

**State Board of Registration for Professional Surveyors  
Indiana Professional Licensing Agency  
Indiana Government Center South  
402 West Washington Street, Room W064  
Indianapolis, Indiana 46201  
Minutes of the July 24, 2015 Board meeting**

**APPLICATION COMMITTEE MEETING**

The Board reviewed applications from 8:30 a.m. to 9:20 a.m.

**CALL TO ORDER & ESTABLISHMENT OF QUORUM**

Mr. Gary Kent called the meeting to order at 9:20 a.m. in Room W064 of 402 West Washington Street, Indianapolis, Indiana and declared a quorum in accordance with Ind. Code § 25-21.5.

**Members Present**

John Stephens  
Mike DeBoy  
Doug Lechner  
Gary Kent

**Members Not Present**

Christine Arnold, Chairperson  
Ross Holloway, Vice-Chairperson  
Richard Hudson

**State Officials Present:**

Amy Hall, Board Director, Indiana Professional Licensing Agency  
Keri Reed, Assistant Board Director, Indiana Professional Licensing Agency  
Christine Monte, Deputy Attorney General, Office of the Attorney General

**Board Action:** A motion was made to declare Gary Kent as the designating officer for the meeting.

DeBoy/Stephens

Motion Carried: 3/0/1 (Mr. Kent Abstained)

**ADOPTION OF AGENDA**

The agenda was amended to include 2 more applications and the JCC recommendation for the 2015 report.

A motion was made to adopt the amended agenda.

Stephens/Lechner

Motion Carried: 4/0/0

**ADOPTION OF THE MINUTES FROM APRIL 17, 2014 MEETING**

A motion was made to adopt the minutes of the April 17, 2014 meeting

DeBoy/Lechner

Motion Carried: 3/0/1 (Mr. Stephens abstained)

## **REPORT FROM THE ATTORNEY GENERAL**

Ms. Natalie Stidd submitted the report to the Board by email. There are currently 23 open complaints and 1 open litigation case as of July 22, 2015.

## **REPORT FROM THE BOARD LIAISON**

Over the last year, Mr. Kent has reviewed 9 complaints. Mr. Kent was unaware of any current analyst for the Board in the Attorney General's office to investigate the remaining open complaints.

The Board was informed by Mr. Terry Tolliver that Mr. Matt Raymond will be the new analyst in the Attorney General's office. Mr. Kent offered to meet with Mr. Raymond to help him understand the Board and the complaints better.

## **REVIEW OF PROBATIONARY REPORTS**

**J. Bernard Feeney** (Holloway) - No report

**Michael Sadlon** (Stephens) - The Board has received reports from April, May, and June of 2015. Mr. Stephens stated he will have another discussion with him.

**Ronald Morrison** (Kent) - No report

**Stephen Williams** (Kent) - Mr. Kent received a message from Mr. Williams stating that he had not done any surveys. The Board decided previously that Mr. Williams would not need to appear if he did not have any survey(s) to present.

## **ADMINISTRATIVE HEARINGS - Ms. Peggy Morgan was the court reporter**

**Michael P. Cochran**

Re: Petition for Review

Cause No.: SBRLS 15-01

Mr. Cochran's application for licensure by comity was denied because he had 25 semester hours of study in survey specific coursework. The requirement per 865 IAC 1-2-1(c)(4) is at least 27 semester hours in college level surveying courses. Mr. Cochran appeared to request the Board to waive the remaining education requirement for his work in the field.

Ms. Monte explained that the language of the statute does not give the Board the authority to waive any part of the education requirement. The Board then went through Mr. Cochran's transcripts to determine if there were any more courses in surveying that were not listed on the supplemental form in Mr. Cochran's application file. An independent study internship for 3 semester hours in surveying was found and not previously submitted.

**Board Action:** A motion was made to accept the internship as a surveying course and approve Mr. Cochran's application to take the IIB examination.

Stephens/DeBoy

Motion Carried: 4/0/0

**Kenneth Jason Graves**

Re: Petition for Review of IIB Exam Results

Cause No.: SBRLS 15-5

Mr. Graves did not pass the state specific exam IIB on his third attempt and was petitioning the result. After the results were released, Mr. Graves submitted an email including 8 questions that confused him. The questions were then submitted to a Board member for review. The review reinforced that the answers on the key were correct. Ms. Reed replied to Mr. Graves and explained the findings.

Mr. Graves wished to review his entire examination to determine the topics that were most problematic. The Board creates the examinations and determined that if he were to do that, it would compromise the integrity of all questions on the examination. Mr. Graves explained to the Board that it is hard to improve by studying if he does not know where he was deficient in the exam. Mr. Stephens suggested for the staff to give a report showing the categories and the number of correct answers for each exam to provide the examinee an idea of the areas needing attention. Often the area that most surveyors have trouble is the engineering related questions.

Mr. Graves stated that out of the 8 questions submitted to the Board for review, he was still uncertain on 3 of the questions. Ms. Reed provided the Board with Mr. Graves' examination completed in April 2015 to aid in the review. The questions discussed during the hearing would be eliminated from future exams.

1. Dealt with pipe elevations entering a manhole and elevations. Mr. Graves stated that he did not see the correct answer being an option for that question. Ms. Reed testified that the correct answer was present and that Mr. Graves answered the question incorrectly.
2. Dealt with the terminology of the word "manhole." Mr. Graves stated that he thought the word referred to just the barrel (stated this was true in Kentucky). The Board agreed that the term "manhole" refers to the entire manhole, not just the lid.
3. A couple of questions toward the end of the exam were over Junior/Senior rights issues. It was determined that he did get one of the questions correct but did not answer the other correctly.

**Board Action:** A motion was made to deny the petition for review.

DeBoy/Lechner

Motion Carried: 4/0/0

**PERMIT/LICENSE APPLICATIONS** – The Board determined that if the supplemental form does not show that the requirements have been met or exceeded, it is considered to be incomplete and the IPLA staff would have the applicant complete a new supplemental form to complete the requirement.

**Professional Surveyor – Comity**

Christopher T. Firof – Approved

Trent J. McPeak – The supplemental form was missing 3 hours of subdivision design.

Ms. Reed was asked to contact Mr. McPeak and request a course and syllabus to cover the requirement. If the course was not completed before the date the application was signed, the application would be denied.

S. Paul Roheen – The application file showed that Mr. Roheen did not have 60% of experience in boundaries. The application was denied.  
William W. Wright – Mr. Wright’s supplemental form did not have any courses listed in surveying. The application was denied.  
Michael W. Solitro – Mr. Solitro’s supplemental form did not have at least 27 hours in college level surveying courses. Only 3 were reported. The application was denied.  
Steven J. Leesman – The supplemental form was missing 3 hours of subdivision design. Ms. Reed was asked to contact Mr. Leesman and request a course and syllabus to cover the requirement. If the course was not completed before the date the application was signed, the application would be denied.

### **Professional Surveyor – Examination**

Michael G. Judt – Approved  
Ryan D. Perry – Approved  
Nathan J. Plooster – Approved  
Chad Anthony Wagner – The information in the application file did not show that Mr. Wagner had a minimum of 6 years of experience (including 60% in boundaries). The application was denied.

### **Surveyor Intern**

Ryan D. Perry – Approved

**Board Action:** A motion was made to approve the suggestions made by the Board.  
Stephens/Lechner  
Motion Carried: 4/0/0

## **DICSUSSION**

**IPLA Resolution - orders** – A motion was made to approve the resolution.  
DeBoy/Lechner  
Motion Carried 4/0/0

**NCEES letter** – The ISPE asked the Board for support on a motion in the upcoming NCEES meeting. The Board determined it would take no action on this matter and would, instead, allow Mr. Lechner to take care of it at the NCEES meeting. The information was appreciated.

The 2016 NCEES annual meeting will be in Indianapolis. NCEES has denied the Board’s request to waive the registration fees for all Indiana Board members to attend and the IPLA will not pay the registration fees.

**Great Basin College Bachelor of Applied Science program in Geomatics** – The program offers AAS and BAS. There are 62 hours (BAS on top of AAS) and the student must have AAS and other courses complete to be able to get into BAS program.

**Board Action:** A motion was made to approve the Great Basin College Bachelor of Applied Science program in Geomatics.  
Lechner/Stephens

Motion Carried 4/0/0

**Conclusion of CE audit**

Harry G. Herbst, III – The Board found that Mr. Herbst was 1.5 hours of live continuing education deficient. Mr. Herbst submitted 3 makeup hours and requested a partial waiver due to hardship.

**Board Action:** A motion was made to find Mr. Herbst non-compliant, accept the 1.5 hours of the makeup hours to complete the CE requirement, and assess a civil penalty of \$150.

DeBoy/Lechner  
Motion Carried 4/0/0

Donald A. Shapiro – Mr. Shapiro submitted 12 hours of approved continuing education with 9 in mandatory topics. He also submitted 2 hours that were completed outside of the audit biennium and a tracking sheet from an IPLSA program that indicated he completed multiple programs on the same date and the same time. The same tracking sheet was then submitted again with different information.

**Board Action:** Because the Board believed Mr. Shapiro knowingly submitted a fraudulent tracking sheet, a motion was made to find Mr. Shapiro non-compliant with Mr. Shapiro required to pay a civil penalty of \$5,000 and makeup 12 hours of continuing education.

DeBoy/Lechner  
Motion Carried: 4/0/0

**JCC Report** – The Job Creation Committee (JCC) recommended to keep regulating the professional surveyor license but suggested eliminating the surveyor intern registration. The JCC has requested a presentation from the state association at a future meeting before the Committee’s decision is finalized.

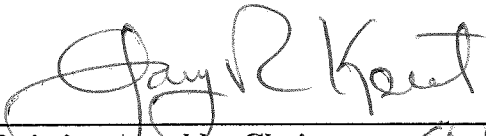
**State Specific Exam (IIB) deficiency report** – The Board has determined that a deficiency report will be provided to the examinees that would detail the number of questions they answered correctly in each topic. This report will begin for the October 2015 IIB examinees.

**BOARD DIRECTOR’S REPORT**

Ms. Hall reported that she had a full staff of 4 customer service representatives (3 are new) and was looking forward to the NCEES meeting in August.

**ADJOURNMENT**

There being no further business and having completed its duties, the meeting of the State Board of Registration for Professional Surveyors adjourned at 12:12 p.m.

  
~~Christine Arnold~~ – Chairperson *(Acting Chair on 7/24/15)*  
State Board of Registration for Professional Surveyors

*Gary R. Keut*

10/2/15  
Date