

## **MINUTES**

### **BOARD FOR PROFESSIONAL LAND SURVEYORS**

**DATE:** May 6, 2015

**TIME:** 11:00 A.M.

**PLACE:** 500 N. Calvert Street  
Room 308  
Baltimore, Maryland 21202

**PRESENT:** John Mettee, Chairman  
John Jensen  
Donald Ocker  
Daniel Lavelle  
Thomas Orisich  
Brian Dunne

#### **OTHERS**

**PRESENT:** Pamela J. Edwards, Executive Director  
James Baseman, Assistant Executive Director  
Milena Trust, Assistant Attorney General  
Janet Morgan, Outreach Coordinator  
TJ Frazier, MSS

#### **CALL TO ORDER**

John Mettee, Chairman called the meeting to order at 11 a.m.

#### **ACTION ON MINUTES**

A motion (I) was made by Donald Ocker, seconded by John Jensen, and unanimously carried to approve the minutes of the April 1, 2015 meeting with one change. The amount of the fine for complaint 15-LS-07 should be \$500 instead of \$300.

#### **COMPLAINT COMMITTEE REPORT**

Mr. Ocker provided the status of the complaints:

15-LS-04 In pre-charge review.  
15-LS-07 AAG will offer Consent Order with \$500 fine and 30 days to complete CPC requirements.

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15-LS-08 AAG will offer Consent Order with stipulation to complete 4 Category A credits within 30 days.

A motion (II) was made by John Jensen, seconded by Brian Dunne, and unanimously carried to accept the complaint committee's report.

**CORRESPONDENCE**

The Board discussed an email received from Jerry Carter, of NCEES, regarding NCEES' administration of state specific exams after the April 2016 exams. It was noted that the Fundamentals Exam has already gone to Computer Based Testing and the Principles and Practice Exam will go to CBT with the October 2016 exam. NCEES will offer space at the PE exam for states to administer state specific exams. The Board discussed that this has no effect on administration of Maryland's state specific exams because Maryland administers its own exams. Mr. Carter stated that NCEES will not administer state specific exams via CBT. Mr. Orisich noted that some states will be administering their own state specific exams.

The Board discussed an email from Fred Price, a surveyor licensed in Virginia. Mr. Price asked if a surveyor licensed in Virginia but not licensed in Maryland could perform construction stakeout in Maryland. Pam Edwards had advised Mr. Price that the surveyor must be licensed in Maryland. Mr. Price objected to Ms. Edwards' response. The Board agreed that in accordance with Maryland law the definition of the *practice of land surveying* includes "layout or stakeout of proposed construction." Don Ocker summarized the Board's response to Mr. Price, stating that Mr. Price must be licensed in Maryland and he must have a firm permit. Milena Trust agreed to respond to Mr. Price in writing.

Mr. Orisich distributed his memo to the Board summarizing his trip to the NSPS Conference in April.

**NEW BUSINESS**

The Board discussed membership of the CPC Committee. Mr. Robert Banzhoff volunteered to participate as the educator member. Ms. Edwards compiled a list of licensees who responded to the Board's email calling for a non-MSS member volunteer, but noted that only three of the volunteers were non-MSS members.

Motion (III) was made by Tom Orisich, seconded by John Jensen and unanimously carried to accept Chris Burke as a member of the committee.

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TJ Frazier noted that the MSS had not yet named a member to work on the CPC Committee.

John Mettee stated that the purpose of the committee is to review the CPC regulations and make recommendations to the Board on how to improve them. Mr. Mettee noted that the committee will meet for the first time after the June Board meeting.

Milena Trust stated that the Board also needs to work on the education bill. It was noted that the MSS Fall Conference is scheduled for October 8 and 9. The Board has agreed to have a question and answer session at the conference. It was suggested that a portion of the forum be dedicated to getting input from attendees related to education requirements. Mr. Orisich noted his preference to work with the MSS and have the bill drafted before the Fall conference.

Dan Lavelle suggested reworking the existing bill instead of doing a complete rewrite. Ms. Edwards will put the bill on the agenda for the June 3rd Board meeting.

Mr. Orisich noted that the current law requires 32 academic credits but CCBC (Catonsville Community College of Baltimore County) only provides for 30 credits in their program. He stated that the requirement for 12 credits in minor engineering should be considered part of the 30 credit program, not in addition to the program. Mr. Orisich suggested changing the law to match the CCBC program.

Mr. Frazier will solicit questions from MSS members in advance of the conference. Questions to the Board will be vetted. Mr. Frazier noted that the agenda had not been worked out and that there will be no free lunches or free admission for the Board members.

The July 1st Board meeting will be moved to Tuesday, July 7<sup>th</sup>.

A discussion of the May NCEES Zone Meeting followed. Mr. Mettee noted options to the administration of state specific exams include eliminating the exams, having a common exam, or having states proctor each other's exams. He also noted that in 2012 there were 13 licenses issued in Maryland, in 2013 there were 17 licenses issued in Maryland, and there are approximately 24 exams given each year.

Mr. Orisich noted that younger surveyors complain because the state specific exams are not available on line. Mr. Ocker and Mr. Mettee agreed that

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our system of examination was working and did not need to change. The Board agreed that Maryland is not changing to CBT. Mr. Mettee noted that Michigan and the District of Columbia had already moved to CBT and that South Dakota gives take home exams.

Mr. Orisich noted that Roy Shrewsbury, PLS, from the West Virginia Board, was elected as the new Northeast Zone Vice-President. He further noted that the 2017 Zone meeting will be held with the Southern Zone in the Virgin Islands.

**EXECUTIVE DIRECTOR'S REPORT**

Pam Edwards noted that we are still waiting for approval of the hiring freeze exemption for Board Secretary position.

**BOARD COUNSEL REPORT**

Milena Trust stated that the firm permit enforcement bill was not signed because of the state of emergency that existed in Maryland during the past week.

**MARYLAND SOCIETY OF SURVEYORS**

Mr. Frazier stated that the NSPS Conference was a relatively small meeting and was not very productive. Mr. Frazier asked for possible dates for the minor engineering exam writing session. Mr. Mettee suggested September and Mr. Frazier agreed.

**EXECUTIVE SESSION**

A motion was made by Mr. Ocker, seconded by John Jensen and unanimously carried to go into Executive Session at 12:09 p.m. at 500 North Calvert Street, 3<sup>rd</sup> Floor Conference Room, Baltimore, Maryland 21202. This session is permitted to be closed pursuant to State Government Article, Title 10-508(a)(7). Upon completion of the session, the Board reconvened its public meeting at 12:29 p.m.

**REVIEW OF APPLICATIONS**

The following application for Land Surveyor in Training Examination was approved:

Christopher Swartz

**REVIEW OF APPLICATIONS – (continued)**

The following application for reciprocity was approved:

William Burchett

The following applications for firm permits were approved:

Point to Point Land Surveyors, Inc.	21785
AECOM Technical Services, Inc.	21786

Following a review of the above applications by a minimum of two board members, a motion for approval was made and unanimously carried.

**ADJOURNMENT**

There being no further business, a motion was made and unanimously carried to adjourn the meeting at 12:30 p.m.

With Corrections

Without Corrections

  
\_\_\_\_\_  
John Mettee, Chairman

Date: 6/3/15