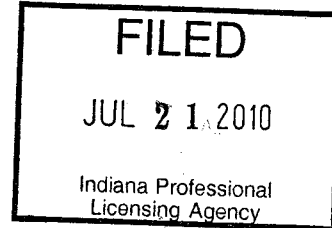


BEFORE THE STATE BOARD  
OF REGISTRATION FOR  
LAND SURVEYORS  
CAUSE NO: SBRLS: 08-04

IN THE MATTER OF THE LICENSE OF )  
 )  
WILLIAM E. PETTITT )  
 )  
LICENSE NO.: LS80900006 (Active) )



ORDER MODIFYING THE TERMS OF RESPONDENT'S PROBATION

An administrative hearing was held on July 9, 2010, at 10:00 AM, before the State Board of Registration for Land Surveyors ("Board") in Conference Center Room 5 of the Indiana Government Center South, 302 West Washington Street, Indianapolis, Indiana, concerning an Order to Show Cause issued by the Board on April 19, 2010, against the license of William E. Pettitt ("Respondent").

The State of Indiana was represented by Natalie Stidd, Deputy Attorney General. Respondent was present in person.

On or about July 9, 2010, the Board considered the evidence presented and took official notice of its file in this matter. By a unanimous vote of 7/0/0, the Board found the Respondent to be in Violation of the terms of the Board's Final Order issued April 30, 2009, and issues this Order Modifying the Terms of Respondent's Probation based upon the following findings:

1. Respondent is a licensed land surveyor with the State of Indiana holding license number LS80900006 (Probation).
2. On or about April 30, 2009, the Board issued a Findings of Fact, Conclusions of Law and Order ("Final Order") placing Respondent's license on

probation, with no right to petition for withdrawal of probation for one (1) year from the issuance of the Final Order.

3. The Final order required Respondent to comply with the following terms of Probation:

- a. Respondent must submit to the Board monthly land surveying logs, or a statement that Respondent has not performed any surveys, if he has not, by the third (3<sup>rd</sup>) day of each month. Logs must contain the following information:
  - i. List of surveys performed the previous month;
  - ii. Date of the surveys;
  - iii. Type of surveys;
  - iv. Address of property; and
  - v. Client name.
- b. In addition to the above mentioned logs, Respondent must submit a copy of all surveys and related documentation, including, but not limited to, field notes and deeds.
- c. The monthly logs, surveys, and related documents shall be submitted in PDF format, if possible, in person, or by regular mail to:

Indiana State Board of Registration for Land Surveyors  
Attn: Angela Smith Jones  
402 W. Washington Street  
Indianapolis, IN 46204  
[ajones@pla.in.gov](mailto:ajones@pla.in.gov)

4. On April 19, 2010, the Board issued an Order to Show Cause due to Respondent's failure to submit monthly land surveying logs and the surveys or a statement that Respondent had not performed any surveys for February 2010, and that Respondent had failed to improve in the quality of his surveys as had been previously

submitted to the Board for review. The Indiana Professional Licensing Agency sent Respondent the Order to Show Cause with notice of the date and time of the show cause hearing set for July 9, 2010.

5. Respondent admitted to the Board that he failed to comply with the terms of his probation for February 2010, and that he was late in complying with the terms of his probation for March 2010, as related to his requirement of sending logs, surveys, or a statement that no surveys had been completed.

6. Respondent's Probation Reviewer, Board Member Doug Lechner, indicated that Respondent's surveys that had been provided for review failed to show improvements.

#### **CONCLUSION OF LAW**

7. Respondent's conduct as described above constitutes a violation of Ind. Code § 25-1-11-5(a)(10) in that Respondent has failed to comply with an order imposing a sanction under Ind. Code § 25-1-11-12. Specifically, Respondent failed to comply with the terms and conditions outlined in the Final Order filed on April 30, 2009, failing to submit monthly land surveying logs and the surveys or a statement that Respondent had not performed any surveys for February 2010, and failing to improve in the quality of surveys as had been submitted to the Board for review.

#### **ORDER**

IT IS HEREBY ORDERED ADJUDGED AND DECREED that:

1. Respondent's license, LS80900006, shall remain on indefinite probation.
2. The terms of Respondent's probation as ordered on April 30, 2009 shall be modified as provided in paragraph 3 of this Order.

3. While on probation, Respondent shall comply with the following conditions:

- a. Respondent shall personally appear before the Board at its quarterly meetings while on probation.
- b. Respondent shall, at Respondent's expense, have all of his surveys reviewed by Peer Reviewer, David R. Blankenkemper ("Blankenkemper"), license number LS80900011 (Active).
- c. Should Blankenkemper not be able to review Respondent's surveys, Respondent shall, within two (2) weeks of this Order submit a list of three (3) surveyors from the Hanover, Indiana area to serve as a Peer Reviewer of his work. From these three (3) surveyors, Board Designee Doug Lechner shall approve one (1) surveyor to serve as Respondent's Peer Reviewer.
- d. Respondent's work shall be reviewed by Blankenkemper or the subsequent Peer Reviewer prior to being submitted to the client.
- e. Blankenkemper or the subsequent Peer Reviewer shall submit, for the Board Designee Doug Lechner's review, reports regarding the quality of Respondent's work. These reports shall be submitted in electronic format, by email to [pla10@pla.in.gov](mailto:pla10@pla.in.gov).
- f. Respondent shall pay Blankenkemper or the subsequent Peer Reviewer for his/her time spent in reviewing Respondent's surveys.
- g. Respondent shall submit the finalized surveys (surveys which have been reviewed and, if necessary, corrected) to Board Designee Doug Lechner at the same time he submits them to the client. The surveys must be submitted in electronic format, by email to [pla10@pla.in.gov](mailto:pla10@pla.in.gov).

4. Respondent shall, pursuant to Ind. Code § 4-6-14-10(b), pay a fee of Five Dollars (\$5.00) to be deposited into the Health Records and Personal Identifying Information Protection Trust Fund. This fee shall be made payable to the State of Indiana and can be made by personal check, cashier's check, or money order sent to the following within thirty (30) days of the issuance of this Order:

Indiana Office of the Attorney General  
Attn: Katherine Thorpe  
302 W. Washington St., IGCS 5<sup>th</sup> Floor  
Indianapolis, Indiana 46204

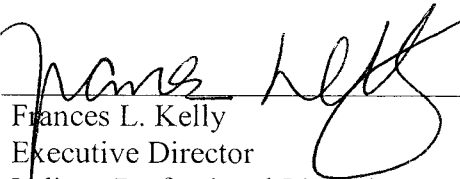
5. Respondent shall abide by all statutes, rules, and regulations concerning the practice of land surveying.

6. The failure of Respondent to comply with the requirements of this Order shall subject him to a show cause hearing and the possible imposition of further sanctions.

SO ORDERED, this 21 day of July, 2010.

STATE BOARD OF REGISTRATION  
FOR LAND SURVEYORS

By:



Frances L. Kelly  
Executive Director  
Indiana Professional Licensing Agency

Distribution:

William E. Pettitt  
P.O. Box 412  
Hanover, Indiana 47243

**CERTIFIED MAIL NO.: 9171900005272000021318**  
**RETURN RECEIPT REQUESTED**

Natalie R. Stidd  
Deputy Attorney General  
Office of the Attorney General  
Indiana Government Center South, 5<sup>th</sup> Floor  
302 West Washington Street  
Indianapolis, IN 46204