

Vermont Board of Land Surveyors
Secretary of State, Office of Professional Regulation
National Life Building, North Fl 2
Montpelier, VT 05620-3402

Approved Minutes
Meeting of Tuesday, November 20, 2012

1. The meeting was called to order at 9:00 a.m.

Members present: Shane B. Clark, L.S., Chairman; Charles Rockwell, L.S., Secretary; Jonathan R. Abts, L.S.; Timothy Short, L.S.; Susan Senning; and Joseph Flynn, L.S.

Absent: Dorothy Hayden, Vice-Chair

OPR Personnel present: Christopher Winters, Director of OPR; Larry Novins, Board Counsel; Terry Gray, Unit Administrator; Carla Preston, Case Manager; and Kara Shangraw, Licensing Board Specialist.

Others Present: Brad Holden, Patricia Kules, & John Diebold.

2. The Chair called for approval of the Minutes of the September 18th meeting. Mr. Clark made a motion, seconded by Mr. Abts, to approve the Minutes of the September 18, 2012 meeting as submitted. Motion passed.

Director Winters discussed with the Board members their Budget.

3. **Legislation/Rulemaking:**

The Board held its Public Hearing on the Proposed Rules. Three individuals attended the meeting and gave their suggestions on the proposed changes. The Board will take the comments into consideration.

4. **Reports/Guests:**

5. **Hearings/Stipulation and Consent Orders:**

The Board reviewed the *Stipulation and Consent Order* in the matter of 2010-481 (David S. Edson). The Respondent was not present. Gabriel Gilman, Prosecuting Attorney was present for the State. Attorney Novins presided for the Board. Based on the information submitted, Mr. Abts made a motion, seconded by Mr. Flynn, to accept the *Stipulation and Consent Order* as presented. The Board went into deliberative session at 9:35 a.m. and out at 10:04 a.m. The Board rejected the *Stipulation and Consent Order*. Mr. Rockwell, Investigative Team member abstained from the Hearing and vote.

6. **Exam Question Databank Review:**

The Board graded the three examinations from the fall exam. The applicants will be notified.

7. Reports of Concluded Investigations/Complaint Status/Follow up cases:

Carla Preston made her Case Managers report there are currently 13 pending cases.

2011-591 The Board reviewed the Report of Concluded Investigation Ms. Senning, made a motion, seconded by Mr. Rockwell, to reject the Report of Concluded Investigation. Motion passed 5-0. Mr. Clark abstained from the vote.

2011-746 The Board reviewed the Report of Concluded Investigation Mr. Clark, made a motion, seconded by Mr. Rockwell, to accept the Investigative Team's recommendation and conclude the case without formal prosecution. Motion passed 5-0. Mr. Short, Investigative team member abstained from the vote.

2012-472 The Board reviewed the Report of Concluded Investigation Mr. Rockwell, made a motion, seconded by Mr. Abts, to accept the Investigative Team's recommendation and conclude the case without formal prosecution. Motion passed 5-0. Mr. Clark, Investigative team member abstained from the vote.

8. Applications / (See Appendix A):

Board members reported on hours received from applicants (see appendix A).

9. Continuing Education Courses - Education Committee to Report:

- a. **"Great Surveyors and Their Surveys"** submitted by Auburn University, and sponsored by Wanda Lambert, requesting approval for 3.0 Professional Development Hours of continuing education credits. The committee approved a total of three (3) Professional Development Hours of continuing education credits. Approval number CE176-1112.
- b. **"Multiple Submittals from New York State Association of Professional Land Surveyors"** six courses submitted by NYSAPLS, requesting approval for 6.0 Professional Development Hours of continuing education credits. The committee approved the six courses. NYSAPLS will be notified.
- c. **"Multiple Submittals from New York State Association of Professional Land Surveyors"** 31 courses submitted by NYSAPLS, requesting approval for a varied amount of Professional Development Hours of continuing education credits. The committee approved the majority of the courses. There were eight courses that were not approved as they are not related to the practice of Land Surveying in the State of Vermont. NYSAPLS will be notified.

10. NCEES Correspondence:

11. Miscellaneous Correspondence:

12. Other Business:

Ms. Gray spoke to the Board about changing the meetings to the third Tuesday of even months. The Board was in favor of changing the meetings. The meetings will now be the third Tuesday of even months. Their next scheduled meeting is February 19, 2013.

12. Other Business – Continued:

Mr. Rockwell made a motion, seconded by Mr. Abts, to leave Mr. Clark as Chair. Mr. Abts made a motion, seconded by Mr. Short to elect Charles Rockwell as Vice-Chair. Mr. Rockwell made a motion, seconded by Mr. Short to elect Susan Senning as Secretary. The results of the election were as follows:

Shane Clark, Chairman
Charles Rockwell, Vice-Chairman
Susan Senning, Secretary

13. Public Comment:

14. There being no further business the meeting was adjourned at 1:57 p.m.

Respectfully submitted,

Kara Shangraw, Licensing Board Specialist
Office of Professional Regulation

Appendix A

Name of Board Member Assigned		Timothy Short
Name of Applicant	Name of Supervising Land Surveyor	No. of Hours to date
McGowan, Hugh, A	Brian Lavery	
Ryan Ward	Ian Jewkes	11-20-12 / 7517.5

Name of Board Member Assigned		Charles Rockwell
Name of Applicant	Name of Supervising Land Surveyor	No. of Hours to date
Barnaby, Luke	Robert Townsend	
Paradee, Andrew		
Tetreault, Stephen	Douglas Henson	672.3

Name of Board Member Assigned		Joseph Flynn
Name of Applicant	Name of Supervising Land Surveyor	No. of Hours to date
Fortin, Edward	Dana Libby/Doug Henson	

Name of Board Member Assigned		Susan Senning
Name of Applicant	Name of Supervising Land Surveyor	No. of Hours to date
Falk, Michael	David Rose	9-18-12 / 4427.75

Name of Board Member Assigned		Shane Clark
Name of Applicant	Name of Supervising Land Surveyor	No. of Hours to date
Morris, Timothy	Russell Brown	03-20-12 / 258
Otis, Randall	Ronald Gauthier	
Lackey, Bradley	Merrill Mundell, Jr.	01-17-12 / 5986.5

Name of Board Member Assigned		Jonathan Abts
Name of Applicant	Name of Supervising Land Surveyor	No. of Hours to date
Downey, Ryan, J	Ellis Speath Jr.	01-17-12 / 5902.5
Fuller, Aaron	Steven Brooks	9-21-10 / 197
Wilson, Terry	Richard Bell	9-18-12 / 7553
Yager, Nathan, O	David Rose	9-21-10 / 1620.5