



Department of Business and Professional Regulation FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS



JANUARY 1997

BOARD MEMBERS

Professional Members
David W. Gibson, P.S.M.
Chair - Gainesville

Eugene W. Stoner, P.L.S.
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Miami

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Bradenton

Ralph Armstead
Orlando

BOARD COUNSEL

Lealand McCharen
Assistant Attorney General

EXECUTIVE DIRECTOR

Vacant

ADMINISTRATOR

Carrie Flynn

MEETING DATES & PLACES

Committee/Board Meetings

May 20-22, 1997 - Tallahassee
September 17-19, 1997 Miami/Ft.
Lauderdale

Rule Workshops

March 25-26, 1997 - Tampa

BOARD OFFICE

1940 North Monroe Street
Tallahassee, Florida 32399-0756
Phone: (904) 488-9912
Fax: (904) 922-2918

LICENSE STATISTICS

Active Surveyors and Mappers
2,619
Active Certificates of Authorization
858

LAWTON CHILES, GOVERNOR

**RICHARDT. FARRELL,
SECRETARY**

The Probable Cause Panel met on December 3, 1996. 18 cases were reviewed resulting in only 4 administrative complaints being issued. The remainder of the cases resulted in 2 cases being continued for further investigation, 8 cases were closed, and 4 letters of caution were issued. There continues to be a noticeable decline in the number of complaints being filed.

The Continuing Education Committee met on Wednesday, January 15, 1997 at 10 a.m. in Orlando. The regular business of the Committee was conducted including review and approval of new applications for Continuing Education Providers, review of the report of approved courses and review of the Continuing Education Provider Renewal Notice. There was also discussion to allow for a Competency Maintenance Organization (CMO) for management of continuing education and competency to practice surveying and mapping. As a result of the lengthy discussion regarding the CMO the Committee identified items which need to be addressed at a rules workshop. These items are Accounting/Audit of CEU's; Reciprocity with other states that have CEU requirements; Amount of credits allowed for professional organization participation; education available outside the approved provider status; carry over of CEU's at the end of a renewal cycle. The rules workshop for Continuing Education will be held on March 25, 1997 at 1 p.m. in Tampa.

The Rules Committee met on Wednesday, January 15, 1997 at 1 p.m. in Orlando. A proposed rule that adopts the features of the Board approved position statement on GIS/GPS was presented. Revisions were made to the proposed rule following input from Board Members and the public attending the meeting. Lealand McCharen, Board Counsel made note of these changes and provided a draft to the full Board at the Board Meeting the following day. Again revisions were made at the Board Meeting after input from Board Members and the public attending the meeting. Following is the final draft of the rule for adoption:

61G17-6.002 Definitions. As used in this chapter, the following terms have the following meanings:

(1) - (9) No Change.

(10) Surveying and Mapping: a process of direct measurement and analysis specifically designed to document the existence, the identity, the location, and the dimension or size of natural or artificial features on land or in the air, space or water for the purpose of producing accurate and reliable maps, suitable for visualization if necessary, of such documentation.

(a) surveying and mapping shall not be deemed to include the following:

1. all forms of secondary mapping and cartography such as enlarging, reducing, changing scale, digitizing, remapping from archival map sources and other graphic activities that do not involve making original measurements of features on or near the earth's surface. Examples of these activities include, but are not limited to activities which include appraisal parcel mapping, digitizing,

applying cartographic warping functions, and scale and orientation changes. However, licensed surveyors and mappers should supervise primary spatial data capture by taking original measurements from an original look at the ground.

2. original measurements and mappings of features on or near the earth's surface that are used internally for developing management plans or facility inventories, providing that said measurements, mappings, management plans and facility inventories are not openly distributed in any form from which the general public can extract the position of measured features in a recognized coordinate system such as state plane coordinates or latitude and longitude. Such measurements and mappings, when openly distributed, should contain a statement that they are for informational purposes only. The terms "management plans" and "facility inventories" do not include a measurement and mathematical description of features regulated by statute or rule that directly affect a property owner's title, land use, land rights or land value. Examples of such activities include but are not limited to activities which include forest mapping, mapping grass beds, mapping ground water distributions, mapping for game management plans, mapping accident locations for safety analysis, etc., but would not include measuring and mapping regulated resources for documentation of locations in response to federal or state law, or local ordinance because this type of measuring and mapping affects land rights, values, and use and should be supervised by a licensed surveyor and mapper.

3. producing images and photographs that are presented in such a way that absolute positions of features in a recognized coordinate system such as state plane coordinates or latitude and longitude cannot be extracted. Examples of such activities include, but are not limited to, activities which include displaying, enlarging, and delivering any image depicting the earth's surface without absolute positions of features displayed because such images in absolute positions such as state plane, latitude and longitude, or Universal Transverse Mercator implies their suitability for overlay with another similarly produced map product. Without expression of absolute position, therefore, potential misuse and damage are greatly reduced. Examples of these activities would be approximately scaled aerial photograph enlargements without coordinate grids, and images of all sorts that have not been rectified to true earth coordinate position.

4. original measurements and mappings of theme data for scientific study or geographic analysis provided that the theme data, either vector or raster, are adjusted to base features that have been produced consistent with Chapter 472, Fla. Stat. Examples of such activities include, but are not limited to, activities which include mapping botany, soils, geology, hydrology, etc., including only enough base data to permit registering the theme data to a recognized base map such as USGS quad sheets, DLG's, DOQQ's, or large scale base information produced by a licensed surveyor and mapper. In such cases, the coordinate basis of the theme should be adjusted to the coordinate base of the controlling base map. However, measuring and mapping data for base map purposes, such as the public land survey system, road base lines, right-of-way lines, land parcels and major structures is relied on by a wide variety of innocent users and should, therefore, be supervised by a licensed surveyor and mapper.

(11) No Change.

Specific Authority 472.008, 472.027 FS.

Law Implemented 472.027 FS.

History--New 9-1-81, Formerly 21HH-6.02, Amended 12-18-88, Formerly 21HH-6.002, Amended 12-25-95,

The **Full Board** met on Thursday and Friday, January 16 and 17, 1997 in Orlando. The meeting began at 8 a.m. on Thursday recessing at 5 p.m. and reconvened at 8:30 a.m. on Friday and adjourned at approximately 1 p.m. The Board Chair welcomed Ralph Armstead the newly appointed lay member of the Board. Mr. Armstead is an attorney from the Orlando Area. Lealand McCharen, Board Counsel; Carrie Flynn, Program Administrator; and Jeannie Carlton, Professional Regulation Specialist were also present. The Board heard 1 disciplinary case that was being prosecuted against a licensee by the Department of Business and Professional Regulation. Also on the agenda were two informal hearings for application denials and one request for reinstatement of a license. The Board also approved prior minutes, heard reports from Board Counsel and the various committees of the Board. Correspondence was also reviewed with Board staff and

Counsel. Prior to adjournment on Friday the Board held elections for Chair and Vice-Chair for 1997. Dave Gibson was elected Chair for another year and Gene Stoner was elected Vice-Chair.

Bill Reeves, Director of the Division of Regulation made a presentation to the Board regarding the Reorganization and Redefinition of the Professional Enforcement Program. The Division of Regulation is responsible for receiving, analyzing, investigating and prosecuting allegations against citizens practicing within the 28 professions currently regulated by BPR. The highlights to the reorganization and redefinition are to focus efforts on the more serious and recurring complaints that can cause the greatest harm to the health, safety and welfare of the public; to shift resources locally, where regulatory efforts can be more timely and responsive; and to ensure that regional offices have adequate resources and authority to function effectively. In summary, by transferring investigators, complaint analysts, attorneys and clerical positions to the outlying field locations the personnel will be available to adequately monitor and control the regulatory activity in their region. For instance, you will be able to file a complaint with a regional office and have contact with the staff during the complaint process. This will also allow the regional office staff to become familiar with an area and those professionals practicing in that area.

Gerald York, Assistant General Counsel, Secretary of State, made a presentation to the Board regarding the use of electronic seals and signatures. Digital signature technology is another step towards a "paperless" world where business and personal transactions are conducted entirely between computers. The technology is now available to ensure authenticity of the digital signatures and is already being used by many governmental agencies. The Board voted to support the change to Florida Statutes to allow the use of these seals and signatures. The proposed language is "Each registrant may in addition register his/her seal electronically in accordance with ss. 282.70-282.75. Drawings, plans, specifications, reports or documents prepared or issued by a registrant may be transmitted electronically and may be signed by the registrant, dated and stamped electronically with said seal in accordance with ss. 282-70-282.75." The Board recognizes that if the Statute is changed there will need to be some minor rule revisions.

The Probation Committee Meeting was held during recess of the full Board Meeting on Thursday morning. The Probation Committee reviewed and approved prior minutes, conducted survey reviews for six probationers; released from probation five probationers that had meet the terms of their final orders and reviewed the status of probationers that may be in non-compliance with final orders. The survey reviews were made using the new minimum technical standards. Of the six survey reviews completed, only two were found to be in substantial non-compliance with MTS. One probationer will be submitting a second set for review and the other will be allowed to submit a third set since the second set was an improvement from the first set reviewed.

The renewal cycle for 1997-99 is underway. Remember your license expires February 28, 1997.

DISCIPLINARY ACTION REPORTED

At the January Board meeting the Board heard one disciplinary case. This case was an informal hearing which resulted in Wen Y. Chung (LS 0002637) being placed on probation with a fine of \$ 2,500 dollars, MTS course and survey review.

THE FOLLOWING REPRESENTS A LIST OF SUSPENDED, REVOKED, AND VOLUNTARY RELINQUISHED LICENSES:

<u>SUSPENDED LICENSES</u>	<u>REVOKED LICENSES</u>	<u>VOLUNTARY RELINQUISHED LICENSES</u>
Boldt, Theodore Carl	Blackmon, Julius Lemay	Bradley, Clopton
Craft, Donald A.	Bolt, Frederick R.	Hanson, Gordon G.
Hutchins, Bobby F.	Coffell, Laythel Shane	Havird, James K.
Makemson, Robert W.	Cool, Carl	Hodge, Ernest D.
Tash, Bertin C.	Dohm, Lars	Horne, Corbett
Turso, Robert A.	Forsman, Robert V.	Nassau Land Planning
Schular, Harold A.	Gerber, Robert H.	Short, John
Snyder, Thomas E.	Heasley, Dennis	West, C.W.
Sutherland, Stephen C.	Henderson, Olive C.	Wilkinson, Buddy
Wilson, Ned	Holt, John D.	
	Hunt, Gary D.	
	Lyon, Edward B.	
	Mowrey, Jr., Donald D.	
	Nash, James F.	
	Webster, William James	

APPLICATIONS RECEIVED FOR FISCAL YEAR 1995/1996

Applications received for Examination	64
Applications received for Re-examination	96
Applications received for Certificate of Authorization	31
Applications received for Amended Certificates of Authorization	48
Request for Verification of Licensure	20
Applications received for Surveyors and Mappers in Training	1
Applications received for Surveyors and Mappers in Training Re-examination	0
Applications received for Continuing Education Provider	4

APPROVED PROVIDERS FOR CONTINUING EDUCATION

Academic Services Corporation
 Computer Science Technology, Inc.
 Florida Surveying & Mapping Society
 Land Surveyor's Workshop
 National Business Institute, Inc
 F&L Florida Continuing Education

PROVIDER #	TELEPHONE #
CEP001	800-776-6146
CEP002	407-682-3325
CEP003	904-942-1900
CEP004	704-765-1717
CEP005	715-835-8525
CEP006	813-366-2240

Advanced Surveying Technology, Inc.	CEP007	407-365-1595
aga Computer Sciences, Inc.	CEP008	813-620-1444
LSS Seminar & Publishing Company	CEP009	914-384-8114
Florida Chamber of Commerce	CEP010	904-681-2550
Hillsborough Land Survey & Mapping Scholarship Fund, Inc.	CEP011	813-272-5912
Steensland Center for Professional Development	CEP012	334-794-8636
CADD Centers of Florida	CEP013	305-775-7300
Georgia Center for Continuing Education	CEP014	706-542-6639
Valencia Community College	CEP015	407-299-5000
University of Florida	CEP016	352-392-9492
Florida A & M University	CEP017	904-599-3506
FL Department of Transportation-Surveying & Mapping Office	CEP018	904-488-8911
FL Department of Transportation-Florida EFB Users Group	CEP019	904-487-3949
Alabama Society of Professional Land Surveyors	CEP020	334-279-7040
Indian River Community College	CEP021	407-462-4721
FDEP/Bureau of Survey & Mapping	CEP022	904-488-2427
Atlantic Professional Development	CEP023	904-893-4380
Florida Level and Transit	CEP024	800-327-0775
Florida Design Automation Inc.	CEP025	941-924-2873
Edison Community College d/b/a Institute of Management Development	CEP026	941-489-9200
Harley C. Gilmore	CEP027	813-978-1350
Paul T. O'Hargan, PMS	CEP028	407-682-3325
Geopak Corporation	CEP029	305-944-5151
Navtech Seminars, Inc.	CEP030	703-931-0500

Remember, you can check the status of licenses on the Department's Web page. The address is: <http://www.state.fl.us/dbpr/>

ADDENDUM TO ROSTER FOR LICENSEES (OCTOBER 1996 EXAM)

This list should be combined with the September 1996 newsletter for your records.

LS5666 Bartholomew, Michael John	LS5680 Harrison, Thomas Edgar
LS5667 Best, William Tony	LS5681 Malesevic, Jovica B.
LS5668 Bishman, Aron Donald	LS5682 Mitchell, Kirk Brian
LS5669 Brown, Johnny Alan	LS5683 Nipper, Greg S.
LS5670 Bruno, David Mark	LS5684 O'Neil, Anthony Paul
LS5671 Crider, M. Scott	LS5685 Payne, William Sean
LS5672 Demmons, John Harrison, Jr.	LS5686 Perkins, Scott James
LS5673 Dukes, Daniel Alan	LS5687 Pinera, Hector Y.
LS5674 Eggerton, Walter Hawkins, Jr.	LS5688 Potter, Bob L.
LS5675 Evers, Robert R.	LS5689 Shokes, Dana (Eric)
LS5676 Fernandez, Edwin Jose	LS5690 Smith, Andrew Joseph
LS5677 Flanary, Robert S.	LS5691 Tweed, Jonathan R
LS5678 Foran, David Alan	LS5692 Wattier, Mark Alvin
LS5679 Hagan, Seamus John	LS5693 Yorio, James Robert

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS
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