

MINUTES

STATE BOARD OF REGISTRATION FOR LAND SURVEYORS

**Meeting held
Thursday, November 15, 2007
at 8:30 a.m.**

**Indiana Government Center South
302 West Washington Street, Room CC 9
Indianapolis, Indiana**

I. CALL TO ORDER & ESTABLISHMENT OF QUORUM

Mr. Kent called the meeting to order at 8:30 a.m. in Conference Center Room CC 9, 302 West Washington Street, Indianapolis, Indiana and declared a quorum in accordance with IC § 25-4-1.

Members Present:

Gary Kent, Vice-Chairman
John Stephens
Richard Hudson
Doug Lechner
Michael DeBoy

Members Not Present:

Christine Arnold, Chairman
Ross Holloway

State Officials Present:

Mary Kate Adams, Assistant Director, Indiana Professional Licensing Agency
James Schmidt, Advisory Counsel, Office of the Attorney General

II. ADOPTION OF AGENDA

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

Hudson/Lechner
Motion carried 4/0/0.

III. ADOPTION OF THE MINUTES FROM SEPTEMBER 14, 2007 MEETING OF THE BOARD

Board Action: A motion was made to adopt the September 14, 2007. the minutes.

Lechner/DeBoy
Motion carried 4/0/0

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/DeBoy
Motion carried 4/0/0

V. PERSONAL APPEARANCES

None

VI. ADMINISTRATIVE HEARINGS

None

VII. CONSIDERATION OF ADMINISTRATIVE LAW JUDGES ORDER

A. In the Matter of Richard J. Gustafson
Administrative Cause No.: SBRLS 07-30

Board Action: A motion was made to affirm the proposed ALJ order denying the application for licensure.

Hudson/DeBoy
Motion carried 4/0/0

B. In the Matter of Joshua G. Foster
Administrative Cause No.: SBRLS 07-31

Board Action: A motion was made to affirm the proposed ALJ order granting the application for registration as a land surveyor.

Hudson/DeBoy
Motion carried 4/0/0

C. In the Matter of State of Indiana v. Michael Fruth Administrative
Cause No.: SBRLS 07-05
Re: Revised Proposed Findings of Fact, Conclusions of Law, and Order

Board Action: A motion was made to **reject** the Revised Proposed Findings of Fact, Conclusions of Law, and Order. Michael DeBoy abstained from the motion.

Hudson/Stephens
Motion carried 4/0/0

VIII. REPORT FROM THE BOARD LIAISON

a) Litigation Update Report

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

There was nothing to report.

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

Mr. DeBoy reported that the Attorney General's Office forwarded 13 cases for him to review. The AG's Office wants more details and points on the complaints.

The Board requested that someone from the Attorney General's Office come to the January 11, 2008 Board meeting and update the Board and the Board has some questions on the disciplinary Cases.

b) Office of the Attorney General

No report was given.

XIV CONTINUING EDUCATION

A. Individual Request for Course Approval

Michael E. Brunner

The Board approved Mr. Brunner's Individual Request for Land Surveyor Continuing Education Course Approval – (Courses 15Biol 600, 601, 602, 603) 18 Elective Hours and 4 Elective hours that will carry over for the 2010 renewal.

B. Request for Approval of Additional Courses and Instructors

None

X. PETITIONS FOR REVIEW

None.

XI. REVIEW OF PROBATIONARY REPORTS

A. Leander H. Mehling (Holloway)

His license expired and the board wants to be notified if he attempts to reinstate this license and they would like the staff to put a hold on his license.

B. Zohrab K. Tazian (Kent) (Received 8/7/2007 & 9/5/2007)

Received reports from Mr. Tazian 10/9/07 & 11/14/07 and the letter was sent out.

C. J. Bernard Feeney (Holloway)

He is not doing any surveying.

D. Michael Sadlon (Stephens)

No report.

E. Ronald Ratcliff (Stephens)

No report.

The Board request that staff brings files of licensees on probation to the next Board Meeting.

XII. BOARD DIRECTOR'S REPORT

None

XIII. DISCUSSION ITEMS

- a. Rule Promulgation: Gary Kent
Re: 865 IAC 1-13, 865 IAC 1-14 and 865 IAC 1-15, etc.

The rule changes for continuing education are still in the drafting phase. Angela Jones and Jim Schmidt to review.

b. Supplemental Information Form – Review

Gary made some changes on the application; he will send a draft out before the next meeting for discussion.

c. State Board of Registration for Land Surveyors 2008 Meeting Dates

The Board discussed the four scheduled Board Meeting dates for 2008, with the understanding that if more meetings are needed, they can be scheduled.

d. Election of Officers Re: 2008

The Board voted that the Election of Officers would stay the same as 2007. Christine Arnold, Chairperson, Gary Kent, Vice Chairman and Mike DeBoy, Liaison. The vote was 4/0/1 Gary Kent abstained.

e. Todd Starr, RLS
Re: SLRs

The Board reviewed the letter from Todd Starr, RLS. Mr. Starr, asked the Board to clarify the limitations on this regulation. Are they only limited to residential properties: Can we provide an SLR for Commercial property less than two acres such as apartment complex properties with no more than four-family units? Are all apartment complexes prohibited from SLRs or just larger sized units: If SLRs are not intended for any commercial use, we need statutes so we can tell our valued customers that we cannot perform SLRs because our State Board prohibits them. Gary Kent will send staff a letter, to forward, that will clarify Mr. Starr's questions.

f. Steve Johnson, Purdue University

Mr. Johnson addressed the board.

XIV. CORRESPONDENCE

None

XV. NEW BUSINESS/OLD BUSINESS:

None

XVI. ADJOURNMENT

There being no further business and having completed its duties, the meeting of the State Board of Registration for Land Surveyors adjourned at 12:50 p.m.

Gary Kent – Vice Chairperson
State Board of Registration for Land Surveyors

Date

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There being no further business and having completed its duties, the meeting of the State Board of Registration for Land Surveyors adjourned at 12:50 p.m.



Gary Kent, Vice Chairperson
State Board of Registration for Land Surveyors

1/11/08

Date

**Land Surveyor Board List
November 15, 2007**

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SIT EXAM APPLICANTS

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LS EXAM APPLICANTS

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Jay R. Kent
11/15/07