
Board for Professional Land Surveyors
Business Meeting
Meeting Minutes

DATE: November 9, 2022

TIME: 11:00 A.M.

LOCATION: 1100 N. Eutaw St.
5th Floor Conference Room
Baltimore, MD 21201
(Teleconference via Google Meet)

MEMBERS PRESENT: John V. Mettee III, *Chair*
Jeanne L. Nebre, *Land Surveyor*
Thomas M. Orisich, *Land Surveyor*
Tammy Y. Rollins, *Consumer Member*
Derrick W. McLaughlin, *Consumer Member*

MEMBERS ABSENT: T.J. Frazier, *Land Surveyor*

STAFF PRESENT: Zevi Thomas, *Executive Director*
Faith Green, *Board Administrator*
Milena Y. Trust, *Board Counsel*
Andrew Brouwer, *Attending Counsel*
Danielle Anderson, *Web Content and Outreach
Coordinator*

OTHERS PRESENT: Rob Kundrick, *Maryland Society of Surveyors*
Aaron Worley, *Public Attendee*
Richard Armstrong, *Public Attendee*
Jeff Blachly, *Public Attendee*

Called to Order

Chair John V. Mettee, III called the business meeting of the Maryland Board for Professional Land Surveyors to order at 11:08 a.m.

Approval of October 21, 2022 Minutes

The members of the Board reviewed the business minutes held on October 21, 2022. Motion (I) was made by Mr. Orisich, seconded by Mr. McLaughlin, and unanimously carried by the Board to approve the minutes with corrections.

Correspondence

Boundary Limits

Ms. Nebre explained the issue regarding surveyors signing for boundary limits. She stated that two surveyors signed a plan, but only one signed for the property, and it was for a different company. Ms. Trust responded that surveyors do not have the same regulations as Professional Engineers regarding a second surveyor. She suggested that the Board should consider tackling this issue at a later date, and suggested the Board to mirror the regulations of Professional Engineers and Architects.

Mr. Mettee stated that multiple surveyors signing does occur, but does not see a problem with two surveyors signing for a plan, but only signing for the property.

Ms. Nebre inquired if a surveyor who did not sign the boundary limit will not be held responsible. Mr. Mettee responded that a surveyor must be held responsible if they used their seal on the plat. Ms. Trust suggested the Board consider this issue in their regulations. Mr. Orisich stated that he did not see the problem with the surveyor only signing for the boundary limit. He continued to state the surveyors are making a statement of fact when signing, and each surveyor is liable for their respective part. Ms. Trust reiterated that if the Board is interested in limiting surveyors' liability, they should include this language in the regulations, however, she believes this issue is one for the Maryland Society of Surveyors to contemplate, not this Board.

Get a Site Plan and Cheap Surveys

Mr. Mettee stated the issue regarding the website Getasiteplan.com. This matter was brought to his attention by a client whose plans were rejected by the Harford County jurisdiction because it was not certified. Mr. Mettee stated that he reached out to the website owners, and the owners verified that there is no licensed surveyor on the website. Ms. Trust responded that only licensed surveyors can create site plans. Mr. Orisich stated that this is likely a matter for Hartford County's authorities, not necessarily a matter for this Board. Ms. Trust suggested the Board contact the website, and request for them to place a disclaimer on their website as a consumer protection issue.

Ms. Nebre stated, that a disclaimer already existed and it explained to prospective consumers to check what their respective jurisdictions require. The main concerns were the reviews on the company website that may lead consumers to believe that the work was done by a professional land surveyor. Brouwer suggested the Board should refer the issue to the Consumer Protection Division (CPD). Ms. Rollins stated, as the consumer member of the Board, she believed it was a misleading website. Mr. Mettee asked Ms. Trust to write a letter to the website.

New Business

Mr. Armstrong, a public attendee, inquired about the requirement of Minor Engineering for out-of-state applicants. He continued to explain to the Board that he could not find this requirement in Title 15, and how it pertained to applications. Mr. Mettee responded that the Applications Committee will take the new information into consideration. Ms. Trust that the regulations completely and fully explain the minor engineering. Ms. Trust inquired if the application form reflects the regulations. Mr. Thomas responded that the application refers applicants to Title 15.

COMAR 09.23.03.09

Mr. Mettee stated that he was under the impression that all professional design Boards reflected the same language as it relates to title blocks, but has discovered that the Board for Professional Land Surveyors is different from Professional Engineers. Ms. Trust suggested the Board use Professional Engineers as a template for COMAR 09.23.03.09, and reminded the Board that the moratorium on regulatory proposals will extend until February 2023.

Adoption of regulations – COMAR 09.13.06

Mr. Mettee stated that he wanted to go over public comments. Mr. Orisich reminded the Board that if they do not accept the regulations with comments then it will become a legislative issue. Mr. Mettee stated that he believed that the one comment during the October meeting was referring to the law, not regulations.

Mr. Orisich asked that if the regulations passes, moving forward, how the board will address licensed surveyors that want to perform topographic surveyors since regulations say “certificate approved by Board”, and believes it will lead to unfair competition.

Motion (II) was made by Mr. McLaughlin, seconded by Ms. Nebre, and unanimously carried by the Board to approve the regulations.

Executive Director’s Report

Mr. Thomas stated that the State-specific exams are the following week on November 18, 2022. Mr. Thomas also asked if any Board members were having issues regarding the Board’s Google shared drive . Mr. Mettee and Ms. Nebre stated that they are still receiving misdirected emails from the Board email servers. Mr. Thomas stated that he will report back to the IT department regarding this issue.

Board Counsel Report

Ms. Trust stated that she is conducting meetings with Mr. Brouwer to complete his transition as the new Board Counsel for all the Design Boards.

Mr. Mettee stated that the Board will miss Ms. Trust, and are thankful for her hard work in support of the profession over the years. Mr. Mettee continued by asking Ms. Trust if she will continue to help out the Board, and do work on behalf of the Board. Ms. Trust responded that she has no problem continuing to support the Board's mission in some capacity.

Mr. Mettee asked the Board if they would consider nominating Trust an “emeritus member” to NCEES. Motion (III) was made by Ms. Rollins, seconded by Ms. Nebre, and unanimously carried by the Board to make Ms. Trust an emeritus member of the Board with NCEES.

Maryland Society of Surveyors

Mr. Kundrick stated the Maryland Society of Surveyors (MSS) does not have any official business to report to the Board. He continued to state that MSS is currently discussing the following topics to bring before the Board at a later date:

- CCBC Storm and Drainage classes for Minor in Engineering credits
- Annual Spring conference
- Model legislation.

Review of Applications

Mr. Mettee invited public attendee, Jeff Blachly, to speak before the Board. Mr. Blachly stated that he wanted clarification on the minor engineering for out – of – state applicants as he believes his years of experience more than qualifies him. Mr. Orisich stated that Mr. Blachly needs to submit signed documents testifying to his minor engineering experience. Mr. Mettee stated to Mr. Blachly that the Board does not discuss applications during the public meeting, but the Board will take his words into consideration.

Ms. Nebre stated that it is the responsibility of the applicants to know the regulations before submitting applications to the Board.

Executive Session

Motion (II) was made by Ms. Rollins, seconded by Ms. Nebre, and unanimously carried to enter Executive Session at 1:05 p.m. at meet.google.com/ecq-ckza-qzc?pli=1 or by phone 1 352 – 608 - 0121 (PIN: 767 512 793#). **This session was permitted to be closed pursuant to General Provisions Article, Annotated Code of Maryland, §3-305(b) (7).** Upon completion of the session, the Board reconvened its public meeting at 1:12 p.m.

Adjournment

There being no further business to discuss, Motion (III) was made by Ms. Nebre, seconded by Ms. Rollins, and unanimously carried by the Board to adjourn at 1:15 p.m.

Chair's Signature: Signature on File

Date: 12/7/2022