

MINUTES OF THE MEETING OF

STATE BOARD OF REGISTRATION FOR PROFESSIONAL SURVEYORS

**Friday, October 26, 2018 at 9:00 a.m.
Indiana Government Center South, Room W064
402 West Washington Street,
Indianapolis, Indiana**

CALL TO ORDER & ESTABLISHMENT OF QUORUM

9:03 a.m.

Board Members Present:

Gary Kent
Richard Hudson
Jason Henderson
Doug Lechner
Ross Holloway
Christine Arnold

Board Members Absent:

Mike DeBoy

Staff Members Present:

Amy Hall, Board Director
Chris Shea-Russell, Assistant Board Director
Stephanie Mullaney, Advisory Counsel
Court Reporter, Tonya Esparza

ADOPTION OF AGENDA

Motion to approve the amended agenda by Christine Arnold and seconded Ross Holloway.

CA/RH 6/0/0

Motion passes

Gary Kent	Yay
Richard Hudson	Yay
Jason Henderson	Yay
Doug Lechner	Yay
Ross Holloway	Yay
Christine Arnold	Yay

ADOPTION OF THE MINUTES FROM JULY 20, 2018 MEETING

Motion to approve minutes – insert ‘double check’ by Doug Lechner and seconded Richard Hudson.

DL/JH 4/0/2

Motion passes

Gary Kent	Yay
Richard Hudson	Yay
Jason Henderson	Yay
Doug Lechner	Yay
Ross Holloway	Abstain
Christine Arnold	Abstain

REPORT FROM THE ATTORNEY GENERAL & BOARD LIAISON

Jennifer Barth provided a report from the Attorney General's Office. There are currently 15 open complaints. There was also discussion about having the Board Liaison provide a report as well, which will be listed on upcoming agendas with the Report from the Attorney General.

ADMINISTRATIVE HEARINGS

1. Jeffrey J. Kondy – Order to Show Cause - Cause No: 2016SBRPS0005

Appeared before the board with a new set of corrected surveys. The board reviewed the exhibits aka newly corrected surveys. Discussion of how vague the order was pertaining to the insufficiencies and the vagueness of the orders. Needs much more detailed information listed in the orders.

Motion: Continue on indefinite probation with no right of reinstatement prior to October 2019. Identify a peer reviewer and report on who that person is by the end of 2018. For all surveys completed from July 1, 2018 to October 26, 2018, including Exhibits 1 and 2 of this hearing, Mr. Kondy shall – prior to the April 12, 2019 board meeting - submit a report to the board after a peer reviewer reviews the surveys for compliance with Rule 12 and identifies any deficiencies. After October 26, 2018, all boundary surveys completed shall be submitted to, and approved by, a peer review prior to submitting to client. A Rule 12 checklist shall be submitted with all surveys mentioned above. A monthly report with the Rule 12 checklist, the peer reviewers report, and the final surveys shall be submitted to IPLA. Mr. Kondy shall also make his clients aware that he has provided deficient surveys to his clients. Shall appear for a personal appearance at the request of the board.

Motion made and seconded by Ross Holloway and Jason Henderson.

RH/JH 6/0/0

Motion passes

Gary Kent	Yay
Richard Hudson	Yay
Jason Henderson	Yay
Doug Lechner	Yay
Ross Holloway	Yay
Christine Arnold	Yay

RULE READOPTION

1. Rule Readoption

The board voted to readopt all the rules

865 IAC 1-1-2	Meetings of board
865 IAC 1-1-3	Conversion of quarter hours to semester hours
865 IAC 1-3-1	Land surveyor application
865 IAC 1-4-1	Scope of rule
865 IAC 1-4-5	Exemption from part I of examination for land-surveyor-in-training
865 IAC 1-5	Comity Registration
865 IAC 1-6	Certificates
865 IAC 1-7	Registrant's Seal
865 IAC 1-8	Renewal
865 IAC 1-9	Roster
865 IAC 1-10	Rules of Professional Conduct
865 IAC 1-11	Fees
865 IAC 1-12	Land Surveying; Competent Practice
865 IAC 1-15	Continuing Education

Jacob Hoffman a member of the public asked about the 'Roster' and what the 'Roster' is. He is in support of the rules being readopted.

A motion was made to readopt the rules by Christine Arnold and second by Richard Hudson.

CA/RH 6/0/0

Motion passes

Gary Kent	Yay
Richard Hudson	Yay
Jason Henderson	Yay
Doug Lechner	Yay
Ross Holloway	Yay
Christine Arnold	Yay

REVIEW OF PROBATIONARY REPORTS

1. Ronald Morrison – Probation Report (Kent) - no report submitted
2. Michael Sadlon – Probation Report (Holloway) – no report submitted
3. J. Bernard Feeney – Probation Report (Holloway) – No new reports – has not done any surveys.

(Capture who he reports to on the next agenda)

Add Jeff Kondy for next agenda - (Capture who he reports to on the next agenda)

APPLICATION FOR REVIEW

1. Douglas Grumloh – Comity Application

Does not have enough subdivision design and writing legal descriptions. Application table pending more information submitted providing a course syllabi for showing substantive content for subdivision design and writing legal descriptions

Motion made by Christine Arnold and seconded by Ross Holloway.

CA/RH 6/0/0

Motion passes

Gary Kent	Yay
Richard Hudson	Yay
Jason Henderson	Yay
Doug Lechner	Yay
Ross Holloway	Yay
Christine Arnold	Yay

DISCUSSION

1. HEA 1245 – Qualifying Crimes

Christine Arnold made a motion and Richard Hudson seconded to adopt the whole list of qualifying crimes.

CA/RH 5/1/0

Motion passes

Gary Kent	Nay
Richard Hudson	Yay
Jason Henderson	Yay
Doug Lechner	Yay
Ross Holloway	Yay
Christine Arnold	Yay

2. HEA 1245 – Emergency Rule Adoption

Christine Arnold made a motion and Richard Hudson seconded to adopt emergency rule.

CA/RH 6/0/0

Motion passes

Gary Kent	Yay
Richard Hudson	Yay
Jason Henderson	Yay
Doug Lechner	Yay
Ross Holloway	Yay
Christine Arnold	Yay

3. 2019 Board Member Elections

Chair – Jason Henderson

Ross Holloway/Doug Lechner

RH/DL 6/0/0

Motion passes

Gary Kent	Yay
Richard Hudson	Yay
Jason Henderson	Yay
Doug Lechner	Yay
Ross Holloway	Yay
Christine Arnold	Yay

Vice – Richard Hudson

Doug Lechner/Jason Henderson

DL/JH 6/0/0

Motion passes

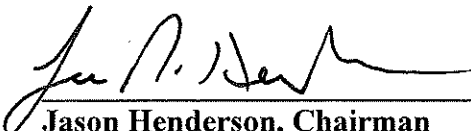
Gary Kent	Yay
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Richard Hudson Yay
Jason Henderson Yay
Doug Lechner Yay
Ross Holloway Yay
Christine Arnold Yay

Liaison – will be determined in January

4. Rule Discussion – General Discussion
More to come about 1245.
5. New Mexico Proposal - Discussed the licensing reform in the New Mexico about the Consumer Choice Provision. Need the customer's signed consent to acknowledge the fact that they are hiring an unlicensed professional for all non-medical occupations.

Adjournment
12:19



Jason Henderson, Chairman

4-12-19

Date

