

## 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 February 16, 2012, 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

Staff present for all or part of the meeting were:

Gordon N. Dixon, Director  
Mark N. Courtney, Deputy Director of Licensing and Regulation  
Kathleen R. Nosbisch, Executive Director  
Marian H. Brooks, Board Administrator  
Justin Garofalo, Board Administrator  
Amy Goobic, Administrative Assistant

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

Ms. McIntyre, Chair, called the meeting to order at 9:34 a.m.

**Call to Order**

Ms. McIntyre advised the section of the emergency evacuation procedures.

**Emergency  
Evacuation  
Procedures**

Ms. Nosbisch recognized National Surveying Week, March 18-24, and thanked the Section members for their service to the Board.

**Recognition of  
National Surveying  
Week**

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

**Approval of Agenda**

Mr. Carmen DiGiandomenico was present to address the Section. Mr. DiGiandomenico stated that he had two questions he would like to ask the Section.

**Public Comment**

1. What law, regulation or policy gives one board member the authority to change a unanimous decision made by the board? He was not expecting the answer immediately – but would like to have the information sent to him.

2. Why doesn't the APELSCIDLA Board have 2 citizen members? Mr. Courtney explained that the General Assembly established the law requiring 2 citizen members on all boards created on or after a specific date. The APELSCIDLA Board was created prior to this law being established.

Ms. Nosbisch provided comments from the PE Section as discussed at their meeting February 15, 2012. The PE Section agreed that plans can be reviewed without permission; however any changes would need permission from the 'owner.' The section discussed 'ownership' of plans and stated that ownership must be established in a written form. The Land Surveyor section agreed by consensus with the PE Section.

**Discussion on Value Engineering & Use of Another Professional's Plans**

Ms. McIntyre recommended tabling the discussion of the Candidate Information Bulletin (CIB) until the May 9, 2012, section meeting. Ms. McIntyre requested that section members review the CIB independently and bring their recommendations to the May 9 meeting.

**Discussion of Candidate Information Bulletin**

Ms. McIntyre also recommended tabling the discussion of the exam reference material until the May 9, 2012, section meeting. Ms. McIntyre requested that section members review the reference material independently and bring their recommendations to the May 9 meeting.

**Discussion of Exam Reference Material**

Ms. Nosbisch reviewed background information on the guidance document as discussed at the full board meeting December 15, 2011 and also provided comments made by the PE Section at their February 15, 2012 meeting. Section members agreed by consensus with the PE Section and approved the document as written. However, the Section also agreed that the document should differentiate the 5 professions; as they do not all have the same requirements. Section members also concurred that Land Surveyor references from colleagues may be acceptable on a case by case basis, as it is difficult to obtain references from a licensed supervisor in the surveying field.

**Discussion of Proposed Board Guidance Document for Comity Licensure**

Ms. Nosbisch provided an update on the exam vendor RFP. Ms. Nosbisch stated that only one proposal had been received, from PCS the current exam vendor. The negotiation letter will be sent within the week, PCS will be asked to respond, a notice of reward will follow.

**RFP Update**

Ms. Nosbisch provided updates on computer based testing (CBT) for the FE and FS exams to begin January 2014. A task force has been established to consider CBT for the PE and PS exams.

**NCEES Update**

Ms. Nosbisch informed the Section that future exam review meetings for specific questions will be held at DPOR in closed session to maintain the

**Other Business**

integrity of the exam material.

Ms. Nosbisch informed the Section of the discussion held at the PE Section meeting on topographic surveys used as base information. The PE Section expressed concerns that regulants and localities often use topographic surveys as base information, that are not current or are not properly signed and sealed. Mr. Courtney suggested approaching professional organizations such as VSPE, ACEC and VAS; in turn they could provide the information to their members and to VML and VACO.

Ms. Nosbisch also informed the section of the discussion held at the PE Section meeting on the issue of locality plan reviewers requesting changes on submitted plans, and then "holding" the plans if the professional does not make the requested changes. The PE Section agreed that the appeal process was ineffective. Mr. Garofalo recommended a legislative appeals committee that would include engineers and surveyors. Mr. Courtney suggested utilizing the VSPE legislative team to work on a legislative change, and also stated that this seemed to be more of an environmental issue than building code issue.

Mr. Dixon reported that he would be sending a legislative update to all board members that afternoon.

Conflict of Interest forms were completed by all members present.

**Conflict of Interest  
Forms**

There being no further business, the meeting was adjourned at 10:46 a.m.

**Adjourn**

  
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Nancy McIntyre, Chair

  
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Gordon N. Dixon, Secretary

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

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

1. Name: Patrick Leary
2. Title: Board Member
3. Agency: Land Surveyors Section/APELSCIDLA Board
4. Meeting/IFF Date: Section Meeting February 16, 2012
5. I have a personal interest in the following transaction:

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Nature of Personal Interest Affected by Transaction:

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

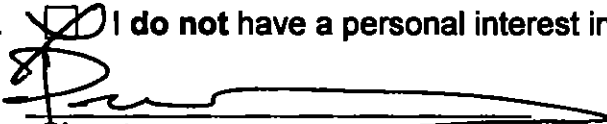
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I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6.  I do not have a personal interest in any transactions taken at this meeting.

  
Signature

110 FEB 2012  
Date

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

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

1. Name: Paul deC. Holt
2. Title: Board Member
3. Agency: Land Surveyors Section/APELSCIDLA Board
4. Meeting/IFF Date: Section Meeting February 16, 2012

5. I have a personal interest in the following transaction:

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Nature of Personal Interest Affected by Transaction:

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

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

or

I did not participate in the transaction.

6.  I do not have a personal interest in any transactions taken at this meeting.

Paul deC Holt  
Signature

2/16/12  
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: Board Member  
3. Agency: Land Surveyors Section/APELSCIDLA Board  
4. Meeting/IFF Date: Section Meeting February 16, 2012

5. I have a personal interest in the following transaction:

\_\_\_\_\_  
\_\_\_\_\_

Nature of Personal Interest Affected by Transaction:

\_\_\_\_\_  
\_\_\_\_\_

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

LAND SURVEYORS & PROF ENGINEERS

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

or

I did not participate in the transaction.

6.  I do not have a personal interest in any transactions taken at this meeting.

Nancy E. McIntyre  
Signature

2/16/12  
Date