

Vermont Board of Land Surveyors
Secretary of State, Office of Professional Regulation
32 College Street, Schulmaier Hall
Montpelier, VT

Unapproved Minutes
Meeting of Tuesday, April 16, 2013

1. The meeting was called to order at 9:02 a.m.

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

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

2. The Chair called for approval of the Minutes of the February 19th meeting. Ms. Senning made a motion, seconded by Mr. Rockwell, to approve the Minutes of the February 19, 2013 meeting as submitted. Motion passed unanimously.

3. **Legislation/Rulemaking:**

4. **Reports/Guests:**

Director Winters spoke to the Board about case dismissals. He advised the Board that the prosecutors have an ethical, legal and evidentiary duty in prosecuting cases. There is a six year statute of limitations for criminal cases. Unauthorized practice is considered unprofessional conduct and is criminal. He has spoken to the prosecuting attorneys about notifying the I-Team member when they are deciding to dismiss a case. Mr. Winters is working with the prosecutors to get the Board's input and I-Team members more involved. The Board thanked Mr. Winters for coming in.

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

6. **Exam Question Databank Review:**

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

Carla Preston made her Case Managers report there are currently 9 pending cases.

2012-613 – The Board reviewed the Report of Concluded Investigation Mr. Clark, 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. Flynn, abstained from the vote.

2012-576 – The Board reviewed the Report of Concluded Investigation Mr. Clark, 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. Flynn, abstained from the vote.

8. Applications (See Appendix A):

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

The Board approved Braford Lackey's seal.

The Board reviewed the additional information from the individuals that were audited on their continuing education. The individuals will be notified.

9. Continuing Education Courses - Education Committee to Report:

"49th Annual VSLs Conference" submitted by Margaret Shields, and sponsored by the Vermont Society of Land Surveyors, requesting approval for 9.0 Professional Development Hours of continuing education credits. The Board approved the following courses: 2.0 PDH Survey Safety CE207-0413; 2.0 PDH Ancient Surveyors...Roots of a Noble Profession CE208-0413; and 2.5 PDH Computer Tips, Tricks & Tools CE209-0413. The 2.5 PDH Wetland Determination Presentation was not approved as it is not related to the practice of Land Surveying.

"Round Table Discussions and Conservation Easements: Components, Control and Controversy" submitted by Margaret Shields, and sponsored by the Vermont Society of Land Surveyors requesting approval for 6.5 Professional Development Hours of continuing education credits. The Board approved the following courses: 4.0 PDH Round Table Discussion CE210-0413; 0.5 PDH Annual Business Meeting CE211-0413; and Conservation Easements: Components, Control and Controversy CE212-0413.

10. NCEES Correspondence:

11. Miscellaneous Correspondence:

12. Other Business:

13. Public Comment:

14. There being no further business the meeting was adjourned at 11:27 a.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		
DeBay, David	Endorsement Application	4-16-13 Ok to sit for State exam	
Paradee, Andrew			
Tetreault, Stephen	Douglas Henson	02-19-13 / 936	

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	02-19-13 / 635	
Otis, Randall	Ronald Gauthier	05-24-05 / 309	

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.	4-16-13 / 7066	
Fuller, Aaron	Steven Brooks	9-21-10 / 197	
Wilson, Terry	Richard Bell	4-16-13 Hours Complete	
Yager, Nathan, O	David Rose	4-16-13 Changed to Portfolio	