MINUTES

BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS

GENERAL BUSINESS

EMBASSY SUITES BY HILTON DEERFIELD BEACH RESORT
950 SOUTH OCEAN DRIVE
DEERFIELD BEACH, FLORIDA 33441

THURSDAY, MAY 1, 2025

8:30 A.M. – PART I

(Part II Immediately followed the Exam Committee)

The meeting was called to order by Ia Hall, Board Chair, at 8:31 a.m.

BOARD AND STAFF MEMBERS PRESENT

Ia Hall, Board Chair
Keith Fountain, Board Vice Chair
Eugene Collings-Bonfill, Board Member
Landon Cross, Board Member
Wendi McAleese, Board Member
Danny Williams, Board Member
Michael Zoltek, Board Member
Andrew Getz, Board Member
Jim Sullivan, Board Member
Christopher Green, Executive Director
Regenia Lee, Government Analyst
Jacob Sternlicht, Board Counsel
Ana Gargollo-McDonald, Prosecuting Attorney

OTHERS PRESENT

Christopher McLaughlin
Earl Soeder
Braeden Skinner
Hongbo Su
Bruce Varnadoe
Scott A. Graham
Korey Skinner
Joe Molidor
Jose A. Correa
Jim Kelly
Don Elder

Juan Olave
Andre Rayman
Max Wharton
Mike Bartholomew
John Liptak
Luis C. Isaza
Lou Campanile
John Doogan
Keith Chee-A-Tow
Michael Avirom

GENERAL BUSINESS – PART I

REVIEW AND APPROVAL OF APRIL 2, 2025, GENERAL BUSINESS MINUTES

After discussion, the following motion was made:

MOTION: Mr. Williams made a motion to approve the April 2, 2025, General Business minutes, as submitted.
SECOND: Mr. Fountain seconded.
ACTION: The motion passed unanimously.

DISCIPLINARY PROCEEDINGS – ANA GARGOLLO-MCDONALD, PROSECUTING ATTORNEY

1. **DAVID DOUDNEY – NOT PRESENT - CASE NO. 2304-14471 - NOTICED: 04/16/2025**
   (PCP Members: Schryver (Chair), Fountain, and Campanile)

   After discussion, the following motion was made:

   MOTION: Mr. Williams made a motion to accept the proposed settlement as presented by Counsel for Case number 2304-14471
   SECOND: Mr. Zoltek seconded.
   ACTION: The motion passed unanimously.
   (*Mr. Fountain recused himself from voting)*

2. **EMPIRE LAND SURVEYING – NOT PRESENT – CASE NO. 2403-10974 – NOTICED: 04/23/2024**
   (PCP Members: Schryver (Chair), Fountain, and Campanile)

   After discussion, the following motion was made:

   MOTION: Mr. Zoltek made a motion to accept the proposed settlement as presented by Counsel for Case number 2403-10974.
   SECOND: Mr. Getz seconded.
   ACTION: The motion passed unanimously.
   (*Mr. Fountain recused himself from voting)*

Mr. Cross welcomed everyone to South Florida and welcomed the Florida Atlantic University students.

GENERAL BUSINESS MEETING – PART I - ADJOURNED AT 8:51 a.m. and reconvened at 10:48 a.m.

MINUTES

BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS

GENERAL BUSINESS – PART II

EMBASSY SUITES BY HILTON DEERFIELD BEACH RESORT
950 SOUTH OCEAN DRIVE
DEERFIELD BEACH, FLORIDA 33441

THURSDAY, MAY 1, 2025

The meeting was called to order by Ia Hall, Board Chair, at 10:48 a.m.

BOARD AND STAFF MEMBERS PRESENT

Ia Hall, Board Chair
Keith Fountain, Board Vice Chair
Eugene Collings-Bonfill, Board Member
Landon Cross, Board Member
Wendi McAleese, Board Member
Danny Williams, Board Member
Michael Zoltek, Board Member
Andrew Getz, Board Member
James Sullivan, Board Member
Christopher Green, Executive Director
Regenia Lee, Government Analyst
Jacob Sternlicht, Board Counsel
Ana Gargollo-McDonald, Prosecuting Attorney

OTHERS PRESENT

Christopher McLaughlin
Earl Soeder
Braeden Skinner
Hongbo Su
Bruce Varnadoe
Scott A. Graham
Korey Skinner
Joe Molidor

Jose A. Correa
Jim Kelly
Don Elder
Juan Olave
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John Liptak
Luis C. Isaza
Lou Campanile
John Doogan
Keith Chee-A-Tow
Michael Avirom

CHAIRPERSON'S REPORT – IA HALL

Ms. Hall reported that between February and today, a virtual Board meeting was held to address several applications that would have been outside 90-day requirement.

Ms. Hall reported that she held a meeting with Mr. Green to discuss how to approach the rulemaking process, as we have had good ideas for years that haven't made it to the floor because the process is tied to the legislature's schedule. She stated that we are starting this meeting by having a comprehensive agenda to divide and conquer sections of the rules, and we are starting the day before the general meeting, so we can have more time for discussions. Housekeeping items will be taken care of, and whatever doesn't have to go to the legislature. We are also watching the current session to see which changes, if any, we will have to make. She stated it is prudent to remember that this Board doesn't make the laws. We can make proposals, and the legislators must approve of those. They can also change what exists at will if they have the votes for the bills they are trying to introduce. From there, we are only enforcers constrained by our Administrative Code.

She reported that she attended the Southern Zone Meeting in Little Rock, Arkansas, where a new Zone President and Assistant Vice President were elected. There were many side conversations with the other Boards, and during the Surveying breakout groups. We discussed the current bills being heard in the Florida legislature. Discussions will be held after a vote is taken on these matters. All was speculation at the time. NCEES is also exploring how to proceed with member Boards that get dissolved.

She stated that there have been Foundation Meetings conducted virtually to select the first round of LOIs submitted, also Financial Meetings with the brokers and accountants. The Foundation has an in-person meeting at NCEES' headquarters in June, which she will attend, and where the final selections will be made.

EXECUTIVE DIRECTOR'S REPORT – CHRISTOPHER GREEN

Mr. Green reported that he attended the NCEES Southern Zone Meeting. He stated that Jimmy Chau was elected as the Southern Zone Vice President and Steve Twedt was elected as the Southern Zone Assistant Vice President. He stated that the NCEES President-Elect, Elizabeth Johnson gave committee assignments which included encouraging members to update/complete their committee preferences, focus on balancing assignments across zones, specialties, and expertise, and improving speaker's kits for outreach to students and universities. He stated that the NCEES Treasurer's Report was given for 2024-2025. He said that committee, task force and forum reports were given.

Mr. Green reported on the 2025 Florida Legislative session stating that the current legislative session was scheduled to end on May 2, 2025, and that the legislature would reconvene later in the month to complete work on the state budget. He also gave an update on Senate Bill 110 which is in reference to surveying and mapping. He said that NCEES reported tracking almost 100 "priority" bills that could impact licensure or member boards.

Mr. Green reported on the Florida Jurisdictional Examination which included the update for a new test vendor which is still in progress. He said that there are two vendors that have made presentations to the negotiating team. He said that additional questions have been submitted to those vendors, and that there is no timeline for finalization.

Mr. Green reported that in reference to consumer education, a consumer education publication is being developed for the purpose of educating consumers about the importance of securing a properly licensed surveyor. He stated that also being developed is a publication for surveyors to have available when the questions of "trespassing" is raised. He said that he is hoping to have these publications available at the next Board meeting.

Mr. Green reported that there will be a booth for FDACS and PSAM at the FSMS conference.

BOARD COUNSEL REPORT – JACOB STERNLICHT

Mr. Sternlicht reviewed a handout regarding Roberts Rules of Order and answered questions.

PROSECUTOR'S REPORT – ANA GARGOLLO-MCDONALD

Ms. Gargollo-McDonald said that she was very happy to be serving as the Board's Prosecuting attorney. She reported that there are 49 active cases, and all are under review.

ADJOURNED AT 11:30 FOR LUNCH

GENERAL BUSINESS PART II – CONTINUED

The meeting was called to order by Ia Hall, Board Chair, at 1:45 p.m.

COMMITTEE REPORTS

PROBABLE CAUSE PANEL – KEITH FOUNTAIN

Mr. Fountain reported that there were 4 cases moved to the next Board meeting, 5 cases probable cause found, 2 no probable cause found and 2 that were dismissed.

After discussion, the following motion was made:

MOTION: Ms. Hall made a motion to approve the Probable Cause Panel report, as given.
SECOND: Mr. Getz seconded.
ACTION: The motion passed unanimously.

PROBATION REVIEW COMMITTEE – MICHAEL ZOLTEK

Mr. Zoltek reported that the minutes were accepted and there were 4 cases discussed – Jose Correa, Sr. failed his first survey review, and Mr. Bruce Varnadoe and Mr. Skinner were removed from Probation, and Mr. Monaweck was removed from Probation.

After discussion by the Board, the following motion was made:

MOTION: Mr. Fountain made a motion to approve the Committee's vote to fail **Mr. Correa** as his 1st set of surveys did not collectively meet or exceed the Standards of Practice by applying Rule 5J-17.
SECOND: Mr. Getz seconded.
ACTION: The motion passed unanimously.

After discussion by the Board, the following motion was made:

MOTION: Mr. Williams made a motion to approve the Committee's vote that the surveys did not pass but that **Mr. Varnadoe** understands what is expected in future surveys and to remove him from Probation.
SECOND: Mr. Fountain seconded.
ACTION: The motion passed unanimously.

After discussion by the Board, the following motion was made:

MOTION: Ms. Hall made a motion to approve the Committee's vote for **Mr. Skinner** that the 1st set of surveys passed and the 3 surveys collectively meet or exceed the Standards of Practice by applying Rule 5J-17 and to remove him from Probation.
SECOND: Mr. Fountain seconded.
ACTION: Ms. Hall withdrew her motion

After discussion by the Board, the following motion was made:

MOTION: Ms. Hall made a motion to approve the Committee's vote for **Mr. Monaweck** that the 1st set of surveys passed and the 3 surveys collectively meet or exceed the Standards of Practice by applying Rule 5J-17 and to remove him from Probation.
SECOND: Mr. Fountain seconded.
ACTION: Ms. Hall withdrew her motion

After discussion by the Board, the following motion was made:

MOTION: Mr. Zoltek made a motion to table **Mr. Monaweck's** surveys until the next meeting and refer to Counsel for further action because Mr. Monaweck was not present as per Rule 5J-17.
SECOND: Ms. Hall seconded.
ACTION: The motion passed unanimously.

<u>APPLICATION REVIEW COMMITTEE – EUGENE COLLINGS-BONFILL</u>

Mr. Collings-Bonfill reported that there were 7 applications by examination, 1 endorsement application and 1 Surveyor-in-Training application and all passed on consent.

After discussion, the following motion was made:

MOTION: Ms. Hall made a motion to approve the Application Review Committee as given.
SECOND: Mr. Zoltek seconded.
ACTION: The motion passed unanimously.

<u>CONTINUING EDUCATION COMMITTEE – DANNY WILLIAMS</u>

Mr. Williams reported minutes were approved and there was no old business. He stated that the rule revision project was discussed regarding continuing education credits and that the Committee should be reviewing 5J-17 for discussion future meetings.

After discussion, the following motion was made:

MOTION: Mr. Getz made a motion to approve the Continuing Education Committee report as given.
SECOND: Mr. Collings-Bonfill seconded.
ACTION: The motion passed unanimously.

<u>EXAM COMMITTEE – LANDON CROSS</u>

Mr. Cross reported minutes were accepted. He said that there were 42 FS exams were taken, 21 passed, 19 failed and 2 were delivered. There were 28 PS exams taken and 10 passed, 12 failed and 6 were delivered. For the Florida Jurisdictional Exam, 22 were taken, 22 passed, 0 failed, 19 were licensed, and 3 need to take other examinations to become licensed. There were 16 new business licenses processed during this timeframe. He stated that the Exam Committee could start working on rules that deal with exam related items in Rule 5J-17 and prepare to make recommendations. Mr. Cross suggested having virtual meetings and they must be open to the public.

After discussion, the following motion was made:

MOTION: Mr. Getz made a motion to approve the Exam Committee report as given.
SECOND: Mr. Fountain seconded.
ACTION: The motion passed unanimously.

RULES COMMITTEE – IA HALL

Ms. Hall reported that the Rules Committee reviewed the agenda for prioritized items and made assignments.

After discussion, the following motion was made:

MOTION: Mr. Williams made a motion to approve the Rules Committee report as given.
SECOND: Mr. Getz seconded.
ACTION: The motion passed unanimously.

NCEES LIAISON REPORT - IA HALL

For a copy of the full report, please contact the Florida Board of Professional Surveyors and Mappers at 850-410-3810.

NCEES SOUTHERN ZONE VICE PRESIDENT, JAMES KELLY, P.E.

Mr. Kelly, representing NCEES, gave a presentation to the Board, held discussion and answered questions. He visited with Board members after the meeting.

NSPS/ASPRS LIAISON REPORT – MICHAEL ZOLTEK

For a copy of the NSPS/ASPRS Liaison Report, please contact the Florida Board of Professional Surveyors and Mappers at 850-410-3810.

FLORIDA SURVEYORS AND MAPPERS SOCIETY (FSMS) – DANNY WILLIAMS

For a copy of the FSMS report, please contact the Florida Board of Professional Surveyors and Mappers at 850-410-3810.

OLD BUSINESS

NONE

NEW BUSINESS

Mr. Zoltek had a question asked of him regarding setting monuments before surveys are issued. Mr. Zoltek said that after reviewing the Rule, it was his determination that you must set your monuments before the survey is issued. He asked other Board members for their opinions, and they all agreed with his interpretation of the Rule.

Mr. Getz said that after reviewing the surveys for the licensees that were on the agenda for the Probation Review Committee, he said there seems to be gross errors and inconsistencies missed by the reviewers. He said that some reviewers seem to be a little more technical and others a little more lenient. He said that one of the reviews where no violations were found, in his opinion, had violations. He said that he doesn't see consistency with regards to the reviewers and how the surveys are approached. Mr. Zoltek said that since there are multiple expert consultants and there are no checklists, outlines, etc., given to them. He said that they have been given guidelines on how to report but it was determined that it was not appropriate to tell an expert how to evaluate a survey that they should use Rule 5J-17 and their professional judgement. He said that any Board member may express opinions regarding items that they think are missed violations during the full Board meeting vote. Ms. McAleese asked if there is another time during the meeting that the full Board can discuss and vote on the Probationers so that everyone can have input. She said that by the time we get to the full Board vote, the Probationers, if in attendance, have probably left, the meeting. Mr. Zoltek replied that during the Probation Review Committee meeting, he advises the surveyors on the agenda that the vote by the Committee is not final until the full Board vote. Mr. Fountain stated that if the surveyor were in attendance, he would think they should have reviewed their product to answer any questions that come up about their surveys during the Committee meeting. Mr. Fountain said that there have been several committee meetings where the committee chair has invited other Board members to contribute if they wish. Mr. Fountain asked how many expert consultants are contracted with the Board for survey review. Mr. Green responded that we currently have at least 7. Mr. Zoltek asked how expert consultants are selected. Mr. Green replied that they are on a rotation list. Mr. Green said to keep in mind that the surveys received by the Board office are not just for Probation and that they also come in with complaints, discipline, etc. He said that these survey reviews are also on the rotation list. Ms. Hall suggested that the Board members may review the surveys and comment during discussion.

PUBLIC COMMENT

Mr. Don Elder, FSMS, said that something to consider regarding the review of surveys is that the items that are overlooked by the reviewer can possibly be resolved by the Board because of their expertise. He said that the small variations between the reviewers are to be expected and if there are consistent overlooked items by a particular reviewer, that could be addressed by the Board.

Ms. Hall suggested discussing the survey technicians who support the profession. Mr. Elder replied that this subject might be taken better with a little more forethought under new business at the next Board meeting.

Ms. Hall reported that the bills dealing with surveying matters are currently being considered by the 2025 Florida Legislature. She said that there is concern that there are not enough Florida surveyors, but after conversations with other persons in other states, it’s not just a Florida issue, but a national issue.

Mr. Lou Campanile asked how expert consultants are vetted. Mr. Green replied that that the current expert consultants are currently under contract so this is a process that, as the new executive director, he is not familiar with yet. He said that he would be happy to review the process and respond back to him. He said that FDACS is currently moving forward into the 2025-2026 fiscal year preparations in which contracts would go into effect July 1, 2025.

ADJOURNMENT @ 3:07 p.m.