

**MINUTES**

**STATE BOARD OF REGISTRATION FOR LAND SURVEYORS**

Meeting held  
Friday, October 8, 2010

Indiana Government Center South  
402 West Washington Street, Conference Center 5  
Indianapolis, Indiana

**I CALL TO ORDER & ESTABLISHMENT OF QUORUM**

Ms. Arnold called the meeting to order at 8:34 a.m. in Indiana Government Center South, 402 West Washington Street, Conference Center 5 Indianapolis, Indiana and declared a quorum in accordance with IC § 25-4-1

**Members Present.**

- Christine Arnold, Chairman
- Gary Kent, Vice-Chairman
- Richard Hudson
- John Stephens
- Doug Lechner
- Ross Holloway
- Michael DeBoy

**State Officials Present**

- 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

Stephens/Lechner  
Motion carried 7/0/0

**III ADOPTION OF THE MINUTES FROM JULY 9, 2010 MEETING OF THE BOARD**

**Board action.** A motion was made to accept agenda with amendments

Kent/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/Lechner  
Motion carried 7/0/0

**V REPORT FROM THE BOARD LIAISON**

a) Litigation Update Report

*M DeBoy after 11-15/2006*

Mr DeBoy reported at the last meeting the board voted to make Gary Kent the new board liaison for the board Mr DeBoy also reported 2-3 cases have been cleared

*G Kent after 7/9/2010*

Mr Kent reported he attended his first settlement conference for the board, which dealt with common practices within the profession Potential cease and desist order and additional has been reviewed by Mr Kent

b) Office of the Attorney General – Gabrielle Owens

Natalie reported the name of Consumer Protection Division of the Attorney General's Office is changing The new name is Licensing Enforcement & Homeowner Protection Unit Natalie also informed the board that Gabrielle Owens is now the Deputy Director for the Attorney General's Office

**VI PERSONAL APPEARANCES**

**A. William Pettit**

Mr Pettit will send all documents to the survey to the reviewer and the reviewer has the right to ask for additional information Mr Lechner will contact the reviewer and let him know what the board discussed Mr Kent discussed a reviewer can request any documentation needed to complete the review process

**B Zoharb Tazian**

Mr Tazian asked if he did not have to appear this quarter as he did not have any metes and bounds surveys It was discussed by the board, Tazian needs to send all surveys to the board member J Stephens and Mr Stephens will send surveys to board members to have prior to board meeting

**C John Manship**

Mr Manship's attorney notified the board he will not be able to attend due to health issues

**D ISPLS**

Todd Bauer, vice president, of ISPLS attended the meeting to inform the board they have compiled a list of surveyors that are willing to work with the mentoring program the board has in place for licensees that are placed on probation Also ISPLS is in continued support of the board

**VII ADMINISTRATIVE RULES HEARING**

9:30 a m

**TITLE 865 STATE BOARD OF REGISTRATION FOR LAND SURVEYORS**

LSA Document #10-409  
Re Readoption of Rules

**Board Action.** The board and the agency reviewed the rules to be readopted and determined that the rules do not impose any cost on small business pursuant to IC 4-22-2 5-3 1(c), and thus moved to readopt the rules as posted

Kent/Lechner  
Motion carried 7/0/0

**VIII**

**ADMINISTRATIVE HEARINGS**

**A.**

**IX CONSIDERATION OF ADMINISTRATIVE LAW JUDGES ORDER**

None

**X DELIBERATION AND POSSIBLE FINAL ACTION**

None

**XI. ORDER TO SHOW CAUSE**

**A In the Matter of the License of John Manship**

Administrative Cause No SBRLS 06-07

Re Order to Show Cause

Continued due to health issues concerning Mr Manship

**In the Matter of the License of Steven B Williams**

Administrative Cause No SBRLS 07-01

Re Order to Show Cause

**Parties Present**

Steven B Williams was present with counsel Jeffrey Eggers  
The State of Indiana was represented by Natalie Stidd

**Board Members Present**

Richard Hudson (Hearing Officer)

John Stephens

Doug Lechner

Gary Kent (recused himself)

Michael DeBoy (recused himself)

Ross Holloway (recused himself)

**Witnesses:**

Steven B Williams

Michael DeBoy

**Case Summary** This was brought by request of the board

Motion made by to have remaining members to act as ALJ

Holloway/Kent

Motion carried 6/0/0

**State's Exhibit A** Norton Farms, Inc Retracement and Original Survey

**State's Exhibit B** Plat of Survey for Jay Kress

**Respondent's Exhibit 1** Survey log dated 8-20-10 to 9-20-10

**Respondent's Exhibit 2** Supporting Data Sheet for Clinton Beck Minor Subdivision

**Respondent's Exhibit 3** Clinton Beck Minor Subdivision sheets 1 and 2 date 4-28-09

**Respondent's Exhibit 4** Clinton Beck Minor Subdivision date 2-4-09

**Respondent's Exhibit 5** Sketch Plan Clinton Beck Minor Subdivision

**ALJ Panel Action**

Recommendation made to accept M DeBoy as expert witness

Stephens/Lechner

Motion carried 3/0/0

Recommendation made by Administrative Law Judge Panel to offer Mr. Williams to be a part of the mentoring "program". The mentor would review the surveys prior to going out to the public. Reviewer would give feedback to Mr. Williams. Mr. Williams would adjust surveys then give those to the board member to review. Mr. Williams will be required to attend quarterly for personal appearances and probation will extend for an additional twelve (12) months.

**XII. PROPOSED SETTLEMENT**

**A. *In the Matter of the State of Indiana v. Richard Durham***

Administrative Cause No. SBRLS 08-01  
 Re: Proposed Settlement

**Board action:** A motion was made to approve the proposed findings.

Holloway/DeBoy  
 Motion carried 6/0/1  
 Lechner abstained

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

Administrative Cause No. SBRLS 07-36  
 Re: Proposed Settlement/Cost Summary

**Board action:** A motion was made to approve the proposed findings.

Holloway/Hudson  
 Motion carried 6/1/0 Lechner opposed

**XIII. CONTINUING EDUCATION**

**A. Individual Request for Course Approval**

None

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

None

**C. Request for Approval**

Gary Kent reported 18 courses submitted and more information is needed.

**XIV. PETITIONS FOR REVIEW**

**XV. REVIEW OF PROBATIONARY REPORTS**

**A. Zohrab K. Tazian (Stephens)**

Mr. Tazian did not complete any surveys for this quarter. The board discussed again Mr. Tazian should appear for every meeting.

**B. J. Bernard Feeney (Holloway)**

No report given/ no surveys

**C. Michael Sadlon (Stephens)**

Only doing survey location reports

- D Robert Peterson (Holloway)  
Letter was sent in June and neither letter was returned to board

**Board Action** Schedule for show cause hearing

Kent/Holloway  
Motion carried 7/0/0

- E. Steve Williams (Stephens)

His probationary report was addressed during the Order to Show Cause hearing held today

- F William Pettitt (Lechner)

He made a personal appearance before the board earlier today

- G John Manship (Kent)

Mr Manship did not appear due to health issues

**XVI. BOARD DIRECTOR'S REPORT**

- A CE audit  
5% CE audit went out on October 5<sup>th</sup> and is scheduled to end November 5<sup>th</sup> A total of 43 applicants were selected Gary Kent will serve as the Board liaison for the continuing education audit

**XVII DISCUSSION ITEMS**


- A Investigative Fund – Fee Rules Doug will be liaison for board to assist the agency in writing rules

**XVIII CORRESPONDENCE**

**XIX. NEW BUSINESS/OLD BUSINESS**

**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 12:27 p.m.

  
 Christine Arnold - Chairperson  
 State Board of Registration for Land Surveyors

2/4/11  
 Date