

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 8, 2006, at the Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia, with the following members present:

John R. McAden
Nancy E. McIntyre

Staff present for all or part of the meeting were:

Jay W. DeBoer, Director
Marian H. Brooks, Program Administrator
Earlyne Perkins, Legal Analyst
Michelle Gowen, Administrative Assistant

Board member, W. R. Stephenson, Jr., was not present at the meeting.

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

Mr. McAden, Acting Chair, called the meeting to order at 9:00 a.m.

Call to Order

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

Approval of
Agenda

Public Comment Period – No comments were made to the Section members.

Public Comment

Regarding File number 2006-04501, Greenway Engineering, Inc., the Section members reviewed the Consent Order as seen and agreed to by Greenway Engineering, Inc. Ms. McIntyre moved to recommend that the Board accept the Consent Order which cites a violation of 18 VAC 10-20-710.A of the Board's 2002 regulations. For this violation Greenway Engineering, Inc., agrees to a \$150.00 monetary penalty for the violation as well as \$150.00 in Board costs. Mr. McAden seconded the motion which was unanimously approved by members: McAden and McIntyre.

File Number
2006-04501,
Greenway
Engineering,
Inc.

Regarding File Number 2006-03663, C. Phil Wagoner, the Section members reviewed the Consent Order as seen and agreed to by Mr. Wagoner. Ms. McIntyre moved to recommend that the Board accept the

File Number
2006-03663, C.
Phil Wagoner

Consent Order which cites a violation of 18 VAC 10-20-750 of the Board's 2002 regulations. For this violation Mr. Wagoner agrees to a \$250.00 monetary penalty as well as \$150.00 in Board costs. Mr. McAden seconded the motion which was unanimously approved by members: McAden and McIntyre.

Regarding File Number 2006-04260, Phillip Lee Keyser, the Section members reviewed the Consent Order as seen and agreed to by Mr. Keyser. Mr. McAden recommended that the Board accept the Consent Order which cites a violation of 18 VAC 10-20-370.D.2.n of the Board's 2002 regulations. For this violation Mr. Keyser agrees to a \$750.00 monetary penalty as well as \$350.00 in Board costs. Mr. Keyser also agrees to send a letter (with a copy to the Board) identifying the error in the title of the plat and identifying how the plat is to be construed within 15 days. Mr. Keyser also agrees to attend a one day seminar on boundary law or Virginia law and regulations, acceptable to the Board, and provide proof acceptable to the Board within 6 months of the effective date of this order. As the reviewing Board member, Ms. McIntyre was not present during the discussion.

File Number
2006-04260,
Phillip Lee
Keyser

Ms. Brooks provided the section members with some background information on the CPE Committee and Mr. Courtney's recommendations. Mr. McAden and Ms. McIntyre agreed with the Professional Engineers Section and stated that there should be two members of each licensed section of the APELSCIDLA Board on the committee. Mr. McAden and Ms. McIntyre volunteered to be the representatives from the Land Surveyor's Section.

Discussion of
CPE Committee

The Section members were provided with a memo from staff about the use of professional seal and signature for zoning land use applications pursuant to 18 VAC 10-20-760. Mr. Courtney prepared a response to the letter for review by the Sections as indicated at the previous APELSCIDLA Board meeting.

Discussion of
Professional Seal
& Signature for
Zoning Land
Use

The Section members were provided with information that summarized the topics addressed and acted upon at the NCEES Annual meeting held in Anchorage, Alaska.

Report from
NCEES Annual
Meeting

The Section members were provided with various memorandums and notices from NCEES.

Review
Information
from NCEES

Ms. Brooks reminded the Section members of the APELSCIDLA Board

Other Business

meeting on December 12, 2006, and noted that one of the agenda items will be a discussion on whether Landscape Architect's are capable of designing closed storm water management systems.

The Section members were provided with a recommendation prepared by staff on the question if a Land Surveyor B should use the term "engineering." After review and discussion, the Section members agreed by consensus that the recommendation is correct in that Land Surveyor B's cannot use the term "engineering."

The Section members reviewed a handout and discussed the resetting of corner monumentation after construction. After discussion, the Section members agreed that more information is needed in order to make an educated decision. The Section members requested that staff obtain a copy of Section 1.1A of the General Condition Section of the specifications. Once this information has been reviewed, they will hopefully be able to make a decision at their next Section meeting in February of 2007.

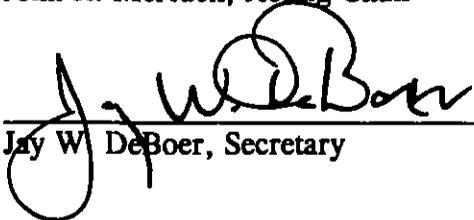
Conflict of Interest forms were completed by all members present.

**Conflict of
Interest Forms**

There being no further business, the meeting was adjourned at 9:58 a.m.

Adjourn

John R. McAden, Acting Chair


Jay W. DeBoer, Secretary

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: John R. McAden
2. Title: Member
3. Agency: Land Surveyors Section
4. Transaction: Section Meeting/Examination Workshop on November 8, 2006
5. Nature of Personal Interest Affected by Transaction: Surveying

6. I declare that:

(a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

Land Surveyors

(b) I am able to participate in this transaction fairly, objectively, and in the public interest.

John R. McAden
Signature

11-8-06
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Nancy E. McIntyre
2. Title: Member
3. Agency: Land Surveyors Section
4. Transaction: Section Meeting/Examination Workshop on November 8, 2006
5. Nature of Personal Interest Affected by Transaction: _____

6. I declare that:

(a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

LAND SURVEYORS

(b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Nancy McIntyre
Signature

11/07/06
Date