

BOARD OF EXAMINERS FOR LAND SURVEYORS

July 21, 2022

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:

Mary L. Pro, Chair
Jerry G. Hain, Vice Chair
Virlyn Bolte
James W. Hawks
Dennis L. Whitfield

Casey Sherlock, Ex Officio Secretary of the Board

Others present:
Jerry Penry, Deputy State Surveyor
Gerri Monahan

Public notice of this meeting was given by publication in the *Lincoln Journal Star* on July 11, 2022.

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.

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

Hawks moved and Hain seconded to approve the May 19, 2022 Board Meeting minutes as presented.

Voting Aye: Hain, Hawks, Pro, Whitfield.

Abstain: Bolte.

Motion carried.

Hain moved and Hawks seconded that the May and June expense vouchers be approved:

DAS Building Div., March and April parking	30.00
DAS Materiel, April postage	5.41
DAS Materiel, May hearing notice	79.70
DAS IMServices, April web hosting	28.00
Data Source Media, toner	25.00
Hain, Jerry, May Board Meeting mileage	37.44
Hawks, James, May Board Meeting travel	326.38
Office Depot, March supplies	30.89
Whitfield, Dennis, Rules & Regs and May Board Meeting mileage	<u>117.00</u>
May Total	\$679.82

DAS IMServices, May web hosting	28.00
DAS Materiel, May postage	43.44
J.P. Cooke & Co. 2 LS seals and freight	60.90
Lincoln Journal Star, May meeting notice	<u>9.04</u>
June Total	\$141.38

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

Motion carried.

The Nebraska Board of Examiners for Land Surveyors, Rules and Regulations, has been approved by the Attorney General and is now at the Governor’s Policy Research Office (GPRO) for additional review by the Governor. The rules and regulations can be tracked at:
<https://www.nebraska.gov/nesos/rules-and-regs/regtrack/index.cgi>

Secretary Sherlock received correspondence regarding a county surveyor’s review of subdivision plats. The Board discussed the need/requirement for county surveyors to place a county seal versus their individual seal on subdivision plats that they review as the County Surveyor. The Board asked Secretary Sherlock to draft a letter of instructions for county surveyors to not use their personal land surveyor seal when reviewing/approving subdivision plats.

The Board’s new Rules and Regulation, Chapter 6 will outline the use of the land surveyor seal.,

Hawks moved and Hain seconded that the Board go into executive session at 9:40 a.m. with Sherlock, Penry, and Monahan present to discuss Performance Reviews of Registered Land Surveyor Surveys, Class 2 Applications – Reciprocity, and Class 3 Applications and Certifications – Survey-in-Training, 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: Pro, Whitfield, Bolte, Hain, Hawks.

Motion carried.

The Chair stated that discussion in the executive session would be limited to Performance Reviews of Registered Land Surveyor Surveys, Class 2 Applications – Reciprocity, and Class 3 Applications and Certifications – Survey-in-Training.

Hawks moved and Bolte seconded that the Board returns to regular session at 11:27 a.m.

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

Motion carried.

The Chair stated that no subject matter other than Performance Reviews of Registered Land Surveyor Surveys, Class 2 Applications – Reciprocity, and Class 3 Applications and Certifications – Survey-in-Training, were discussed in the executive session.

Whitfield moved and Hawks seconded that Secretary Sherlock send a letter to the land surveyor (LS) regarding the timely filing requirements of surveys in the State Records Reciprocity (SRR).

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

Motion carried.

Whitfield moved and Hawks seconded that Secretary Sherlock send a letter to the LS requesting he/she appear before the Board at their September 15 meeting to discuss their land surveyor practices, direct supervision of fieldwork, and the filing requirements of surveys signed and sealed by the LS.

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

Motion carried.

Whitfield moved and Hawks seconded that Secretary Sherlock send a letter to the LS requesting his/her appearance before the Board at their September 15 meeting to discuss his/her land surveyor practices, the minimum standards for surveys in Nebraska, and the filing requirements of surveys signed and sealed by the LS.

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

Motion carried.

Whitfield moved and Hawks seconded Secretary Sherlock to send letters to three LSs regarding the Minimum Standards for Surveys, specifically, (F) Conduct of Survey, Item 7, as found on page 41 of the Board's Annual Report; and make necessary adjustments to their practice of land surveying in Nebraska to be in compliance with all laws, rules and regulations.

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

Motion carried.

These standards intend to provide the surveyor and the recipient of surveys with a realistic and prudent yardstick of adequate surveying performance. The Standards were established to define the least level of performance which is acceptable for land surveys.

Hain moved and Hawks seconded to table the Class 2 – Reciprocity application of Chase Brinker for land surveyor registration by reciprocity from Colorado until the NCEES Record has been received and can be reviewed.

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

Motion carried.

Whitfield moved and Bolte seconded to table the Class 2 – Reciprocity application of Jeremy Lawson for land surveyor registration by reciprocity from Arkansas until additional information, on why a license was denied in another state, has been received and can be reviewed.

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

Motion carried.

Hain moved and Hawks seconded to table the Class 2 – Reciprocity application of John Pratt for land surveyor registration by reciprocity from Kansas until the reference of character and qualification letters and state verifications have been received and can be reviewed.

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

Motion carried.

Bolte moved and Whitfield seconded that the Class 3 application of Andrew James Pokorny for registration by Surveyor-in-Training (SIT) be approved and that since he has demonstrated a knowledge of surveying fundamentals by passing the NCEES Fundamentals of Surveying (FS) examination on November 5, 2021, and upon receipt of the SIT registration fee for \$20.00, Pokorny be granted SIT registration dated July 21, 2022, under Certificate No. 298.

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

Motion carried.

Whitfield moved and Hain seconded that the Class 3 application of Brent Joseph Hegemann for registration by Surveyor-in-Training (SIT) be approved and that since he has demonstrated a knowledge of surveying fundamentals by passing the NCEES Fundamentals of Surveying (FS) examination on April 8, 2022, and upon receipt of the SIT registration fee for \$20.00, Hegemann be granted SIT registration dated July 21, 2022, under Certificate No. 299.

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

Motion carried.

Upcoming biennial renewals were discussed. Nebraska Interactive (NIC) is developing an online renewal form for land surveyors. A letter, with instructions, will be emailed to all active and inactive Nebraska land surveyors (LS). Registrants must complete the electronic renewal process, along with electronic payment of the renewal fees. The renewal form will ask for contact info, professional development hours (PDHs), code of ethics, payment, etc. LSs on the audit list will be notified during the process and will need digital images or scans of all PDH certificates to upload their audit documents. Approved renewals will receive an electronic pocket card.

Surveyor-in-training registrants will receive a form for updating contact information. SITs do not have a renewal fee or PDHs due.

Active registrants with some missing contact info will be contacted, for updates needed in the Board's database, before sending the renewal letter.

The Board's "Registration – Inactive - Active – Cancel – Reinstatement Policy" will be discussed at a future meeting.

Bolte gave an overview of activities from the recent NCEES (National Council of Examiners for Engineering and Surveying) Central/Southern Zone meeting in Oklahoma City.

Hawks, Pro, and Sherlock, the NCEES Annual Meeting delegates and Member Board Administrator (MBA), plan to attend the NCEES Annual Meeting on August 23-26, 2022 in Carlsbad, California.

Sherlock reported that the registered LS who was not filing survey plats filed them after receiving communications that the Board was monitoring the situation.

Sherlock and Penry continue to conduct survey work on some parcels of Board of Educational Lands and Funds (BELF) lease property, most recently in Custer, Brown, Rock, and Boyd Counties. Penry will continue work on BELF surveys in Custer County.

Penry gave a presentation about the State Records Repository at the Southeast Nebraska Land Surveyors Association (SENLSA) seminar in Bennet.

Sherlock will give a presentation on "Section Corner Problems" at the Professional Surveyors Association of Nebraska (PSAN) summer seminar in Nebraska City.

The Sixty-Fifth Annual Report of the Nebraska State Board for Registered Land Surveyors, for the period July 1, 2021, to June 30, 2022, is ready to be printed. A copy will be mailed to all active Nebraska Land Surveyors and Surveyors-in-Training.

Whitfield inquired about professional development hours (PDH) credit for online courses. A certificate of attendance is required to document PDHs. Ethics earned in 2022 do not carry over for 2023-2024 renewal hours.

The next Board meeting will be held on September 15, 2022, at 9:00 a.m. in Lincoln.

Hawks moved and Hain seconded that the meeting is adjourned at 12:53 p.m.

All in favor. Motion carried.

Casey C. Sherlock
Ex Officio Secretary of the Board