

## MINUTES

### STATE BOARD OF REGISTRATION FOR LAND SURVEYORS

Meeting held  
Friday, January 9, 2009

Indiana Government Center South  
402 West Washington Street, Room W072  
Indianapolis, Indiana

#### I. CALL TO ORDER & ESTABLISHMENT OF QUORUM

Ms. Arnold called the meeting to order at 8:31 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  
John Stephens  
Doug Lechner  
Michael DeBoy

##### Members Not Present:

##### State Officials Present:

Angela Smith Jones, Board Director, Indiana Professional Licensing Agency  
Crystal Heard, Assistant Director, Indiana Professional Licensing Agency  
Lorrie Ruble, Case Manager, 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.

Lechner/Deboy  
Motion carried 7/0/0

#### III. ADOPTION OF THE MINUTES FROM October 10, 2008 MEETING OF THE BOARD

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

Hudson/Stephens  
Motion carried 7/0/0

#### 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.

Hudson/Stephens  
Motion carried 7/0/0

**V. PERSONAL APPEARANCES**

None.

**VI. ADMINISTRATIVE HEARINGS**

**A. In the Matter of the State of Indiana v. Willard E. Johnson**

Administrative Cause No.: SBRLS 08-12

Re: Final Hearing

**(CONTINUED)**

**B. In the Matter of the State of Indiana v. Richard Ward**

Administrative Cause No.: SBRLS 08-11

Re: Final Hearing

**(CONTINUED)**

**C. In the Matter of the State of Indiana v. Zohrab Tazian**

Administrative Cause No.: SBRLS

Re: Order to Show Cause

**(CONTINUED)**

**VII. CONSIDERATION OF ADMINISTRATIVE LAW JUDGES ORDER**

None.

**VIII. REPORT FROM THE BOARD LIAISON**

a) Litigation Update Report

1. *R. Holloway prior to 11/16/2006*

Mr. Holloway had nothing new to report.

2. *M. DeBoy after 11/15/2006*

Mr. DeBoy reported that two (2) complaints came in and upon review he returned them with recommendations to the AG. One (1) case is closed for lack of evidence and one (1) requested to charge.

b) Office of the Attorney General – Gabrielle Owens

No one was present to report.

**IX. DELIBERATION AND POSSIBLE FINAL ACTION**

**A. In the Matter of the Craig Steffensmeier**

Administrative Cause No.: SBRLS 07-03

Re: Proposed Findings of Fact, Conclusions of Law, and Order

**Board Action:** A motion was made to accept the proposed settlement.

Kent/Hudson

6/0/1 (DeBoy abstained)

**B. In the Matter of the State of Indiana v. James Milligan**

Administrative Cause No.: SBRLS 08-10

Re: Proposed Findings of Fact, Conclusions of Law, and Order

**Board Action:** A motion was made to reject the proposal as written for lack of language which allows the board the ability to request copies of surveys listed on the log. (see Brosmer and Wayman for sample language) and lack of show cause language. Also see pg. 4 the 3<sup>rd</sup> line from the top needs to be modified (she/he).

Kent/Lechner  
6/0/1 (Deboy abstained)

**X. NOTICE OF PROPOSED DEFAULT/DISMISSAL**

**A. In the Matter of Joseph F. Grider**  
Administrative Cause No.: SBRLS 08-09  
Re: Notice of Proposed Dismissal

**Board Action:** A motion was made to dismiss the matter.

Hudson/Lechner  
Motion carried 7/0/0

**XI. PROPOSED SETTLEMENT**

None.

**XII. CONTINUING EDUCATION**

**A. Individual Request for Course Approval**

None.

**B. Request for Approval of Additional Courses and Instructors**

None.

**C. Request for Approval**

None.

**XIII. PETITIONS FOR REVIEW**

**A. Nathan R. Grimes**

**Board Action:** A motion was made to grant the petition and appoint Holloway as the ALJ.

Holloway/Lechner  
Motion carried 7/0/0

**B. Chad L. Brown**

**Board Action:** A motion was made to find the petition for review moot because he and the board now agree that the only deficiencies are the mandatory hours. The application remains denied and he will need to reapply once he gets the "mandatory hours". He needs a letter to this effect, explaining that he meets the math and elective requirements, but does not meet the mandatory requirement.

Holloway/Stephens

Motion carried 7/0/0

C. Donald L. Johnson

**Board Action:** A motion was made to grant the petition and appoint Holloway as the ALJ.

Holloway/Lechner  
Motion carried 7/0/0

**XIV. REVIEW OF PROBATIONARY REPORTS**

A. Zohrab K. Tazian (Kent)

A hearing is set for the April board meeting.

B. J. Bernard Feeney (Holloway)

There are no surveys to report upon

C. Michael Sadlon (Stephens)

No reports were submitted.

D. Ronald Ratcliff (Stephens)

Board Action: A motion was made to issue an order to show cause for lack of submitted surveys.

Holloway/Kent  
Motion carried 7/0/0

E. Kenneth R. Brosmer (Stephens)

He requested termination of probation and a hearing will be scheduled for the April meeting.

F. James R. Wayman (Kent)

Gary will request specific surveys to be sent in.

G. Mark Strong (Holloway)

Mr. Holloway will have a detailed report at the next meeting.

H. Todd Mohr (Hudson)

Mr. Mohr has not done any surveys this cycle.

I. Robert Peterson (Holloway)

Mr. Holloway will have a detailed report at the next meeting.

**XV. BOARD DIRECTOR'S REPORT**

A. CE Audit

Only three (3) have not submitted their continuing education information.

**XVI. DISCUSSION ITEMS**

- a. Rule Promulgation: Gary Kent  
Re: 865 IAC 1-13, 865 IAC 1-14 and 865 IAC 1-15, etc.

The rules are in the final stages and we should be able to have the public hearing at the April meeting.

- b. Kenneth Brosmer  
Re: Request for Termination of Probation

He is to have a hearing before the full board at the April meeting.

- c. ISPLS by Ed Sweetland

Mr. Sweetland is the ISPLS liaison to the board and he introduced Todd Bauer, the new board liaison from ISPLS. He also mentioned that:

1. ISPLS is the advisory board for Vincennes University.
2. Michael O'Brien is the Lobbyist for ISPLS.
3. Mr. Sweetland requested that a listing of approved surveying programs be added to the board webpage. (Purdue, Purdue Calumet and Ferris State are the approved programs.)  
He asked the board to brainstorm and determine what programs are approved.

- d. Reappointment of Members

Gary and Christine have been officially reappointed to the board, as have Ross and Michael.

- e. Indiana/Michigan State Line Re-Monumentation

The States of Indiana and Michigan are working on the state line re-monumentation.

**XVII. CORRESPONDENCE**

- a. Chuck Bevington  
Re: Use of a video tape of the board meeting for C.E.

They can video tape the meeting and use it in a C.E. course for whatever value they determine and then submit that to the board for approval. Mr. Bevington explained that they want to use it in the registration act course. It would be a supplement to the course itself.

- b. NCEES Meeting

Doug will be going to Atlanta for the NCEES conference and Gary will be going to the NCEES head quarters because he is on an exam writing committee for them.

**XVIII. NEW BUSINESS/OLD BUSINESS**

None.

**XIX. ADJOURNMENT**

There being no further business and having completed its duties, the meeting of the State Board of Registration for Land Surveyors adjourned at 11:42 a.m.

*Christine Arnold by [Signature]*  

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Christine Arnold - Chairperson  
State Board of Registration for Land Surveyors

*April 17, 2009*  

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Date