



CANNON BUILDING
861 SILVER LAKE BLVD., SUITE 203
DOVER, DELAWARE 19904-2467

STATE OF DELAWARE
DEPARTMENT OF STATE

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DIVISION OF PROFESSIONAL REGULATION

PUBLIC MEETING NOTICE:	BOARD OF PROFESSIONAL LAND SURVEYORS
DATE AND TIME:	Thursday, May 20, 2010 at 8:30 a.m.
PLACE:	861 Silver Lake Boulevard, Dover, Delaware Conference Room A , second floor of the Cannon Building
APPROVED: August 24, 2010	

MEMBERS PRESENT

Steven Sellers, Professional Member
Michael Szymanski, Professional Member
Laurence McBride, Professional Member
James Bielicki, Jr., Professional Member
Mary Chvostal, Public Member
Frank Szczuka, Public Member

DIVISION STAFF

Frederick Schranck, Deputy Attorney General
Renee' Holt, Administrative Specialist II

MEMBERS ABSENT

PUBLIC

John Johnson, DAS

CALL TO ORDER

Mr. Sellers called the meeting to order at 8:40 a.m.

REVIEW AND APPROVAL OF MINUTES

The Board reviewed the minutes from the January 21, 2010 meeting. Mr. Szymanski made a motion, seconded by Ms. Chvostal to approve the minutes as amended. The motion was unanimously approved.

The Board tabled the review of the meeting minutes from December 17, 2009 and April 15, 2010 until completed.

Hearings

Mr. Szymanski inquired if the hearing for Mr. McKenna was due to a complaint. Ms. Holt confirmed the hearing was a disciplinary hearing. Mr. Szymanski asked Mr. Schranck if the Board could subpoena witnesses for the proposal to deny hearing for Mr. David Dworek. Mr. Schranck gave the Board counsel on their role and responsibility in the hearing. Mr. Schranck advised the Board could request the direct supervisor attend the hearing through Mr. Dworek's attorney. Mr. Schranck advised it is not in the Board's interest to subpoena any additional witnesses for Mr. Dworek. Mr. Bielicki stated it would be up to Mr. Dworek to bring any witnesses to support his examination and licensure approval. After further discussion, Mr. Schranck provided explanation and history as to where the list of Substantially Related Crimes and the statute allowing the Board to grant a waiver after five years of last conviction and subsequent sentencing originated.

Ms. Holt reported both the hearing for Mr. McKenna and Mr. Dworek were both continued to the June meeting.

UNFINISHED BUSINESS

Review of Land Surveying Certificate of Authorization Application

Mr. Sellers reviewed the information provided by ATCS LLC. Ms. Holt reported the Division of Revenue does not require a business license because the firm is not performing business as Professional Land Surveyors in the State of Delaware. The Board discussed accepting the letter. Mr. Schranck gave counsel. Mr. Szymanski made a motion to recognize the letter sent by the Division of Revenue on 9/3/09 to the DAPE as proof of compliance with statutory requirement §2722 (g), seconded by Ms. Chvostal. Mr. Szczuka stated the letter was sent to the DAPE and stated he didn't know if Jeff Bullock would change his mind if the same letter was given to the Board. Mr. Sellers clarified the letter in question originated from the Division of Revenue specifically a State Tax Auditor. The letter from Mr. Bullock confirmed the business was registered in Delaware. Mr. Szczuka opposed. The motion passed by a majority vote.

Review of draft Survey Intern Application

Ms. Holt reported the comments have been gathered and requested to meet with Mr. Szymanski to review all previously submitted comments and then return a complete and updated application at a later date.

Review of Continuing Education Application

DelTech Georgetown - *Advanced Data Collection Techniques* – 1/19/10 – requesting 7 PDHs. The Board received the additional information of an instructor biography that the Board requested from the January 21, 2010 meeting. Mr. Szymanski made a motion to approve the course for 7 PDHs, seconded by Mr. McBride. The motion was unanimously approved.

Mr. Szymanski requested the Board notify Ms. Holt of availability in July to hold a special hearing regarding the final revisions of the MIP Rules and Regulations. Ms. Holt clarified the process for notification of public hearing. The Board will report unavailable dates to Ms. Holt by Wednesday, May 26, 2010.

NEW BUSINESS

Certificate of Authorization – Discussion of Exceptions

Mr. McBride discussed proposed changes regarding the Certificate of Authorization. Mr. McBride stated question number 11 should include the professional in responsible charge and that would eliminate question 14 so that there are no mistakes and applicants will not fill out the application incorrectly. The Board discussed the wording of several questions on the certificate application and how § 2702(5) affected the specific wording. Mr. Sellers requested the Board review the application and return to the June meeting with suggested revisions, questions, and comments.

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Review of Application for Licensure by Reciprocity

Mr. Bielicki made a motion to approve Russell Hammond, David Nowicki, Michael Bieber, and David Jensen to sit for the October Drainage and Jurisprudence Examination. Ms. Chvostal seconded the motion. Mr. Szymanski questioned if all the applicants were from contiguous states and asked if the Maryland applicants took the Fundamentals examination. Mr. Szymanski clarified if the applicant was not licensed in a contiguous state the reviewer must confirm the state is substantially similar in licensing requirements. After discussion, the motion was unanimously approved.

Review of Licensure by Examination

The Board reviewed the application for Jill Gray. Mr. Bielicki made a motion to approve Jill Gray to sit for the Fundamentals, Principles and Practice, Drainage, and Jurisprudence examinations, seconded by Ms. Chvostal. Mr. Szymanski abstained from the vote. The motion passed with a majority vote.

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Mr. Schranck advised the Board that the applications that do not clearly identify the professional in charge as an employee or officer of the organization would need to be tabled for the Division to request confirmation of employment.

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The Board reviewed the application for Thomas Ertle & Associates. Ms. Chvostal made a motion to table the application pending confirmation of need of Delaware Business License or confirmation from Division of Revenue that no Delaware Business License is required. The motion was seconded by Mr. McBride. The motion was unanimously approved.

The Board reviewed the application for Larson Engineering Group. Mr. Bielicki made a motion to approve the application contingent upon receipt of confirmation of Kenneth Cantera's employment. Mr. Bielicki withdrew the motion. Mr. Bielicki made a motion to table the application pending verification that Kenneth Cantera is an employee of the company. The motion was seconded by Ms. Chvostal and unanimously approved.

The Board reviewed the application for Fralinger Engineering PA. Mr. McBride made a motion to table the application until receipt of proof of a Delaware Business license. The motion was seconded by Ms. Chvostal. The motion was unanimously approved.

The Board reviewed the application for Wilkins-Noble LLC. Mr. Szymanski made a motion to table the application because the company did not indicate they had a Delaware Business license. Mr. McBride seconded the motion. The motion was approved by a majority vote less Mr. Szczuka who left the meeting at 11:36 a.m.

The Board reviewed the application for VanCleeef Engineering Associates. Mr. Szymanski made a motion to table the application until proof of Mr. Artman's employment was received. The motion was seconded by Mr. McBride. The motion was unanimously approved.

The Board reviewed the application for Control Point Associates Inc. Mr. Szymanski made a motion to table the application and request proof of James F. Henry's employment status with the firm. Mr. McBride seconded the motion. The motion was unanimously approved.

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The Board reviewed the applications for Taylor, Wiseman & Taylor, Langan Engineering & Environmental Service, McClure Associates Inc, Frank G Lynch Jr & Associates, Anderson Engineering Associates, Land & Mapping Services, Millman Surveying, Design Consultants Group LLC, American Engineering & Surveying Inc, Lawrence R Long PLS LLC, Miller-Lewis Inc, Coast Survey Inc, Underground Services Inc, Stantec Consulting Services, Adams Rehmann & Heggan, Zebley & Associates, Construction Layout Services, Simpler Surveying & Associates, Franco R Bellafante Inc, Dixie Line Surveys Inc, Steven M Adkins Land Surveying, Adams-Kemp Associates, East Coast Survey, Transition Engineering Surveying, and Century Engineering Inc. Mr. Szymanski made a motion, seconded by Ms. Chvostal to approve the applications. The motion was unanimously approved. Mr. Szczuka returned to the meeting at 11:40 a.m.

Complaint Assignments

Complaint # 05-03-10 was assigned to Mr. Sellers. Mr. Sellers confirmed receipt of the complaint.

Complaint Status

Mr. Szymanski requested Ms. Holt contact the Attorney General's office to determine the status of pending complaints.

Hearings/Consent Agreements/Board Orders

Ms. Holt reported the Board Order for Paul Moody was signed by a quorum of the Board.

Closed Complaints

There were no closed complaints.

Wall Certificates

There were no wall certificates to be signed.

Correspondence

Mr. Sellers read correspondence sent to the Board by Mr. Douglas Loewer recommending the Board reduce the number of meetings from 10 to the minimum requirement of 4.

Ms. Chvostal made a motion to limit the discussion of topics to 10 minutes. The motion was seconded by Mr. McBride. The motion failed by a vote of a quorum of the Board.

Other Business before the Board (for discussion only)

The Board discussed concerns with licensed engineers performing land surveys. Mr. Schranck advised the Board that the law allowing this practice had been in effect since 1972. Mr. Schranck told the Board to take a vote to change the legislation. Mr. Szymanski stated the NCEES report clearly stated support that engineers were not qualified to perform as a Professional Land Surveyor.

Mr. Schranck advised the Board that public comment time could be limited to allow all of the public to have the opportunity to express concerns and comments.

PUBLIC COMMENT

There was no public comment

NEXT MEETING

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ADJOURNMENT

There being no further business, Mr. Szymanski made a motion, seconded by Ms. Chvostal to adjourn the meeting at 1:01 p.m. The motion carried unanimously.

Respectfully Submitted,



Renee' M. Holt
Administrative Specialist



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Complaint Assignments

Complaint # 05-03-10 was assigned to Mr. Sellers. Mr. Sellers confirmed receipt of the complaint.

Complaint Status

Mr. Szymanski requested Ms. Holt contact the Attorney General's office to determine the status of pending complaints.

Hearings/Consent Agreements/Board Orders

Ms. Holt reported the Board Order for Paul Moody was signed by a quorum of the Board.

Closed Complaints

There were no closed complaints.

Wall Certificates

There were no wall certificates to be signed.

Correspondence

Mr. Sellers read correspondence sent to the Board by Mr. Douglas Loewer recommending the Board reduce the number of meetings from 10 to the minimum requirement of 4.

Ms. Chvostal made a motion to limit the discussion of topics to 10 minutes. The motion was seconded by Mr. McBride. The motion failed by a vote of a quorum of the Board.

Other Business before the Board (for discussion only)

The Board discussed concerns with licensed engineers performing land surveys. Mr. Schranck advised the Board that the law allowing this practice had been in effect since 1972. Mr. Schranck told the Board to take a vote to change the legislation. Mr. Szymanski stated the NCEES report clearly stated support that engineers were not qualified to perform as a Professional Land Surveyor.

Mr. Schranck advised the Board that public comment time could be limited to allow all of the public to have the opportunity to express concerns and comments.

PUBLIC COMMENT

There was no public comment

NEXT MEETING

The next meeting will be June 17, 2010 at 8:30 a.m. in Conference Room A, second floor of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware

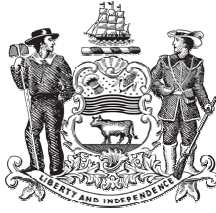
ADJOURNMENT

There being no further business, Mr. Szymanski made a motion, seconded by Ms. Chvostal to adjourn the meeting at 1:01 p.m. The motion carried unanimously.

Respectfully Submitted,



Renee' M. Holt
Administrative Specialist



CANNON BUILDING
861 SILVER LAKE BLVD., SUITE 203
DOVER, DELAWARE 19904-2467

STATE OF DELAWARE
DEPARTMENT OF STATE

TELEPHONE: (302) 744-4500
FAX: (302) 739-2711
WEBSITE: WWW.DPR.DELAWARE.GOV

DIVISION OF PROFESSIONAL REGULATION

PUBLIC MEETING NOTICE:	BOARD OF PROFESSIONAL LAND SURVEYORS
DATE AND TIME:	Thursday, May 20, 2010 at 8:30 a.m.
PLACE:	861 Silver Lake Boulevard, Dover, Delaware Conference Room A , second floor of the Cannon Building
APPROVED: August 24, 2010	

MEMBERS PRESENT

Steven Sellers, Professional Member
Michael Szymanski, Professional Member
Laurence McBride, Professional Member
James Bielicki, Jr., Professional Member
Mary Chvostal, Public Member
Frank Szczuka, Public Member

DIVISION STAFF

Frederick Schranck, Deputy Attorney General
Renee' Holt, Administrative Specialist II

MEMBERS ABSENT

PUBLIC

John Johnson, DAS

CALL TO ORDER

Mr. Sellers called the meeting to order at 8:40 a.m.

REVIEW AND APPROVAL OF MINUTES

The Board reviewed the minutes from the January 21, 2010 meeting. Mr. Szymanski made a motion, seconded by Ms. Chvostal to approve the minutes as amended. The motion was unanimously approved.

The Board tabled the review of the meeting minutes from December 17, 2009 and April 15, 2010 until completed.

Hearings

Mr. Szymanski inquired if the hearing for Mr. McKenna was due to a complaint. Ms. Holt confirmed the hearing was a disciplinary hearing. Mr. Szymanski asked Mr. Schranck if the Board could subpoena witnesses for the proposal to deny hearing for Mr. David Dworek. Mr. Schranck gave the Board counsel on their role and responsibility in the hearing. Mr. Schranck advised the Board could request the direct supervisor attend the hearing through Mr. Dworek's attorney. Mr. Schranck advised it is not in the Board's interest to subpoena any additional witnesses for Mr. Dworek. Mr. Bielicki stated it would be up to Mr. Dworek to bring any witnesses to support his examination and licensure approval. After further discussion, Mr. Schranck provided explanation and history as to where the list of Substantially Related Crimes and the statute allowing the Board to grant a waiver after five years of last conviction and subsequent sentencing originated.

Ms. Holt reported both the hearing for Mr. McKenna and Mr. Dworek were both continued to the June meeting.

UNFINISHED BUSINESS

Review of Land Surveying Certificate of Authorization Application

Mr. Sellers reviewed the information provided by ATCS LLC. Ms. Holt reported the Division of Revenue does not require a business license because the firm is not performing business as Professional Land Surveyors in the State of Delaware. The Board discussed accepting the letter. Mr. Schranck gave counsel. Mr. Szymanski made a motion to recognize the letter sent by the Division of Revenue on 9/3/09 to the DAPE as proof of compliance with statutory requirement §2722 (g), seconded by Ms. Chvostal. Mr. Szczuka stated the letter was sent to the DAPE and stated he didn't know if Jeff Bullock would change his mind if the same letter was given to the Board. Mr. Sellers clarified the letter in question originated from the Division of Revenue specifically a State Tax Auditor. The letter from Mr. Bullock confirmed the business was registered in Delaware. Mr. Szczuka opposed. The motion passed by a majority vote.

Review of draft Survey Intern Application

Ms. Holt reported the comments have been gathered and requested to meet with Mr. Szymanski to review all previously submitted comments and then return a complete and updated application at a later date.

Review of Continuing Education Application

DelTech Georgetown - *Advanced Data Collection Techniques* – 1/19/10 – requesting 7 PDHs. The Board received the additional information of an instructor biography that the Board requested from the January 21, 2010 meeting. Mr. Szymanski made a motion to approve the course for 7 PDHs, seconded by Mr. McBride. The motion was unanimously approved.

Mr. Szymanski requested the Board notify Ms. Holt of availability in July to hold a special hearing regarding the final revisions of the MIP Rules and Regulations. Ms. Holt clarified the process for notification of public hearing. The Board will report unavailable dates to Ms. Holt by Wednesday, May 26, 2010.

NEW BUSINESS

Certificate of Authorization – Discussion of Exceptions

Mr. McBride discussed proposed changes regarding the Certificate of Authorization. Mr. McBride stated question number 11 should include the professional in responsible charge and that would eliminate question 14 so that there are no mistakes and applicants will not fill out the application incorrectly. The Board discussed the wording of several questions on the certificate application and how § 2702(5) affected the specific wording. Mr. Sellers requested the Board review the application and return to the June meeting with suggested revisions, questions, and comments.

Courses for Continuing Education Approval

The Board reviewed the applications for Continuing Education Approval from Douglas Loewer for courses offered at DelTech Georgetown listed below. Mr. Szymanski made a motion, seconded by Mr. McBride to approve the courses for the PDHs requested. The motion was unanimously approved.

Introduction to Global Positioning Systems for Land Surveyors offered 11/19/10 for 7 PDHs
Introduction to Mapping & GIS for Land Surveyors using ARCVIEW offered 11/23/10 for 7 PDHs
Advanced Data Collection Technologies offered 9/14/10 for 7 PDHs
Geographic Information Systems (GIS) using ARCVIEW offered 9/8 – 12/15/10 for 48 PDHs
Utilizing Robotic & GPS Technology offered 11/23/10 for 7 PDHs

The Board reviewed the application for Continuing Education Approval from James Conlow for the Surveyors Association of West Jersey course titled Elevation Certificates and Letters of Map Amendment offered 5/13/10 for 1 PDH. Mr. Szymanski made a motion, seconded by Mr. McBride to approve the course for 1 PDH. The motion was unanimously approved.

Review of Application for Licensure by Reciprocity

Mr. Bielicki made a motion to approve Russell Hammond, David Nowicki, Michael Bieber, and David Jensen to sit for the October Drainage and Jurisprudence Examination. Ms. Chvostal seconded the motion. Mr. Szymanski questioned if all the applicants were from contiguous states and asked if the Maryland applicants took the Fundamentals examination. Mr. Szymanski clarified if the applicant was not licensed in a contiguous state the reviewer must confirm the state is substantially similar in licensing requirements. After discussion, the motion was unanimously approved.

Review of Licensure by Examination

The Board reviewed the application for Jill Gray. Mr. Bielicki made a motion to approve Jill Gray to sit for the Fundamentals, Principles and Practice, Drainage, and Jurisprudence examinations, seconded by Ms. Chvostal. Mr. Szymanski abstained from the vote. The motion passed with a majority vote.

Review of Land Surveying Certificate of Authorization Application

Mr. Schranck advised the Board that the applications that do not clearly identify the professional in charge as an employee or officer of the organization would need to be tabled for the Division to request confirmation of employment.

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The Board reviewed the application for Thomas Ertle & Associates. Ms. Chvostal made a motion to table the application pending confirmation of need of Delaware Business License or confirmation from Division of Revenue that no Delaware Business License is required. The motion was seconded by Mr. McBride. The motion was unanimously approved.

The Board reviewed the application for Larson Engineering Group. Mr. Bielicki made a motion to approve the application contingent upon receipt of confirmation of Kenneth Cantera's employment. Mr. Bielicki withdrew the motion. Mr. Bielicki made a motion to table the application pending verification that Kenneth Cantera is an employee of the company. The motion was seconded by Ms. Chvostal and unanimously approved.

The Board reviewed the application for Fralinger Engineering PA. Mr. McBride made a motion to table the application until receipt of proof of a Delaware Business license. The motion was seconded by Ms. Chvostal. The motion was unanimously approved.

The Board reviewed the application for Wilkins-Noble LLC. Mr. Szymanski made a motion to table the application because the company did not indicate they had a Delaware Business license. Mr. McBride seconded the motion. The motion was approved by a majority vote less Mr. Szczuka who left the meeting at 11:36 a.m.

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Complaint Assignments

Complaint # 05-03-10 was assigned to Mr. Sellers. Mr. Sellers confirmed receipt of the complaint.

Complaint Status

Mr. Szymanski requested Ms. Holt contact the Attorney General's office to determine the status of pending complaints.

Hearings/Consent Agreements/Board Orders

Ms. Holt reported the Board Order for Paul Moody was signed by a quorum of the Board.

Closed Complaints

There were no closed complaints.

Wall Certificates

There were no wall certificates to be signed.

Correspondence

Mr. Sellers read correspondence sent to the Board by Mr. Douglas Loewer recommending the Board reduce the number of meetings from 10 to the minimum requirement of 4.

Ms. Chvostal made a motion to limit the discussion of topics to 10 minutes. The motion was seconded by Mr. McBride. The motion failed by a vote of a quorum of the Board.

Other Business before the Board (for discussion only)

The Board discussed concerns with licensed engineers performing land surveys. Mr. Schranck advised the Board that the law allowing this practice had been in effect since 1972. Mr. Schranck told the Board to take a vote to change the legislation. Mr. Szymanski stated the NCEES report clearly stated support that engineers were not qualified to perform as a Professional Land Surveyor.

Mr. Schranck advised the Board that public comment time could be limited to allow all of the public to have the opportunity to express concerns and comments.

PUBLIC COMMENT

There was no public comment

NEXT MEETING

The next meeting will be June 17, 2010 at 8:30 a.m. in Conference Room A, second floor of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware

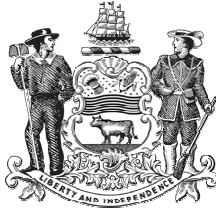
ADJOURNMENT

There being no further business, Mr. Szymanski made a motion, seconded by Ms. Chvostal to adjourn the meeting at 1:01 p.m. The motion carried unanimously.

Respectfully Submitted,



Renee' M. Holt
Administrative Specialist



CANNON BUILDING
861 SILVER LAKE BLVD., SUITE 203
DOVER, DELAWARE 19904-2467

STATE OF DELAWARE
DEPARTMENT OF STATE

TELEPHONE: (302) 744-4500
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WEBSITE: WWW.DPR.DELAWARE.GOV

DIVISION OF PROFESSIONAL REGULATION

PUBLIC MEETING NOTICE:	BOARD OF PROFESSIONAL LAND SURVEYORS
DATE AND TIME:	Thursday, May 20, 2010 at 8:30 a.m.
PLACE:	861 Silver Lake Boulevard, Dover, Delaware Conference Room A , second floor of the Cannon Building
APPROVED: August 24, 2010	

MEMBERS PRESENT

Steven Sellers, Professional Member
Michael Szymanski, Professional Member
Laurence McBride, Professional Member
James Bielicki, Jr., Professional Member
Mary Chvostal, Public Member
Frank Szczuka, Public Member

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Frederick Schranck, Deputy Attorney General
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MEMBERS ABSENT

PUBLIC

John Johnson, DAS

CALL TO ORDER

Mr. Sellers called the meeting to order at 8:40 a.m.

REVIEW AND APPROVAL OF MINUTES

The Board reviewed the minutes from the January 21, 2010 meeting. Mr. Szymanski made a motion, seconded by Ms. Chvostal to approve the minutes as amended. The motion was unanimously approved.

The Board tabled the review of the meeting minutes from December 17, 2009 and April 15, 2010 until completed.

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Mr. Szymanski inquired if the hearing for Mr. McKenna was due to a complaint. Ms. Holt confirmed the hearing was a disciplinary hearing. Mr. Szymanski asked Mr. Schranck if the Board could subpoena witnesses for the proposal to deny hearing for Mr. David Dworek. Mr. Schranck gave the Board counsel on their role and responsibility in the hearing. Mr. Schranck advised the Board could request the direct supervisor attend the hearing through Mr. Dworek's attorney. Mr. Schranck advised it is not in the Board's interest to subpoena any additional witnesses for Mr. Dworek. Mr. Bielicki stated it would be up to Mr. Dworek to bring any witnesses to support his examination and licensure approval. After further discussion, Mr. Schranck provided explanation and history as to where the list of Substantially Related Crimes and the statute allowing the Board to grant a waiver after five years of last conviction and subsequent sentencing originated.

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Mr. Schranck advised the Board that public comment time could be limited to allow all of the public to have the opportunity to express concerns and comments.

PUBLIC COMMENT

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NEXT MEETING

The next meeting will be June 17, 2010 at 8:30 a.m. in Conference Room A, second floor of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware

ADJOURNMENT

There being no further business, Mr. Szymanski made a motion, seconded by Ms. Chvostal to adjourn the meeting at 1:01 p.m. The motion carried unanimously.

Respectfully Submitted,



Renee' M. Holt
Administrative Specialist