

60 REVIEW AND APPROVAL OF THE MAY 2011 AND JUNE 2011 GENERAL BUSINESS MEETING MINUTES

61

62 After discussion the following motions were made:

63

64 MOTION: Mr. Fusco made a motion to approve the May 2011 minutes as amended.

65

65 SECOND: Mr. Ehmke seconded.

66

66 ACTION: The motion passed unanimously.

67

68 MOTION: Ms. Nobles made a motion to approve the June 2011 minutes as amended.

69

69 SECOND: Mr. Wright seconded.

70

70 ACTION: The motion passed unanimously.

71

72 SETTLEMENT STIPULATIONS

73

74 Michael Blanton

75

75 Case Number 1101-01594

76

77 Mr. Mastronicola and Mr. Talbott were recused due to their participation on the Probable Cause Panel.

78

79 Mr. Blanton was not present.

80

81 After discussion the following motion was made:

82

83 MOTION: Ms. Nobles made a motion to accept the Settlement Stipulation Agreement as presented.

84

84 SECOND: Mr. Petzold seconded.

85

85 ACTION: The motion passed unanimously

86

87 Butler & Associates of Pensacola, Inc.

88

88 Case Number 1103-12174

89

90 Mr. Mastronicola and Mr. Talbott were recused due to their participation on the Probable Cause Panel.

91

92 A representative for Butler & Associates of Pensacola, Inc. was not present.

93

94 After discussion the following motion was made:

95

96 MOTION: Ms. Nobles made a motion to accept the Settlement Stipulation Agreement as presented.

97

97 SECOND: Mr. Evers seconded.

98

98 ACTION: The motion passed unanimously

99

100 VOLUNTARY RELINQUISHMENTS

101

102 Myron Blow

103

103 Case Number 1103-12174

104

105 Mr. Blow was not present.

106

107 After discussion the following motion was made:

108

109 MOTION: Ms. Nobles made a motion to accept Mr. Blow's voluntary relinquishment.

110

110 SECOND: Mr. Ehmke seconded.

111

111 ACTION: The motion passed unanimously.

112

113 Victor G. Schumer

114

114 Case Number 1102-05849

115

116 Mr. Schumer was not present.

117

118 After discussion the following motion was made:

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119
120 MOTION: Mr. Evers made a motion to accept Mr. Schumer's voluntary relinquishment.
121 SECOND: Mr. Petzold seconded.
122 ACTION: The motion passed unanimously.

123
124 APPLICATION HEARINGS: NO DISPUTED FACTS

125
126 Jason Braswell

127
128 Mr. Braswell was present for this review.

129
130 After discussion the following motion was made:

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132 MOTION: Mr. Fusco made a motion to approve Mr. Braswell's application for licensure by endorsement.
133 SECOND: Ms. Nobles seconded.
134 ACTION: The motion passed unanimously.

135
136 Timothy Collins

137
138 Mr. Collins was present for this review.

139
140 After discussion the following motion was made:

141
142 MOTION: Mr. Fusco made a motion to approve Mr. Collins' application for licensure by examination.
143 SECOND: Mr. Evers seconded.
144 ACTION: The motion passed unanimously.

145
146 APPLICATION: NULL AND VOID

147
148 Keith L. Cleveland

149
150 Mr. Cleveland was not present for this review.

151
152 After discussion the following motion was made:

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154 MOTION: Ms. Nobles made a motion to deny Mr. Cleveland's application for Reinstatement of Null and
155 Void License.
156 SECOND: Mr. Talbott seconded.

157
158 After further discussion, the following action was taken

159
160 ACTION: The motion passed unanimously.

161
162 Arthur Knickerbocker Garwood

163
164 Mr. Garwood was not present for this review.

165
166 After discussion the following motion was made:

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168 MOTION: Ms. Nobles made a motion to deny Mr. Garwood's application for Reinstatement of Null and
169 Void License.
170 SECOND: Mr. Evers seconded.

171
172 After further discussion, the following action was taken

173
174 ACTION: The motion passed unanimously

175
176 CHAIRPERSON'S REPORT – Arthur Mastronicola

178 Mr. Mastronicola will be unable to attend the NCEES meeting in Providence, Rhode Island due to a personal
179 conflict; Mr. Fusco will be attending in his place. Ms. Nobles and Mr. Petzold have both made arrangements to
180 attend the meeting as well.

181
182 Mr. Mastronicola extended a welcome to our newest member, Mr. Gary Krick and informed all present that with
183 this addition he will be revising the committee list to include Mr. Krick.

184
185 EXECUTIVE DIRECTOR'S REPORT – Leon Biegalski

186
187 Mr. Biegalski informed the all present that Mr. Sid Greer, a former Board member, has passed away.

188
189 Mr. Biegalski stated that he will be attending the NCEES meeting in Providence, Rhode Island.

190
191 PROSECUTOR'S REPORT – Patrick Creehan

192
193 Mr. Creehan informed the Board that the Department has 6 ULA cases in process at this time:

194
195 3 have been issued fines/citations
196 2 are not due as of the date of the meeting
197 1 has submitted a notice of rights disputing the citation
198 3 are pending at this time

199
200 He informed the Board that his goal is to move the oldest cases as quickly as possible. He further stated that if
201 the Board has any recommendations for licensed surveyors to act as consultants for the Department to submit
202 those names to the Board Office for consideration.

203
204 In response to questions from the Board, Mr. Biegalski explained that the Department's database allows the
205 Board Office to keep track of the status of licensed surveyors and businesses easier – especially when a change
206 of the Surveyor of Record has been noted.

207
208 BOARD COUNSEL REPORT – Bennett Miller

209
210 Mr. Miller reported that the rules are currently in the development process

211
212 The Board had a discussion regarding a possibility of the Board seeking a statutory or rules amendment
213 requiring an ethics course for renewal. It was suggested that the Board Counsel explore the possibility of a rule
214 amendment and making it a requirement of future discipline.

215
216 The work experience form is in the process of being revised to clarify the requirements.

217
218 Ms. Nobles stated that she would like for the Board to explore when an applicant can start accruing their work
219 experience. For example should an applicant be a certain age before they can begin accruing work experience.

220
221 Mr. Ehmke asked the Board to explore the electronic signature issue and the possibility of responsible charge
222 including field time which is currently defined by statute.

223
224 COMMITTEE REPORTS

225
226 Probable Cause Panel – Arthur Mastronicola

227
228 Mr. Mastronicola reported on the activities of the Probable Cause Panel.

229
230 21 cases were brought before the Panel.
231 11 were found to have probable cause
232 8 closed
233 2 closed with letter of guidance

234
235 Application Review Committee – Nickolas Fusco

236
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237 Mr. Fusco reported on the recommendations of the Application Review Committee.

238

239 After discussion the following motion was made:

240

241 MOTION: Mr. Mastronicola made a motion to approve and ratify the recommendations of the Application
242 Review Committee.

243 SECOND: Ms. Nobles seconded.

244 ACTION: The motion passed unanimously.

245

246 Continuing Education Committee

247

248 Mr. Ehmke reported on the recommendations of the Continuing Education Committee.

249

250 After discussion the following motion was made:

251

252 MOTION: Ms. Nobles made a motion to approve and ratify the recommendations of the Continuing
253 Education Committee.

254 SECOND: Mr. Petzold seconded.

255 ACTION: The motion passed unanimously.

256

257 Probation Review Committee

258

259 Mr. Petzold reported on the recommendations of the Probation Review Committee.

260

261 After discussion the following motion was made:

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263 MOTION: Mr. Evers made a motion to approve and ratify the recommendations of the Probation Review
264 Committee.

265 SECOND: Ms. Nobles seconded.

266 ACTION: The motion passed unanimously.

267

268 ACSM Liaison – Nickolas Fusco

269

270 Mr. Fusco had no report at this time. Mr. Evers reported that the assets of ACSM have been pledged to NSPS in
271 response to a \$75,000 loan and will cease to exist as of October 1st.

272

273 Examination Committee – Pamela Nobles

274

275 Ms. Nobles reviewed the DBPR exam question database. She will continue working with the Consultant to get
276 new items for the databank.

277

278 NCEES Committee – Arthur Mastronicola

279

280 Mr. Mastronicola reported that he would not be able to attend the NCEES meeting in Providence, Rhode Island.
281 Mr. Fusco will be attending in his place. He also stated that Ms. Nobles and Mr. Petzold would be there
282 representing the Board.

283

284 Ms. Nobles stated that NCEES developed a PAKS (Professional Activities and Knowledges Survey) for the PS
285 exam; they are planning on rewriting the matrix for the PS exam. A PAKS test version of the FS exam was sent;
286 they will meet again by telephone conference to discuss the survey and will go live in the latter part of August
287 2011. She urged those in attendance that if they receive the survey to take the time to complete and submit the
288 survey.

289

290 Mr. Biegalski reported on Computer Based Testing (CBT) and that the last FS paper and pencil exam is
291 scheduled for October 2013, and in January 2014, NCEES will begin offering CBT for FS. The goal is to offer it
292 in two month windows; NCEES is working on the logistics of the exam scheduling. Mr. Biegalski notified the
293 Board that, depending on how NCEES implements CBT, the Board may have to revise some procedural rules.
294 In January 2013, the PS will no longer be an open book exam.

295

296 Rules Committee – Pamela Nobles

297

298 The Committee did not meet.

299

300 NEW/OLD BUSINESS

301

302 None

303

304 PUBLIC COMMENT

305

306 None

307

308 With no further business to discuss the following motion was made:

309

310 MOTION: Ms. Nobles made a motion adjourn

311 SECOND: Mr. Wright seconded.

312 ACTION: The meeting was adjourned at 10:01 am.