

BOARD OF EXAMINERS FOR LAND SURVEYORS

June 24, 1997

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:

Donald L. Pettigrew, Chairperson  
Darold E. Tagge, Vice-Chairperson  
Dennis D. Podany  
Robert D. Proett  
James L. Brown, Secretary

Others present:

Eugene Schiltz  
Steven C. Cobb, arrived 2:50 PM  
Kathy Martin

Public notice of this meeting was given by publication in *The Lincoln Star and Journal* on June 13, 1997.

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

Moved by Podany and seconded by Proett that the minutes of the February 27, 1997 meeting be approved.

Voting Aye: Podany, Proett, Tagge, Pettigrew.

Motion carried.

Moved by Podany and seconded by Proett that the Board go into executive session at 9:01 A.M. with James L. Brown, Kathy Martin and Eugene Schiltz present for the purpose of discussing Complaint 96-1.

Voting Aye: Proett, Tagge, Pettigrew, Podany.

Motion carried.

Moved by Podany and seconded by Tagge that the Board return to regular session at 10:25 A.M.

Voting Aye: Tagge, Pettigrew, Podany, Proett.

Motion carried.

Moved by Podany and seconded by Proett that the Board continue the investigation of Complaint 96-1 to include a random sample of fifteen rural surveys conducted since 1990 for compliance with minimum standards and legal requirements for survey plats.

Voting Aye: Pettigrew, Podany, Proett, Tagge.

Motion carried.

Moved by Proett that any individual other than Board members be stricken from the record.

Motion withdrawn.

Moved by Podany and seconded by Proett that the Board go into executive session at 10:32 A.M. with James L. Brown and Kathy Martin present for the purpose of discussing Complaint 96-2.

Voting Aye: Podany, Proett, Tagge, Pettigrew.

Motion carried.

Moved by Podany and seconded by Proett that the Board return to regular session at 11:30 A.M.

Voting Aye: Proett, Tagge, Pettigrew, Podany.

Motion carried.

Moved by Tagge and seconded by Proett that the Board request a hearing on Complaint 96-2 to include any further investigation by the State Surveyor's Office that might be required concerning minimum standards and legal requirements for survey plats.

Voting Aye: Tagge, Pettigrew, Podany, Proett.

Motion carried.

The Board discussed the letter from Tagge Engineering Consultants regarding a drawing by a non-registered individual.

The Board recessed at 12:10 A.M.

The Board reconvened at 1:37 P.M.

Moved by Podany and seconded by Proett to adopt the Minimum Standards for Inspection Location Surveys as presented in the public hearing on February 24, 1997 and to approve the changes to the Rules and Regulations.

Moved by Podany and seconded by Proett to amend the motion that wherever the word "sketch" appears in the proposed Minimum Standards for Inspection Location Surveys that it be changed to "drawing".

Voting Aye: Podany, Proett, Tagge, Pettigrew.

Motion carried.

Moved by Podany and seconded by Proett to amend the motion that wherever the word "Mortgage Lender" appears in the proposed Minimum Standards for Inspection Location Surveys that it be changed to "client" and the word "borrower" remain as is.

Voting Aye: Proett, Tagge, Pettigrew, Podany.

Motion carried.

Moved by Podany and seconded by Tagge to amend the motion to read that in the proposed Minimum Standards for Inspection Location Surveys the second paragraph second line "mortgage lender" be changed to "client"; that in the second paragraph fourth line "mortgage lender" be changed to "client"; that in the second paragraph fifth line "solely for the intent of and use by the mortgagee" be stricken and that it read "said Improvement Location Survey is a professional service, provided by a Registered Land Surveyor."; that under Research and Investigation item D second line "mortgage lender" be changed to "the surveyor's client in all instances"; that under Drafting in the first paragraph "sketch" be changed to "drawing"; that under Drafting item E "mortgage lender" be changed to "the client"; that under Drafting item H fifth line "sketch" be changed to "drawing"; that under Drafting item I "sketch" be changed to "drawing"; that under Drafting item J "sketch" be changed to "drawing"; that on the Work Order second line "Mortgage Lender" be changed to "Client"; that in the first paragraph the first sentence read "This is ~~the~~ a minimum survey that ~~your~~ a mortgage lender might requires for closing ~~your~~ a loan.; that in the sentence above the signature lines "mortgage lender" be changed to "client(s)"; and that on the signature line "Mortgage Lender" be changed to "Client".

Voting Aye: Tagge, Pettigrew, Podany, Proett.

Motion carried.

Vote on the original motion as amended.

Voting Aye: Pettigrew, Podany, Tagge.

Voting Nay: Proett.

Motion carried.

Moved by Proett and seconded by Podany that the four-hour reciprocity examination be changed from part open and part closed to an open book exam.

Voting Aye: Pettigrew, Podany, Proett, Tagge.

Motion carried.

The Board discussed the Nebraska two-hour examination.

Moved by Podany and seconded by Proett that inasmuch as Carl W. Sumpter passed the reciprocity examination on April 30, 1997 and has completed the requirements for registration in Nebraska by reciprocity from South Dakota that he be granted registration under Certificate No. LS-547.

Voting Aye: Podany, Proett, Tagge, Pettigrew.

Motion carried.

Moved by Podany and seconded by Proett that inasmuch as John Meng-Frecker passed the reciprocity examination on May 14, 1997 and has completed the requirements for registration in Nebraska by reciprocity from Oregon that he be granted registration under Certificate No. LS-548.

Voting Aye: Proett, Tagge, Pettigrew, Podany.

Motion carried.

Moved by Podany and seconded by Proett that the Board go into executive session at 3:12 P.M. with James L. Brown and Kathy Martin present for the purpose of discussing applications for Class II registration.

Voting Aye: Tagge, Pettigrew, Podany, Proett.

Motion carried.

Moved by Podany and seconded by Proett that the Board return to regular session at 3:22 P.M.

Voting Aye: Pettigrew, Podany, Proett, Tagge.

Motion carried.

Moved by Podany and seconded by Proett that the application of Michael E. Anderson 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: Podany, Proett, Tagge, Pettigrew.

Motion carried.

Moved by Tagge and seconded by Podany that the application of William B. Briles for registration by reciprocity from Washington be approved and that he be required to appear before the Secretary of the Board for an interview and land surveyor examination.

Voting Aye: Proett, Tagge, Pettigrew, Podany.

Motion carried.

Moved by Podany and seconded by Proett that the report on the April 19 & 20, 1997 examinations be accepted and approved.

Voting Aye: Tagge, Pettigrew, Podany, Proett.

Motion carried.

Moved by Podany and seconded by Proett that the following named applicants be granted registration effective June 24, 1997 under Class III provisions and assigned consecutive SIT numbers:

Michael J. Smith	SIT-144
William E. Knight	SIT-145
Todd L. Whitfield	SIT-146
Dean J. Fiala	SIT-147
Karen D. Brouwer	SIT-148
John W. Von Dollen	SIT-149
Chad W. Marsh	SIT-150
Nicholas J. Johannsen	SIT-151
Jeffrey T. Lamontagne	SIT-152
Kurt M. Staroscik	SIT-153
Brian J. Foral	SIT-154
Lee D. Wagner	SIT-155
Dean A. Wilke	SIT-156
Jeff Gibbs	SIT-157
Dana L. Sperling	SIT-158

Voting Aye: Pettigrew, Podany, Proett, Tagge.

Motion carried.

Moved by Podany and seconded by Proett that the following named applicants be granted registration effective July 1, 1997 under Class I provisions and assigned consecutive LS numbers:

John R. Egger	LS-540
Jeffrey S. Ryan	LS-541
Robert M. Tichy	LS-542
Michael L. Meyer	LS-543
Ronald E. Teten	LS-544
Frank A. Kohl	LS-545
Brian L. Langenberg	LS-546

Voting Aye: Podany, Proett, Tagge, Pettigrew.

Motion carried.

Moved by Podany and seconded by Proett that the following named applicants be allowed to retake the Nebraska two-hour examination on September 29, 1997:

Karl F. Moseman  
Terry L. Schulz

Voting Aye: Proett, Tagge, Pettigrew, Podany.

Motion carried.

Moved by Tagge and seconded by Proett that Dennis D. Podany and Kathy Martin attend the NCEES annual meeting in New Orleans, LA.

Voting Aye: Tagge, Pettigrew, Proett.

Abstaining: Podany.

Motion carried.

Moved by Proett and seconded by Podany that the following vouchers be approved:

Dennis D. Podany, travel expense..... 45.24

Donald L. Pettigrew, travel expense .....	227.24
Darold E. Tagge, travel expense.....	132.70
Central Zone NCEES, registration fee for April meeting.....	180.00
DAS-Div. of Communication, February telecommunications.....	0.54
DAS-Div. of Communication, March telecommunications .....	0.53
DAS-Div. of Communication, April telecommunications .....	0.15
DAS-Materiel Div., February postage .....	66.90
DAS-Materiel Div., March postage.....	47.61
DAS-Materiel Div., April postage.....	10.12
General Fund Reimbursement, 3 <sup>rd</sup> quarter .....	828.84
J.P. Cooke Co., land surveyor seal for Duncan .....	23.38
Journal-Star, subscription .....	45.50
Kathy Martin, federal express exams to NCEES .....	7.63
Kathy Martin, travel expense for meeting in Rapid City, SD .....	588.18
NCEES, 1997 membership fee.....	270.00
State Treasurer, returned check fee .....	5.00
Super 8 Motel, lodging for Tagge and Pettigrew 2/27/97 .....	74.46

Voting Aye: Pettigrew, Podany, Proett, Tagge.

Motion carried.

Moved by Tagge and seconded by Podany to suspend the rules and cast an unanimous ballot for Robert D. Proett for Chairperson.

Voting Aye: Podany, Tagge, Pettigrew.

Abstaining: Proett.

Motion carried.

Moved by Tagge and seconded by Proett to suspend the rules and cast an unanimous ballot for Dennis D. Podany for Vice-Chairperson.

Voting Aye: Proett, Tagge, Pettigrew.

Abstaining: Podany.

Motion carried.

Moved by Podany and seconded by Proett that the meeting be adjourned.

Voting Aye: Tagge, Pettigrew, Podany, Proett.

Motion carried.

The Board adjourned at 3:40 P.M.

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James L. Brown, Secretary