

**State Board of Registration for Land Surveyors
Indiana Government Center South
402 West Washington Street, Room W064
Indianapolis, Indiana 46201
Minutes of the April 12, 2013 Board Meeting**

Christine Arnold, Chairperson, called the meeting to order at 8:32 a.m. and declared a quorum in accordance with IC 25-4.

Members Present:

Christine Arnold, Chair
Ross Holloway
Gary Kent
Michael DeBoy
Richard Hudson

State Officials Present:

Crystal Heard, Board Director, Indiana Professional Licensing Agency
Sharon Elfenbaum, Assistant Board Director, Indiana Professional Licensing Agency
Gordon White, Deputy Attorney General, Office of the Attorney General

Board Action: Gary Kent made a motion to accept the amended agenda. Michael DeBoy seconded the motion.

Motion carried 5/0/0.

Board Action: Ross Holloway made motion to accept minutes for November 19, 2012 amended meeting minutes. Motion carried 5/0/0 Gary Kent seconded motion. Ross Holloway made a motion to adopt February 1, 2013. Michael DeBoy made motion to accept amended minutes. Ross Holloway seconded motion. **Motion carried** 4/0/1 Christine Arnold abstained.

Permit/Licensure Applications

Board Action: Gary Kent made a motion to accept the board member recommendations of applications as listed below. Michael DeBoy seconded the motion. Motion carried 5/0/0

Motion carried: 4/0/0

- Land Surveyors (by comity)
 1. Michael Zoltek- approved
 2. James Powers – denied
- Land Surveyors (examination)
 1. Caleb Towles - denied

Personal Appearance

Todd Bauer- Foresight Consulting came before the board for surveyors that are involved site design be mindful of IC 25-21.5-1-7(b)(1). The Board suggests that the registered land surveyors in the State of Indiana who are involved in site design under IC 25-21.5-1-7(b)(1), review that statute especially with respect to the clauses "for and within subdivisions being laid out or having been laid out by the land surveyor" and "location of residences or dwellings."

Steven Williams- appeared before the board as required by his probation order. Mr. Williams informed the board he has not performed any surveys in the last quarter.

J. Bernard Feeney- Mr. Feeney appeared before the board via telephonic conference to discuss with the board as to his intention to come off probation. Mr. Feeney stated his duties are primarily financial and administrative. It was discussed he will try submit two metes and bounds and two block or platted surveys.

Report from the Attorney General Report and Board Liaison

Natalie Stidd reported to the board she is able to run her own report concerning complaints filed with the Attorney General's Office. No new cases have been filed in 2013. A motion was filed to dismiss the judicial review case in Lake County.

Gary Kent reported there has not been much activity since the old analyst changed positions. Now there is a new analyst Audrea Racine there have been several communication between new analyst and liaison.

Administrative Hearings

Peggy Morgan was the court reporter for all administrative hearings.

In the Matter of Registration of Roger Woodfill Cause No.: SBRLS 12-04

Case Summary: State asked board to issue Notice of Proposed Default.

Board Action: Richard Hudson made motion to issue Notice of Proposed Default. Michael DeBoy seconded motion. Motion carried 5/0/0.

In the Matter of Application for James Coutts Cause No.: SBRLS 12-07

Case Summary- Mr. Coutts appeared before the board to petition his denial of comity application. The application was denied on deficiency in education requirements.

Board Action: Ross Holloway made motion to approve application. Richard Hudson seconded motion. Motion carried 5/0/0

In the Matter of Registration of Michael Chabes Cause No.: SBRLS 12-08

Case Summary: State asked board to find Michael Chabes in default

Board Action: Michael DeBoy made motion to find Michael Chabes in default. Ross Holloway seconded motion. Motion carried 5/0/0.

Case Summary: Mr. Chabes was charged with one count of being disciplined in another state.

State Exhibit A: Ohio State Board of Registration for Professional Engineers and Surveyors

Board Action: Ross Holloway made motion to revoke SI license and pay civil penalty of \$1000 to be paid within 90 days and pay \$5.00 health record fee. Gary Kent seconded motion. Motion carried 5/0/0

State's Exhibit A: State Board of Registration for Professional Engineers and Surveyors- Ohio

In the Matter of Registration of James Gorman Cause No.: SBRLS 12-10

Case Summary: Material deception of renewal form & Violation of health and well being of public State asked board to found in Default.

Board Action: Ross Holloway made motion to find Gorman in default. Gary Kent seconded motion carried 5/0/0

Case Summary: State asked Board to make oral amendment to complaint.

State's Exhibit A: Decatur County Superior Court Case Summary

State's Exhibit B: Decatur County Superior Court Judgment of Conviction

State's Exhibit C: Decatur County Superior Court Sentencing Order

State's Exhibit D: 2008 Indiana Land Surveyor Renewal Form

Board Action: Gary Kent made motion to amend the date in the complaint to January and not July. Ross Holloway seconded motion. Motion carried 5/0/0.

Board Action: Gary Kent made Motion to find James Gorman in violation of state's complaint. Second Motion by Michael DeBoy. Motion carried 5/0/0.

Board Action: Gary Kent made motion to suspend license for three years. Ross Holloway seconded motion. Motion amended.

Gary Kent made motion to issue an indefinite suspension and that defendant may not reapply to have license reinstated until after five years and to issue a civil penalty in the amount of \$500 per violation (\$1000 total) to be paid within 90 days & health record fee of \$5.00. Ross Holloway seconded motion. Motion carried 5/0/0

Review of probationary reports

Michael Sadlon (Holloway) Ross reported on metes and bounds surveys turned in.

Ronald Morrison (Kent) no surveys to report.

Discussion Items

Royce Jones (SBRLS 11-05) Michael DeBoy made motion to dismiss. Richard Hudson seconded motion. Motion carried 5/0/0.

Computer Based Testing (rule review)- Ross Holloway made motion for staff to proceed with necessary steps to proceed with rule changes. Gary Kent seconded motion. 5/0/0

E-Participation Policy – Gary Kent made motion to accept policy as written. Michael DeBoy seconded motion. Motion carried 5/0/0

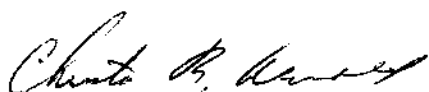
Laser scanning – Gary Kent discussed the process of laser scanning; when looking at future rule changes this should be looked into.

Roger Woodfill - Gary Kent has agreed to be the board reviewer of surveys he performs in the future.

Steven Leesman SBRLS 12-03 – Gordon White will contact Mr. Leesman informing him the board needs to legally end the case regarding his petition for licensure. He can either withdraw his application or hold a hearing for the July 2013 meeting.

Rules for review- Gary made mention to review continuing education, education changes, etc.

There being no further business and having completed its duties, the meeting of the State Board of Registration for Land Surveyors adjourned at 12:39 p.m.



Christine Arnold – Chairperson
State Board of Registration for Land Surveyors

July 19, 2013
Date