



Board of Land Surveyors

Office of Professional Regulation, Vermont Secretary of State

89 Main Street, 3rd Floor • Montpelier, VT 05620-3402
Tel. (802) 828-5434 • www.sec.state.vt.us/professional-regulation.aspx

Unapproved Minutes

Tuesday, August 21, 2018

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

Members present: Charles Rockwell, L.S., Chairman; Timothy Short, L.S. Vice-Chair; Joseph Nalette, L.S.; Joseph Flynn, L.S.; John Diebold, L.S.; and Dylan Bruce Ad-Hoc Board Member. Absent: Susan Senning, Secretary; and Dorothy Hayden.

OPR Personnel present: Gabriel Gilman, General Counsel and Kara Shangraw, Licensing Administrator I.

Others present: Beth St. James, Prosecuting Attorney.

2. The Chair called for approval of the Minutes of the June 19th meeting. Mr. Nalette made a motion, seconded by Mr. Diebold, to approve the Minutes of the June 19, 2018 meeting as presented. Motion passed.
3. The Board reviewed the *Stipulation and Consent Order* regarding Docket Number 2017-779 (Christopher Ponessi). Based on the information submitted, Mr. Nalette made a motion, seconded by Mr. Diebold, to approve the *Stipulation and Consent Order* as presented. Motion passed 4-0. Mr. Rockwell abstained from the hearing and vote. Mr. Flynn Investigative team member abstained from the hearing and vote.
4. **Exam Question / Databank Review:**
5. **Applications / (See Appendix A):**

The Board reviewed the application from Judd Vear via endorsement. Based on the information submitted, Mr. Diebold made a motion, seconded by Mr. Nalette, to approve his application. Motion passed unanimously.

6. **Continuing Education Courses for Review:**

“Multiple Continuing Education Courses” submitted by Amber Carpenter, with NYSAPLS, requesting multiple hours of continuing education credit. The Board approved the following courses. See the approval numbers below:

- The Art of Land Surveying – 8 Hours – Approval number issued CE587-0818
- Contract Law and Preparation – 1.5 Hours – Approval number issued CE588-0818
- Stonewalls: Past-Present-Future – 4 Hours – Approval number issued CE589-0818
- How to Write a Business Plan – 1.5 Hours – Approval number issued CE590-0818

6. Continuing Education Courses for Review – Continued:

- UAV Accuracy Assessment for Surveying – 1.5 Hours – Approval number issued CE591-0818
- Risk Management for Surveyors – 1.5 Hours – Approval number issued CE592-0818
- Fundamentals of Photogrammetry for Surveyors – 1.5 Hours – Approval number issued CE593-0818
- FAA Regulations for UAS (drone) Operations – 1.5 Hours – Approval number issued CE594-0818
- Becoming a Certified UAS (drone) Pilot – 1.5 Hours – Approval number issued CE595-0818
- Health and Safety for Surveyors – 1.5 Hours – Approval number issued CE596-0818
- Easements and Rights of Way – Easements, Rights of Way and their Creation – 4 Hours – Approval number issued CE597-0818
- Easements and Rights of Way – Characteristics, Termination and Reversionary Rights – 4 Hours – Approval number issued CE598-0818
- Trying into Historical Documentation – 4 Hours – Approval number issued CE599-0818
- FEMA Elevation Certificate: The NFIP and Floodplain Management Perspective – 1.5 Hours – Approval number issued CE600-0818
- Presenting Your Project – The Do's and Don'ts for Surveyors – 1.5 Hours – Approval number issued CE601-0818
- Highway Law Part 1 – 4 Hours – Approval number issued CE602-0818
- Highway Law Part 2 – 4 Hours – Approval number issued CE603-0818
- Introduction to Research – 1.5 Hours – Approval number issued CE604-0818
- Dendrology for the Land Surveyor – 4 Hours – Approval number issued CE605-0818
- Errors Analysis with Modern Survey Technology – 1.5 Hours – Approval number issued CE606-0818
- Basic Survey Math – 4 Hours – Approval number issued – CE607-0818
- BIM for the Professional Land Surveyor – 4 Hours – Approval number issued CE608-0818
- The Future of State Plane Coordinate System – 1.5 Hours – Approval number issued CE609-0818
- DEC Land Acquisition and Available Land Records – 1.5 Hours – Approval number issued CE610-0818
- Canal Boundary Retracement – 1.5 Hours – Approval number issued CE611-0818
- Tides & Tidal Datums – 1.5 Hours – Approval number issued CE612-0818
- 3D Building & Air Rights – 1.5 Hours – Approval number issued CE613-0818
- Business Law – 1.5 Hours – Approval number issued CE614-0818
- NYS OGS Land Records – 1.5 Hours – Approval number issued CE615-0818
- Units of Measure – 1.5 Hours – Approval number issued CE616-0818
- Survey Reports 1.5 Hours – Approval number issued CE617-0818
- Ethics for the Geomatics Professional – 4 Hours – Approval number issued CE618-0818
- Meeting Consumer Rights and Needs – 1.5 Hours – Approval number issued CE-619-0818

The following course was not approved because it is not related to the practice of Land Surveying in the State of Vermont:

- Labor Law Issues 2018

6. Continuing Education Courses for Review – Continued:

“VSLs 2018 Fall Conference” submitted by Kelly Cochrane-Collar, with VSLs, requesting 8 hours of continuing education credit. The Board approved the course. Approval number issued, CE620-0818.

“Multiple Continuing Education Courses” submitted by Eamon Mulligan, requesting multiple hours of continuing education credit. The Board approved the courses. See the approval numbers below:

- Adverse Possession and Prescriptive Easements – (Online course McKissock) 4 hours – Approval number issued CE621-0818
- OC: Utilities Public and Otherwise – (Online course McKissock) 4 hours – Approval number issued CE622-0818
- Seized Lands: Eminent Domain – (Online course McKissock) 5 hours – Approval number issued CE623-0818
- Legal Descriptions – (Online course PDH provider.com) 7 hours – Approval number issued CE624-0818
- Water Rights – (Online course McKissock) 3 hours – Approval number issued CE625-0818
- FEMA and the Elevation Certificate – 7 hours – Approval number issued CE626-0818
- Legal Descriptions – (Online course McKissock) 3 hours – Approval number issued CE627-0818

“NCEES Survey Exam Development” submitted by Joseph Flynn, requesting 22 hours of continuing education credit. The Board approved the course. Approval number issued, CE628-0818.

7. Topics for Discussion:

8. Administrative Updates:

9. Other Business:

The Board tabled the Rules Review discussion.

The Board discussed the draft of a Portfolio Assessment Proposal from Mr. Diebold. There were some edits suggested and Mr. Diebold will bring the updated draft to the next meeting.

10. Correspondence:

11. Public Comment:

12. There being no further business the meeting was adjourned at 11:58 a.m.

Respectfully submitted,

Kara Shangraw
Licensing Administrator I

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 | |
| MacCormack, Lloyd | Robert Townsend | Portfolio Approved February 20, 2018 |

| | | |
|--------------------------------------|--|---------------------------------------|
| Name of Board Member Assigned | | Charles Rockwell |
| Name of Applicant | Name of Supervising Land Surveyor | No. of Hours to date |
| Barnaby, Luke | Robert Townsend | Portfolio Approved August 19, 2014 |
| Paradee, Andrew | | |
| Tetreault, Stephen | Mark Day | 02-19-13 / 936 |

| | | |
|--------------------------------------|--|-----------------------------|
| Name of Board Member Assigned | | Joseph Flynn |
| Name of Applicant | Name of Supervising Land Surveyor | No. of Hours to date |
| Beauregard, Zachary | | Portfolio |
| Fortin, Edward | Dana Libby/Doug Henson | |
| Peters, Seth | Carol Peters | Portfolio |

| | | |
|--------------------------------------|--|-----------------------------|
| 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 | | Joseph Nalette |
| Name of Applicant | Name of Supervising Land Surveyor | No. of Hours to date |
| Morris, Timothy | Russell Brown | 10-15-13 / 950 |
| | | |

| | | |
|--------------------------------------|--|--|
| Name of Board Member Assigned | | John Diebold |
| Name of Applicant | Name of Supervising Land Surveyor | No. of Hours to date |
| Fuller, Aaron | Allen Newton | 6-18-13 / 956 |
| Stockman, Gerald | | Approved for Licensure June 19, 2018. |