



**TENNESSEE BOARD OF EXAMINERS FOR LAND SURVEYORS
500 JAMES ROBERTSON PARKWAY
NASHVILLE, TENNESSEE 37243
615-741-1831**

**Meeting Minutes for May 20th, 2021
Davy Crockett Tower**

The Board of Examiners for Land Surveyors met on May 20th, 2021 in the first-floor conference room of Davy Crockett Tower in Nashville, Tennessee. Michael Schulz called the meeting to order at 9:00 am and the following business was transacted:

BOARD MEMBERS PRESENT: Tim Lingerfelt, Jackie Dillehay, Kevin Martin, Jay Caughman

BOARD MEMBERS ABSENT:

STAFF MEMBERS PRESENT: Michael Schulz, Maria Bush, Stuart Huffman, Morgan Calles, Caleb Darnell, Erica Smith, Carol McGlynn, Alex Martin

NOTICE OF MEETING

Jay Caughman called the meeting to order and then read the notice of meeting into the record as follows: "Notice of the May 20th, 2021 meeting of the Board of Examiners for Land Surveyors was posted to the Board of Examiners for Land Surveyors website."

ROLL CALL

Michael Schulz took roll call; all board members were present.

ADOPT AGENDA

Tim Lingerfelt made a motion to adopt the agenda as is, with the chair having the flexibility to move any items that might be needed to be changed at any time. This was seconded by Jackie Dillehay. This was voted by roll call.

MINUTES

Tim Lingerfelt advised he made revisions and sent them to Michael Schulz.

Tim Lingerfelt made a motion to approve the February minutes as amended. This was seconded by Jackie Dillehay. This was voted by roll call.

ANNOUNCEMENTS

Assistant Commissioner Alex Martin has joined the meeting. Alex Martin stated "it is great to see our board members in person compared to last year. I have been here for about six months and a very exciting time with the regulatory boards has a lot of work going on. Just wanted to pop in and say Thank you for what you do, and I know the governor appreciates your service to the board."

Jay Caughman advised of Tim Lingerfelt's last board meeting he would be attending as an appointed board member. Jay Caughman stated "that Tim Lingerfelt has been her for 12 years (2 full terms). He has mentored me for either seven or eight years now and his wisdom is very remarkable with the wealth of knowledge he has."

Tim Lingerfelt stated "I'd like to thank the professional surveyors in Tennessee for having confidence in me to serve on this board for 12 years in doing so, I have traveled 27,000 miles counting today attending 46 meetings in person plus three virtual meetings. I'm proud to say I never missed a meeting or was never late. I served under three governors and six executive directors. During my tenure, hundreds of professional surveyors have become licensed. Before attending my first board meeting I attended the 2009 NCEES meeting. Our board had not been in attendance for several years prior. I paid my way because I understood the importance of our board being involved with NCEES. Since that time, I have brought notoriety to our state for surveying, amendment, and the current southern zone vice president serving on the NCEES board of Directors. I can truly say that I have professional relationships with professional surveyors in every state in the territories of the united states. As you can see, I am very passionate about my profession the future brings many obstacles to our profession. Among these is the deregulation of licensure, combining surveying and engineering boards, new technologies interacting with surveying, and the need to include areas of surveying licensure defined in the NCEES model law for surveying to protect the public. With the continued decrease in licensees expanding the avenues for potential licensure is paramount. I honored my commitment to always make whatever I get involved in better than when I came with this board and our profession. I'll correctly miss being on this board. So, as I drive home today, I will be brokenhearted that I could not continue to serve on the Tennessee board. Thank You."

Michael Schulz presented Tim Lingerfelt with his certificate commemorating his time on the board and a letter from the governor thanking him for his service with the board.

Jay Caughman introduces new board member Kevin Martin. Kevin Martin advised he has a degree in Chemical Engineering and did that for about 20 years in that industry. Currently flipping houses for the last few years.

EDUCATION REPORT

May 20, 2021- Education Report

Course Provider	Course Number	Course Name	Hours
Halfmoon Education INC	994	Art of Retracement for Surveyors	6

Renewal

Course Provider	Course Name	Course Number
William A. Thompson	Horizontal Curves	666
William A. Thompson	Opus Solutions	667
William A. Thompson	Spiral Curves	669
William A. Thompson	Vertical Curves	675
William A. Thompson	Retracing Surveys	668
William A. Thompson	CAD Drafting 301	664
William A. Thompson	CAD Drafting 201	663
William A. Thompson	Tn State Plane Coordinate System	673

William A. Thompson	Geocaching and Dendrology	660
William A. Thompson	CAD Drafting 101	662
William A. Thompson	Introduction to GPS	661
William A. Thompson	Advanced GPS	659

Jackie Dillehay made a motion to approve the courses as listed. This was second by Tim Lingerfelt. This was voted by roll call.

NEW PROVIDER REQUEST

Dr. Ahmed Elaksher from New Mexico State University presented a flow chart of their program. The program is called Geomatics- Bachelor of Science in Geomatics, this is a four-year degree program. Dr. Ahmed Elaksher goes into the courses that they provide in their program. They are requesting to be approved by as Qualifying education by the board. The students would need 120 credit hours to graduate the program with 48 credits must be upper-division courses. Jay Caughman wanted to know if the program encourages students to take the NCEES FS exam and if so, at what point do you encourage them? Dr. Ahmed Elaksher advises they do encourage them to become licensed and have ethics and professionalism courses to teach students about different rules and laws to get licensed in New Mexico. They must take the FS exam before graduation but are not required to pass the exam.

Jay Caughman wants to clarify they are wanting the board’s acknowledgment of the four-year degree program specifically towards applicants that are applying under the category one application, which is four-year degree surveying.

Tim Lingerfelt makes the motion to approve this program. This was second by Jackie Dillehay. This was voted by roll call.

Jackie Vincent from Mckissock for Continue Education for online. The courses submitted have two different delivery Methods, standard online and correspondence courses.

Michael Schulz’s question is what the board is looking for in the terms of online education. Per Tim Lingerfelt, “our rules do not allow online courses, but they allow correspondence courses. The correspondence course needs to have greater interaction if needed.” Maria Bush wants to know where it explicitly prohibits online

courses. Tim Lingerfelt advised there is nowhere in the rules that says we accept them. Maria Bush advises, if the board would like to move to do online courses in the future, we can legally do this.

Jay Caughman has received emails/concerns of PDHs or this renewal and if there has been any thought in leniency or a waiver of some sort for this year's renewal. Maria Bush advised the Executive Order allows for the board's complete discretion to wave up until May 31st, 2021, but as of now, you all have the authority to approve. The broad language of this rule is if you wanted to reduce hours, waive hours, or approve online education. The board can make it as a blanket decision or individual basis. Tim Lingerfelt advised this renewal started January 1st, 2020, so there were a couple of months that were available and still more time from here till December. Jay Caughman agrees with Tim Lingerfelt and feels like if some individuals need some leniency on this, on an individual basis.

Michael Schulz advises administrative staff is supportive of online learning when the public is not being harmed by online learning.

LEGAL REPORT

See attached

DIRECTOR'S REPORT

Budget Reports/ Financial Report

Michael Schulz went over the budget.

Active License Count

Approximately 1100 active land Surveyors as of May 20, 2021.

TAPS Conference review/comments

Michael Schulz and Commissioner Alex Martin were able to attend this meeting in Murfreesboro. This was done in person and virtual. Jay Caughman advised TAPS to put on a seminar for training towards the test.

NCEES Southern Zone Meeting Attendance

Tim Lingerfelt advised the Northeast Zone is going to have their meeting virtual. There is a new Southern Zone Vice President Andy Zoutewelle from North Carolina. New Assistant

Vice President Bobby Balli from Texas, will begin after the August Annual Meeting in New Orleans. Three people from the Land Surveyor board can go and have everything paid for by NCEES. Michael Schulz advised that between this board and the Engineers Board that Michael Schulz and the program attorney Maria Bush should attend. Also, with the request that Maria Bush be including in this meeting as past as of the Land Surveyor board. The board members agree Maria Bush should go. No vote was given.

Emeritus status with NCEES for Tim Lingerfelt

Tim Lingerfelt advises that the only way he can get emeritus status with NCEES is if the board requests this. This would need to be sent in early July due to the committee selections. The board has requested for this to be done.

Break for 10 Minutes

Question Received by the Board

Looking for clarification that involves Drone work. The caller has a small construction business and is a licensed Engineer. In the process of getting a General Contractors' license as well. He has been researching drone verification. Completed his property line and compared it to the county side. He has since been asked by a couple of neighbors to do this for their property. Wanting to know if this is something, he could do without being licensed as a Land Surveyor.

Jay Caughman advised anything with property lines is the responsibility of a Land Surveyor. Only Land Surveyors can determine property lines.

Jackie Dillehay advised this would give the misconception that you will be providing the landowner with a survey and a legal document even if you have it in the contract.

Tim Lingerfelt describes the document that is produced by the state of Tennessee for the property assessors. With this work you are wanting to complete with boundary lines, financial gain, this would be against our rules.

OLD BUSINESS

Continue the discussion on BOE PDH credit

Tim Lingerfelt wants to know how someone who is attending the board meeting virtual how does someone get credit for this. A licensee can get an hour and a half PDH credit for attending a board meeting in person, so now we are needing to know about virtual credits. Per Michael Schulz, we can pull up the meeting video and see their name on the screen. Jay

Caughman advised the attendee would be eligible for the credit with the view on YouTube. This would not be given just from watching it at a later date.

The proposed rule and technical standard changes

Jay Caughman advised he asked the board member to provide suggested changes to the technical standards as they exist now. We have received information from TAPS and individuals across the state, for our review on what changes we could make. Jay is going to generate a PDF with redlines (adding, subtracting, or replacing information). This will be submitted to the board for record and request administration (if we are clear with legal) to send it out to the professional society for their review and comments. After this, we will start the formal process. The formal process does allow for additional comments, we are just trying to be fully transparent. Maria Bush did advise this sounds good. More recently with some direction from the legislator making hearing, it affords more opportunity to comment and be involved with the process. Tim Lingerfelt advised some of the changes he would like to make.

PDH for license renewal -COVID-19

New Business

Potential Elimination for the Tennessee State Specific Exam

Kentucky is one of the states that has eliminated their State Specific Exam. Wanting to just know the other board members' thoughts either negative or positive. Jackie Dillehay advised he needs to give it some thought. Jay Caughman advised it is the registrant's responsibility to know the rules and regulations of the state they are surveying in. Tim Lingerfelt advised it does not change any of the other requirements. The Kentucky state board has not had an increase in complaints. They require the applicant an affidavit that says that they have read their rules and statutes or laws. This change could expedite the individual being licensed in Tennessee, secondly, it would cost less money to be licensed here. Lastly, it would be a cost-saving for the board.

NCEES Record is used by most surrounding states. This information provides most of the information needed for the application. NCEES reviews these records before they can be sent out to the board they are applying for.

Continue Education

If someone is audited for continued education, they must provide proof of the course.

Jay Caughman wants to possibly eliminate the education preapproval process and have the registrants responsible for their courses. Jackie Dillehay thinks this will be a good thing in

the future. His concern is if the registrant feels like this is a good course, but the board does not agree. Tim Lingerfelt feels like we should go away from pre-approval education. Also, advises we can approve vendors only with a fee, and whatever courses the vendor approves we will accept any education from them.

PDH HOURS FOR ATTENDANCE

Jay Caughman made a motion to award the Board 2 PDH hours for the day's meeting.

ADJOURNMENT

There being no other new business, Tim Lingerfelt made a motion to adjourn. The meeting was adjourned at 11:21 am.