Final Order Moot

Board Action: A motion was made to set aside the action taken in November to affirm the ALJ order and dismiss the matters against Gustafson and Foster as moot because they have since passed the exam.

Kent/Holloway
Motion carried 6/0/0

X. NOTICE OF PROPOSED DEFAULT

A. In the Matter of A.E. Keys

Administrative Cause No.: SBRLS 07-17

Board Action: A motion was made to hold Mr. Keys in default.

Kent/Holloway
Motion carried 4/0/2 (Lechner and DeBoy abstained)

Board Action: A motion was made to find him in violation as charged and impose a civil penalty of \$1000.00 due 90 days from the date of the final order

Holloway/Kent
Motion carried 4/0/2 (DeBoy and Lechner abstained.)

B. In the Matter of Keith Houseman

Administrative Cause No.: SBRLS 07-23

Board Action: A motion was made to hold Mr. Houseman in default.

Kent/Holloway
Motion carried 4/0/2 (Lechner and DeBoy abstained)

Board Action: A motion was made to find him in violation as charged and impose a civil penalty of \$1000.00 due 90 days from the date of the final order.

Holloway/Hudson
Motion carried 4/0/2 (DeBoy and Lechner abstained.)

C. In the Matter of George C. Ranney

Administrative Cause No.: SBRLS 07-10

Board Action: A motion was made to hold Mr. Ranney in default.

Hudson/Kent
Motion carried 4/0/2 (Lechner and DeBoy abstained)

Board Action: A motion was made to find him in violation as charged and impose a civil penalty of \$100.00 due 90 days from the date of the final order.

Holloway/Hudson
Motion carried 4/0/2 (Lechner and DeBoy abstained)

D. In the Matter of Bradford Andrew

Administrative Cause No.: SBRLS 07-25

Board Action: A motion was made to hold Mr. Andrew in default.

Kent/Hudson
Motion carried 4/0/2 (Lechner and DeBoy abstained)

Board Action: A motion was made to find there was no violation because the board found that the Government Field Notes is a mandatory course and therefore the charges were dismissed.

Kent/Holloway

Motion carried 4/0/2 (Lechner and DeBoy abstained)

XI. CONTINUING EDUCATION

A. Individual Request for Course Approval

B. Request for Approval of Additional Courses and Instructors

XII. PETITIONS FOR REVIEW

A. Franjo I. Maticic

Board Action: A motion was made to grant the petition for review and set the matter for a hearing.

Hudson/DeBoy
Motion carried 6/0/0

XIII. REVIEW OF PROBATIONARY REPORTS

A. Zohrab K. Tazian (Kent) (Received 12/7/07)

No report was given.

B. J. Bernard Feeney (Holloway)

Mr. Feeney has done no surveys.

C. Michael Sadlon (Stephens)

No report was given.

D. Ronald Ratcliff (Stephens)

No report was given.

XIV. BOARD DIRECTOR'S REPORT

No report given.

XV. DISCUSSION ITEMS

a. Rule Promulgation: Gary Kent

Re: 865 IAC 1-13, 865 IAC 1-14 and 865 IAC 1-15, etc.

A meeting must be scheduled with Gary, Jim and Angela to review the current language. The Board discussed the investigative fund statute which needs to have rules promulgated and it was reported by staff that the rule drafting and administrative documents are in process.

b. Supplemental Information Form – Review

The new supplemental form with an attachment of the code cite for the section was presented to the board and is to be made available to all applicants by the IPLA staff. Also of

the checklist forms which Gary created—there are two—one is Pre-2003 and one is Post 2003; the staff is to put those forms in each file prior to going to the board. It is for the board members' use not the staff.

Reference Form: Gary tried to improve upon the form and bring it more into line of what other states do and make it easier for the referee and require the applicant to provide additional information to the referee.

Board Action: A motion was made to adopt the forms as presented.

Hudson/DeBoy
Motion carried 6/0/0

c. Education Requirements (J. Stephens)

An ABET accredited program does not make it a board approved program and the board historically would not rely upon the ABET accreditation and still evaluated each applicant and the course work. Land Surveying is not consistent nationwide thus the board does not and cannot rely upon the national accrediting bodies and is why they evaluate each application. Three programs are approved by the board: Purdue, IUPUI (but no longer in existence), and Calumet.

d. Robert D. Peterson
Re: Request for Reinstatement

The matter will be set for a reinstatement hearing before the board.

XVI. CORRESPONDENCE

None.

XVII. NEW BUSINESS/OLD BUSINESS:

1. The Board would like to see the renewal form for this year at the next meeting.
2. Parking fees - be sure to bring the receipts to the next meeting.

XVIII. ADJOURNMENT

There being no further business and having completed its duties, the meeting of the State Board of Registration for Land Surveyors adjourned at 1:25 p.m.


Christine Arnold - Chairperson
State Board of Registration for Land Surveyors

4/11/08
Date

Land Surveyor Board List
January 11, 2008

Board Action: A motion to approve all recommendations and decisions made by the Board members on applications for licensure that were reviewed throughout the Board meeting.

SIT EXAM APPLICANTS

Name	APP/TAB/DEN
Bertsch, Nicholas	✓
Borgman, Todd	✓
Charbes, Michael	✓
Coyle, Robert	✓
Johnson, Josh	✓
Smierciak, Anthony	✓
Vugteveen, Rudy	✓

Shut me down Phys
Needs 2 hrs Physics + 1 more science
Approved pending more state grade

LS EXAM APPLICANTS

Name	APP/TAB/DEN
M. KEI CURRIER	✓
Carl, Aaron	✓
Charbes, Michael	✓
Compton, David	✓
Coyle, Robert	✓
Deardorff, Mark	✓
Eckerle, Bradley	✓
Greulich, Adam	✓
Johnson, Josh	✓
Kiesel Joseph	✓
Meier, David R	✓
Nafziger, Kurt	✓
Sandford, Jason	✓
Smierciak, Anthony	✓
Vugteveen, Rudy	✓
Wilson, John	✓

Needs 7 hrs Math + Syn. Workbook
Shut me down Phys
Needs 2 hrs Physics + 1 more Science
Missing 3 credit hrs of math
needs 1 credit in science
needs more science
Approved pending more state grade

LS COMITY APPLICANTS

Name	APP/TAB/DEN
Elbe, Brian	✓
Grider, Joseph	✓
Syers, Anthony	✓
Wallace, Chad	✓

Needs proof of exp. 8 yrs
needs Survey course please