

BOARD OF EXAMINERS FOR LAND SURVEYORS

May 16, 2019

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

James W. Hawks, Chair
Jerry G. Hain, Vice Chair
Mary L. Pro
Dennis L. Whitfield
Casey Sherlock, Ex-Officio Secretary

Others present:
John Jelkin
Gerri Monahan

Absent:
Virlyn S. Bolte

Public notice of this meeting was given by publication in the *Lincoln Journal Star* on May 1, 2019.

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

The Chair stated that this meeting was being held in compliance with the updated Nebraska Open Meetings Act (Act) and that a current copy of the Act was available on the table.

Whitfield moved and Hain seconded that the March 21, 2019 Board meeting minutes be approved.

Voting Aye: Hain, Hawks, Pro, Whitfield. Absent: Bolte.

Motion carried.

Whitfield moved and Pro seconded that the Board go into executive session at 9:02 a.m. with Sherlock, Jelkin and Monahan present for the purpose of discussing Unlicensed Practice and to prevent needless injury to the reputation of a person/s and as such person/s has not requested a public meeting.

Voting Aye: Hawks, Pro, Whitfield, Hain. Absent: Bolte.

Motion carried.

Chair stated that the discussion in executive session would be limited to Unlicensed Practice.

Whitfield moved and Pro seconded that the Board return to regular session at 9:28 a.m.

Voting Aye: Pro, Whitfield, Hain, Hawks. Absent: Bolte.

Motion carried.

Chair stated that no subject matter other than Unlicensed Practice was discussed in executive session.

Jelkin was excused from the meeting.

Hain moved and Pro seconded that Complaint 17-2 be closed and LS notified that survey filing in State Records Repository will be monitored.

Voting Aye: Whitfield, Hain, Hawks, Pro. Absent: Bolte.

Motion carried.

Sherlock reported that pending Complaint 19-1 has been resolved.

Pro moved and Hain seconded that inasmuch as Kirby Griffin, LS 538, has met requirements he be granted inactive registration status effective April 1, 2019.

Voting Aye: Hain, Hawks, Pro, Whitfield. Absent: Bolte.

Motion carried.

Whitfield moved and Pro seconded that the Class 3 application of Bryan A. Brown for registration by Surveyor-in-Training be approved and that inasmuch he has demonstrated a knowledge of surveying fundamentals by passing a National Council of Examiners for Engineering and Surveying (NCEES) examination November 20, 2018, and upon receipt of the registration in the amount of \$20, Brown be granted registration dated May 16, 2019 under Certificate No. 281.

Voting Aye: Hain, Hawks, Pro, Whitfield. Absent: Bolte.

Motion carried.

Hain moved and Whitfield seconded that the application of Don D. Terry for land surveyor registration be approved and that he be permitted to take the Principles and Practice of Surveying (PS) and Nebraska State Specific land surveyor examinations.

Voting Aye: Hawks, Pro, Whitfield, Hain. Absent: Bolte.

Motion carried.

Pro moved and Hain seconded that the application of Richard L. Skarin, Jr. for land surveyor registration be approved and that he be permitted to take the Principles and Practice of Surveying (PS) and Nebraska State Specific land surveyor examinations.

Voting Aye: Pro, Whitfield, Hain, Hawks. Absent: Bolte.

Motion carried.

Pro moved and Hain seconded that the application of Aaron W. Hamilton for land surveyor registration be approved and that he be permitted to take the Principles and Practice of Surveying (PS) and Nebraska State Specific land surveyor examinations.

Voting Aye:.

Voting Nay: Whitfield, Hain, Hawks, Pro.

Absent: Bolte.

Motion failed.

Whitfield moved and Hain seconded that the application of Steven B. Kor for registration by reciprocity from South Dakota 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, Hawks, Pro, Whitfield. Absent: Bolte.

Motion carried.

Hain moved and Whitfield seconded that the application of Chris D. Hamilton for registration by reciprocity from Wyoming 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, Hawks, Pro, Whitfield. Absent: Bolte.

Motion carried.

Whitfield moved and Pro seconded that the application of Brian Louis Forbes for registration by reciprocity from Wyoming 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, Whitfield, Hain. Absent: Bolte.

Motion carried.

Hain moved and Pro seconded that the application of Roger Dale Dawson for registration by reciprocity from Oklahoma be approved and that he be required to appear before the Secretary of the Board for an interview and land surveyor examination.

Voting Aye: Pro, Whitfield, Hain, Hawks. Absent: Bolte.

Motion carried.

Pro moved and Hain seconded that the application of Douglas Ort III for registration by reciprocity from Colorado be approved and that he be required to appear before the Secretary of the Board for an interview and land surveyor examination.

Voting Aye: Whitfield, Hain, Hawks, Pro. Absent: Bolte.

Motion carried.

Whitfield moved and Pro seconded that the application of David E. Henderhan for registration by reciprocity from Colorado 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, Hawks, Pro, Whitfield. Absent: Bolte.

Motion carried.

Pro moved and Whitfield seconded that the application of John David Keller for registration by reciprocity from Oklahoma 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, Hawks, Pro, Whitfield. Absent: Bolte.

Motion carried.

Pro moved and Hain seconded that inasmuch as James L. Payne passed the Nebraska reciprocity examination on May 9, 2019 and has completed the requirements for Class 2 registration in Nebraska, by reciprocity from Missouri, and that upon registration fee in amount of \$100.00, he be granted registration dated May 16, 2019, under Certificate No, 806.

Voting Aye: Hawks, Pro, Whitfield, Hain. Absent: Bolte.

Motion carried.

Before formal filing of surveys in the State Records Repository, a newly registered land surveyor is asked to send their first 5 Nebraska surveys to the Nebraska State Surveyor for review. This is a courtesy service to potential unique situations that may arise when surveying in Nebraska.

Filing of Limited Liability Company (LLC) and Corporations was discussed. Statutes 21-2201 and 21-101 were reviewed. A LLC form, to be used by the Board, will be developed.

Pro moved and Hain seconded that the March and April expense vouchers be approved.

DAS Building Div., February parking	15.00
DAS Materiel, printing, March mtg. notice	9.04
DAS Materiel, February postage	25.68
Hain, Jerry, March Board mtg. travel expenses	37.12
Office Depot, January office supplies	60.41
Whitfield, Dennis, March Board mtg. travel expenses	58.00
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March Total	\$205.25
Comfort Suites, Hawks, March Bd. Mtg.	81.00
DAS Building, March parking	15.00
DAS IMServices, March – April static web hosting	40.00
DAS Materiel, March postage	326.10
General Fund Reimbursement, 3 rd Qtr. staff FY 18-19	1,497.54
General Fund Reimbursement, 3 rd Qtr. rent FY 18-19	703.75
J.P. Cooke, 4 seals & freight	119.42
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April Total	\$2,782.81

Voting Aye: Pro, Whitfield, Hain, Hawks. Absent: Bolte.

Motion carried.

Board members reported on recent National Council of Examiners for Engineering and Surveying (NCEES) meetings. Pro attended the Board Presidents Assembly in Atlanta, Georgia. Hawks attended the Central/Northeast Joint Zone meeting in Portsmouth, New Hampshire. Standardized Public Land Survey System (PLSS) exams were discussed.

Registration is open for delegates to attend the 98th NCEES annual meeting, August 14-17, in Washington, D.C.

Hain moved and Pro seconded that members and staff of the Nebraska Board of Examiners for Land Surveyors are hereby given blanket approval to travel within the State of Nebraska in performance of his or her official duties while attending board meetings or seminars as the official representative of the examining board. This blanket approval is also granted for these members and staff when necessary to claim reimbursable travel expenses.

Voting Aye: Whitfield, Hain, Hawks, Pro. Absent: Bolte.

Motion carried.

Sherlock reported that Hain and Pro were reappointed to the Board for another 5 year term. Microfilmed surveys are being digitalized and will be uploaded to the State Repository Records (SRR). Sherlock will be speaking at an upcoming Highway Superintendents meeting. The Nebraska State Specific Exam and Reciprocity exam will undergo revisions.

Hawks moved and Pro seconded to suspend the rules and regulations and cast a unanimous ballot for Hain as Chairperson and Bolte as Vice Chairperson effective July 1, 2019.

Voting Aye: Hain, Hawks, Pro, Whitfield. Absent: Bolte.

Motion carried.

The next meeting is scheduled for July 25, 2019 in Lincoln.

Hain moved and Pro seconded that the meeting be adjourned at 11:07 a.m.

All in favor. Motion carried.

Casey C. Sherlock, Secretary