

# MINUTES

## BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS

### RULES WORKSHOP

Casa Monica Hotel  
95 Cordova Drive  
St. Augustine, Florida

April 12, 2006

The workshop was called to order by Mr. Jeff Cooner, Chair, at 10:15 a.m.

#### **Members Present:**

Pam Nobles  
Jeff Cooner, Chair  
Louis Lebron  
Sidney Greer  
Beverly Sutphin  
Lou Bush  
Dennis Blankenship  
Fran Poppell  
Mary Hanna Clodfelter

#### **Members Not Present:**

#### **Others Present:**

Brian Stabley, Board Counsel  
Richard Morrison, Executive Director  
Christa Patterson, Government Analyst  
Eric Hurst, Prosecuting Attorney  
Andrew Getz  
Alvin Gloer  
Bryan Zelgler  
Garry Davis  
Art Mastronicola  
David Melvin  
Allan Makau  
Marilyn Evers  
Tom Snyder  
John Lesko  
Terry Durden  
Allen Nobles  
Dale Traylor  
Pablo Ferrari  
Gail Oliver

### **REVIEW AND DISCUSSION OF RULES**

Mr. Cooner advised the board that there were some important house keeping revisions to the Minimum Technical Standards rule they would need to consider.

Mr. Cooner stated that during the rule adoption process of the MTS rewrite, there was some house keeping items that needed to be address by the board. Mr. Cooner stated there was some duplicate language in the rule that the board would need to consider being deleted. Mr. Cooner stated that he felt such relief after getting through the MTS rewrite process that when the rule was submitted for adoption the duplicate language was not noticed and that he would take full responsibility.

Mr. Stabley thanked Mr. Cooner for his statement but stated that he disagreed and that it was his responsibility as board counsel to make sure the board's rules are correct when submitting rules for adoption.

Mr. Stabley advised the board that if the board takes action on repealing the duplicate language at this meeting the changes would have an effective date of June 12, 2006.

Mr. Stabley provided the board with a handout with proposed changes to the MTS rule and Mr. Cooner reviewed the proposed changes with the board.

Ms. Nobles stated for the record that she totally disagreed with Mr. Stabley's comments regarding that it was his fault the MTS rule was adopted with errors. Ms. Nobles stated that it was the consensus of everyone involved with the rewrite process that it was a change and replace situation and everyone was reviewing the language.

MOTION: Ms. Sutphin made a motion to repeal Rule 61G17-6.0031, F.A.C.  
SECOND: Ms. Nobles seconded the motion and it passed unanimously.

MOTION: Ms. Sutphin made a motion to repeal Rule 61G17-6.005, F.A.C.  
SECONG: Mr. Greer seconded the motion and it passed unanimously.

MOTION: Ms. Sutphin made a motion to repeal Rule 61G17-6.0051, F.A.C.  
SECOND: Ms. Nobles seconded the motion and it passed unanimously.

MOTION: Ms. Sutphin made a motion to repeal Rule 61G17-6.0052, F.A.C.  
SECOND: Mr. Greer seconded the motion and it passed unanimously.

MOTION: Ms. Sutphin made a motion to repeal Rule 61G17-6.006, F.A.C.  
SECOND: Mr. Greer seconded the motion and it passed unanimously.

MOTION: Ms. Sutphin made a motion to repeal Rule 61G17-6.007, F.A.C.  
SECOND: Ms. Nobles seconded the motion and it passed unanimously.

Ms. Sutphin stated that she wanted it noted for the record that she thanked Mr. Stabley for all efforts and hard work that has gone into assisting the board with the rewrite of the MTS rule.

Mr. Cooner stated there were some necessary changes to the new version of the MTS rules. Mr. Cooner reviewed the proposed changes with the board and after discussion the following motions were made.

MOTION: Ms. Sutphin made a motion to approve the proposed changes to Rule 61G17-6.003 (3) (p), F.A.C. The language after map accuracy needs to be deleted.  
SECOND: Mr. Greer seconded the motion and it passed unanimously.

MOTION: Ms. Sutphin made a motion to approve the proposed changes to Rules 61G17-6.003 and 6.004, F.A.C.  
SECOND: Ms. Nobles seconded the motion and it passed unanimously.

The rules workshop recessed at 10:45 a.m. and reconvened 11:10 a.m.

## **REVIEW AND APPROVAL OF THE JANUARY 2006 RULES WORKSHOP MEETING MINUTES**

The board reviewed the January 2006 rules workshop meeting minutes and after review the following motion was made.

MOTION: Ms. Sutphin made a motion to approve the January 2006 rules workshop minutes.

SECOND: Ms. Nobles seconded the motion and it passed unanimously.

### **REVIEW AND DISCUSSION – Continued**

Mr. Stabley reviewed with the board proposed revisions to Rule 61G17-2.0015 (2) (h), F.A.C. and after discussion the following motion was made.

MOTION: Mr. Cooner made a motion to approve the proposed revisions to Rule 61G17-2.0015 (2) (h), F.A.C.

SECOND: Mr. Bush seconded the motion and it passed unanimously.

Mr. Stabley advised the board that he did not have the opportunity prior to the meeting to draft proposed language to Rule 61G17-5.001, F.A.C. and asked the board to table discussion to the July 2006 meeting. The board agreed.

Mr. Stabley advised the board that Rule 61G17-9.004 (1), F.A.C., allowed the department to issue a notice of non-compliance to a licensee's first time violation of practicing on a delinquent or inactive license.

The board reviewed the rule and stated that the violation of practicing on a delinquent or inactive license should be handled through the disciplinary process.

MOTION: Ms. Sutphin made a motion to delete the language in Rule 61G17-9.004 (1), F.A.C.

SECOND: Mr. Cooner seconded the motion and it passed unanimously.

The board reviewed Rule 61G17-9.004 (2), F.A.C., and after discussion the following motion was made.

MOTION: Mr. Bush made a motion to keep Rule 61G17-9.004 (2), F.A.C., but make a change to increase the fine to \$500.00.

SECOND: Mr. Cooner seconded the motion and it passed unanimously.

Mr. Stabley reviewed with the board Rule 61G17-9.004 (3), F.A.C., and after discussion the following motion was made.

MOTION: Ms. Sutphin made a motion to increase the fine in Rule 61G17-9.004 (3), F.A.C., to \$1000.00.

SECOND: Ms. Nobles seconded the motion and it passed unanimously.

Mr. Stabley reviewed Rule 61G17-9.0045, F.A.C. with the board and after discussion it was the consensus of the board not to make any changes.

Mr. Stabley reviewed Rule 61G17-2.001 (6)(g), F.A.C. with the board and after discussion the following motion was made.

MOTION: Ms. Sutphin made a motion to delete language to Rule 61G17-2.001 (6)(g), F.A.C.

SECOND: Mr. Bush seconded the motion and it passed unanimously.

MOTION: Ms. Nobles made a motion to approve rule changes and move forward with the rule making process.

SECOND: Mr. Cooner seconded the motion and it passed unanimously.

Mr. Stabley advised the board that they would need to make a decision on how they are going to handle the implementation of the new MTS language.

MOTION: Ms. Noble made a motion to enforce the MTS language excluding section (p) that went into effect April 4, 2006.

SECOND: Mr. Greer seconded the motion and it passed unanimously.

Ms. Stabley asked that the board's web site be updated.

There being no other business the meeting adjourned at 12:10 p.m.