

MINUTES

BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS

General Business Meeting

September 6, 2005

Telephone Conference Call

850. 487. 8540

The meeting was called to order by Pam Nobles, Chair, at 10:05 a.m.

Members Present

Pam Nobles, Chair
Dennis Blankenship
Beverly Sutphin, Vice Chair
Lou Bush
Louis Lebron
Fran Poppell
Sidney Greer
Jeff Cooner
Omar Armenteros

Members Absent

None

Others Present

Brian Stabley, Board Counsel
Brian Higgins, Prosecuting Attorney
John Knap, Executive Director
Christa Patterson, Government Analyst
Harley Gilmore
Marilyn Evers
Missy Rudd

Ms. Patterson advised the board that Mr. Bush would be participating on the conference call following his appointment.

Mr. Cooner requested that the application committee members share their denial recommendations to allow the committee members time to do a review of the denials prior to the committee members making their recommendations. Mr. Blankenship agreed.

Ms. Poppell advised the board that she would have to leave the October 13, 2005 meeting early due to an appointment in Tallahassee. Ms. Poppell asked Ms. Nobles if the election of officers could take place at the beginning of the agenda on the 13th. Ms. Nobles advised Ms. Poppell there would be no problem with her request.

Mr. Stabley asked the board if they received the additional information regarding the application review of Orlando Grandal. The majority of the board members received the information.

REVIEW OF CONTINUING EDUCATION PROVIDERS AND COURSE APPLICATIONS

The continuing education course applications were divided up and assigned to each of the committee members.

Ms. Sutphin reported and reviewed her recommendations with the board and after discussion the following motion was made.

MOTION: Mr. Armenteros made a motion to approve the following courses.

PROFESSIONAL EDUCATION SYSTEMS INSTITUTE, LLC (0001012)

Deeds, Descriptions, and the Law (MTS/L & R) (6.75 hrs)

LORMAN BUSINESS CENTER, INC (0000837)

Plat and Subdivision Law (GENERAL) (6 hrs)

FLORIDA SURVEYING AND MAPPING SOCIETY (0001369)

- Geographic Information Systems (GENERAL) (6 hrs)
- The History of Surveying (On-Line/Internet and Classroom) (GENERAL) (6 hrs)
- Practical Geometry for Surveyor (On-Line/Internet) (GENERAL) (6 hrs)
61G17-6 Minimum Technical Standards, as Revised Panel Discussion (On-Line/Internet) (MTS/LR) (1 hrs)
- Florida Laws Affecting Surveying & Mapping Combined with 61G17-6 Minimum Technical Standards for Surveyors and Mappers (On-Line/Internet) (MTS/LR) (6 hrs)
- ALTA/ACSM Land Title Survey Standards (On-Line/Internet) (General) (6 hrs)
- 61G17-6 Minimum Technical Standards, as Revised, for Surveyors (On-Line/Internet) (MTS/LR) (6 hrs)
- Florida Statutes Chapter 177, Part I Platting (On-Line/Internet) (MTS/LR) (6 hrs)
- Public Land Survey System (On-Line/Internet) (General) (6 hrs)
- Remote Sensing Application to Surveying and Mapping (On-Line/Internet) (General) (6 hrs)
- Florida Laws Affecting Professional Surveying & Mappers (On-Line/Internet) (MTS/LR) (6 hrs)

SECOND: Ms. Sutphin seconded the motion and it passed unanimously.

Mr. Armenteros advised the board that on page 166 of their agenda materials was a disclaimer by the provider and he asked if the board would be approving the disclaimer. Mr. Stabley reviewed the disclaimer and advised the board that they would only be approving the course for continuing education credits. Mr. Armenteros reviewed his recommendations with the board and after discussion the following motion was made.

MOTION: Ms. Nobles made a motion to approve the following courses offered by Florida Surveying and Mapping Society.

- Florida Laws on Sovereignty Lands (On-Line/Internet) (MTS/L & R) (2 hrs)

- Professional Ethics for the Professional Surveyor and Mapper (On-Line/Internet) (General) (3 hrs)
- Lessons in Professional Liability for Surveyors and Mappers (General) (2 hrs)
- Client Selection for Surveyors and Mappers: The First Step in Sound Risk Management (General) (2 hrs)
- Contract Management: Risk Management by Design for Surveyors and Mappers (GENERAL) 2hrs
- Contract Review and Review Revisions I: Contract Basics for Surveyors and Mappers (General) (2 hrs)
- Contract Review and Review Revisions III: Advanced topics for Surveyors and Mappers (General) (2 hrs)
- Contract Review and Review Revisions III: Additional Clauses for Surveyors and Mappers (General) (2 hrs)
- Surveying & Mapping Claims Case Study: "Longhorn Engineering" (General) (2 hrs)
- Negotiations: Surveying Firm Strategies for Better Client Agreements (General) (2 hrs)
- Tools & Tactics for Enhancing Project Management for Surveyors and Mappers (General) (3 hrs)
- Project Representative's Field Manual: A Guide to Preparing a Construction Administration Field Manual for Surveying & Mapping Professional (General) (2 hrs)
- Risk Drivers: Understanding the Dynamics of Risk in the Surveying Industry (General) (2)

SECOND: Mr. Blankenship seconded the motion and it passed unanimously.

Mr. Greer reported to the board his recommendations, and after discussion the following motion was made.

MOTION: Mr. Armenteros made a motion to approve the following courses and to deny the course National Pollutant Elimination System/Qualified Credentials Inspector offered by the Alabama Society of Professional Land Surveyors. Mr. Armenteros stated that the course did not meet the requirements of Rule 61G17-5.0051 (1) (c), F.A.C.

FLORIDA DEPARTMENT OF TRANSPORTION (001380)

- Lots and Block Surveys in Florida (General) (7 hrs)
- GPS Reference Station "True Networking Corrections Using RTCM 3.0 and Real Physical Reference Station (General) (2 hrs)

ALABAMA SOCIETY OF PROFESSIONAL LAND SURVEYROS (0001392)

- Improving your Field Procedures (General) (4 hrs)
- Geodetic and Tidal Vertical Datums (General) (8 hrs)
- High Order Surveying in the Southeastern U.S. (General) (6 hrs)
- Ethics for Surveyors and Engineers (General) (6 hrs)
- Writing Legal Descriptions (General) (4 hrs)
- Easements and Rights of Way (General) (6 hrs)
- Expert Witness & Adverse Possession (General) (6 hrs)

REDVECTOR.COM, INC (0001771)

- Don Wilson's Court Decisions Every Surveyors should Know About – Block 1: Surveying Definitions; Overlapping Titles & Descriptions (On-Line/Internet) (General) (2 hrs)
- Don Wilson's Court Decisions Every Surveyors Should Know About – Block 2: Description Interpretation (On-Line/Internet) (General) (2 hrs)
- Don Wilson's Decisions Every Surveyors Should Know About – Block 3: Rules of Construction for Interpreting Descriptions (On-Line/Internet) (General) (2 hrs)

SECOND: Ms. Sutphin seconded the motion and it passed unanimously.

Mr. Lebron reported his recommendations to the board and after discussion the following motions were made.

MOTION: Mr. Armenteros made a motion to approve the following courses.

REDVECTOR.COM, INC (0001771)

- Don Wilson's Court Decisions Every Surveyors Should Know About – Block 4: Surveying Procedures (On-Line/Internet) (General) (2 hrs)
- Don Wilson's Court Decisions Every Surveyors Should Know About – Block 5: Boundary Retracement I (On-Line/Internet) (General) (3 hrs)
- Don Wilson's Court Decisions Every Surveyors Should Know About – Block 6: Boundary Retracement 2 (On-Line/Internet) (General) (3 hrs)
- Propagation of Random Errors in Measurements (On-Line/Internet) (General) (8 hrs)
- Significant Figures & Round Off Errors (On-Line/Internet) (General) (3 hrs)
- Statistical Analysis of Random Errors (On-Line/Internet) (General) (4 hrs)
- The Theory of Measurement (On-Line/Internet) (General) (4 hrs)

EXISTING PROVIDER – COURSE RENEWAL

GAG COMPUTER SOFTWARE, INC.

- Use of Least Squares in Land Surveying (General) (6 hrs)

SECOND: Ms. Sutphin seconded the motion and it passed unanimously.

MOTION: Mr. Armenteros made a motion to deny the following courses. Mr. Armenteros stated the courses did not meet the requirements of Rule 61G17-5.0051 (1) (b) (e), F.A.C.

- Field Operation of the Cadastral Electronic Field Book (Correspondence) (GENERAL) (8 hrs)

- Minimum Technical Standards
(Correspondence)
(MTS/L & R) (8 hrs)
- The Laws of Florida and Their Effect on Surveyors
(Correspondence) (MTS/L & R) (8 hrs)
- Chapter 177 of the Florida Statutes
(Correspondence) (MTS/L & R) (8 hrs)

SECOND: Ms. Sutphin seconded the motion and it passed unanimously.

REVIEW AND CONSIDERATION OF APPLICATIONS

Danny Wilson

MOTION: Mr. Cooner made a motion to approve Mr. Wilson's application for licensure by endorsement.

SECOND: Mr. Bush seconded the motion and it passed unanimously.

Terry Anderson

Mr. Bush advised the board that Mr. Anderson applied for endorsement and for a temporary license.

MOTION: Mr. Cooner made a motion to deny Mr. Anderson's application for licensure by endorsement and for a temporary license. Mr. Cooner stated that the licensure states Mr. Anderson was licensed in do not offer Florida licensees a the similar temporary permit to engage in work in such state. Mr. Cooner stated that the laws and rules were not at the time of licensure substantially, the same as the licensure criteria that existed in Florida at the time the license was issued.

SECOND: Mr. Blankenship seconded the motion and it passed unanimously.

Andrew C. Bush

Mr. Cooner advised the board that Mr. Bush was licensed in Alabama after July 1, 1999 so his application by endorsement would have to be considered under Section 472.015 (3)(a)(2), F.S. The board reviewed the Alabama licensure requirements and it was the consensus of the board that the requirements were not substantially the same licensure criteria that existed in Florida at the time the license was issued.

Ms. Nobles advised the board that she knew Mr. Bush was also trying to apply under the Osorio case and that his application was received in time. The board reviewed Mr. Bush's education and it was the consensus of the board after discussion that Mr. Bush did not meet the requirement of Section 472.013 (2) (a), F.S. because he was not a graduate of a course of study in surveying and mapping.

MOTION: Mr. Bush made a motion to deny Andrew Bush's application for licensure by endorsement. Mr. Bush stated that the licensure requirements in Alabama were not substantially the same and Andrew Bush was not a graduate of an approved course of study in surveying and mapping. Mr. Bush stated that the applicant was also denied under the Osorio case because he was not a graduate of a course of study in surveying and mapping.

SECOND: Mr. Cooner seconded the motion and it passed unanimously.

Jamie Higgins

Mr. Blankenship stated that the applicant was not licensed prior to July 1, 1999. Mr. Blankenship stated that the Georgia licensure requirements were not substantially the same licensure criteria that existed in Florida at the time the license was issued.

MOTION: Mr. Blankenship made a motion to deny Mr. Higgins application for licensure by endorsement in accordance to Section 472.015 (3) (a) 2, F.S.
SECOND: Mr. Cooner seconded the motion and it passed unanimously.

Kevin Hollar

Mr. Blankenship stated that the applicant has a substance abuse problem. Mr. Blankenship stated that Mr. Hollar was licensed after July 1, 1999 and the licensure requirements in North Carolina were not substantially the same licensure criteria that existed in Florida at the time the license was issued. Mr. Cooner advised the board that North Carolina did not require applicants to have 25 semester hours of study in surveying and mapping.

MOTION: Mr. Bush made a motion to deny Mr. Hollar's application for endorsement. Mr. Bush stated Mr. Hollar's application was denied in accordance to Section 472.015(3) (a) 2, F.S. and 472.013 (5) (a), F.S.
SECOND: Mr. Cooner seconded the motion and it passed unanimously.

Khalid Salem

Mr. Blankenship stated that Mr. Salem was licensed in Louisiana prior to July 1, 1999. Mr. Blankenship stated Mr. Salem does not have enough experience in responsible charge. Ms. Patterson stated Mr. Salem did not take the NCEES examination. Mr. Cooner stated Mr. Salem passed a State exam. Ms. Nobles stated Mr. Salem did not provide information to determine if the examination was equivalent. Mr. Cooner and Mr. Blankenship agreed that the education and experience information Mr. Salem provided was very confusing.

Ms. Nobles asked Mr. Stably to send Mr. Salem a separate letter explaining that if he applies for licensure by examination at a later date he would have to provide additional documentation regarding his education and experience.

MOTION: Mr. Cooner made a motion to deny Mr. Salem's application for licensure by endorsement.
SECOND: Mr. Blankenship seconded the motion and it passed unanimously.

Bruce E. Lewis
Timothy Schram, Sr.
Kent Stewart

MOTION: Mr. Bush made a motion to approve Bruce E. Lewis, Timothy Schram, Sr., and Kent Stewart applications for licensure by endorsement.
SECOND: Mr. Cooner seconded the motion and it passed unanimously.

Orlando Grandal

Mr. Stabley advised the board that Mr. Grandal's application was being considered in accordance to House Bill 1457 requirements.

Mr. Cooner stated that he would recommend denial since Mr. Grandal's license was not scheduled to be renewed during the 2001 renewal period.

MOTION: Mr. Blankenship made a motion to deny Orlando Grandal's application in accordance to Section 472.019 (1) (a) (b). F.S.

SECOND: Mr. Bush seconded the motion and it passed unanimously.

Jason Alan Clements

Mr. Cooner advised the board that Mr. Clements has an AA degree .Mr. Cooner stated that the AA degree was not a course of study in surveying and mapping. Mr. Cooner stated Mr. Clements wouldn't be eligible for the SIT program because he was not a graduate or in his senior year in a surveying and mapping program.

MOTION: Mr. Cooner made a motion to deny Jason Clements application for licensure for examination in accordance to Section 472.013 (2) (a), F.S. Mr. Cooner stated his degree was not a course of study in surveying and mapping.

SECOND: Mr. Bush seconded the motion and it passed unanimously.

Matthew Crowley

Mr. Cooner advised the board that Mr. Crowley has an AA degree. Mr. Cooner stated that the AA degree was not a course of study in surveying and mapping.

MOTION: Mr. Cooner made a motion to deny Mr. Crowley's application for licensure by examination in accordance to Section 472.013 (2) (a), F.S.

SECOND: Mr. Blankenship seconded the motion and it passed unanimously.

Jeremy Fletcher

Mr. Blankenship advised the board that he worked directly with Mr. Fletcher in the past and that he would like to recuse himself from the vote. Mr. Stabley stated Mr. Blankenship was recused from the vote.

Mr. Cooner advised the board that Mr. Fletcher has a diploma not a degree.

MOTION: Mr. Bush made a motion to deny Mr. Fletcher's application for examination. Mr. Bush stated the denial was in accordance to Section 472.013 (2) (a). F.S.

SECOND: Mr. Cooner seconded the motion and it passed unanimously.

Joshua Wayne Trawick

MOTION: Mr. Cooner made a motion to approve Joshua Trawick's application for licensure by examination.

SECOND: Mr. Bush seconded the motion and it passed unanimously.

Iarelis Diaz Zayas

Timothy Gray

Marisha Kreitman

Faun Hoffmeier
John Locklin

MOTION: Mr. Cooner made a motion to approve larelis Diaz Zayas, Timothy Gray, Marisha Kreitman, Faun Hoffmeier, and John Locklin's application for licensure by examination.

SECOND: Mr. Bush seconded the motion and it passed unanimously.

Mr. Bush reviewed his recommendations with the board.

Frank Paruas

MOTION: Mr. Bush made a motion to approve Frank Paruas' application for licensure by examination in accordance to Section 472.013 (2)(a), F.S.

SECOND: Mr. Blankenship seconded the motion and it passed unanimously.

Michael Patterson

MOTION: Mr. Bush made a motion to approve Michael Patterson's application for licensure by examination.

SECOND: Mr. Blankenship seconded the motion and it passed unanimously.

Jesus Rodriguez

MOTION: Mr. Bush made a motion to approve Jesus Rodriguez' application for licensure by examination.

SECOND: Mr. Blankenship seconded the motion and it passed unanimously.

Danny Steve Wheeler

Mr. Bush advised the board that he would recommend denial of Mr. Wheeler's application for licensure by examination. Mr. Bush stated Mr. Wheeler does not meet the education requirements and experience requirements under Section 472.013 (2) (a), F.S. Mr. Bush stated Mr. Wheeler does not have a 4 year degree.

MOTION: Mr. Bush made a motion to deny Danny Wheeler's application for licensure by examination. Mr. Bush stated Mr. Wheeler does not have a degree and the required work experience.

SECOND: Mr. Cooner seconded the motion and it passed unanimously.

Eric Wills

Mr. Bush advised the board that he would recommend denial of Mr. Wills' application for licensure by examination. Mr. Bush stated that Mr. Wills does not have a four degree. Mr. Bush stated that Mr. Willis does not meet the education and experience requirements of Section 472.013, (2) (a), F.S.

MOTION: Mr. Bush made a motion to deny Mr. Wills' application by examination in accordance to Section 472.013, (2) (a), F.S.

SECOND: Mr. Blankenship seconded the motion and it passed unanimously.

Byron Faircloth

MOTION: Mr. Cooner made a motion to approve Byron Faricloth's application for surveyor in training status.
SECOND: Mr. Blankenship seconded the motion and it passed unanimously.

Faraj Faraj

Mr. Bush stated that Faraj Faraj dropped out of the 4-year education program and is neither a senior nor a graduate from a surveying and mapping 4-year degree program.

MOTION: Mr. Bush made a motion to deny Faraj Faraj's application for surveyor in training in accordance to 472.013 (3), F.S.
SECOND: Mr. Cooner seconded the motion and it passed unanimously.

Ritchie-Jenkins & Associates, Inc.

Ms. Patterson advised the board that Ritchie-Jenkins & Associates, Inc. was operating for two years with a new name without completing the required paper work.

MOTION: Mr. Cooner made a motion to approve Ritchie-Jenkins & Associates, Inc. pending payment of \$1000.00 fine.
SECOND: Mr. Blankenship seconded the motion and it passed unanimously.

Q Grady Minor Engineering Inc.

Mr. Cooner asked Ms. Patterson if this was the first time Q Grady Minor Engineering Inc., had applied for a certificate of authorization. Ms. Patterson checked the application and stated yes. Mr. Cooner stated that the company was in his area and stated that he felt they have been offering surveying and mapping services.

After discussion the following motion was made.

MOTION: Mr. Cooner made a motion to approve Q Grady Minor Engineering Inc., for a certificate of authorization and to refer the business to Regulation for investigation.
SECOND: Mr. Blankenship seconded the motion and it passed unanimously.

Ms. Sutphin asked the board to reconsider Mr. Faraj's education again. Ms. Sutphin stated that the degree was awarded.

MOTION: Mr. Cooner made a motion to vacate the motion of denial of Faraj Faraj's application and approve Mr. Faraj's application for surveyor in training.
SECOND: Mr. Blankenship seconded the motion and it passed unanimously.

Christopher Howsen

The board reviewed Christopher Howsen's application for licensure by examination and after discussion the following motion was made.

MOTION: Mr. Cooner made a motion to approve Christopher Howsen's application for licensure by examination.
SECOND: Ms. Sutphin seconded the motion and it passed unanimously.

OLD/NEW BUSINESS

Petition for Declaratory Statement – Harley Gilmore

Mr. Stabley advised the board that the petition for declaratory statement was considered at the last meeting however, the petition was not noticed in the Florida Administrative Weekly. Mr. Stabley asked the board to review the request again.

The board reviewed the petition and after discussion the following motion was made.

MOTION: Mr. Blankenship made a motion to deny the request for declaratory statement. Mr. Blankenship stated that the board does not have authority over Chapter 177, F.S.

SECOND: Mr. Cooner seconded the motion and it passed unanimously.

Ms. Nobles provided the board with an update regarding the development of the photogrammetry questions for the October 2005 examination. Ms. Nobles advised the board that the Bureau of Education and Testing was not keeping her informed of the progress.

Ms. Nobles stated that after she sent an email to Lyra in BET she was informed that the Bureau of Education and Testing scheduled a meeting with the consultants. Ms. Nobles stated that Lou Bush was invited to the meeting and she was not.

Ms. Nobles stated that she felt as Chair of the Exam Committee she should have been included in the meeting. Mr. Cooner stated that he felt Mr. Bush should be involved with the development of the examination. Mr. Cooner stated that the board should have involvement prior to the question being used.

Mr. Knap advised the board that Chapter 455, F.S. has language that addresses exams.

Ms. Nobles asked the board for their support with moving forward with developing the photogrammetry questions for the October 2005 examination. Ms. Nobles advised the board that at this time there is only one photogrammetry question available for administration and if a photogrammetry question has been given in the past then it has been just this one.

Ms. Nobles advised the board that she was planning on attending the meeting. Mr. Cooner stated that BET needed to be reminded that the board needs to be involved.

Ms. Nobles stated that she would provide the board with an NCEES meeting report and that a privatization committee meeting would be held at the October 2005 meeting.

Ms. Sutphin advised the board that there was a continuing education course application approved at one meeting and denied at the next. Ms. Sutphin asked the board if the provider changes only the meeting location would they have to re-submit an application. It was the consensus of the board that a new application would not be required. Ms. Sutphin asked the board if she should contact the provider. Ms. Nobles stated board staff would contact the provider and request that the approved/denied course application be placed on the continuing education agenda for October 2005.

There being no other business the meeting adjourned at 12:08 p.m.