

LAND SURVEYORS SECTION MEETING

MINUTES

The Land Surveyors Section of the Virginia Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects (APELSCIDLA Board) met on November 15, 2012, at the Department of Professional and Occupational Regulation, 9960 Mayland Drive, Richmond, Virginia, with the following members present:

Paul deC. Holt, Jr.
Nancy E. McIntyre

Board member Patrick Leary was not present for the meeting.

Board staff present for all or part of the meeting was:

Kathleen R. (Kate) Nosbisch, Executive Director
Marian H. Brooks, Board Administrator
Justin Garofalo, Board Administrator
Amy Goobic, Administrative Assistant

Agency staff present for all or part of the meeting was:

Nick Christner, Deputy Director, Licensing, Investigations & Compliance
Mark Courtney, Senior Director for Regulatory & Public Affairs

No representative was present from the Office of the Attorney General.

Mr. Holt, Chair, called the meeting to order at 9:36 a.m.

Call to Order

Mr. Holt advised the section of the emergency evacuation procedures.

Emergency Evacuation Procedures

Ms. McIntyre moved to approve the agenda. Mr. Holt seconded the motion which was unanimously approved by members: Holt and McIntyre.

Approval of Agenda

Ms. Nosbisch informed the Section that audience members, Mr. Frank Potts and Mr. Chuck Dunlap, were present to comment on specific agenda items, and would address the Section at such time.

Public Comment

Mr. Chuck Dunlap, LSB, Virginia Association of Surveyors (VAS) Legislative Committee Chair and past president, was present to address the Section. Mr. Dunlap provided background information on his discussions with the Virginia Department of Health (VDH) regarding requirements of a

Discussion of PE Plans on Survey Plats

PE seal on surveys that contain a septic field. Mr. Dunlap explained that the surveys in question take septic information from an approved VDH application, and apply to survey. Mr. Dunlap stated that this was never an issue until this year.

Ms. Nosbisch informed the Section that the PE Section discussed the issue at their meeting November 14. The PE Section agreed by consensus that according to the Board's regulations, the information should be sealed by a PE. Ms. McIntyre stated that she agreed with the PE section, that the regulations did not support the survey issue.

Ms. Nosbisch stated that the section could make a recommendation, that would then be presented for discussion at the full Board meeting December 13. The PE Section discussion and consensus would be provided to the full Board as well. Section members agreed by consensus with the PE Section that based on the board's regulations, a PE seal would be required. (Ms. McIntyre remarked that this was an issue for VDH.)

Mr. Frank Potts, LSB, was present to address the Section. Mr. Potts provided background information on his concerns regarding water line extensions. Mr. Potts stated that pursuant to §54.1-408, a Land Surveyor B is permitted to do water line extensions. A locality informed him that a PE seal was necessary, explaining that VDH notified them that based on their interpretation of the regulations, the seal was needed. Mr. Potts commented that as an LSB, he is permitted to design water line extensions, that there has been no change to the Code. McIntyre inquired as to who approved the plans. Mr. Potts stated that the plans are approved by the locality; they are not even submitted to VDH.

Request for Clarification of Term "Pressure Hydraulic" in Relation to §54.1-408

Ms. Nosbisch suggested staff draft a letter for consideration by the full Board, to be sent to localities explaining that according to §54.1-408 of the Code of Virginia, an LSB is permitted to design water line extensions. The letter will be reviewed at the December 13 APELSCIDLA Board meeting. There was also discussion that although an LSB is permitted to design water line extensions pursuant to §54.1-408, localities authority is not limited pursuant to §54.1-410.

Ms. McIntyre stated that the Candidate Information Bulletin, which presently contains exam information for both Land Surveyors and Professional Engineers, should be separated into two documents. Discussion was held on concerns the surveyors had with the combined bulletin and the reference list. Ms. Nosbisch suggested reviewing a draft individual bulletin for each profession at the joint section meeting of Land Surveyors and PEs, February 6, 2013, for further discussion. The Section agreed by consensus.

Discussion of Candidate Information Bulletin

Discussion was held on exam writing qualifying for continuing education credit. Ms. Nosbisch stated that if a sponsor informs those attending an exam writing session how many hours of CE they will receive and provides documentation of the hours, it could meet the criteria in the regulations. Ms. Nosbisch suggested discussing the topic with the full Board for a consensus, and further stated that all professions would have to be included. The Section agreed by consensus to have the full Board discuss this matter at its December 13 meeting; Ms. McIntyre added that it must be specific to exam writing.

Discussion of Exam Writing Qualifying for CE Credit

Ms. Nosbisch reported that the Board received correspondence from the South Carolina Board of Professional Engineers and Surveyors announcing Miller L. Love's candidacy for NCEES Southern Zone Vice-President. This is the first correspondence received since the Board's transfer from the Northeast Zone to the Southern Zone.

NCEES Update

Ms. Nosbisch informed Section members the October 26, 2012 Virginia Land Surveyor A State Specific Examination was administered successfully. After item analysis, a few items require Board review. She reminded section members that they should provide comments to Patsy Steele of PCS, by November 26. Scores will not be released to candidates until final review decisions from the Board have been received by PCS.

Other Business

Ms. Nosbisch also informed the Section that the proposed board regulations continue to be in the review stage by the Governor's office. She further explained the Governor's Reform Initiative on regulations. Governor McDonnell has asked all agencies to conduct a review of all regulations to eliminate unnecessary or burdensome regulations. The public comment period ends December 5.

Conflict of Interest forms were completed by all members present.

Conflict of Interest Forms

There being no further business, the meeting was adjourned at 10:40 a.m.

Adjourn

Paul deC. Holt, Jr., Chair

Gordon N. Dixon, Secretary