

NEBRASKA STATE BOARD OF EXAMINERS FOR LAND SURVEYORS

March 31, 2025

The Nebraska Board of Examiners for Land Surveyors (Board) convened at 9:01 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 9:03 a.m  
Dennis L. Whitfield

Casey Sherlock, Ex Officio Secretary of the Examining Board

Others present:  
Brent Cyboron, PLS 727, Chapman  
Sandy Cyboron, Grand Island  
Matthew Derden, Grand Island  
Luke Ritz, Plattsmouth  
Jerry Penry, Deputy State Surveyor  
Gerri Monahan, Admin. Asst.

Public notice of this meeting was given by publication in the *Lincoln Journal Star* on March 25, 2025. The meeting date was also posted on the NBELS website and the Nebraska Public Meeting Calendar before March 25, 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 Feusner seconded to approve the February 20 and February 26, 2025, Board meeting minutes as presented.

Voting Aye: Feusner, Pro, Tremel, Bolte.

Voting Nay: Whitfield.

Motion carried.

Pro moved and Tremel seconded that the February expense vouchers be approved:

DAS IM Services, January web hosting .....	28.00
DAS Materiel, January postage .....	<u>33.84</u>
February Total .....	\$61.84

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

Motion carried.

The agenda was adjusted to allow Luke Ritz to speak to the Board regarding his Surveyor-in-Training (SIT) application. Ritz outlined his background, including obtaining an engineering degree, passing the

NCEES Fundamentals of Surveying (FS) exam, his military background, and land surveying courses. Mr. Ritz was excused at 9:18 a.m.

Tremel moved and Pro seconded that the Board go into executive session at 9:19 a.m. with Sherlock, Penry, and Monahan present to discuss complaints and to prevent needless injury to the reputation of a person, as such person has not requested a public meeting.

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

Motion carried.

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

A professional land surveyor (PLS) was present from 9:50 a.m. to 11:04 a.m. to discuss a complaint.

Tremel moved and Pro seconded that the Board return to regular session at 12:04 p.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.

Pro moved and Whitfield seconded to close Complaint 24-5, and that the Secretary notify the PLS that no further action will be taken on Complaint 24-5.

Voting Aye: Bolte, Pro, Tremel, Whitfield.

Abstain: Feusner.

Motion carried.

Pro moved and Tremel seconded for the Chair to sign the Settlement Agreement with the PLS, close Complaint 24-3, and notify the PLS.

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

Motion carried.

Pro moved and Feusner seconded for the Board to file a formal Complaint 25-1 against the professional land surveyor and for the PLS to appear before the Board for a formal hearing on May 22, 2025.

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

Motion carried.

Pro moved and Tremel seconded that the Board go into executive session at 12:32 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: Tremel, Whitfield, Bolte, Feusner, Pro.

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.

The Board took a working lunch from 12:45 to 1:15 p.m.

Pro moved and Tremel seconded that the Board return to regular session at 1:48 p.m.

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

Motion carried.

Tremel moved and Pro seconded to file an informal complaint against PLS 707 for violations of the Code of Practice and the Minimum Standards for Land Surveys in Nebraska and for the PLS to appear at the May 22, 2025, Board meeting.

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

Motion carried.

Pro moved and Tremel seconded that the Board rescind the prior motion on PLS 635.

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

Motion carried.

Pro moved and Tremel seconded that the Board file a formal complaint against PLS 635 for various violations of the Nebraska Land Surveyors Regulation Act, including violations of the Minimum Standards for Surveys in Nebraska, and violations of the requirement to file surveys with the Nebraska State Records Repository, Neb. Rev. Statutes 81-8, 122.01.

This complaint will be numbered 25-1 and a copy will be sent to PLS 635, requesting their appearance at the May 22, 2025, Board meeting.

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

Motion carried.

Tremel moved and Pro seconded to invite PLS 775 to voluntarily attend the May 22 meeting to discuss the Milligan Wind Farm Project.

Voting Aye: Bolte.

Voting Nay: Tremel, Whitfield, Feusner, Pro.

Motion failed.

The Board reviewed the recent Certificate of Authorizations (COA). The COA authorized companies are listed on the NBELS website under Rosters.

Pro moved and Tremel seconded that the Board ratify the Certificates of Authorizations processed since the February 20 Board meeting.

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

Motion carried.

The Board discussed the revised and amended Bylaws. The Bylaws govern the Board.

Feusner moved and Pro seconded to delete Section 9, renumber the remaining section, and approve the Bylaws of the Nebraska State Board of Examiners for Land Surveyors as amended.

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

Motion carried.

Pro moved and Feusner seconded that the Board go into executive session at 2:30 p.m. with Sherlock, Penry, and Monahan present to discuss NBELS biennial land surveyor license renewals, extensions, and reinstatements.

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

Motion carried.

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

Pro moved and Feusner seconded that the Board return to regular session at 2:47 p.m.

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

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.

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

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

Motion carried.

Pro moved and Tremel seconded that the Board go into executive session at 3:15 p.m. with Sherlock, Penry, and Monahan present to discuss a Class 1 Land Surveyor Application, Class 2 Reciprocity Land Surveyor Applications, and Class 3 Surveyor-in-Training Applications and Certificates, and to prevent needless injury to the reputation of a person and as such person/s has not requested a public meeting.

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

Motion carried.

The Chair stated that discussion in the executive session would be limited to a Class 1 Land Surveyor Application, Class 2 Reciprocity Land Surveyor Applications, and Class 3 Surveyor-in-Training Applications and Certificates.

Pro moved and Feusner seconded that the Board return to regular session at 3:40 p.m.

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

Motion carried.

The Chair stated that no subject matter other than a Class 1 Land Surveyor Application, Class 2 Reciprocity Land Surveyor Applications, and Class 3 Surveyor-in-Training Applications and Certificates, was discussed in the executive session.

Pro moved and Feusner seconded that the Class 1 application of Phillip Spenner for Nebraska Professional 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:

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

Motion failed.

Pro moved and Tremel seconded that the Class 2 application of Jeffrey L. Van Horn for Nebraska Professional Land Surveyor License, by reciprocity from Colorado, be approved and that he be required to appear before the Secretary of the Board for an interview and the Nebraska State-Specific land surveyor examination.

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

Motion carried.

Pro moved and Feusner seconded that the Class 2 application of Darryl D. Coster for Nebraska Professional Land Surveyor License, by reciprocity from New Mexico, be approved and that he be required to appear before the Secretary of the Board for an interview and the Nebraska State-Specific land surveyor examination.

Voting Aye: Tremel, Bolte, Pro.

Voting Nay: Whitfield, Feusner.

Motion carried.

Feusner moved and Pro seconded that the Class 2 application of Brian Riniker for Nebraska Professional Land Surveyor License, by reciprocity from North Dakota, be approved and that he be required to appear before the Secretary of the Board for an interview and the Nebraska State-Specific land surveyor examination.

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

Motion carried.

Feusner moved and Pro seconded that the Class 2 application of Kerry Michael Simon for Nebraska Professional Land Surveyor License, by reciprocity from Louisiana, be approved and that he be required to appear before the Secretary of the Board for an interview and the Nebraska State-Specific land surveyor examination.

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

Motion carried.

Pro moved and Feusner seconded that the Class 2 application of Joseph William Hutchison, Jr, for Nebraska Professional Land Surveyor License, by reciprocity from Kansas, be approved and that he be required to appear before the Secretary of the Board for an interview and the Nebraska State-Specific land surveyor examination.

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

Motion carried.

Pro moved and Tremel seconded that the Class 2 application of Elijah Robert Frane for Nebraska Professional Land Surveyor License, by reciprocity from Colorado, be approved and that he be required to appear before the Secretary of the Board for an interview and the Nebraska State-Specific land surveyor examination.

Voting Aye:

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

Motion failed.

Pro moved and Feusner seconded that the Class 3 application of Ethan J. Fangmeier 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 4, 2023, and upon receipt of the SIT registration for \$20.00, he be granted SIT registration dated March 31, 2025, under Certificate No. 309.

Voting Aye: Tremel, Whitfield, Feusner, Pro.

Voting Nay: Bolte.

Pro moved and Feusner seconded that the Class 3 application of Luke C. Ritz 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 February 4, 2025, and upon receipt of the SIT registration for \$20.00, he be granted SIT registration dated March 31, 2025, under Certificate No. 310.

Voting Aye: Whitfield, Feusner, Tremel.

Voting Nay: Bolte, Pro.

Motion carried.

Pro moved and Feusner seconded that the Class 3 application of Drew Scott Petron 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 20, 2023, and upon receipt of the SIT registration for \$20.00, he be granted SIT registration dated May 31, 2025, under Certificate No. 311.

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

Motion carried.

Whitfield reported on a city vs homeowner dispute regarding a person surveying without a professional land surveying license. Whitfield also reported on a Survey Firm, currently without a professional land surveyor, doing research in a County Surveyors' Office.

The next Board meeting will be held on May 22, 2025, at 9:00 a.m. at 555 N. Cotner Blvd, LL Conference Room, Lincoln, NE.

Feusner moved and Pro seconded that the meeting be adjourned at 4:14 p.m.

All in favor.

Motion carried.

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Casey C. Sherlock, 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.