MINUTES OF THE MEETING OF
STATE BOARD OF REGISTRATION FOR PROFESSIONAL SURVEYORS
Friday, October 26, 2018 at 9:00 a.m.
Indiana Government Center South, Room W064
402 West Washington Street,
Indianapolis, Indiana

CALL TO ORDER & ESTABLISHMENT OF QUORUM
Board Members Present: 9:03 a.m.
Gary Kent
Richard Hudson
Jason Henderson
Doug Lechner
Ross Holloway
Christine Arnold

Board Members Absent:
Mike DeBoy

Staff Members Present:
Amy Hall, Board Director
Chris Shea-Russell, Assistant Board Director
Stephanie Mullaney, Advisory Counsel
Court Reporter, Tonya Esparza

ADOPTION OF AGENDA
Motion to approve the amended agenda by Christine Arnold and seconded Ross Holloway.
CA/RH 6/0/0
Motion passes
Gary Kent  Yay
Richard Hudson  Yay
Jason Henderson  Yay
Doug Lechner  Yay
Ross Holloway  Yay
Christine Arnold  Yay

ADOPTION OF THE MINUTES FROM JULY 20, 2018 MEETING
Motion to approve minutes – insert ‘double check’ by Doug Lechner and seconded Richard Hudson.
DL/JH 4/0/2
Motion passes
REPORT FROM THE ATTORNEY GENERAL & BOARD LIAISON

Jennifer Barth provided a report from the Attorney General’s Office. There are currently 15 open complaints. There was also discussion about having the Board Liaison provide a report as well, which will be listed on upcoming agendas with the Report from the Attorney General.

ADMINISTRATIVE HEARINGS

1. Jeffrey J. Kondy – Order to Show Cause - Cause No: 2016SBRPS0005

   Appeared before the board with a new set of corrected surveys. The board reviewed the exhibits aka newly corrected surveys. Discussion of how vague the order was pertaining to the insufficiencies and the vagueness of the orders. Needs much more detailed information listed in the orders.

   Motion: Continue on indefinite probation with no right of reinstatement prior to October 2019. Identify a peer reviewer and report on who that person is by the end of 2018. For all surveys completed from July 1, 2018 to October 26, 2018, including Exhibits 1 and 2 of this hearing, Mr. Kondy shall – prior to the April 12, 2019 board meeting - submit a report to the board after a peer reviewer reviews the surveys for compliance with Rule 12 and identifies any deficiencies. After October 26, 2018, all boundary surveys completed shall be submitted to, and approved by, a peer review prior to submitting to client. A Rule 12 checklist shall be submitted with all surveys mentioned above. A monthly report with the Rule 12 checklist, the peer reviewers report, and the final surveys shall be submitted to IPLA. Mr. Kondy shall also make his clients aware that he has provided deficient surveys to his clients. Shall appear for a personal appearance at the request of the board.

   Motion made and seconded by Ross Holloway and Jason Henderson.

   RH/JH 6/0/0

   Motion passes

   Gary Kent   Yay
   Richard Hudson   Yay
   Jason Henderson   Yay
   Doug Lechner   Yay
   Ross Holloway   Yay
   Christine Arnold   Yay

RULE READOPTION
1. Rule Readoption

The board voted to readopt all the rules

- 865 IAC 1-1-2 Meetings of board
- 865 IAC 1-1-3 Conversion of quarter hours to semester hours
- 865 IAC 1-3-1 Land surveyor application
- 865 IAC 1-4-1 Scope of rule
- 865 IAC 1-4-5 Exemption from part I of examination for land-surveyor-in-training
- 865 IAC 1-5 Comity Registration
- 865 IAC 1-6 Certificates
- 865 IAC 1-7 Registrant’s Seal
- 865 IAC 1-8 Renewal
- 865 IAC 1-9 Roster
- 865 IAC 1-10 Rules of Professional Conduct
- 865 IAC 1-11 Fees
- 865 IAC 1-12 Land Surveying; Competent Practice
- 865 IAC 1-15 Continuing Education

Jacob Hoffman a member of the public asked about the ‘Roster’ and what the ‘Roster’ is. He is in support of the rules being readopted.

A motion was made to readopt the rules by Christine Arnold and second by Richard Hudson.

CA/RH 6/0/0

Motion passes

- Gary Kent Yay
- Richard Hudson Yay
- Jason Henderson Yay
- Doug Lechner Yay
- Ross Holloway Yay
- Christine Arnold Yay

REVIEW OF PROBATIONARY REPORTS

1. Ronald Morrison – Probation Report (Kent) - no report submitted

   (Capture who he reports to on the next agenda)

   Add Jeff Kondy for next agenda - (Capture who he reports to on the next agenda)

APPLICATION FOR REVIEW

1. Douglas Grumloh – Comity Application

   Does not have enough subdivision design and writing legal descriptions. Application table pending more information submitted providing a course syllabi for showing substantive content for subdivision design and writing legal descriptions

   Motion made by Christine Arnold and seconded by Ross Holloway.

CA/RH 6/0/0

Motion passes
DISCUSSION

1. **HEA 1245 – Qualifying Crimes**
   Christine Arnold made a motion and Richard Hudson seconded to adopt the whole list of qualifying crimes.
   CA/RH 5/1/0
   Motion passes
   Gary Kent  Nay
   Richard Hudson  Yay
   Jason Henderson  Yay
   Doug Lechner  Yay
   Ross Holloway  Yay
   Christine Arnold  Yay

2. **HEA 1245 – Emergency Rule Adoption**
   Christine Arnold made a motion and Richard Hudson seconded to adopt emergency rule.
   CA/RH 6/0/0
   Motion passes
   Gary Kent  Yay
   Richard Hudson  Yay
   Jason Henderson  Yay
   Doug Lechner  Yay
   Ross Holloway  Yay
   Christine Arnold  Yay

3. **2019 Board Member Elections**

   **Chair – Jason Henderson**
   Ross Holloway/Doug Lechner
   RH/DL 6/0/0
   Motion passes
   Gary Kent  Yay
   Richard Hudson  Yay
   Jason Henderson  Yay
   Doug Lechner  Yay
   Ross Holloway  Yay
   Christine Arnold  Yay

   **Vice – Richard Hudson**
   Doug Lechner/Jason Henderson
   DL/JH 6/0/0
   Motion passes
   Gary Kent  Yay
Richard Hudson  Yay
Jason Henderson  Yay
Doug Lechner     Yay
Ross Holloway   Yay
Christine Arnold Yay

Liaison – will be determined in January

4. Rule Discussion – General Discussion
   More to come about 1245.

5. New Mexico Proposal - Discussed the licensing reform in the New Mexico about the
   Consumer Choice Provision. Need the customer’s signed consent to acknowledge the fact
   that they are hiring an unlicensed professional for all non-medical occupations.

Adjournment
12:19

Jason Henderson, Chairman

4-12-19
Date