

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 May 8, 2013, at the Department of Professional and Occupational Regulation, 9960 Mayland Drive, Richmond, Virginia, with the following members present:

Paul deC. Holt, Jr.
Patrick D. Leary
Nancy E. McIntyre

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

Kathleen R. (Kate) Nosbisch, Executive Director
Amy Goobic, Administrative Assistant

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

Mr. Holt, Chair, called the meeting to order at 9:32 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. Leary seconded the motion which was unanimously approved by members: Holt, Leary and McIntyre.

Approval of Agenda

Ms. Nosbisch read a letter from Mr. Harold Logan, Land Surveyor B, as he was unable to attend the meeting. Mr. Logan stated that he has been submitting onsite sewage system (OSS) designs to the Fairfax County Health Department (FCHD) since 1965. The FCHD now requires a PE stamp on and OSS designs that include a pump system. Mr. Logan feels an LSB should be allowed to design the systems without a PE stamp.

Public Comment

Ms. Nosbisch provided a review of the PE Section discussion regarding the application review process and the potential for appointing a sub-committee, with more discipline diversity, to assist in the review process. She reported that Mark Courtney has discussed the issue with the Attorney General's office. At the PE Section meeting, Mr. Dixon suggested a draft document be formalized with the qualifications, policies, standards and training requirements to be presented for consideration at the June 11 APELSCIDLA Board meeting. Ms. McIntyre recommended the sub-committee also have a Land Surveyor Photogrammetrist, as none of the current LS board members are photogrammetrist. The Section agreed by consensus with the PE section.

Discussion on Application Review Process

Mr. Holt reviewed minutes from the March 20 APELSCIDLA Board meeting which referenced the need for clarification of the term “pressure hydraulics” with regards to Land Surveyor Bs. Mr. Holt also cited the following statutes:

**Discussion of
Pressure Hydraulics
Clarification**

§ 54.1-400. The "practice of land surveying" includes surveying of areas for a determination or correction, a description, the establishment or reestablishment of internal and external land boundaries, or the determination of topography, contours or location of physical improvements, and also includes the planning of land and subdivisions thereof. The term "planning of land and subdivisions thereof" shall include, but not be limited to, the preparation of incidental plans and profiles for roads, streets and sidewalks, grading, drainage on the surface, culverts and erosion control measures, with reference to existing state or local standards.

§ 54.1-408. In addition to the work defined in § 54.1-400, a land surveyor may, for subdivisions, site plans and plans of development only, prepare plats, plans and profiles for roads, storm drainage systems, sanitary sewer extensions, and water line extensions, and may perform other engineering incidental to such work, but excluding the design of pressure hydraulic, structural, mechanical, and electrical systems. The work included in this section shall involve the use and application of standards prescribed by local or state authorities. The land surveyor shall pass an examination given by the Board in addition to that required for the licensing of land surveyors as defined in § 54.1-400. Any land surveyor previously licensed pursuant to subdivision (3) (b) of former § 54-17.1 may continue to do the work herein described without further examination. Except as provided, nothing contained herein or in the definition of "practice of land surveying" in § 54.1-400 shall be construed to include engineering design and the preparation of plans and specifications for construction.

Discussion was held on requirements of the Virginia Department of Health (VDH) and local health departments with regards to ‘pressure hydraulics’ and what a Land Surveyor A and Land Surveyor B can do. Ms. McIntyre stated that all over the state, new people come to work for VDH and are not aware of what a Land Surveyor A and Land Surveyor B can do. She suggests the Board continue to state that “by the Board’s regulations an LSB can design a water line extension and the perform the incidental engineering,

but cannot design a “pump system” which uses pressure. The Section agreed by consensus to the following statement:

Design of pressure hydraulic systems – design of mechanical equipment that creates the pressure, ie “the pump.” Therefore an LSB cannot design the system; however they can design waterline extensions and perform calculations that support the extension.

The information will be presented to the full board at its June 11 meeting.

The Section recessed from 10:15-10:20.

Section members reviewed correspondence from Michael Wind, LS, regarding surveys no longer being required by lending companies and “mortgage surveys.” Mr. Wind states that not requiring a survey for a title transfer does not protect the buyer and that “mortgage surveys” do not have to be a complete survey. The Section agreed that regulations provide minimum standards for mortgage surveys and may be further addressed by real estate regulations. Ms. Nosebisch suggested that Mr. Wind may want to contact his state legislator or the Virginia Association of Surveyors regarding the regulations relating to mortgage surveys.

Discussion was held on the use of aerial photography process, which may be used by title companies for underwriting purposes without having a survey performed, referred to as ALTA “Lite” Surveys. The Section agreed by consensus that if an individual surveyor had a concern, they could bring it to the attention of the Board. The Section further agreed that professional organizations such as the American Congress on Surveying and Mapping, the National Society of Professional Surveyors and the Virginia Association of Surveyors, may wish to follow this matter on a national level.

Section members discussed transitioning the Virginia state specific surveying exam to computer-based testing (CBT). Ms. Nosebisch reported that four other states have made the transition and recommends that the Board move forward with CBT as soon as possible. The Section agreed by consensus.

Section members reviewed the updated Candidate Information Bulletin provided by PCS. Discussion was held on recommended changes to the bulletin such as changing the term “mapping sciences” to “photogrammetry” as the regulations do not use the term mapping sciences. Additionally, change “LSA” to “LS” as the regulations do not use LSA. Ms. Nosebisch stated that the bulletin will need further changes in November due to the implementation of computer-based testing for the Fundamentals of Surveying exam.

Recess

**Discussion of
“Mortgage Surveys”**

**Discussion of ALTA
Lite Surveys**

**Discussion on State-
Specific Computer-
Based Testing**

**Discussion on
Candidate
Information Bulletin**

NCEES Update

Ms. McIntyre provided an update on the NCEES Southern Zone meeting held in Biloxi, MS, April 3-6. Ms. McIntyre reported that Gene Dinkins, President, NCEES, is visiting state boards and suggested the Board extend an invitation for him to attend an upcoming meeting. Ms. Nosbisch suggested inviting Mr. Dinkins to the joint PE/LS Section meeting August 14.

Ms. McIntyre further reported that discussions were held on: allowing students to take the PE exam upon graduation; defining 'engineering surveys;' the computer-based test will have 110 questions, and will be six hours instead of eight and the references will be electronically imbedded in the exam. Ms. McIntyre informed the Section that Dan Turner, was elected Zone Vice-President and Glen Smith was elected Assistant Vice-President. She also provided brief updates on other states in the Southern Zone: Georgia is requiring photo IDs with renewals; Kentucky will not be using a CBT for their state specific exam; and Texas is now requiring fingerprinting and background checks for Professional Engineers. The 2014 Southern Zone meeting will be held in Charleston, SC, in April. Ms. McIntyre also stated that discussion was held on the NCEES Enforcement Exchange being underutilized.

Ms. Nosbisch informed the Section that the NCEES Annual meeting will be held in San Antonio, TX, August 21-24. Ms. McIntyre moved to have Ms. Nosbisch attend as the funded MBE, Mr. Johnson, PE Board member attend as a funded delegate as he is an NCEES committee member, and Ms. Langelotti, PE Board member, as a funded first time attendee. Mr. Leary seconded the motion which was approved by members: Leary and McIntyre. Mr. Holt abstained from voting.

Ms. Nosbisch reported that she received correspondence requesting endorsement of Skip Harclerode, from Maryland, as candidate for the office of President-elect of NCEES for the 2013-14 year.

Ms. Nosbisch also informed the Section that the computer-based testing (CBT) for the FE and FS exams will begin January 2014, with registration to begin November 4, 2013. The CBT for the FE and Fs exams will be offered at Pearson Professional Centers and Pearson Vue Test Center Selects. NCEES is working with 20 schools to have Select Centers open on campus. October 2013 will be the last administration of a paper and pencil exam for FE and FS. Ms. Nosbisch further informed the Section that beginning with registration for the 2014 exams in November, NCEES will no longer collect Social Security numbers from potential examinees when they register and that the NCEES ID number that exam registrants receive, will be a permanent number. There will be four testing windows beginning in 2014

January/ February, April/ May, July/ August, and October/November.
Candidates will be allowed to test one time per exam window, and no more than three times per year.

Ms. Nosbisch reported that she is working with the agency's Exam Section and Jerry Carter, Executive Director, NCEES, regarding the application options available to the Board for FE and FS applicants. At its March 20 meeting, the APELSCIDLA Board agreed upon Option 2, which has the Board manually approve examinees for each exam attempt. Ms. Nosbisch informed the Section that upon further review, Option 1 may prove to be more beneficial to applicants and the Board. With Option 1, the applicant can register with NCEES, attest they met the requirements of the state selected, the Board can indicate if they require EAC, ETAC or ASAC educated examinees. If the applicant does not meet the requirement, it will fall back to a manual approval. The applicant may take the exam three times per year, and the applicants would be spread out due to year round testing. Examinee registrant information provided will be matched against information in the NCEES database, examinees that do not match will go to the Board for manual approval. Ms. Nosbisch stated that Jerry Carter recommends using pass/fail, which the NCEES Board voted to implement. She further stated that there is nothing in the regulations which states that a numeric score must be used; therefore she suggests the Board use pass/fail. The Section agreed by consensus.

Mr. Holt reported that there will be an exam writing session May 30. Ms. McIntyre and Mr. Leary indicated that they would not be able to attend. Mr. Holt stated that he will attend the session.

Other Business

Section members reviewed information from PCS Exam writing session regarding the distinctions between a Land Surveyor A and a Land Surveyor B. Ms. Nosbisch asked that the Section members respond to PCS and copy her with their comments, ensuring that there are no conflicts with the Board's regulations.

Ms. Nosbisch reported that the Colonial States Boards of Surveyors met with the NCEES Northeast Zone. Ms. Nosbisch indicated she provided a written report to Doyle Allen, Director, Colonial States Boards of Surveyors, to share at the meeting.

Conflict of Interest forms were completed by all members present.

Conflict of Interest Forms

There being no further business, the meeting was adjourned at 11:22 a.m.

Adjourn

Paul deC. Holt, Jr., Chair

Gordon N. Dixon, Secretary

DRAFT