



HYBRID (IN-PERSON/TELECONFERENCE)
PROFESSIONAL LAND SURVEYOR SECTION
Room N208, 4822 Madison Yards Way, 2nd Floor North, Madison
Contact: Adam Barr (608) 266-2112
July 14, 2022

The following agenda describes the issues that the Section plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a record of the actions of the Section. Be advised that board members may attend meetings designated as “Hybrid” in-person or virtually.

AGENDA

9:00 A.M.

OPEN SESSION – CALL TO ORDER – ROLL CALL

- A. Adoption of Agenda (1-3)**
- B. Approval of Minutes of March 31, 2022 (4-6)**
- C. Introductions, Announcements and Recognition
- D. Reminders: Conflicts of Interest, Scheduling Concerns**
- E. Administrative Matters**
 - 1) Department, Staff and Section Updates
 - 2) Board Members – Term Expiration Dates
 - a. Fedderly, Daniel – 7/1/2013
 - b. Martin, Christina C. – 7/1/2019
 - c. Myers, Dennis – 7/1/2025
 - d. Vaughn, Nathan A. – 7/1/2024
- F. Statutory Provisions Relating to Promoting the Profession – Discussion and Consideration**
- G. Legislative and Policy Matters – Discussion and Consideration
- H. Administrative Rule Matters – Discussion and Consideration**
 - 1) Pending and Possible Rulemaking Projects **(7-9)**
- I. Credentialing Matters – Discussion and Consideration**
 - 1) Licenses Issued Between Meetings **(10)**
- J. COVID-19 – Discussion and Consideration**
- K. Discussion and Consideration of Items Added After Preparation of Agenda:

- 1) Introductions, Announcements and Recognition
- 2) Election of Officers
- 3) Appointment of Liaison(s)
- 4) Delegation of Authorities
- 5) Administrative Matters
- 6) Education and Examination Matters
- 7) Credentialing Matters
- 8) Practice Matters
- 9) Legislative and Policy Matters
- 10) Administrative Rule Matters
- 11) Liaison Reports
- 12) Board Liaison Training and Appointment of Mentors
- 13) Informational Items
- 14) Disciplinary Matters
- 15) Presentations of Petitions for Summary Suspension
- 16) Petitions for Designation of Hearing Examiner
- 17) Presentation of Stipulations, Final Decisions and Orders
- 18) Presentation of Stipulations and Interim Orders
- 19) Presentation of Proposed Final Decision and Orders
- 20) Presentation of Interim Orders
- 21) Petitions for Re-Hearing
- 22) Petitions for Assessments
- 23) Petitions to Vacate Orders
- 24) Requests for Disciplinary Proceeding Presentations
- 25) Motions
- 26) Petitions
- 27) Appearances from Requests Received or Renewed
- 28) Speaking Engagement(s), Travel, or Public Relation Request(s), and Reports

L. Public Comments

CONVENE TO CLOSED SESSION to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85 (1)(b), and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.).

M. Deliberation of Items Added After Preparation of the Agenda

- 1) Education and Examination Matters
- 2) Disciplinary Matters
- 3) Monitoring Matters
- 4) Professional Assistance Procedure (PAP) Matters
- 5) Petitions for Summary Suspensions
- 6) Petitions for Designation of Hearing Examiner
- 7) Stipulations, Final Decisions and Order
- 8) Stipulations and Interim Orders
- 9) Administrative Warnings
- 10) Review of Administrative Warnings
- 11) Proposed Final Decision and Orders
- 12) Matters Relating to Costs/Orders Fixing Costs
- 13) Case Closings
- 14) Board Liaison Training

- 15) Proposed Interim Orders
- 16) Petitions for Assessments and Evaluations
- 17) Petitions to Vacate Orders
- 18) Remedial Education Cases
- 19) Motions
- 20) Petitions for Re-Hearing
- 21) Appearances from Requests Received or Renewed

N. Consulting with Legal Counsel

RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

O. Vote on Items Considered or Deliberated Upon in Closed Session if Voting is Appropriate

P. Open Session Items Noticed Above Not Completed in the Initial Open Session

ADJOURNMENT

NEXT MEETING: OCTOBER 27, 2022

MEETINGS AND HEARINGS ARE OPEN TO THE PUBLIC, AND MAY BE CANCELLED WITHOUT NOTICE.

Times listed for meeting items are approximate and depend on the length of discussion and voting. All meetings are held virtually unless otherwise indicated. In-person meetings are typically conducted at 4822 Madison Yards Way, Madison, Wisconsin, unless an alternative location is listed on the meeting notice. In order to confirm a meeting or to request a complete copy of the board's agenda, please visit the Department website at <https://dps.wi.gov>. The board may also consider materials or items filed after the transmission of this notice. Times listed for the commencement of disciplinary hearings may be changed by the examiner for the convenience of the parties. Requests for interpreters for the hard of hearing, or other accommodations, are considered upon request by contacting the Affirmative Action Officer at 608-266-2112, or the Meeting Staff at 608-266-5439.

**VIRTUAL/TELECONFERENCE
PROFESSIONAL LAND SURVEYORS SECTION
EXAMINING BOARD OF ARCHITECTS, LANDSCAPE ARCHITECTS,
PROFESSIONAL ENGINEERS, DESIGNERS AND PROFESSIONAL
LAND SURVEYORS
MARCH 31, 2022**

PRESENT: Daniel Fedderly, Christina Martin, Dennis Myers (*arrived at 9:20 a.m.*), Nathan Vaughn

STAFF: Adam Barr, Executive Director; Jon Derenne, Legal Counsel; Sofia Anderson, Administrative Rules Coordinator; Kimberly Wood, Program Assistant Supervisor-Adv.; and other Department Staff

CALL TO ORDER

Daniel Fedderly, Chairperson, called the meeting to order at 9:05 a.m. A quorum was confirmed with three (3) members present.

ADOPTION OF AGENDA

MOTION: Christina Martin moved, seconded by Nathan Vaughn, to adopt the Agenda as published. Motion carried unanimously.

APPROVAL OF MINUTES OF JANUARY 6, 2022

MOTION: Nathan Vaughn moved, seconded by Christina Martin, to approve the Minutes of January 6, 2022 as published. Motion carried unanimously.

(Dennis Myers arrived at 9:20 a.m.)

**BOARD CHAIR MEETING AND OPTIONS TO ADDRESS
DEPARTMENT RESOURCES**

MOTION: Christina Martin moved, seconded by Nathan Vaughn, to communicate to the Legislature the Section's request to provide authority to utilize additional funding, which is currently available, in order to hire staff and improve staff retention, improve technological infrastructure and any other related resources, so that the agency may reduce license processing times and otherwise ensure public protection. Motion carried unanimously.

MOTION: Christina Martin moved, seconded by Dennis Myers, to recommend that the Department and the Legislature consider further methods for promoting Land Surveyor licensure through the various boards. Motion carried unanimously.

**SPEAKING ENGAGEMENT(S), TRAVEL, OR PUBLIC RELATION
REQUEST(S), AND REPORTS**

**Consideration of Attendance: National Council of Examiners for Engineers and Surveying
(NCEES) Annual Meeting on August 23-26, 2022 in Carlsbad, CA**

MOTION: Dennis Myers moved, seconded by Christina Martin, to designate Christina Martin as the Section’s delegate, and Nathan Vaughn as the Section’s alternate delegate, to attend the NCEES Annual Meeting on August 23-26, 2022 in Carlsbad, CA. Motion carried unanimously.

CLOSED SESSION

MOTION: Dennis Myers moved seconded by Christina Martin, to convene to closed session to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85 (1)(b), and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.). Daniel Fedderly, Chairperson, read the language of the motion. The vote of each member was ascertained by voice vote. Roll Call Vote: Daniel Fedderly-yes; Christina Martin-yes; Dennis Myers-yes; and Nathan Vaughn-yes. Motion carried unanimously.

The Section convened into Closed Session at 10:10 a.m.

**DELIBERATION ON DIVISION OF LEGAL SERVICES
AND COMPLIANCE (DLSC) MATTERS**

Case Closings

MOTION: Dennis Myers moved, seconded by Nathan Vaughn, to close the following DLSC Cases for the reasons outlined below:

1. 20 LSR 005 – C.H. – No Violation
2. 20 LSR 006 – L.V. – No Violation

Motion carried unanimously.

Stipulations, Final Decisions and Orders

20 LSR 002 – James M. Gardner

MOTION: Dennis Myers moved, seconded by Christina Martin, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against James M. Gardner, DLSC Case Number 20 LSR 002. Motion carried unanimously.

RECONVENE TO OPEN SESSION

MOTION: Christina Martin moved, seconded by Nathan Vaughn, to reconvene in Open Session. Motion carried unanimously.

The Section reconvened into Open Session at 10:22 a.m.

**VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION
IF VOTING IS APPROPRIATE**

MOTION: Christina Martin moved, seconded by Dennis Myers, to affirm all motions made and votes taken in Closed Session. Motion carried unanimously.

(Be advised that any recusals or abstentions reflected in the closed session motions stand for the purposes of the affirmation vote.)

ADJOURNMENT

MOTION: Christina Martin moved, seconded by Nathan Vaughn, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 10:26 a.m.

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

| | | | |
|--|--|---|--|
| 1) Name and title of person submitting the request: Dana Denny | | 2) Date when request submitted: 07/1/2022 | |
| Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting | | | |
| 3) Name of Board, Committee, Council, Sections: Professional Land Surveyor Section of the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers, Professional Land Surveyors and Interior Designers | | | |
| 4) Meeting Date: 07/14/2022 | 5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | 6) How should the item be titled on the agenda page? Administrative Rule Matters – Discussion and Consideration 1. Rule Projects Chart 2. Pending or Possible Rulemaking Projects | |
| 7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session | 8) Is an appearance before the Board being scheduled? <i>(If yes, please complete Appearance Request for Non-DSPS Staff)</i> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 9) Name of Case Advisor(s), if required: N/A | |
| 10) Describe the issue and action that should be addressed: Attachment: <ul style="list-style-type: none"> • Rule Projects Chart Copies of current Board Rule Projects Can be Viewed Here: https://dsps.wi.gov/Pages/RulesStatutes/PendingRules.aspx | | | |
| 11) Authorization | | | |
| <i>Dana Denny</i> | | 07/1/22 | |
| Signature of person making this request | | Date | |
| Supervisor (if required) | | Date | |
| Executive Director signature (indicates approval to add post agenda deadline item to agenda) | | Date | |
| Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting. | | | |

Professional Land Surveyor Section of the A-E Examining Board
Rule Projects (updated 06/28/22)

| Clearinghouse Rule Number | Scope # | Scope Expiration | Code Chapter Affected | Relating clause/ Summary | Current Stage | Next Step |
|---------------------------|---------|------------------|-----------------------|--|---|--------------------------|
| 21-020 | 080-19 | 2/19/2022 | A-E 2 | General requirements and procedures. Amendments to ensure requirements are current with standards of practice and consistent with Statutes. Update to ensure compliance with 2017 Act 108. | | Awaiting rule adoption. |
| 21-019 | 082-19 | 2/19/2022 | A-E 8 | Professional Conduct Update to ensure compliance with 2017 Act 108. | Legislative Review. Final rule and Legislative report submitted to Legislature on 11/4/21. Senate forwarded rule to JCRAR on 12/9/21; Assembly forwarded rule to JCRAR on 12/29/21. | Awaiting rule adoption. |
| | 113-21 | 6/20/2024 | A-E 4 and 13 | Engineer in training credential. Provide more clarity as to the required education and review acceptable credentialing agencies for continuing education. | Published on 11/01/21. JCRAR requested a Preliminary Public Hearing on the Scope, which was scheduled for April 12, 2022.. | Currently drafting rule. |
| | 112-21 | 6/20/24 | A-E 2, 7, and 8 | Clarification on definitions of seal and stamps, requirements for electronic signatures, and clean up redundant words or sentences. | Scope implemented on 1/18/22. | Currently drafting rule. |

Professional Land Surveyor Section of the A-E Examining Board

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|--|--|--|-------|---|------------------|--|
| | | | A-E 8 | Clarification on definitions of supervision to ensure requirements are consistent with current standards of practice. | Scope requested. | Scope submitted to Governor's Office for approval. |
|--|--|--|-------|---|------------------|--|

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

| 1) Name and title of person submitting the request: James Horton – RMPS - DPCP | | 2) Date when request submitted: 07/06/2022 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small> | | | | | | | | | | | | | | | | |
|--|--|--|------------------------------------|-----------------|--------|--------------------|----------------|-------|-------------------------------|-----------------|---|------------------------------------|---|-------------------------------|------------|-------------------|------------------------------------|---|
| 3) Name of Board, Committee, Council, Sections: Professional Land Surveyor Section | | | | | | | | | | | | | | | | | | |
| 4) Meeting Date: 07/14/2022 | 5) Attachments: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 6) How should the item be titled on the agenda page? Licenses granted since 3/31/2022 | | | | | | | | | | | | | | | | |
| 7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session | 8) Is an appearance before the Board being scheduled? <i>(If yes, please complete Appearance Request for Non-DSPS Staff)</i> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 9) Name of Case Advisor(s), if applicable: | | | | | | | | | | | | | | | | |
| 10) Describe the issue and action that should be addressed: <h2 style="text-align: center;">Credential Methods Counts from 3/31/2022 to 7/1/2022</h2> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th style="width: 20%;">PROFESSION NAME</th> <th style="width: 15%;">METHOD</th> <th style="width: 25%;">METHOD DESCRIPTION</th> <th style="width: 20%;">AUTHORITY NAME</th> <th style="width: 20%;">COUNT</th> </tr> </thead> <tbody> <tr> <td>Professional Land Surveyor(8)</td> <td>BACH & 2 YR EXP</td> <td>Bachelors Degree and 2 Years Experience</td> <td>Professional Land Surveyor Section</td> <td style="text-align: center;">1</td> </tr> <tr> <td>Professional Land Surveyor(8)</td> <td>COMTYNCEES</td> <td>By Comity - NCEES</td> <td>Professional Land Surveyor Section</td> <td style="text-align: center;">1</td> </tr> </tbody> </table> | | | | PROFESSION NAME | METHOD | METHOD DESCRIPTION | AUTHORITY NAME | COUNT | Professional Land Surveyor(8) | BACH & 2 YR EXP | Bachelors Degree and 2 Years Experience | Professional Land Surveyor Section | 1 | Professional Land Surveyor(8) | COMTYNCEES | By Comity - NCEES | Professional Land Surveyor Section | 1 |
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| Professional Land Surveyor(8) | COMTYNCEES | By Comity - NCEES | Professional Land Surveyor Section | 1 | | | | | | | | | | | | | | |
| 11) Authorization | | | | | | | | | | | | | | | | | | |
| James Horton | | 7/06/2022 | | | | | | | | | | | | | | | | |
| Signature of person making this request | | Date | | | | | | | | | | | | | | | | |
| Supervisor (Only required for post agenda deadline items) | | Date | | | | | | | | | | | | | | | | |
| Executive Director signature (Indicates approval for post agenda deadline items) | | Date | | | | | | | | | | | | | | | | |
| Directions for including supporting documents: 1. This form should be saved with any other documents submitted to the Agenda Items folders. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting. | | | | | | | | | | | | | | | | | | |