

NEBRASKA STATE BOARD OF EXAMINERS FOR LAND SURVEYORS

January 16, 2025

The Nebraska Board of Examiners for Land Surveyors (Board) convened at 9:04 a.m. at 555 N. Cotner Blvd., Lower Level, Lincoln, NE with the following members present:

Virlyn S. Bolte, Chair  
Jeremy D. Feusner, Vice-Chair  
Mary L. Pro  
Thomas A. Tremel, arrived at 9:25 a.m.  
Dennis L. Whitfield

Casey Sherlock, Ex Officio Secretary of the Examining Board

Others present:  
Clarence Roger Carrell, Omaha  
William White, Omaha  
Jerry Penry, Deputy State Surveyor  
Gerri Monahan, Admin. Asst.

Public notice of this meeting was given by publication in the *Lincoln Journal Star* on January 6, 2025.

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 were voted on in the form of a roll call vote.

Pro moved and Whitfield seconded to approve the November 14, 2024, Board meeting minutes as presented.

Voting Aye: Feusner, Pro, Whitfield, Bolte.

Absent: Tremel.

Motion carried.

Whitfield moved and Pro seconded that the November and December expense vouchers be approved:

DAS IM Services, October web hosting .....	28.00
DAS Material, October Postage .....	64.35
Feusner, Jeremy, November Board Meeting mileage .....	214.40
Tremel, Thomas, November Board Meeting mileage .....	108.54
Whitfield, Dennis, November Board Meeting mileage .....	<u>67.00</u>
November Total .....	\$482.29
DAS IM Services, November web hosting .....	28.00
DAS Material, November Postage .....	62.11
JP Cooke Company, 2 stamps and freight .....	49.50
Lincoln Journal Star, November meeting notice .....	10.74
PCARD, Sherlock & Penry LS renewals .....	208.48
NE Interactive, NBELS database updates .....	<u>3,960.00</u>
December Total .....	\$4,318.83

Voting Aye: Pro, Whitfield, Bolte, Feusner.

Absent: Tremel.

Motion carried.

Whitfield moved and Pro seconded that the Board go into executive session at 9:07 a.m. with Sherlock, Penry, Monahan, and a licensed land surveyor present to discuss complaints, and to prevent needless injury to the reputation of a person, and as such person has not requested a public meeting.

Voting Aye: Whitfield, Bolte, Feusner, Pro.

Absent: Tremel.

Motion carried.

The Chair stated that discussion in the executive session would be limited to complaints.

The licensed land surveyor was dismissed at 10:13 a.m.

Whitfield moved and Pro seconded that the Board return to regular session at 10:15 a.m.

Voting Aye: Whitfield, Bolte, Feusner, Pro, Tremel.

Motion carried.

The Chair stated that no subject matter other than complaints was discussed in the executive session.

The Board adjusted the Agenda to Item 14 – NBELS License Renewals / Extensions / Reinstatements to accommodate a guest.

William White addressed the Board in an open session regarding his lack of obtaining his Professional Development Hours (PDHs) for the current Biennial Renewal due December 31, 2024. White outlined his land surveying career. White intends to take additional PDHs in January with the understanding that those January 2025 PDHs will not count towards the next biennial renewal and late fees will be assessed. The Board highlighted reinstatement and other options, referring to Chapter 7, Section 008 of the Rules and Regulations.

Mr. White was dismissed at 10:24 a.m.

The Board took a short break from 10:37 to 10:49 a.m.

Feusner moved and Pro seconded that the Board go into executive session at 10:50 a.m. with Sherlock, Penry, and Monahan present to discuss additional complaints, and to prevent needless injury to the reputation of a person, and as such person has not requested a public meeting.

Voting Aye: Bolte, Feusner, Pro, Tremel, Whitfield.

Motion carried.

The Chair stated that discussion in the executive session would be limited to complaints.

Pro moved and Feusner seconded that the Board return to regular session at 12:05 p.m.

Voting Aye: Feusner, Pro, Tremel, Whitfield, Bolte.

Motion carried.

The Chair stated that no subject matter other than complaints was discussed in the executive session.

Pro moved and Tremel seconded that the Board dismiss Complaint 24-1, release the licensed land surveyor, and the Secretary send a letter to the licensed land surveyor thanking him for the survey updates and to continue to follow the Land Surveyors Regulation Act.

Voting Aye: Pro, Tremel, Whitfield, Bolte, Feusner.

Motion carried.

Tremel moved and Pro seconded that the Board offer Complaint 24-3 licensed land surveyor a settlement agreement, with the Assistant Attorney General's approval, or a voluntary surrender of the licensed land surveyor's license. If not, the Board will proceed to a formal hearing.

Voting Aye: Tremel, Whitfield, Bolte, Feusner, Pro.

Motion carried.

Whitfield moved and Pro seconded that the Secretary send the licensed land surveyor a letter to appear at the March 20<sup>th</sup> Board meeting to discuss Complaint 24-5. A copy of the letter will be sent to the complainant.

Voting Aye: Whitfield, Bolte, Feusner, Pro, Tremel.

Motion carried.

The Board took a short break from 12:10 to 12:15 p.m.

Pro moved and Tremel seconded that the Board go into executive session at 12:19 p.m. with Sherlock, Penry, and Monahan present to discuss land surveying practices, minimum standards, and land surveyor performance reviews and to prevent needless injury to the reputation of a person, and as such person has not requested a public meeting.

Voting Aye: Bolte, Feusner, Pro, Tremel, Whitfield.

Motion carried.

The Chair stated that discussion in the executive session would be limited to land surveying practices, minimum standards, and land surveyor performance reviews.

Pro moved and Feusner seconded that the Board return to regular session at 1:20 p.m.

Voting Aye: Feusner, Pro, Tremel, Whitfield, Bolte.

Motion carried.

The Chair stated that no subject matter other than land surveying practices, minimum standards, and land surveyor performance reviews was discussed in the executive session.

Tremel moved and Pro seconded to table the issues previously discussed with the licensed land surveyor for lack of and late filings in the State Records Repository until the March 20<sup>th</sup> Board meeting.

Voting Aye: Pro, Tremel, Whitfield, Bolte, Feusner.

Motion carried.

Whitfield moved and Pro seconded that the Secretary send a letter to the licensed land surveyor that the Board is satisfied with the outcome and the matter is closed.

Voting Aye: Tremel, Whitfield, Bolte, Feusner, Pro.

Motion carried

Tremel moved and Whitfield seconded that the Secretary send a letter to the county surveyor to attend the February 20<sup>th</sup> Board meeting to discuss the minimum standards as prepared by a licensed land surveyor. In addition, that the Secretary send a letter to the licensed land surveyor to appear at the March 20<sup>th</sup> Board meeting to discuss the minimum standards for land surveys in Nebraska.

Voting Aye: Whitfield, Bolte, Feusner, Pro, Tremel.

Motion carried.

Feusner moved and Whitfield seconded that the Secretary send a letter to the licensed land surveyor to appear at the February meeting to discuss surveys brought to their attention.

Voting Aye: Bolte, Feusner, Pro, Tremel, Whitfield.

Motion carried.

The Board discussed their Certificate of Authorization (COA) documents and guidelines.

Feusner moved and Pro seconded that the Board ratify the Certificates of Authorizations received to date as presented.

Voting Aye: Feusner, Pro, Tremel, Whitfield, Bolte.

Motion carried.

Feusner moved and Pro seconded that the Secretary notify the licensed land surveyors who have not filed their Certificate of Authorization as of February 28, 2025, and for them to notify their company that they are not authorized to practice land surveying in Nebraska without a COA on file with the Board. Fees and civil penalties may be assessed.

Voting Aye: Pro, Tremel, Whitfield, Bolte, Feusner.

Motion carried.

Feusner moved and Pro seconded that the Board change the Certificate of Authorization expiration date for all COA's to the last calendar day of odd-numbered years with an option to pay the two-year fee of \$50.

Voting Aye: Tremel, Whitfield, Bolte, Feusner, Pro.

Motion carried.

A list of businesses authorized to practice land surveying in Nebraska will be listed on the NBELS website.

The Board discussed possible updates to their By-Laws.

Feusner moved and Tremel seconded that the changes to the NBELS By-Laws as presented and discussed by the Board be added to the February meeting agenda for final approval.

Voting Aye: Whitfield, Bolte, Feusner, Pro, Tremel.

Motion carried.

The Board further discussed the NBELS land surveyor renewal, inactivation, active, canceled, reinstatement policy for guidelines. Final updates are to be presented at the February meeting.

Tremel moved and Pro seconded that the Board go into executive session at 2:28 p.m. with Sherlock, Penry, and Monahan, present to discuss NBELS biennial land surveyor license renewals, extensions, and reinstatements.

Voting Aye: Bolte, Feusner, Pro, Tremel, Whitfield.

Motion carried.

The Chair stated that discussion in the executive session would be limited to NBELS biennial land surveyor license renewals, extensions, and reinstatements.

Feusner moved and Pro seconded that the Board return to regular session at 4:02 p.m.

Voting Aye: Feusner, Pro, Tremel, Whitfield, Bolte.

Motion carried.

The Chair stated that no subject matter other than NBELS biennial land surveyor license renewals, extensions, and reinstatements was discussed in the executive session.

Pro moved and Feusner seconded that the Board approve the audits reviewed and determined acceptable.

Voting Aye: Pro, Tremel, Bolte, Feusner.

Abstain: Whitfield

Motion carried.

Pro moved and Feusner seconded that the Secretary notify the licensed land surveyors with non-compliant biennial renewal audits to submit proper Professional Development Hour documentation for Board review.

Voting Aye: Tremel, Whitfield, Bolte, Feusner, Pro.

Motion carried.

Feusner moved and Pro seconded that the Secretary notify licensed land surveyors Troy Panning, Nicholas Siedschlag, and William White that the Board will grant extensions to gain Professional Development Hours (PDH) and that they are to submit proper PDH documentation for Board review.

Voting Aye: Whitfield, Bolte, Feusner, Pro, Tremel.

Motion carried.

Pro moved and Tremel seconded that the Board go into executive session at 4:15 p.m. with Sherlock, Penry, and Monahan, present to discuss a Class 1 Land Surveyor Application and a Class 2 Reciprocity Land Surveyor License and to prevent needless injury to the reputation of a person and as such person/s has not requested a public meeting.

Voting Aye: Bolte, Feusner, Pro, Tremel, Whitfield.

Motion carried.

The Chair stated that discussion in the executive session would be limited to a Class 1 Land Surveyor Application and a Class 2 Reciprocity Land Surveyor License.

Pro moved and Feusner seconded that the Board return to regular session at 4:40 p.m.

Voting Aye: Feusner, Pro, Tremel, Whitfield, Bolte.

Motion carried.

The Chair stated that no subject matter other than a Class 1 Land Surveyor Application and a Class 2 Reciprocity Land Surveyor License was discussed in the executive session.

Pro moved and Feusner seconded that the Class 1 application of Jack C. Reiman for Nebraska Land Surveyor licensure be approved and he be permitted to take the Principles and Practices of Surveying (PS) and Nebraska State-Specific land surveyor examinations.

Voting Aye: Pro

Voting Nay: Tremel, Whitfield, Feusner.

Abstain: Bolte.

Motion failed.

Feusner moved and Pro seconded to table Reiman's LS application for up to one year in order to allow him additional time to gain experience in boundary surveying and to resubmit his experience logs prior to the January 2026 meeting.

Voting Aye: Tremel, Whitfield, Feusner, Pro.

Abstain: Bolte.

Motion carried.

Pro moved and Feusner seconded that since Scott Graham Sherard passed the Nebraska reciprocity examination on December 9, 2024, and has completed the requirements for Class 2 Land Surveyor License in Nebraska, by reciprocity from Colorado, and that upon receipt of the \$100.00 fee, he be granted licensure dated January 16, 2025, under Certificate No. 871.

Voting Aye: Whitfield, Bolte, Feusner, Pro, Tremel.

Motion carried.

Before formally filing of surveys in the Nebraska State Survey Records Repository, newly licensed land surveyors, are asked to email their first five Nebraska surveys, in PDF form, to the Nebraska State Surveyor. This is a courtesy service to help them get started in the right direction with the potential unique situations that may arise when surveying in the State of Nebraska.

National Council of Examiners for Engineering and Surveying (NCEES) meetings were highlighted.

Sherlock reported on the recent Member Board Administrator (MBA) held at the NCEES headquarters in Greenville, SC. Changes in exam services include that the Principles and Practice of Surveying (PS) exam will no longer contain Public Land Survey System (PLSS) questions. A separate PLSS module will be created and implemented beginning October 2027. Exams will be given in April and October. Exam prices may increase to keep up with the services associated with the exams. The NBELS may need to modify their statutes regarding exams. Both the PS and PLSS exams will be required for licensure.

Sherlock discussed the Fundamental of Surveying (FS) Honor Cords available to colleges to distribute to graduates. Colleges must apply in advance to receive the honor cords. In addition, one \$5,000 scholarship is available to each state to distribute to a student.

A state license database for land surveyors and engineers may be added to the NCEES database to capture licensee profiles, licensure verification, enforcement, and qualifications per state.

The Central Zone Meeting, a joint meeting with the Western Zone, will be held in May in Albuquerque, N.M. Delegates will be selected at the Board's February meeting.

The Secretary reported on a finding from the State's Auditor's office regarding NBELS assets with no cost. The items will be removed from the system as they do not meet the threshold for reporting.

Whitfield updated the Board regarding a cable company's installer digging out a corner and putting it back in after backfill. The pin since has been pulled. The Board commented on when finding this, note its new position, and add a note of explanation on the licensed land surveyor's certificate.

Bolte said the city personnel surveying as an unlicensed land surveyor has been corrected.

The NBELS meeting on September 18 has been changed to September 11.

The next Board meeting will be held on February 20, 2025, at 9:00 a.m. at 555 N. Cotner Blvd, LL Conference Room, Lincoln, NE.

Pro moved and Feusner seconded that the Board meeting be adjourned at 5:00 p.m.

All in favor.

Motion carried.

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Casey C. Sherlock, State Surveyor  
Ex Officio Secretary  
NE Board of Examiners for Land Surveyors

The mission of the State Board of Examiners for Land Surveyors is to enforce and administer the laws relating to the regulation of land surveying through licensing in Nebraska and to ensure the quality of land surveying in Nebraska for the protection of the public.