



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

**Board Meeting Minutes for July 26, 2018
First Floor Conference Room (1-B)
Davy Crockett Tower**

The Board of Examiners for Land Surveyors met on July 26, 2018 in the first floor conference room of Davy Crockett Tower in Nashville, Tennessee. Mr. Jay Caughman, Board Chairman, called the meeting to order at 9:00 a.m. and the following business was transacted:

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

BOARD MEMBER ABSENT: Jed McKeehan

STAFF MEMBERS PRESENT: Roxana Gumucio, Sarah Matthews, Jamye Carney, Robyn Ryan

ROLL CALL/NOTICE OF MEETING

Mr. Caughman called the meeting to order and then read the notice of meeting into the record as follows: "Notice of the July 26, 2018 meeting of the Board of Examiners for Land Surveyors was posted to the Board of Examiners for Land Surveyors website on July 19, 2018". Mr. Caughman noted that Jed McKeehan was absent for the board meeting.

ADOPT AGENDA

Mr. Caughman asked for flexibility with the day's agenda items, to allow for opportunity to address guests that may be present. Specifically, Mr. Caughman requested that the guests appearing before the board be able to present their issues prior to the legal report. Mr. Dillehay motioned to approve the agenda with addendum as stated, Mr. Lingerfelt seconded the motion, and the motion passed unanimously.

MINUTES

After a brief review of the minutes from the Board's April meeting, Mr. Dillehay put forth a motion to adopt them as written. Mr. Lingerfelt seconded the motion, and the motion passed unanimously.

EDUCATION REPORT

Two applicants for the KERR Seminars and Kentucky Association of Professional Surveyors (KAPS) were submitted to the board. Mr. Lingerfelt made a motion to approve, Mr. Dillehay seconded the motion, and the motion passed unanimously.

APPEARING BEFORE THE BOARD

1. Mr. John McCarty appeared before the board and requested that the board waive the exam and reactivate his license. Mr. McCarty explained to the board that he was unintentionally late on his renewal and did not know his license was expired. He further related that while he was expired he did not conduct any surveys and stayed up to date on his PDH requirements. Mr. Dillehay made a motion to waive the exam, Mr. Lingerfelt seconded the motion, and the motion passed unanimously.

2. Mr. Matt Suiter appeared before the board to discuss his application for the PLS license and determine which pathway would be most beneficial and timely for him. After discussing his current licensing, experience, and education, the board informed Mr. Suiter that they would need to further evaluate his education to determine what courses would credit toward the Tennessee required education. Mr. Caughman invited Mr. Suiter to stay for the meeting and after break his request would be reviewed, or a letter would be sent to him informing him of the board's decision.

3. Mr. Kenneth Legg appeared before the board requesting that the board waive the exam and reactivate his license. Mr. Legg informed the board that he did not conduct unauthorized surveys or stamp any surveys during the timeframe he has been expired. Mr. Caughman informed Mr. Legg that the board will not be able to make a decision immediately and will need to review his file prior to making a decision.

4. Mr. Phillip Bice appeared before the board and requested that the board waive the exam and reactivate his license. Mr. Bice explained to the board that he was not aware that his license was expired until he received a phone call from an attorney friend in June 2018 informing him of such. Mr. Caughman informed Mr. Bice that they will not be able to make a decision immediately and will need to review his file prior to making a decision.

5. Mr. George Roberts appeared before the board seeking information in regards to obtaining his license. Mr. Roberts related to the board that after listening to the prior appearances, he believed that he found the information he was looking for. Mr. Roberts further explained that he has been working part-time with a Land Surveyor since 2007; however, he was informed by the board members that the 10-year rule/pathway must be full-time in order to qualify for licensing.

The board broke for a ten minute break

LEGAL REPORT

Ms. Robyn Ryan asked the board if they wanted her to read the reports into record or just the case number. Mr. Caughman informed Ms. Ryan to read the reports into record. Mr. Lingerfelt asked if summaries of the cases being reviewed could be posted on the website for the public in order to save time in regards to reading the reports for record. Ms. Sarah Mathews stated to the board that it would need to be reviewed by legal counsel prior to confirming if this would be authorized or not.

Cases 1 thru 5 were presented by Robyn Ryan, Assistant General Counsel

1. 2018006381

Respondent:

License Status: ACTIVE, NOT APPLICABLE

First Licensed: 4/16/1994

License Expiration: 12/31/2019

Disciplinary History: 2017 Letter of Warning

Summary: Complainant hired Respondent to survey a 2 acre parcel of land from other acreage. Complainant states Respondent was informed that documents were needed to process the parcel's separation with the city planning. Complainant states Respondent priced the job at \$1,500 and after many appointments and unreturned calls, Respondent provided a document and accepted the payment in full. Complainant states document did not meet city planning specification and had deficiencies. Complainant states Respondent sent an email to person at planning and that emails were not acceptable. Complainant states that at time of this complaint, Respondent was not responding to calls or messages.

Respondent states Complainant requested a division of property owned by Complainant's mother that Respondent had previously surveyed. Respondent states that in the initial conversation, Complainant did not know how many acres Complainant wanted in new parcel and Respondent explained that if the new parcel was 5 or more acres, then all that was needed was a survey but if less, then a subdivision plat was required. On a second visit to the property, employee of Respondent asked Complainant how much land and Complainant could not say so employee measured off an area that Complainant found satisfactory. This area was less than 5 acres so that multiple submittals were presented to county for approval. The second submittal was approved. Respondent states the \$1,500 fee was for field work and first submittal and that there was an additional \$500 owed for changes requested none of which were required under Tennessee Standards of Practice. Respondent did provide an electronic copy as requested by planning person and notified Complainant's attorney that the final approved plat was ready and that there was a balance due. Emails to the person at planning were included wherein the revised plat was apparently acceptable. Also included was an email to attorney dated Jan. 12 with the balance due stated and the statement that the plat had been approved.

In rebuttal, Complainant states that Respondent did not send notice about the extra money due until after this complaint filed and that Respondent stated Respondent would waive the fee if this complaint was withdrawn. The offer was declined and Complainant states Respondent was notified that no negotiations concerning this fee would occur until all documents completed and rendered to planning department. Complainant states that on February 8 Respondent withdrew offer to waive fee and that Respondent never revealed a balance due of \$500 between November 26, beginning of project, through February 1.

This matter was reviewed by Reviewer who found no violations of laws or rules, no incompetence, no conflict of interest and no misconduct. Reviewer does state that a written contract might have resolved matters prior to issues developing but that Reviewer had no recommendation.

Recommendation: Dismiss

BOARD DECISION: The board accepted the recommendation of legal counsel.

2. 2018008271

Respondent:

License Status: EXPIRED – NOT APPLICABLE

First Licensed: 2/09/1995

License Expiration: 12/31/2015

Disciplinary History: None

Summary:

Complaint opened internally to determine the extent of unlicensed activity during period of expiration. Exams were waived for reapplication of license for Respondent. An investigation revealed that Respondent who has been licensed since 1994 did approximately 283 surveys from 2015 to January 2018. In the investigation, Respondent stated that Respondent did not receive any notification of the expired license. Respondent further stated that once learning license had expired, Respondent immediately ceased all activity. Investigator states that Respondent was responsive and cooperative.

Respondent's license registration expired at the end of 2015 and was in renewal period until the end of 2016. T.C.C. 62-18-114 provides that the board shall notify each person registered of the date of expiration and amount of renewal fee 60 days in advance of that date. Respondent states Respondent was not notified and CORE shows last update was in January 2014 so it cannot be determined if notification was sent. Respondent has no complaint history.

Recommendation: Letter of warning

BOARD DECISION: Amend to reflect that the Letter of Warning not only reference violation TCC 62-18-114, but TCC 62-18-113 as well.

3. 2018008321

Respondent:

License Status: EXPIRED – NOT APPLICABLE

First Licensed: 6/11/1979

License Expiration: 12/31/2015

Disciplinary History: None

Summary:

Like Respondent above, complaint opened to determine unlicensed practice during period of license expiration. Exams were waived by the board. Respondent's license registration expired at the end of 2015. In an investigation, it was determined that Respondent performed a total of 248 surveys between 2016 and January 2018.

Respondent has been licensed since 1979. Respondent has no history of violations. CORE does not show when or if notification was sent in 2015 and updates prior to February 2018, when this complaint was opened, show a date of 2008. It cannot be determined if notification was sent pursuant to T.C.A. 62-18-114.

Recommendation: Letter of Warning.

BOARD DECISION: Amend to reflect that the Letter of Warning not only reference violation TCC 62-18-114, but TCC 62-18-113 as well.

4. 2018011641

Respondent:

License Status: ACTIVE – NOT APPLICABLE

First Licensed: 2/09/1995

License Expiration: 12/31/2019

Disciplinary History: None

Summary:

Complainant states Respondent placed survey stake on Complainant's property while surveying adjacent property. Complainant states Respondent did not give Complainant 15 days' notice and did not "hail" Complainant when Complainant states Respondent saw Complainant near property line. Complainant states Respondent placed stake between two signs notifying of a shooting range. Complainant states Respondent called police after Complainant started shooting from 175 yards. Complainant states police were called and officers stated range was safe.

Respondent states that the stake Complainant alleges was placed on Complainant's property was actually 5 feet 5 inches on client's property. Respondent states shooting range signs were not placed by surveyor or based on survey and location

accuracy is questionable. Respondent states that as Respondent worked up the ridgeline on property, Complainant's home was visible in distance and is located approximately 175 yards from common boundary of Complainant's tract and the tract Respondent was surveying. Respondent states that Respondent did not notify Complainant 15 days prior and Respondent did not nor had any intention of entering Complainant's property. Respondent states that once Respondent was within a few hundred feet of boundary line, Complainant retreated to residence and then started firing gun in direction of Respondent. Respondent states Respondent could hear the bullets ricocheting off trees and limbs and Respondent called Complainant to cease fire but as Complainant was wearing hearing protection, Respondent was not heard. Respondent then called police. Respondent states that several dozen shots were fired in Respondent's direction and the gunfire lasted about 15 minutes. A police report was made but no citations were issued.

Reviewer states that only law related to Complainant's allegation of no notification is T.C.A. 62-18-124, notice to landowners. Reviewer states that this law only applies if surveyor is crossing or entering the property adjacent to the property being surveyed. In this instance, Respondent accessed property owned by client and Reviewer states that there was no need to trespass or notify and therefore no violation of laws or rules.

Recommendation: Dismiss

BOARD DECISION: The board accepted the recommendation of legal counsel.

5. 2018018611

Respondent:

License Status: ACTIVE, NOT APPLICABLE

First Licensed: 11/7/1970

License Expiration: 12/31/2019

Disciplinary History: None

Summary: Complainant states Respondent was hired to survey foundation on Complainant's property. Complainant states one corner pin was off by a foot and contractor working on foundation did not realize this until two of the front walls were almost complete. Complainant states Respondent was contacted to correct the pin and that Respondent stated Respondent would pay for walls to be repaired. At the time of this complaint, Complainant states Respondent has retracted offer to reimburse for damages. Complainant states Complainant is in litigation for Respondent to pay for repairs.

Respondent states that after determining that one pin was in error by 0.78 of a foot, Respondent agreed to pay for replacement of a portion of the front wall and that the placement of the pin only affected that wall, not the other walls. Respondent states Respondent received an email from Complainant's attorney requesting over 3K for value of labor and wasted materials. Respondent states that Complainant also had a law suit against the block crew for several problems on that wall.

Respondent told attorney that the amount requested was out of line and asked for invoices for the block, cement, sand etc. but did not receive a response.

Complainant, in rebuttal, attached an invoice for repairs for the wall and states the additional monies were for damaged material and rebuild. Complainant states email to attorney was offensive to Complainant.

This matter was sent for review by expert who determined that only one law or rule was implicated and that is (5)(a) a matter of incompetence. Reviewer states, however, that Reviewer saw only a single error and that error did not meet the standard of incompetence and Reviewer found no violation.

Recommendation: Close and flag in event there is ultimately litigation that has a finding of any incompetence on Respondent.

BOARD DECISION: The board accepted the recommendation of legal counsel.

Cases 6 thru 9 were presented by Sarah Mathews, Assistant General Counsel

6. 2018026091

Respondent:

License Status: ACTIVE

First Licensed: 2/13/2002

License Expiration: 12/31/2019

Disciplinary History: 2010 Letter of Warning

Complaint was filed by a consumer and appears to be in regards to a boundary dispute.

Complainant alleges:

- On or around April 3, 2018, Respondent performed a survey on the Complainant's neighbor's property.
- During that survey, the Respondent told Complainant's wife that Respondent was not sure where the corner of the property was located and asked if Complainant's wife would talk to Complainant's father in order to determine where the corner was located.
- Complainant's wife spoke with her father-in-law about the property corner and told the Respondent that his initial placement of the ribbon that started the corner of the neighbor's property to the Complainant's property was close to where the original marker used to be.
- Respondent told Complainant's wife that his father was incorrect and proceeded to place the marker for the corner at a point Complainant feels is approximately 36 feet north from where the original marker was.
- Respondent told Complainant's wife that Respondent "fudged" the line a little in order to keep peace with the neighbors.

- Respondent later spoke to Complainant's father on the phone and stated that Respondent used a survey from 1960. Complainant states there is no such survey.
- Respondent later changed his story and stated that Respondent used a dead girl's deed (neighbor's wife deed).
- Complainant states that Respondent said he would move the line if the neighbors agreed, but then would not move it.

Respondent states the following in response to the complaint:

- On April 2, 2018, Respondent performed a general property survey on the subject property. Before Respondent went to the property, all documents pertaining to the subject property and the adjoining properties were retrieved from the courthouse.
- While on the property, all locations were made and during his survey of the subject property Respondent could only locate one (1) metal corner.
- Respondent states at that point he expanded his search onto the neighbor's property with no luck, but he spoke with Complainant's wife to see if she had any knowledge of the property.
- Respondent states that the Complainant's wife told him they pulled out all the property corners. Respondent states that not only did the Complainant's wife make that comment about the corners, but so did the Complainant and his father.
- Respondent states that after a couple of trips to the property, Respondent had formed an opinion and went back to set the corners. Respondent determined the corners from the description in the deed.
- Respondent said the deed was his client's deed (neighbor of Complainant) and the Complainant has a deed with the same bearing.
- Respondent states that Complainant called him and they discussed what Respondent had done and how he determined the location of the property lines, which Respondent states coincided with the descriptions in the deeds and seem to fit the features of the properties.
- Respondent states at that point the Complainant said the corner should be at the point Respondent had first set, but Respondent said that the point he was referring to was a traverse point and not a property corner.
- Respondent stated that he told the Complainant the current property owners could get together and come up with a solution and Respondent would help in order to keep peace, Respondent states at no time did Respondent "fudge" anything.
- Respondent states a few days later Complainant's father called him in regards to the property corners.
- Respondent states he did not state he used a survey from 1960, but rather Respondent told him he had seen mention of that survey in another deed.
- Respondent again explained that he would help out if everyone could agree.
- Respondent states that either the Complainant (or his father) told Respondent that they had all agreed on the property corners, but that was not the case, Respondent's client was never contacted and in fact it was determined that the neighbors did not like each other.

- Respondent states he added the language to his plat so it can be understood the process of this dispute.

Complainant submitted an additional response in rebuttal of the statements made by Respondent. Complainant did note that neither he nor his father contacted the Respondent's client, but rather contacted the individuals with firsthand knowledge of an agreement that occurred years in ago in which the property lines were moved. Complainant states that Respondent's client had no knowledge of where the corner of his property is or any knowledge of the prior agreement.

Expert Review: This complaint file was submitted for expert review. The expert found no violations of statutes or rules and stated this was clearly a boundary line dispute and the Complainant should obtain another surveyor and compare the surveys to see if there is a difference in professional opinion.

Recommendation: Counsel recommends this matter be **CLOSED WITH NO ACTION.**

BOARD DECISION: The board accepted the recommendation of legal counsel.

7. 2018031911

Respondent:

License Status: ACTIVE
First Licensed: 4/30/1977
License Expiration: 12/31/2019
Disciplinary History: None.

Complaint was filed by a consumer and alleges there were discrepancies between the survey measurements on the survey map and the actual measurements of the survey pins.

Complainant alleges the following:

- Complainant brought the discrepancies to the attention of the Respondent.
- Complainant has asked Respondent four (4) times over a two-month period to meet and explain the discrepancies.
- Complainant stated that request upset the Respondent and to date they haven't met to discuss.
- Complainant states that although he isn't a Land Surveyor, he has checked the measurements himself. There are four (4) questionable measurements ranging from 50 to 340 feet.
- Complainant states this is why he has asked the Respondent to come discuss, he may be incorrect but would like an explanation.

Respondent states the following in response to the complaint:

- The Complainant was not Respondent's client, but appears to be a family member of the Respondent's client.

- Respondent was asked to place the Complainant's name on the plat because the property was going to be conveyed to Complainant.
- Respondent had an evening scheduled to go look at the property with the Complainant, but the weather was bad and it was cancelled.
- Upon further conversations, Respondent looked at the plat on the computer and did not see any way there could be a mistake as large as the Complainant was alleging.
- Since January 2018, Respondent has been extremely busy with his personal life - Respondent had surgery and his wife has been hospitalized multiple times.
- Respondent had every intention of trying to look at the property with Complainant.
- Respondent states he did speak with his client about the situation.
- Respondent states he did not ignore Complainant and he is sorry that Complainant is not satisfied.

Expert Review: This complaint file was submitted for expert review. The expert found no violations of statutes or rules and stated this was clearly a boundary line dispute and the Complainant should obtain another surveyor and compare the surveys to see if there is a difference in professional opinion.

Recommendation: Counsel recommends this matter be **CLOSED WITH NO ACTION.**

BOARD DECISION: The board accepted the recommendation of legal counsel.

8. 2018035811

Respondent 1:

| | |
|------------------------------|-------------------|
| License Status: | UNLICENSED |
| First Licensed: | N/A |
| License Expiration: | N/A |
| Disciplinary History: | None |

2018036961

Respondent 2:

| | |
|------------------------------|-------------------------------|
| License Status: | ACTIVE, NOT APPLICABLE |
| First Licensed: | 7/11/200 |
| License Expiration: | 12/31/2019 |
| Disciplinary History: | None |

This complaint alleges potential unlicensed activity by Respondent 1.

Complainant alleges:

- Complainant called a land surveying company, owned by Respondent 2, and spoke to the Respondent 1 over the phone.

- Complainant hired Respondent 1 to perform a landmark survey on his property that was needed to obtain a permit in order to build a front porch and handicap ramp.
- Respondent 1 came to Complainant's home on March 21, 2018 to perform the survey.
- Respondent 1 told Complainant's wife that Respondent 1 had completed the survey and thus she paid him in full (\$900).
- Complainant states Respondent 1 never finished the job and realizes it was a mistake to pay Respondent 1 in full before the job was complete.
- After failed attempts of contacting the Respondent 1 occurred, Complainant did some research of his own and found out that the company name on the invoice Complainant received was owned by the Respondent 1.
- Therefore, Complainant contacted the actual owner of the company, Respondent 2, who is a licensed land surveyor.
- Complainant alleges that Respondent 2 promised to finish the job himself if needed after learning that Respondent 1 used his invoice to do a side job of his own.

Respondent 2 filed two (2) separate responses in regards to the complaint filed against Respondent 1 and 2. Respondent 1 is an unlicensed individual and we have not received any response from Respondent 1 at this time.

Respondent 2 stated the following in response to the complaint:

- Respondent 2 was completely unaware of this engagement and did not authorize Respondent 1 to engage anyone on behalf of himself or his company.
- Respondent 1 was not authorized to engage clients on behalf of the company.
- Respondent 1 worked as a laborer for Respondent 2's company in various capacities over the years but has never been granted the authority to negotiate or act on behalf of the company.
- Respondent 2 had no knowledge of the Complainant's project until he was directly contacted by the Complainant.
- Respondent 2 states that neither he nor his company have been paid for services rendered to the Complainant. (It appears to Counsel this money was pocketed by Respondent 1).
- Respondent 2 states that it is his understanding that Respondent 1 stole an old invoice from Respondent 2's company and prepared a handwritten receipt for the \$900 surveying job.
- Respondent 2 stated that in light of the fraud, Respondent 2's company will pay the Complainant the \$900 to resolve this matter. Counsel spoke with Respondent 2's attorney who stated a check was mailed to the Complainant's.

Upon review of this matter and after speaking with Respondent 2's attorney, Counsel believes that Respondent 2 had no knowledge of this survey by Respondent 1 until he was contacted by the Complainant.

Recommendation:

- **Respondent 1** – Counsel recommends the authorization of a civil penalty in the amount of **One Thousand Dollars (\$1,000)** to be satisfied within thirty (30) days of execution of the Consent Order. Such terms are to be settled by Consent Order or Formal Hearing.
- **Respondent 2** – Counsel recommends this matter be **CLOSED WITH NO ACTION.**

BOARD DECISION: The board accepted the recommendation of legal counsel.

9. 2018040391

Respondent:

License Status: – **ACTIVE, NOT APPLICABLE**

First Licensed: **10/25/1991**

License Expiration: **12/31/2019**

Disciplinary History: **None**

Complaint was filed by a consumer and alleges that Respondent marked the incorrect boundary lines.

Complainant alleges the following:

- Respondent performed a survey in June 2018.
- Respondent's employees came to the land first, pointed out the property lines to the Complainant and spray painted the lines/markers. Complainant states the lines they marked were correct.
- Respondent arrived a few days later and moved the marked lines.
- Complainant spoke to Respondent about moving the lines and stated that as an 18 year resident he knew the property.
- Complainant reported land theft to the county in Tennessee.
- Complainant states that after reporting the land theft, a few hours later without a phone call or knock, the Respondent was at his property moving the land marker back to where his employees originally marked the lines and stated "he trusted the men from his company."
- Respondent stated it was a mistake and he is sorry he messed up.

Respondent stated in response:

- In May 2018, Respondent was hired by the Complainant's neighbors to stake the corners of their lot.
- Respondent began by researching at the local tax assessors office and register of deeds in that county. Respondent stated that the plat was recorded on August 31, 1954, has typical 25 ft. lot divisions and no bearings and distances anywhere on the plat or in the deeds. The property deeds just call for a blocks and lot numbers.
- On June 1, 2018, Respondent sent a crew to the property to gather evidence and run a traverse. After finding several of the corners of the Complainant's, the Complainant approached the crew to ask what they were doing.

- Respondent told the crew that they thought the fences were on the line. The crew completed the traverse and left the property.
- On June 6, 2018, Respondent closed the traverse and worked on the solution of the corner between two (2) of the lots. Respondent states that the fence along the boundary line between two of the lots was very close to the line.
- Respondent used the lines he had to compute the missing right-of-way corner. This was the common corner between the individuals that hired him and the Complainants. Upon computing the corner, he sent the crew back to the property to set the corner.
- Respondent's crew shot the location of the back site and the iron rebar set, talked with both property owners and left.
- A few days after the corner was set, the Respondent realized the reshot of rebar set at the missing corner was almost a foot off over on the Complainant's side of the property.
- Respondent called the property owners that hired him and informed them immediately of the error and stated he would be calling the Complainant's as well. At this time, the property owner stated the Complainant was home and that Respondent could just come on out.
- Respondent states that when he arrived at the property the Complainant was home and he met with him and explained that the crew had made a mistake and set the missing corner in the incorrect spot. Respondent states he apologized to the Complainant and moved the corner to the correct spot.

This matter was not sent to an expert for review because it appears to be a simple boundary line dispute/error.

Recommendation: Counsel recommends this matter be **CLOSED WITH NO ACTION.**

BOARD DECISION: The board accepted the recommendation of legal counsel.

LEGISLATIVE UPDATE

Ms. Mathews provided a summary of HB2248/SB2465 referred to as the "Fresh Start Act" which generally speaking will not allow for denying an applicant for licensure due to a felony unrelated to the license for which the applicant applied.

APPEARING BEFORE THE BOARD

DECISIONS REGARDING APPEARANCES BEFORE THE BOARD

Ref: Mr. Kenneth Legg

Mr. Lingerfelt made a motion to waive the exam and to open an administrative complaint.

Mr. Dillehay seconded the motion. The motion passed unanimously.

Ref: Mr. John McCarty

Mr. Lingerfelt made a motion to waive the exam and to open an administrative complaint.

Mr. Dillehay seconded the motion. The motion passed unanimously.

Ref: Mr. Phillip Bice

Mr. Lingerfelt made a motion to waive the exam and to open an administrative complaint. Mr. Dillehay seconded the motion. The motion passed unanimously.

The board broke for lunch at 11:45 a.m. and reconvened at 1:00 p.m.

DECISIONS REGARDING APPEARANCES BEFORE THE BOARD CONTINUED

Ref: Mr. Matt Suiter

A review of Mr. Suiter's education and experienced determined that he would best suited to pursue his licensing under Category 2. Mr. Suiter was deficient on List 1 by twelve (12) semester hours. The board agreed that it would be beneficial to provide Mr. Suiter with the names of the courses he needs to take in order to qualify for licensing. Mr. Suiter has already met the requirements for Lists two (2) and three (3).

DIRECTOR'S REPORT

Budget

Director Gumucio provided a detailed accounting of revenue and expenditures and explained the factors influencing the trends reflected in both the renewal cycle and fiscal quarter. Director Gumucio informed the board that within a month or two the closing fiscal year financials will be complete and made available at the next board meeting. Director Gumucio explained that the renewal money will not come in for approximately another year and a half and in the meantime, it is imperative to be fiscally responsible.

NCEES Annual Meeting: August 15-18, 2018

Director Gumucio reminded the board that she and Sarah Mathews will be attending the upcoming NCEES Annual Meeting.

Nomination for Southern Zone Vice President

Mr. Lingerfelt announced his candidacy for the Southern Zone Vice President and requested a nomination letter from Director Gumucio. Mr. Dillehay made a motion to approve, Mr. Caughman seconded the motion, and the motion was approved unanimously.

2019 Meeting Dates

The 2019 Meeting Dates were presented to the board and were approved unanimously.

Election of Officers for 2019

Mr. Caughman made a motion to nominate Mr. Lingerfelt as Chairman; this was seconded by Mr. Dillehay. Mr. Caughman made a motion to nominate Mr. Dillehay as Vice Chairman; this was seconded by Mr. Lingerfelt. Both motions were approved unanimously.

Example Plat for Applicants on Website

Director Gumucio informed the board that examples were posted approximately six (6) weeks, at which time Ms. Mathews stated that the examples had been taken down due to them not going through the publication process. Ms. Mathews explained to the board that the examples must be reviewed by Assistant Commissioner Carter Lawrence and then by General Counsel prior to be posted on the website.

GPS Rules Document

Once the final version is approved by Assistant Commissioner Lawrence, it will need to be reviewed by legal. Upon approval, the link will be sent out with the approved document.

Website Update

Applicants will no longer be required to submit PDH's ahead of renewal. They must be submitted with the online renewal. They will be subject to audit beginning with the 2019 renewal.

PSI UPDATE

Still in the process of completing the additional questions by the subject matter experts; extended the timeframe to add to website by August 1, 2018.

Application Reviews

None to review for this meeting; however, there are twenty (20) in the system awaiting required documents.

NEW BUSINESS

Mr. Caughman brought up the discussion of services being offered by people through the use of drones and the ability to stitch photos together and create items such as maps. Concerns were brought up by the board and staff members regarding the wording used in the advertisements of the services, and that this wording could create confusion of obtaining land surveying services, which requires licensure by the state. Various courses of actions were discussed in order to deter false licensing perceptions and to protect the public, but it was determined that the best way to address any issues is to deal with any complaints that are submitted. At this time, no complaints have filed.

Mr. Caughman followed up to verify that there were no applications to review, which Director Gumucio confirmed.

The board awarded itself four (3.0) PDH hours for the day's meeting. There being no other new business, Mr. Caughman adjourned the meeting at 2:00 p.m.