

The State Board of Registration for Professional Engineers and Land Surveyors met on Tuesday, September 11, 2012, in Conference Room 102 at the Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia.

The following Board members were present:

Elmo A. Richardson, Jr., PE/LS Chairman
Michael S. Fletcher, PE, Vice-Chairman
James W. Butler, LS
Brian K. Upson, PE
Mark E. Chastain, LS
George Howroyd, PE
L.H. (Dan) Davis, PE

Board members absent:

William Womack, PE
Matthew W. Baker, Consumer Member

Staff present:

Darren Mickler, Executive Director
Swan LeGrand-Fleming, Board Support Specialist
Julie Busbee, Licensure Supervisor
Annette Wimberly, Complaint Compliance Analyst

Attorney General Representative:

Amelia Baker, Senior Assistant Attorney General via teleconference

Call to Order

At 9:30 a.m., Chairman Richardson established that a quorum was present and called the meeting to order.

Chairman Richardson introduced new Board member, L.H. (Dan) Davis. Mr. Davis replaced Danny Bennett. Mr. Davis was sworn in by Chairman Richardson.

Adopt Agenda

Chairman Richardson asked members for any additions or deletions to the proposed agenda. Mr. Chastain moved to adopt the agenda. Mr. Upson seconded. The motion carried unanimously.

Approval of Minutes

Chairman Richardson presented a draft of the August 14, 2012 Meeting minutes and Executive Session minutes and asked for any additions or deletions. Mr. Fletcher moved to approve the minutes as presented. Mr. Howroyd seconded. The motion carried unanimously.

Professional Societies and Guests

No report.

Executive Director Report

Mr. Mickler informed the Board that he sent the information regarding Secure and Verifiable Documentation (SVD) for licensure to Phillip Brown and that he will be sending the information to the schools.

Mr. Mickler gave highlights of the 2012 NCEES Annual Meeting in St. Louis. The 2013 NCEES Annual Meeting will be in San Antonio, Texas and the Southern Zone Meeting will be in April 2013 in Biloxi, MS.

Old Business

The Board had a discussion on changes to Board Rule 180-7-.07:

180-7-.07 Maps and Plats.

All maps, plats and similar documents which depict and describe real property boundaries shall comply with all requirements of O.C.G.A. 15-6-67 and conform to the following minimum standards and specifications:- The sealing of documents, reports, and drawings that do not depict and describe real property boundaries shall be subject to Rule 180-12 (Sealing of documents)

(a) Material.

1. Any such surveys, maps, or plats shall be clearly legible.
2. The minimum line widths and letters or character heights delineated on such maps or plats shall be ~~as follows:-~~ sufficient to be legible when copied or scanned at a resolution of 200 d.p.i.
 - ~~(i) Maps or plats drawn on 8½ inch by 11 inch or 8½ inch by 14 inch tracings shall have a minimum line width of 0.010 inches and a minimum letter or character height of 0.080 inches;~~
 - ~~(ii) Maps or plats drawn on 11 inch by 17 inch tracings shall have a minimum line width of 0.010 inches and a minimum letter or character height of 0.080 inches; or~~
 - ~~(iii) Maps or plats drawn on 17 inch by 22 inch or 24 inch by 36 inch tracings shall have a minimum line width of 0.013 inches and a minimum letter or character height of 0.080 inches.~~

(b) Caption. The maps or plats shall have a title or name, which shall be contained in the caption, and the caption shall also provide the following information:

1. The name of the ~~current owner of the property or the~~ entity who authorized the survey or the entity for whom the survey is prepared.
2. The county, city, town or village, land district and land lot, and subdivision, if the property line lies within a particular subdivision;

3. The date of plat preparation and all subsequent revisions;
4. The date(s) of field survey;
5. The scale, stated and shown graphically;
6. The name, address, telephone number, and registration number of the registered land surveyor who prepared and sealed the survey if the land surveyor is working as an individual or sole proprietor and is not doing business as a land surveying firm; or the name, address, telephone number and Certificate of Authorization Number of the firm that prepared the survey; or the statement that he is the county surveyor and is not required by law to be a registered surveyor; and
7. All reproductions of original maps or plats shall bear the original signature, in ~~black~~ a contrasting color of ink, of the registrant placed across the registration seal, in order to be a valid or recordable map or plat. The original maps or plats shall be retained by the land surveyor or land surveying firm, along with all applicable work material which includes but is not limited to field notes, field data, computations, coordinate data, electronic drawing files and property research for a period of six years from the last date on the map or plat.

(c) Size. Maps and plats shall be of a size that meet the recording in the county in which the surveyed property is located. not be less than 8½ inches by 11 inches and not larger than can be recorded in the county of record without folding. In counties using microfilming procedures, when a map or plat is filed for record, the original drawing, which shall not be larger than 24 inches by 36 inches, shall be submitted to the clerk for microfilming and a legible copy, which shall not be larger than 17 inches by 22 inches, shall be filed for record; provided, however, that a full-size positive copy of the original may be tendered and used for microfilming. The clerk shall enter the filing date, plat book number, and page number on the original drawing and return the original drawing to the land surveyor or the person filing the same for record.

(d) Data. All maps or plats shall be made in a professional manner and in accordance with the standards of good drafting procedures and shall show the following information, as specified:

1. The direction and distance from a point of reference to a point on the boundary of the individual survey, and such additional data as may be required to relocate the boundary point from the point of reference with the same degree of accuracy required of the parcel surveyed. The direction and distance placed on the survey shall be measured by the surveyor to the same level of accuracy as other measurements placed on the survey; The point of reference shall be an established, monumented position which can be identified or relocated either from maps, plats or other documents on public record or by state plane coordinates of the point of reference which shall be stated on the survey, and may lie on or within the surveyed boundary. If state plane coordinates are used to identify the point of reference, the projection system and zone must be stated along with the means or methods used to determine the stated coordinate values.

2. Bearings of all lines or angles at all corners and angle points of the boundary or lot lines, and distances of all boundary or lot lines, and area of the parcels expressed in acres or square feet . All

bearings, distances, and areas shall be based upon the measurements of the surveyor unless both the measured and the record measurements are stated and clearly distinguished ;

3. The closure precision of the field survey as the ratio of one foot to the traversed distance in which an error of one foot would occur and a statement as to the method of adjustment. The field closure stated shall be the actual field closure calculated from the surveyor's field data and shall not be a generalization. The closure may be stated as follows:

“The field data upon which this map or plat is based has a closure precision of one foot in ____ feet, and an angular error of ____ per angle point, and was adjusted using ____ rule” or if the surveyor determines that a closure precision statement is not appropriate for the survey because a substantial portion of the field measurements were obtained using Global Positioning Systems, then a note of precision or positional accuracy may be placed in compliance of rule 180-7-.09;

4. The closure precision of the data shown on the map or plat. The closure may be stated as follows: “This map or plat has been calculated for closure and is found to be accurate within one foot in ____ feet” The closure precision placed on the survey shall be based on an actual map closure that has been independently calculated by the surveyor by using the bearings and distances from the face of the plat and shall not be a generalization.;

5. The width and the former widths, if pertinent, of all easements or rights-of-way adjacent to or crossing the property or adjacent to any point of reference, along with the surface width and type for all roads or travelled ways crossing or adjacent to the surveyed property (stated and depicted); if any should be abandoned or physically not open for travel, such shall be noted. The requirement to depict surface widths and types shall not apply to limited access or controlled access highways unless necessary to establish right of way locations. The requirement to depict surface widths and types shall also not apply to roads under construction, in which case it shall be stated that the road was under construction at the time of the survey.

6. All easements and apparent encroachments, if pertinent;

7. In the case of curved lines, the curve shall be defined by curve data to include the radius, arc length, chord bearing, and distance of regular curves. Chord distances and directions shall be given for irregular curves;

8. All land lot lines, land district lines, land section lines, and city, county, and state boundaries intersecting or adjacent to the surveyed property indicated by lines drawn upon the map or plat with appropriate words and figures;

9. All corner markers and markers of pertinent reference points shall be fully described and indicated as to the material or types, size or dimensions, and whether set or found;

10. An arrow to indicate the principal meridian and a notation as to the reference of bearings to magnetic north, astronomic north, reference or grid north. A grid north reference shall indicate the zone . A reference north shall reference the document or survey to which the meridian is oriented ;

11. All linear distances shown on maps or plats shall be horizontal in U.S. Survey Feet. Should the surveyor need to state distances in “grid”, both the horizontal (local plane) and grid distances shall be stated, along with the grid scale factor used, the elevation scale factor used, and the combined factor used;

12. All angular directions shall be represented in degrees ~~and~~ , minutes , ~~and seconds~~. ~~Where plats state or surveys require accuracy in excess of 1 in 5000, the angular directions shall be represented in degrees, minutes, and seconds.~~ All angular directions shall be referenced to the principal meridian of the survey and be denoted starting with the letter N or S (for North or South), the degrees, minutes, and seconds, followed by the letter E or W (for East or North). All bearings and distances around the perimeter of the property shall be consistent and in either a clockwise or counter-clockwise direction so as to form a closed shape. Interior or exterior angles may also be shown for reference but not in lieu of bearings. ;

13. A statement to indicate the type of equipment used to obtain the linear and angular measurements used in the preparation of the map or plat , or the proper notations required by Rule 180-7-.09 when GPS equipment is used in the preparation of the survey ;

14. The names of adjacent property owners on all lines, along with a notation as to what documents were reviewed for each adjacent property as required by Rule 180-7-.02(1)(a). Such notation may be the deed book and page of the record title description, recorded plats, and other documents or surveys that were obtained through the course of the survey. In cases where the adjacent property is a recorded subdivision, it is sufficient to state the name, phase if applicable, and recording information of the subdivision plat, along with lot lines and lot numbers. ~~as can be determined at the time of commencement of the survey through public records such as the county tax assessor and/or clerk of court records. (A title search is not required for this.)~~

15. All water boundaries or similar irregular boundaries shown in sufficient detail to clearly identify the surveyed tract and the adjoining tract;

16. The character of any and all evidence of possession along boundary lines or in conflict with boundary lines clearly depicted and stated, ~~and the location of such evidence carefully given in relation to the surveyed boundary lines, including all apparent easements and right-of-way;~~ and all overlaps and gores in property lines along or within the surveyed property in compliance with Rule 180-7-.02

17. Any features within or along the boundary located as requested by the client , or in conformity with the rules or requirements of any mortgagor or insurer, provided the technical standards of such rules or requirements are not less than those provided for by this chapter.

18. The surveyor shall state the type of survey depicted, whether it is a retracement survey of an existing tract (or combination of tracts), a division from a parent tract, a depiction of a disputed area or other special purpose limited survey, a utility or easement survey, or other classification of land survey as may be deemed necessary. The source of title description of the property depicted shall be stated, along with the name of the current owner(s).

19. A certification adjacent to the seal stating the following:

This survey was prepared in conformity with The Technical Standards for Property Surveys in Georgia as set forth in Chapter 180-7 of the Board Rules of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in the Georgia Plat Act O.C.G.A. 15-6-67.

Mr. Chastain moved to post the Notice of Intent Hearing. Mr. Butler seconded. The motion carried unanimously.

Executive Session

At 10:05 a.m., Mr. Chastain moved to enter into Executive Session, in accordance with O.C.G.A. 43-1-2(k) and 43-1-19(h) to deliberate on applications and investigative matters and to receive an investigative report. Mr. Upson seconded. Voting in favor of the motion were those members present who included Board Chairman Elmo Richardson, Michael Fletcher, James Butler, Mark Chastain, George Howroyd, Dan Davis, and Brian Upson.

At 10:38 a.m., open session was declared with the following Board Members present – Chairman Elmo Richardson, Michael Fletcher, James Butler, George Howroyd, Mark Chastain, Dan Davis, and Brian Upson.

Licenses Issued Since Last Meeting

Members reviewed the list of licenses issued from August 14, 2012 – September 10, 2012. Mr. Upson moved to ratify the list as presented. Mr. Howroyd seconded, and the motion carried unanimously.

Application

The following Applicant was reviewed at the September 11, 2012 Meeting:

Applicant 1754487: After reviewing the request to exam, Mr. Chastain made a motion to approve this applicant to one offering of the exam. Mr. Howroyd seconded this motion. The motion carried unanimously.

Investigations and Complaints:

Mr. Chastain moved to adopt the following recommendations regarding complaint cases considered by the Board during the Executive Session:

PELS120038 - The Board made a recommendation to refer to the Attorney General's Office to initiate revocation of license due to criminal arrest and conviction.

PELS130013 - The Board made a recommendation to close this case with a letter of concern to land surveyor.

PELS130008 – The Board made a recommendation to close due to no violations.

Mr. Upson seconded. Motion carried.

Legal Services:

No report.

Assistant Attorney General Report:

Mr. Butler moved to adopt the recommendations of the report of the Senior Assistant Attorney General.

PELS130004 – The Board voted to accept the Voluntary Surrender Order of licensure upon receipt of original.

Mr. Davis seconded. Motion carried.

With no other business to discuss, Mr. Chastain moved to adjourn. Mr. Fletcher seconded. The meeting adjourned at 11:05 a.m.

Elmo Richardson, Board Chairman

Darren Mickler, Executive Director

These minutes were adopted at the Tuesday, September 11, 2012 meeting. The next scheduled meeting is Tuesday, November 13, 2012.