

BOARD OF EXAMINERS FOR LAND SURVEYORS

September 21, 2010

The Board of Examiners for Land Surveyors convened at 9:00 A.M. at 555 N. Cotner Blvd., Lower Level, Lincoln, NE with the following members present:

James W. Hawks, Chair
Richard L. Hansen, Vice-Chair
Jerry G. Hain
Mary Pro
Gary D. Tinkham
Steven C. Cobb, Secretary

Others present:
Karen Brouwer, arrived 9:03 A.M.
Doug Stevenson, arrived 10:00 A.M.
Derek Beenblossom, arrived 10:05 A.M.
Kathy Martin

Public notice of this meeting was given by publication in *The Lincoln Journal Star* on September 7, 2010.

All items voted on were done so in the form of a roll call.

The Chairman stated that this meeting is being held in compliance with the updated Open Meeting Act and that a current copy of the Open Meeting Act is available on the table.

Moved by Hansen and seconded by Tinkham that the minutes of the June 17, 2010 meeting be approved.

Voting Aye: Hansen, Hawks, Pro, Tinkham, Hain.

Motion carried.

Moved by Tinkham and seconded by Hansen that the Board go into executive session at 9:04 A.M. with Karen Brouwer, Steven C. Cobb and Kathy Martin present for the purpose of discussing Complaint 10-1.

Voting Aye: Hawks, Pro, Tinkham, Hain, Hansen.

Motion carried.

The Chairman stated that the discussion in executive session will be limited to Complaint 10-1.

Moved by Pro and seconded by Tinkham that the Board return to regular session at 9:17 A.M.

Voting Aye: Pro, Tinkham, Hain, Hansen, Hawks.

Motion carried.

The Chairman stated that no subject matter other than Complaint 10-1 was considered in closed session

Moved by Hain and seconded by Pro that the secretary prepare a letter to complainant for the Board's review stating the surveyor appeared at the September 21, 2010 meeting. The complaint was outside the scope of the Board's authority in that the survey met filing requirements and was properly filed.

Voting Aye: Tinkham, Hain, Hansen, Hawks, Pro.

Motion carried.

Moved by Tinkham and seconded by Hansen that the application of Mark Gabert for registration by reciprocity from Missouri be approved and that he be required to appear before the Secretary of the Board for an interview and land surveyor examination.

Voting Aye: Hain, Hansen, Hawks, Pro, Tinkham.

Motion carried.

Moved by Tinkham and seconded by Pro that the application of Andrew Riddle for registration by reciprocity from Kansas be approved and that he be required to appear before the Secretary of the Board for an interview and land surveyor examination.

Voting Aye: Hansen, Hawks, Pro, Tinkham, Hain.

Motion carried.

Moved by Tinkham and seconded by Hansen that the application of Lyle E. Yenglin for registration by reciprocity from Nevada be approved and that he be required to appear before the Secretary of the Board for an interview and land surveyor examination.

Voting Aye: Hawks, Pro, Tinkham, Hain, Hansen.

Motion carried.

Moved by Tinkham and seconded by Pro that upon receipt of the registration fee in the amount of \$100.00 the following named applicants be granted registration effective September 21, 2010 under Class I provisions and assigned consecutive LS numbers:

Jay D. Gormley	LS-717
Brian Benson	LS-718
Samuel Louis Gallucci III	LS-719

Voting Aye: Pro, Tinkham, Hain, Hansen, Hawks.

Motion carried.

The Board discussed the email from Andrew Hovey and no further action was taken.

Moved by Tinkham and seconded by Pro that the Board go into executive session at 9:30 A.M. with Steven C. Cobb and Kathy Martin present for the purpose of discussing Complaint 10-3.

Voting Aye: Tinkham, Hain, Hansen, Hawks, Pro.

Motion carried.

The Chairman stated the discussion in executive session will be limited to Complaint 10-3.

Moved by Tinkham and seconded by Pro that the Board return to regular session at 9:45 A.M.

Voting Aye: Hain, Hansen, Hawks, Pro, Tinkham.

Motion carried.

The Chairman stated no subject matter other than Complaint 10-3 was considered in closed session.

Moved by Tinkham and seconded by Hansen to table Complaint 10-3.

Voting Aye: Hansen, Hawks, Pro, Tinkham, Hain.

Motion carried.

Gary Tinkham reported on the NCEES annual meeting.

Moved by Tinkham and seconded by Hain that the Board go into executive session at 10:10 A.M. with Derek Beenblossom, Steven C. Cobb and Kathy Martin present for the purpose of discussing Complaint 10-2.

Voting Aye: Hawks, Pro, Tinkham, Hain, Hansen.

Motion carried.

The Chairman stated the discussion in executive session will be limited to Complaint 10-2.

Moved by Tinkham and seconded by Hain that the Board return to regular session at 10:23 A.M.

Voting Aye: Pro, Tinkham, Hain, Hansen, Hawks.

Motion carried.

The Chairman stated no subject matter other than Complaint 10-2 was considered in closed session.

Moved by Tinkham and seconded by Pro that the secretary prepare a letter, contingent on the surveyor filing a record of survey, to the complainant and surveyor for the Board's review.

Voting Aye: Tinkham, Hain, Hansen, Hawks, Pro.

Motion carried.

The Board discussed Statute changes , Rule and Regulation revisions and education requirements for registration.

The Board discussed education requirements in other states and various options of education.

The Board discussed the MOU with DOR.

The Board discussed modifications to the PDH form and to the application for registration.

The Board did not modify the SIT reference form.

PSAN legislation was not discussed. No report from PSAN was provided.

Moved by Tinkham and seconded by Hansen that the following vouchers be approved:

BELF, rent 04/01/10-06/30/10	640.00
Chase Suite Hotel, Hawks lodging June meeting	70.00
DAS-Building Div., April parking	15.00
DAS-Building Div., May parking	15.00
DAS-IM Services, May static web hosting fee.....	20.00
Gary Tinkham, travel expense for June 17, 2010 meeting	60.00
James Hawks, travel expense for June 17, 2010 meeting.....	226.00
JP Cooke Co., LS seals.....	138.47
Richard Hansen, travel expense for June 17, 2010 meeting	68.00
June Total	<u>733.91</u>
State Treasure, cash reduction per LB1	747.00
DAS-Building Div., June parking	15.00
Das-IM Services, June static web hosting fee.....	20.00
DAS-Materiel Div., June postage	50.13
DAS-Materiel Div., supplies.....	2.86
General Fund Reimbursement, fourth quarter FY09-10	1,642.86
July Total	<u>1,730.85</u>
DAS-Accounting Div., Accounting and Edge 1 assessment FY 10-11	85.00
DAS-Building Div., July parking.....	15.00
DAS-IM Services, July static web hosting fee	20.00
DAS-Materiel Div., annual report.....	511.97
DAS-Materiel Div., July postage.....	466.00
DAS-Materiel Div., notice of June board meeting	9.61
DAS-Materiel Div., purchasing revolving assessment FY-10-11	8.00
August Total.....	<u>1,115.58</u>

Voting Aye: Hain, Hansen, Hawks, Pro, Tinkham.

Motion carried.

The Board tentatively set board meetings for February 3rd, March 24th, June 16th, September 15th and December 8th.

Moved by Tinkham and seconded by Pro that the Board adjourn.

Voting Aye: Hansen, Hawks, Pro, Tinkham, Hain.

Motion carried.

The Board adjourned at 11:50 A.M.

Steven C. Cobb, Secretary