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**VIRTUAL/TELECONFERENCE  
PROFESSIONAL LAND SURVEYORS SECTION  
EXAMINING BOARD OF ARCHITECTS, LANDSCAPE ARCHITECTS,  
PROFESSIONAL ENGINEERS, DESIGNERS, PROFESSIONAL LAND SURVEYORS,  
AND REGISTERED INTERIOR DESIGNERS  
Virtual, 4822 Madison Yards Way, Madison  
Contact: Will Johnson (608) 266-2112  
March 30, 2023**

*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.*

**AGENDA**

**9:00 A.M.**

**OPEN SESSION – CALL TO ORDER – ROLL CALL**

- A. Adoption of Agenda (1-3)**
- B. Approval of Minutes of January 5, 2023 (4-9)**
- 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. Legislative and Policy Matters – Discussion and Consideration
- G. Administrative Rule Matters – Discussion and Consideration (10)**
  - 1) Pending and Possible Rulemaking Projects (11)
- H. National Council of Examiners for Engineering and Surveying (NCEES) Matters – Discussion and Consideration**
- I. NCEES Divisional Exam – Discussion and Consideration**
- J. 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) Public Health Emergencies
- 14) Informational Items
- 15) Disciplinary Matters
- 16) Presentations of Petitions for Summary Suspension
- 17) Petitions for Designation of Hearing Examiner
- 18) Presentation of Stipulations, Final Decisions and Orders
- 19) Presentation of Stipulations and Interim Orders
- 20) Presentation of Proposed Final Decision and Orders
- 21) Presentation of Interim Orders
- 22) Petitions for Re-Hearing
- 23) Petitions for Assessments
- 24) Petitions to Vacate Orders
- 25) Requests for Disciplinary Proceeding Presentations
- 26) Motions
- 27) Petitions
- 28) Appearances from Requests Received or Renewed
- 29) Speaking Engagement(s), Travel, or Public Relation Request(s), and Reports

#### **K. 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.).**

#### **L. Deliberation on Division of Legal Services and Compliance (DLSC) Matters**

- 1) **Administrative Warnings**
  - a. 22 LSR 002 – W.R.H. **(12-13)**

#### **M. Credentialing Matters**

- 1) **Application Reviews**
  - a. James Berger – Professional Land Surveyor Application **(14-55)**

#### **N. 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

O. Consulting with Legal Counsel

**RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION**

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

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

**ADJOURNMENT**

**NEXT MEETING: JULY 13, 2023**

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 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, or reach the Meeting Staff by calling 608-267-7213.

**VIRTUAL/TELECONFERENCE  
PROFESSIONAL LAND SURVEYORS SECTION  
EXAMINING BOARD OF ARCHITECTS, LANDSCAPE ARCHITECTS,  
PROFESSIONAL ENGINEERS, DESIGNERS, PROFESSIONAL LAND SURVEYORS,  
AND REGISTERED INTERIOR DESIGNERS  
JANUARY 5, 2023**

**PRESENT:** Daniel Fedderly, Christina Martin, Dennis Myers, Nathan Vaughn

**STAFF:** Adam Barr, Executive Director; Jameson Whitney, Legal Counsel; Dana Denny, Administrative Rules Coordinator; Dialah Azam, Bureau Assistant; 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 four (4) members present.

**ADOPTION OF AGENDA**

**MOTION:** Christina Martin moved, seconded by Dennis Myers, to adopt the Agenda as published. Motion carried unanimously.

**APPROVAL OF MINUTES OF OCTOBER 27, 2022**

**MOTION:** Dennis Myers moved, seconded by Christina Martin, to approve the Minutes of October 27, 2022 as published. Motion carried unanimously.

*Slate of Officers*

**NOMINATION:** Christina Martin nominated the 2022 slate of officers to continue in 2023. All officers accepted their nominations.

Adam Barr, Executive Director, called for nominations three (3) times.

The Slate of Officers was elected by unanimous voice vote.

<b>ELECTION RESULTS</b>	
<b>Chairperson</b>	Daniel Fedderly
<b>Vice Chairperson</b>	Christina Martin
<b>Secretary</b>	Dennis Myers

**Appointment of Liaisons and Alternates**

<b>LIAISON APPOINTMENTS</b>	
<b>Credentialing Liaison</b>	Nathan Vaughn <i>Alternate: Daniel Fedderly</i>
<b>Continuing Education Liaison</b>	Christina Martin <i>Alternate: Nathan Vaughn</i>
<b>Monitoring Liaison</b>	Christina Martin <i>Alternate: Dennis Myers</i>
<b>Professional Assistance Procedure (PAP) Liaison</b>	Christina Martin <i>Alternate: Dennis Myers</i>
<b>Travel Authorization Liaison</b>	Christina Martin <i>Alternate: Nathan Vaughn</i>
<b>A-E Rules Committee</b>	Daniel Fedderly <i>Alternate: Christina Martin</i>
<b>Screening Panel</b>	Christina Martin, Daniel Fedderly <i>Alternate: Nathan Vaughn</i>

**Delegation of Authorities**

***Document Signature Delegations***

**MOTION:** Dennis Myers moved, seconded by Christina Martin, to delegate authority to the Chairperson (or in absence of the Chairperson, the highest-ranking officer or longest serving section member in that succession) to sign documents on behalf of the Section in order to carry out its duties. Motion carried unanimously.

**MOTION:** Nathan Vaughn moved, seconded by Christina Martin, in order to carry out duties of the Section, the Chairperson (or in absence of the Chairperson, the highest-ranking officer or longest serving section member in that succession) has the ability to delegate signature authority for purposes of facilitating the completion of assignments during or between meetings. The members of the Section hereby delegate to the Executive Director or DPD Division Administrator, the authority to sign on behalf of a section member as necessary. Motion carried unanimously.

***Delegated Authority for Urgent Matters***

**MOTION:** Christina Martin moved, seconded by Nathan Vaughn, that in order to facilitate the completion of urgent matters between meetings, the Section delegates its authority to the Chairperson (or, in the absence of the Chairperson, the highest-ranking officer or longest serving section member in that succession), to appoint liaisons to the Department to act in urgent matters. Motion carried unanimously.

***Delegation to Chief Legal Counsel Due to Loss of Quorum***

**MOTION:** Dennis Myers moved, seconded by Nathan Vaughn, to delegate the review and authority to act on disciplinary cases to the Department's Chief Legal Counsel due to lack of/loss of quorum after one (1) meeting. Motion carried unanimously.

**Delegation to Chief Legal Counsel for Stipulated Resolutions**

**MOTION:** Christina Martin moved, seconded by Nathan Vaughn, to delegate to DSPS Chief Legal Counsel the authority to act on behalf of the Section concerning stipulated resolutions providing for a surrender, suspension, or revocation of a credential, where the underlying merits involve serious and dangerous behavior, and where the signed stipulation is received between Section meetings. The Section further requests that CLC only act on such matters when the best interests of the Section, Department and the Public are best served by acting upon the stipulated resolution at the time the signed stipulation is received versus waiting for the next Section meeting. Motion carried unanimously.

***Monitoring Delegations***

**Delegation of Authorities for Monitoring**

**MOTION:** Dennis Myers moved, seconded by Nathan Vaughn, to adopt the "Roles and Authorities Delegated for Monitoring" document as presented in the January 5, 2023 agenda materials on pages 11-12. Motion carried unanimously.

**Delegation of Authorities for Legal Counsel to Sign Monitoring Orders**

**MOTION:** Christina Martin moved, seconded by Nathan Vaughn, to delegate to Legal Counsel the authority to sign Monitoring orders that result from Section meetings on behalf of the Section Chairperson. Motion carried unanimously.

***Credentialing Authority Delegations***

**Delegation of Authority to Credentialing Liaison**

**MOTION:** Dennis Myers moved, seconded by Christina Martin, to delegate authority to the Credentialing Liaison(s) to serve as a liaison between the Department and the Section and to act on behalf of the Section in regard to credentialing applications or questions presented to them, including the signing of documents related to applications, except that potential denial decisions shall be referred to the full Section for final determination. Motion carried unanimously.

**Delegation of Authority for Predetermination Reviews**

**MOTION:** Christina Martin moved, seconded by Nathan Vaughn, to delegate authority to the Department Attorneys to make decisions regarding predetermination applications pursuant to Wis. Stat. § 111.335(4)(f). Motion carried unanimously.

**Delegation of Authority for Conviction Reviews**

**MOTION:** Dennis Myers moved, seconded by Nathan Vaughn, to delegate authority to the Department Attorneys to review and approve applications with convictions which are not substantially related to the practice of professional land surveying. Motion carried unanimously.

**Delegation of Authority for Reciprocity/Endorsement Reviews**

**MOTION:** Dennis Myers moved, seconded by Christina Martin, to delegate authority to the Department Attorneys to review and approve reciprocity/endorsement applications in which the out of state license requirements meet or exceed the Section's requirements for licensure. Motion carried unanimously.

**Delegation of Authority for Military Reciprocity Reviews**

**MOTION:** Daniel Fedderly moved, seconded by Christina Martin, to delegate authority to the Department Attorneys to review and approve military reciprocity applications in which the individual meets the requirements of Wis. Stat. § 440.09. Motion carried. Dennis Myers – no.

***Delegated Authority for Application Denial Reviews***

**MOTION:** Dennis Myers moved, seconded by Christina Martin, to delegate authority to the Department's Attorney Supervisors to serve as the Section's designee for purposes of reviewing and acting on requests for hearing as a result of a denial of a credential. Motion carried unanimously.

***Voluntary Surrenders***

**MOTION:** Christina Martin moved, seconded by Nathan Vaughn, to delegate authority to the assigned case advisor to accept or refuse a request for voluntary surrender pursuant to Wis. Stat. § 440.19 for a credential holder who has a pending complaint or disciplinary matter. Motion carried unanimously.

***Continuing Education Liaison Delegation(s)***

**MOTION:** Nathan Vaughn moved, seconded by Christina Martin, to delegate authority to the Continuing Education Liaison(s) to address all issues related to continuing education. Motion carried unanimously.

***Authorization for DSPS to Provide Section Member Contact Information to National Regulatory Related Bodies***

**MOTION:** Christina Martin moved, seconded by Nathan Vaughn, to authorize the Department staff to provide national regulatory related bodies with all Section member contact information that the Department retains on file. Motion carried unanimously.

***Optional Renewal Notice Insert Delegation***

**MOTION:** Dennis Myers moved, seconded by Christina Martin, to designate the Chairperson (or, in the absence of the Chairperson, the highest-ranking officer or longest serving section member in that succession) to provide a brief statement or link relating to section-related business within the license renewal notice at the Section's or Section designee's request. Motion carried unanimously.

***Travel Authorization Liaison Delegation***

**MOTION:** Christina Martin moved, seconded by Nathan Vaughn, to delegate authority to the Travel Authorization Liaison to approve any Section member travel to and/or participation in events germane to the Section, and to designate representatives from the Section to speak and/or act on the Section's behalf at such events. Motion carried unanimously.

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

**Consideration of Attendance: National Council of Examiners for Engineering and Surveying (NCEES) Central Zone Meeting – April 2023**

**MOTION:** Christina Martin moved, seconded by Dennis Myers, to designate Nathan Vaughn to attend the National Council of Examiners for Engineering and Surveying (NCEES) Meeting on April 27- 29 in Houston, Texas. Motion carried unanimously.



## **ADJOURNMENT**

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

The meeting adjourned at 11:37 a.m.

DRAFT

**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: 3/13/2023 <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 Surveyors Section			
4) Meeting Date: 3/30/2023	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. 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? <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:  Attachments: •A-E Rules Project Chart  Copies of current Board Rule Projects Can be Viewed Here: <a href="https://dsps.wi.gov/Pages/RulesStatutes/PendingRules.aspx">https://dsps.wi.gov/Pages/RulesStatutes/PendingRules.aspx</a>			
11) <b>Authorization</b>			
<i>Dana Denny</i>		3/13/23	
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.			

**Architects, Landscape Architects, Professional Engineers, Designers, Professional Land Surveyors, and Registered Interior Designers  
Rule Projects (updated 3/13/23)**

<b>Clearinghouse Rule Number</b>	<b>Scope #</b>	<b>Scope Expiration</b>	<b>Code Chapter Affected</b>	<b>Relating clause/ Summary</b>	<b>Current Stage</b>	<b>Next Step</b>
	112-24	6/20/2024	A-E 4 and 13	<b>Engineer in training credential.</b> Provide more clarity as to the required education and review acceptable credentialing agencies for continuing education.	Scope withdrawn.	
	112-21	6/20/24	A-E 2, 7, and 8	<b>Sealing and Stamping of Documents.</b> Clarification on definitions of seal and stamps, requirements for electronic signatures, and clean up redundant words or sentences.	Currently drafting rule.	Posted for EIA comments, submitted to the Clearinghouse, and scheduled for a public hearing.
	071-22		A-E 8	<b>Supervision.</b> Clarification on definitions of supervision to ensure requirements are current with standards of practice.	Currently drafting rule.	Posted for EIA comments, submitted to the Clearinghouse, and scheduled for a public hearing.
	Not Yet Assigned		A-E 3	<b>Architectural Registration.</b> Clarification of Architectural Registration language and practices	Currently drafting scope.	Moved to A-E Rules Committee for approval.
			A-E 1 to 15	<b>Registered Interior Designers.</b> The objective of the proposed rules is to implement the statutory changes from 2021 Wisconsin Act 195 to allow for the licensure, discipline, and practice of Registered Interior Designers.	Section has approved scope.	Moved to A-E Rules Committee for approval.