

MINUTES

STATE BOARD OF REGISTRATION FOR LAND SURVEYORS

**Meeting held
Friday, July 10, 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 9:09 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
Gordon White, Advisory Counsel, Office of the Attorney General

II. ADOPTION OF AGENDA

Board Action: A motion was made to adopt the agenda as amended.

Holloway/Lechner
Motion carried 6/0/0

III. ADOPTION OF THE MINUTES FROM APRIL 17, 2009 MEETING OF THE BOARD

Board Action: A motion was made to adopt the minutes as amended.

Holloway/Lechner
Motion carried 6/0/0

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.

Lechner/Hudson
Motion carried 6/0/0

V. REPORT FROM THE BOARD LIAISON

a) Litigation Update Report

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

Mr. Holloway stated that there was nothing to report and there are no more reports for the board going forward.

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

Mr. DeBoy reported that there have been 2 cases brought for review and they may come before the board in the future. They are joint board actions. There was a settlement conference held this morning.

b) Office of the Attorney General – Gabrielle Owens

There was no report given.

VI. PERSONAL APPEARANCES

A. Michael L. Huter (*reinstatement*)

Mr. Huter appeared before the board to request the reinstatement of his license.

Board Action: A motion was made to reinstate the license, effective immediately upon receipt of decree by the board office.

Holloway/Lechner
Motion carried 7/0/0

VII. MOTIONS TO CONSIDER

A. **In the Matter of the State of Indiana v. Robert Isgrigg**

Administrative Cause No.: SBRLS 07-36

Re: Motion for Voluntary Dismissal

Board Action: A motion was made to deny the motion for a voluntary dismissal.

Kent/Stephens
6/0/1 (DeBoy abstained)

VIII. ADMINISTRATIVE HEARINGS

A. **In the Matter of the State of Indiana v. Robert Isgrigg**

Administrative Cause No.: SBRLS 07-36

Re: Final Hearing

(CONTINUED)

Board Action: A motion was made to grant the continuance with the understanding that no further continuances will be granted and to order the parties to present the surveys to the board which are the subject of the complaint.

Holloway/Kent
Motion carried 6/0/1 (DeBoy abstained)

B. In the Matter of the State of Indiana v. Rodney Ludwig

Administrative Cause No.: SBRLS 07-13

Re: Motion for Voluntary Dismissal

Board Action: A motion was made to grant the voluntary dismissal

Kent/Lechner

Motion carried 6/0/1 (DeBoy abstained)

IX. CONSIDERATION OF ADMINISTRATIVE LAW JUDGES ORDER

None

X. DELIBERATION AND POSSIBLE FINAL ACTION

None

XI. NOTICE OF PROPOSED DEFAULT/DISMISSAL

None

XII. PROPOSED SETTLEMENT

A. In the Matter of Willard E. Johnson

Administrative Cause No.: SBRLS 08-12

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

Board Action: A motion was made to reject the proposed settlement offer.

Holloway/Lechner

6/0/1 (DeBoy abstained)

B. In the Matter of Richard Ward

Administrative Cause No.: SBRLS 08-11

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

Board Action: A motion was made to accept the proposed settlement as written taking into account respondent's mitigating damages which he did by taking the initiative to correct his surveys, re-work his surveys and set up his own peer review, which offsets any monetary penalties.

Kent/Holloway

6/0/1 (DeBoy Abstained)

XIII. CONTINUING EDUCATION

A. Individual Request for Course Approval

None.

B. Request for Approval of Additional Courses and Instructors

None.

C. Request for Approval

None.

XIV. PETITIONS FOR REVIEW

A. Robert Trenkamp

Mr. Trenkamp was tabled in January and was denied in April because the course summary which he submitted was not adequate.

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

Kent/Stephens
Motion carried 7/0/0

XV. REVIEW OF PROBATIONARY REPORTS

B. Zohrab K. Tazian (Kent)

There is no report.

C. J. Bernard Feeney (Holloway)

There were no surveys to review for Feeney.

D. Michael Sadlon (Stephens)

Mr. Sadlon has not submitted any surveys.

E. Mark Strong (Holloway)

There were no surveys to review for Strong.

F. Robert Peterson (Holloway)

Mr. Peterson has submitted past surveys but they have not been reviewed yet.

G. Todd Mohr (Hudson)

He reviewed the logs from 2008, but he is deficient any logs from 2009. No surveys have been submitted. Please send a letter of non-compliance. Also remind him of the additional requirements.

H. Steve Williams (Stephens)

Mr. Williams has submitted surveys and they will be reviewed.

I. William Pettitt (Lechner)

There is no report although he has received some reports to review recently.

J. Ronald Ratcliff (Stephens)

Mr. Ratcliff sent one survey to be reviewed.

XVI. BOARD DIRECTOR'S REPORT

A. CE Audit:

The board would like for me to discuss the 1% audit of land surveyors for the next CE audit with Frances. Can the percentage be increased since 1% would be such a small number of licensees? Also, is it possible to have an electronic submittal of the CE certificates?

XVII. 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 still in process. They should be ready for a hearing before the board at the October board meeting.

- B. Purdue University (Mr. Steve Johnson)
Re: Land Surveyor Minor Program

He presented the program curriculum to the board. The transcript will say that the student completed a minor in a land surveying program, but they will not have a degree in land surveying. The minor in land surveying will be available for all students at Purdue. This program will be a great foundation for the students to move on to earning their masters degree in land surveying. The last group of students to have a Bachelor's of Science degree in Land Surveying graduated in May of 2009.

Mr. Johnson's request is that students who complete this program will be eligible for the fundamentals (SIT) and LS exams.

Board Action: A motion was made to approve the program out of Purdue for a BS in Civil Engineering with a Land Surveying minor.

Kent/Lecher
Motion carried 7/0/0

Board Action: A motion was made to approve applicants to sit for the FS (SIT) in the terminal semester of a board approved program.

Kent/Lechner
Motion carried 7/0/0

- C. James L. Russell
Re: Consideration of Request for CE waiver

Board Action: A motion was made for staff to write a letter to Mr. Russell. According to the code, Mr. Russell must pay a fine and must bring himself up to speed. The letter is to state that the license is suspended and if he'd like to have it reinstated you must comply with the law 25-1-4-5 (c). He can resolve all of this by surrendering his license.

DeBoy/Stephens
Motion carried 7/0/0

XVIII. CORRESPONDENCE

XIX. NEW BUSINESS/OLD BUSINESS

- A. The board should consider modifying the course requirements as stated in the law and make hydraulics as a mandatory course.

XX. ADJOURNMENT

There being no further business and having completed its duties, the meeting of the State Board of Registration for Land Surveyors adjourned at 11:53 a.m.


Christine Arnold - Chairperson
State Board of Registration for Land Surveyors

10.9.09
Date

Executive Session was held upon Adjournment: To discuss strategy with respect to pending litigation as provided for by IC 5-14-1.5-6.1(b)(2)(B)

STATE BOARD OF REGISTRATION FOR LAND SURVEYORS

EXECUTIVE SESSION

**Will be held upon adjournment
on
Friday, July 10, 2009**

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

An executive session of the State Board of Registration for Land Surveyors will be held upon adjournment of the regularly scheduled meeting of July 10th, 2009 according to IC 5-14-1.5-6.1 (b)(2)(B) to discuss pending litigation.

The meeting began at 11:54 a.m.

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
Gordon White, Advisory Counsel, Office of the Attorney General

Mediation went forward. Has been dismissed by the trial court.

A new hearing b/4 this board in October—should be a Show Cause hearing, instead it is almost like a new hearing on 4 surveys. It will be based upon the existing complaint.

Adjourned at 12:06 p.m.