

MINUTES
TEXAS BOARD OF PROFESSIONAL LAND SURVEYING
12100 Park 35 Circle, Bldg. E, Rm. 201
Austin, Texas
May 19, 2017, 10:00 a.m.

THIS MEETING WAS LIVE-STREAMED. VISIT [HTTP://WWW.TXLS.TEXAS.GOV](http://www.txls.texas.gov) TO ACCESS LINK.

Call to Order, Establish Quorum, Introductions, and Comments from the Public

The meeting was called to order at 10:05 a.m. by vice-chair Jim Cheatham. Present were members Bill Merten, Paul Kwan, Mary Chruszczak, Davey Edwards, Drew Paxton, and Mark Neugebauer. Absent were Jon Hodde and Jerry Garcia. Also present were Executive Director, Marcelino A. Estrada, Board Investigator Mike McMinn and board staff Julia Estrada and Natalie Jackson. The vice-chair asked those in attendance to introduce themselves.

Vice-Chair Cheatham then called for comments from the public. Randy McClendon noted that the architects get their continuing education as a two years and asks that the board consider 24 hours taken in two years or 36 hours taken in three years. There were no other comments.

1. Motion to excuse members Mary Chruszczak and Jim Cheatham's absence from the March 3, 2017 meeting.

The Vice-Chair asked for a motion to excuse members Chruszczak and Cheatham. Mr. Paxton offered a motion which was seconded and passed. Mr. Cheatham abstained from voting.

2. Motion to excuse member Jerry Garcia's absence from the May 19, 2017 meeting.

The Vice-Chair next asked for a motion to excuse Mr. Garcia from this meeting's absence. Mr. Merten offered a motion which was seconded and passed.

3. Approval of the March 3, 2017 Minutes

The Vice-Chair noted that members had a copy of the minutes from the last meeting and asked for a motion to approve the minutes. Mr. Kwan moved to approve the minutes. The motion was seconded and passed. Mr. Cheatham abstained from voting.

4. Director's Report

a. Update on appropriations hearings

Mr. Estrada reported that the amount equal to the lapsed funds for FY 2017 had been restored to the base budget for the FY 2018-2019 budget prior to the budget hearings. Since these funds were restored, Mr. Estrada withdrew the exceptional item asking for this amount to be added to the base budget. The second exceptional item was to increase the FTE cap by one half-time person and for the funding for the salary for that position. The Senate version of the state's budget included this position and funding but the House version removed the item. Mr. Estrada said he had not heard when the joint appropriations committee would be meeting which would be the last chance to make a plea for the exceptional item.

b. Approval of hiring freeze waiver

Mr. Estrada informed the members that the Office of the Governor had approved the agency's waiver request. An amount equal to the salary gone unpaid from February 1 through when the new person is hired must be earmarked to return to the General Revenue.

c. Question regarding the Board's position on virtual offices

Mr. Estrada asked the members if a physical location other than a principal location required in order to offer land surveying services. Also, can a firm offer services on their web site at virtual locations? Mr.

Estrada wondered how virtual offices played into rules and asked the members for guidance. Mr. McMinn explained that he had investigated a firm located in Houston and Austin, operating under the same name, one a main office and one a branch. The owner is selling the offices individually. The Austin office raised the question because the Houston office is trying to open an office in Austin with a very similar name to the already existing Austin office. The office location is in a building that permits the renting of office space for virtual offices. Mr. Estrada directed the member's attention to Occupation Code section 1071.352. Paragraph (a) states that a firm may not offer services unless they are registered with the board and a full-time registered professional land surveyor is employed full time. Mr. Estrada did not believe a virtual office would comply with this act. Mr. Kwan believed that what Mr. McMinn described would not comply with the statute. Discussion ensued and the question raised was how to enforce this statute. Mr. Kwan proposed having licensees call the board when they encountered virtual offices so that the firm can be investigated.

d. Suggestion for a description of the board seal to be included in the Board's rules

Mr. Estrada explained to the members that our rules do not describe what the board seal should look like. He referenced the Engineering Board's rule that showed an image of what the engineer's seal looks like. Our board has a description in a letter that is sent out to applicants but the public has no way of knowing what the official seal looks like. Mr. Cheatham asked if the Rules Committee would work on drafting proposed language.

5. Complaints

a. Closed or Dismissed Complaints

i. 13-21

This complaint was originally received by the Board on January 7, 2013. The complaint alleges that Subject surveyor was to have provided certified surveys for their tracts of land.

The communication regarding the scope of services was conducted by email. In the scope of services described in the proposal, it specified: We propose to provide a written metes and bounds description of each tract signed and certified by Subject surveyor, and ½" iron rods with Subject surveyor's name and RPLS# on the top designating the corners of each tract. The above services will constitute a formal survey of these tracts of land."

In a response to the emailed proposal, Joe Burger (apparently the property manager) asked: "I assume this would be an individual certified survey. (One certified survey for H145 and one for #4958)?" Additional responses did not address what defined a "certified survey"

The metes and bounds descriptions were apparently delivered as originally intended by Subject surveyor. After the complaint was filed, Subject surveyor did provide a signed and sealed survey plat as requested in the complaint.

Timing on resolving this issue by Subject surveyor was complicated by the fact that that he intentionally allowed his license to expire after the metes and bounds descriptions were issued and before the request was made for the survey plat. Subject surveyor waited until he was able to reinstate his license before issuing the survey plat.

The dispute regarding the parties understanding of the scope of services is a contractual issue in which the Board does not become involved. In this instance, the complainant did receive the requested signed and sealed survey plats and was satisfied with the results. No violations were found and the Complaint Review Panel concurs with the recommendation to dismiss.

ii. 14-07

Complaint 14-07 was filed October 22, 2013, alleging that the subject surveyor prepared and issued a survey with several discrepancies. Specifically, the property line went through the driveway, a street continued through the property, a sewer main went through the subject property, and a recorded metes and bounds description indicates by call that another street goes through the property. The complainant provided a marked up copy of the survey with his concerns.

Subject surveyor, through his attorney, responded to the complaint on November 22, 2013. The attorney responded that his client, Subject surveyor, denies all claims made by the complainant. He also indicated that the claims were too vague to respond to.

The subject survey was signed and sealed by Subject surveyor on October 15, 2003. Subject surveyor provided numerous information that he used in surveying the property, and after reviewing it, the following was determined: either the complainant or someone else has drawn a line on the survey that they believe is the correct location of the north line of the subject property. This line is going through the driveway in question. They are no apparent reason for this drawn in line to be correct. Based on the information provided by Subject surveyor, the correct location of the property line is as shown on Subject surveyor's survey.

The complainant alleges that Green Street continues on through the subject property. Subject surveyor's survey indicates the street dead-ends at the north line of the subject property. Per Google maps, the street does not continue on the ground through the property. No information of record has been provided to dispute this.

The complainant alleges that a sewer main, not shown on the survey, goes through the subject property. The City of Brenham G.I.S. maps indicate this to be true. It appears that the easement for this sewer line was obtained from a previous owner of the property and is a blanket easement. The location of the easement is based on the actual location of the sewer line. Subject surveyor should have instructed his field crew to tie in the location of the sewer man hole and indicate this on his survey. Of course, this would only be possible if the manhole was exposed. Subject surveyor lost his field files due to faulty hard drives on his computer, so it cannot be verified if the manhole was exposed at the time of the survey.

The complainant alleges that the southwest corner of the subject property is on the south line of Sixth Street and therefore the north side of the street goes through the property. This is based on the south side of Sixth Street being called out in a deed recorded in Volume 141, Page 165, of the adjoining property to the south of the subject property. That deeds description includes: "Thence N75E 494 feet with the south line of Sixth Street and the south line of a lot still reserved...." Per area maps, the south line of Sixth Street ends before it gets to the southwest corner of the subject tract. Therefore, Sixth Street does not enter or cross into the subject tract.

In reviewing the signed and sealed survey by Subject surveyor, along with the information provided that he utilized in performing his work, no rule violations were found and the Complaint Review Panel concurred with the recommendation to dismiss.

iii. 14-36

This complaint was filed alleging that the subject surveyor had signed and sealed a survey that contained issues that indicated the property had not been surveyed.

The subject surveyor prepared a survey of 58 acres in Victoria County on September 9, 2011. The complainant stated that he wanted to replace the southwest fence and determined that the existing fence was not perpendicular to the property. He stated that he had observed a partial fence on the adjoining property and determined that it was perpendicular to his fence line. The complainant also stated that he had reviewed the tract 1 road easement and that the corner was 482 feet instead of the called 459 feet. The complainant also said a motor cross tract is on their acreage and that the non-perpendicular fence cut off a portion of the track.

The subject surveyor responded to the complaint on July 8, 2014. He said he went back to the property and looked for monuments at the fence corners mentioned by the complainant and did not find any. He stated that the complainant was looking in the wrong spot if he measured 482 feet instead of the 459 feet. He said he does not believe the fences are on the property line, and he stands by his survey.

No rule violations were found and the Complaint Review Panel concurred with the recommendation to dismiss.

iv. 15-15

Complaint 15-15 was filed alleging that the complainant was charged about 3 times the cost for a survey than what she had been quoted. The complainant stated that although she and the surveyor met several times in between the start and finish, no price increase was ever discussed. She said she had tried to discuss this after receiving the billing statement, and can't get the surveyor to respond. She said she had two other concerns, with one being a pipeline crossing the property not indicated on the survey, and two, the acreage shown for gift tax purposes was 121.939 acres instead of 121.922 acres as shown on the divided total.

The surveyor responded to the complaint on March 4, 2015. He said he had been hired by three sisters to survey and divide 121.939 acres. He stated that he had some issues with the deeds and had to do additional field research. He said he had some issues resolving the location of the highway right-of-way and had to meet with TXDOT by phone to solve the issue. He said the complainant's two sisters understood the additional time and expenses, and had paid their portion of the cost. He said as for the pipeline, he indicated the location of a pipeline marker on the northeast side of the property. He said he has no other information for alignment purposes. As for the acreage difference, it occurred when one of the sisters, who works for an attorney, had the attorney prepare the gift deed. The gift deed called for 3 one acre tracts, but the tracts actually totaled 3.017 acres, accounting for the 0.017 acreage differences. The board does not get involved in disputes concerning the cost of a survey. In reviewing the survey product, no violations were found and the Complaint Review Panel concurred with the recommendation to dismiss.

v. 16-37

Complaint 16-37 was filed alleging the surveyor had signed and sealed a survey that, allegedly took approximately 5 feet of the complainant's property.

The surveyor prepared a survey of a lot in Harris County. The complainant is the adjoining owner of the surveyed lot. The survey was signed and sealed on August 11, 2014. The complainant questioned the location of the common boundary line and hired another surveyor to survey his lot. That surveyor located the common line in question approximately 5 feet in a north-south direction different than the subject surveyor. After speaking with the other surveyor, the subject surveyor changed his survey to agree with the location established by the complainant's surveyor.

The board investigator spoke with the subject surveyor and was told that as a young surveyor, the subject surveyor respects the opinions of older, more experienced surveyors. Therefore, he changed his survey to agree with the complainant's surveyor.

In reviewing the subject surveyor's survey, and the information he provided, it was determined that his survey of 2014 followed the minimum standards outlined by the Board. His survey indicates he found various 1" Iron Pipes, including 3 in the subject block, that he held for corners. Although the original subdivision plat does not specify monuments set, one could assume that the 1" Iron Pipes were either original corners or at least mark the position of the original corners.

It was suggested to the subject surveyor that he go back out, do some additional field research, and determine which conclusion he wanted to stand by. After performing this task, he decided to stand by his original boundary analysis. He informed his client of this decision, and provided him with a signed and sealed survey with the date of revision. He said he had met with the complainant during his field visit, and showed him the iron pipes he was using. He said the complainant was satisfied with his decision.

In reviewing the survey work performed by the subject surveyor, no rule violations were found and the Complaint Review Panel concurred with the recommendation to dismiss.

vi. 17-19

The subject complaint alleges that Subject surveyor misrepresented a "description error" as a scrivener's error" and that he did not distinguish the difference between two Supreme Court Cases. The complaint does not cite specific rule violations. In a phone conversation with the complainant, he added that he felt Subject surveyor and/or the file at the GLO had some surveys mixed up between two Supreme Court cases.

The Texas Board of Professional Land Surveying is charged with investigating complaints against Registered Professional Land Surveyors, Licensed State Land Surveyors and registered land surveying firms. The aim of these investigations is to determine if the registrant met the minimum standards imposed on surveyors in Texas by the Professional Land Surveying Practices Act and the General Rules of Practices and Practices developed by the Board.

The investigation included a review of information provided by the Complainant and the report prepared and provided by Subject surveyor. In addition several files in the GLO on-line data base and GLO on-line GIS map were reviewed.

This complaint involves an 1801 Spanish land grant located in Webb County and lying north of the City of Laredo, Texas and bounded on its southwest side by the Rio Grande River. The question to be addressed is whether the grant was to contain 6 leagues of land area or was it to extend a distance of 6 leagues from the river? There are apparently three Supreme Court cases that may have a bearing on the issues involved in the Complainant's situation.

The Complainant hired Subject surveyor to review historical documents regarding the subject land grant and provide an opinion regarding the validity of the survey.

Subject surveyor did not survey the subject tracts of land. He conducted a research project. According to his report, Subject surveyor reviewed documents provided by the Complainant and the contents of the General Land Office archives for the subject land grant. The Complainant contends that the area in question includes approximately 6 leagues of land that were patented in error and should be returned to

the public domain. Subject surveyor's conclusion was stated in his report as "In my opinion the State of Texas does not have a claim of ownership to any of the land within the subject land grant".

Based on conversations with staff members at the General Land Office, the position of the General Land Office is that the grant is valid. The grant was authorized for the area contained in the patent. The grant was validated by the Bourland and Miller Commission under Act of February, 1850 and confirmed by the Legislature by Act of February 10, 1852. The grant was patented based on corrected field notes, according to law. The State of Texas honors and recognizes the grant and claims no interest in the surface or mineral rights to the patented land.

The Board does not have oversight or review authority regarding determinations made by the Texas General Land Office.

Subject surveyor completed an extensive research project and reported his professional opinion which is not in harmony with the opinion of his client. No violations were found and the Complaint Review Panel concurred with the recommendation to dismiss.

**b. Informal Settlement Conferences / State Office of Administrative Hearings
(SOAH)**

i. 14-47

Mr. Kwan and Mr. Garcia were a part of the Informal Settlement Conference Committee that addressed a complaint against a surveyor who performed a survey in Montgomery County. He set the corners and the two neighbors began fighting. It was determined that the surveyor failed to perform research to establish senior/junior rights. His client's property is the junior property and the corner that was located on the ground was not honored. Instead, he set new corners and created a boundary dispute for the last two years. The committee determined that he failed to perform research and did not understand the junior/senior rights. According to the surveyor, the parties settled on a boundary line agreement out of court. The fact that the surveyor failed to follow the Act and rules is a serious issue. The committee recommends an administrative penalty of \$7,500, probated suspension of his license for 18 months, and removal of the corners that were erroneously set. Mr. Merten moved to accept the recommendation. The motion was seconded and passed. Mr. Kwan and Mr. Garcia abstained from voting. The subject surveyor in this complaint was David King, Sr., RPLS #4503.

ii. 16-32

Ms. Chruszczak and Mr. Garcia sat on the Informal Settlement Committee concerning this complaint. In a review of the survey subject to the complaint, the investigator found no violations as related to the complaint but did find an item missing from the plat as required by the rule. The surveyor produced samples of his work with an explanation of how the missing item happened, which was a drafting error. The conclusion was that this was a one-time drafting error that was not common practice consistent with his work and recommend dismissal of the complaint. Mr. Kwan moved to accept the recommendation. The motion was seconded and past. Ms. Chruszczak and Mr. Garcia abstained from voting.

c. Request for reinvestigation

i. 16-23

Mr. Estrada informed the members that this complaint was brought to the board for reinvestigation at an earlier meeting. The members at that time decided to wait until the complainant submitted additional information. The complainant has submitted additional information but it does not appear to add any additional information that would alter the original outcome. Dr. Edward's moved to deny the request. The motion was seconded and past.

d. Opening a complaint in the name of the Board

i. 13-26

Mr. Estrada requested that this item be tabled until later in the meeting to give him an opportunity to speak with General Counsel.

6. Committee Reports

a. Executive Committee –Jon Hodde, Chair

Mr. Estrada indicated that there was no report from the Executive Committee.

b. Rules Committee – Mary Chruszczak, Chair

i. Review and discussion of comments received and possible action regarding proposed rules

Ms. Chruszczak reported that the majority of comments have been toward language proposed in 663.16(d) regarding review of record instrument that defines location of adjoining boundaries, and if appropriate, cite the record instrument on the drawing and prepared description. Ms. Chruszczak offered an alternative to the language that was proposed that takes care of junior/senior rights by stating your performed research on the adjoining property. Dr. Edwards asked if the language shown as stricken in 663.19(f) would remain as stricken. Ms. Chruszczak confirmed. Mr. Kwan offered that the language in 663.16(d) should be left as written and not adopt the proposed language. After additional discussion, Dr. Edwards moved to adopt the proposed rule with the changes proposed by Ms. Chruszczak. The motion was seconded and the change was read again: shall review the record instruments that identify the adjacent properties researched to prepare the boundary and cite the record instruments on the drawing. A vote was taken and the rule was adopted with changes.

Ms. Chruszczak also noted that the discussion on electronic seals indicated that there was always going to be discussion on this topic. The most important fact is that the surveyor is responsible for control of his seal whether it be electronic or otherwise. Mr. Merten stated that we have to keep up with technology and that the prudent surveyor would be able to keep up with his seal. Mr. Merten indicated he would be keeping a signed and sealed copy in his file. The Chair asked that Ms. Chruszczak clarify the rule, 663.18(b), and the language was read. The Chair called for a motion to adopt. Mr. Merten moved to adopt the proposed rule. The motion was seconded and passed.

Ms. Chruszczak asked for a motion to adopt the proposed change to 661.31(12), regarding applying an embossed or electronic seal. Mr. Merten moved to adopt the proposed language and it was seconded and passed.

Mr. Estrada informed the member that the following had been adopted: 663.16(d), 663.18(b), 661.31(12). Members still need to adopt 663.13. Mr. Estrada noted that the reference in the proposed rule to 663.20, Descriptions for Political Subdivisions, within 663.13, the reference should be to 663.20, Subdivision Plat. The Chair called for a motion to adopt with a change to the heading from Descriptions for Political Subdivisions to Subdivision Plat. Mr. Paxton offered the motion and it was seconded. After a vote, the motion passed.

Mr. Estrada then told members that the proposed change to 663.19, removing paragraph (f) and renumbering subsequent paragraphs, was next for adoption. Mr. Kwan moved to adopt the proposed change. The motion was seconded and the change adopted.

ii. Discussion of language concerning loss of surveyor by surveying firm and permission for firm to continue operations

Ms. Chruszczak told members that Mr. Estrada was concerned about authority for a firm to continue operating upon the loss of their surveyor. A rule previously existed that allowed a firm to continue operating with the consent of the executive director and executive committee, when the loss was due to hardship, death, accident or serious illness, the firm could continue to operate for a limited time and would require the oversight and involvement of a licensed surveyor in the provision of surveying services. Ms. Chruszczak believed that the continued operation needed to be more fully defined and that the replacement surveyor had to be fully responsible for the jobs taken by the firm during that time. Mr. Estrada also wanted to see the addition of firms losing surveyors due to employment issues such as having the surveyor quit unexpectedly or the firm not having time to find a replacement. Mr. Kwan stated that an employee leaving was not part of the original consideration when the rule was drafted. The intent was to allow the spouse to bring the business to a close after the death of a surveyor. Ms. Chruszczak believes that the employment issue is a business decision, not a hardship. Mr. Kwan felt that the firm could subcontract with another surveyor to finish the work. The Chair asked if there needed to be clarification. Mr. Kwan felt “hardship” should be clarified but the rule should be restored as it was originally intended. Ms. Chruszczak suggested reviewing the original rule language. Mr. Kwan moved to refer review of the rule to the Rules Committee to consider the previous rule that was in place and bring a report to the Board which may include a proposed new rule or amendment. The motion was seconded and Mr. Estrada asked for clarification regarding contract work. He wanted to know if that was for finishing existing projects and would it include starting new projects. After a vote, the motion carried.

iii. Maintaining paper copies with original signatures

Mr. Estrada noted that this item was tabled at the last meeting. The rule states that the firm or the surveyor should retain a retrievable copy of the survey. Ms. Chruszczak stated that an original signature, even on a PDF, is still an original signature. Mr. Kwan stated that technology has changed and even paper, unless in a controlled environment, will disintegrate. He did not believe that it was practical to keep paper copies. The Chair noted that there were still situations where an original signature was required. Ms. Chruszczak felt this is a judgment call. In the situation where the surveyor took the documents, she felt that the firm should have ownership of the records. If the electronic record was all that was left with the firm, the electronic copy is sufficient because the rules calls for a retrievable format. Members agreed that no change should be made to the rule. Mr. Estrada questioned if in the case of an electronic document with a signature, the signature would be considered original. Mr. Merten noted that the proposed rule just adopted, 663.18(b), would permit the signature on a PDF to be considered original.

iv. Update on drafting language to improve definition of “surveying” and including use of drones as tools

Ms. Chruszczak asked that this be tabled until the next meeting so that Mr. Hodde could have input.

Before moving on, Ms. Chruszczak asked if the suggestion made by Mr. Estrada regarding adding a description of the seal in the rules should include an image and dimensions. Members agreed and this language will be presented at a future meeting.

The Chair then called for a 10 minute break at 11:57 a.m.

The Chair reconvened the meeting at 12:10 p.m.

The Chair asked about complaint 13-26. Mr. Estrada asked that this item be tabled indefinitely.

c. RPLS/SIT Examination Committee – Jon Hodde, Chair

i. Results of April 2017 RPLS exam

Mr. Merten reported on behalf of Mr. Hodde. Nineteen candidates attempted the SIT exam and nine were certified as SIT.

Fifty one individuals sat for the RPLS exam, 27 passed the exam.

ii. Confirmation of new RPLS

Mr. Edwards moved to approve the RPLS candidates. The motion was seconded and passed.

d. LSLs Examination Committee – Bill Merten, Chair

i. Results of April 2017 LSLs exam

Mr. Merten reported that five individuals sat for the LSLs exam and only one passed. A debriefing will be done for the four candidates that did not pass.

ii. Confirmation of new LSLs, John Denney

John Denney then came forward and gave his oath and was recognized as the newest LSLs.

e. Continuing Education Committee – Paul Kwan, Chair

i. Approval of Courses

Mr. Kwan recommended courses for approval. Due to the number of courses, Exhibit A is attached. Ms. Chruszczak moved to accept the recommendations. Mr. Merten abstained from voting because he is teaching one of the approved courses. The motion was seconded

7. Other Business

a. Report on continuing education audit of 2017 and issues raised regarding course certificates submitted – Bill Merten

Mr. Merten provided a report to the Board members on the continuing education audit of 2017. This year, 17% of the registrants (or 500 individuals) were audited. He noted that a change in procedure, namely checking on the course certificates submitted, had resulted in questions from licensees.

Issues found concerned registrants taking courses that had been expired and removed from the Board's approved list. The course provider is responsible for renewing their courses; they are initially informed the course will expire in two years.

A second issue was registrants taking courses that had never been approved. The registrant, in this instance, can submit an Individual Course Approval form and providing a course outline for Board approval.

A third issue was in the accounting for the preparation and teaching of classes, both professional and para-professional, being acceptable and the number of CEUs that can be offered.

Mr. Merten posed questions to the members to help the staff and registrants to understand what is acceptable and what needs to be done to obtain the credit.

1. If an approved class has expired, can it be renewed by paying the renewal fee(s) retroactive from the date of expiration? Mr. Merten felt that the policy "once approved, always approved" was appropriate. Mr. Kwan and Ms. Chruszczak agreed. There was no other discussion regarding this question.

2. For ABET approved classes through an accredited institution, do we have a guideline as to the ratio of CEUs allowed/credit hour received? Mr. Merten believed that there was a maximum 16 hour limit. Mr. Kwan stated that that had been changed because of the maximum carryover of 8 hours per year. Anything over that carryover would be lost anyway.

3. *In the past, the teaching of courses has been awarded twice the CEUs of the class. Is this ratio of 2 to 1 still appropriate?* Mr. Kwan stated that the ratio had been dropped because of the maximum carryover. Mr. Merten asked if it would be appropriate for someone teaching a four-hour class to earn eight hours. Mr. Kwan believed that it would because of the preparation time. Ms. Chruszczak asked for clarification on how it applied to teaching ABET classes. Mr. Kwan replied that the instructor could apply individually or the college could submit all the courses being taught at once. An ABET approved course is automatically approved. An instructor would only have to notify the Board that they are teaching an ABET course and receive 16 hours.

4. *Preparation of courses that will be submitted at a later date are acceptable for CEU credit. Would this be considered self-study, should there be a limit as to the number of hours claimed?* Mr. Kwan stated that the Board adopted a policy in the early 1990s that if you studied for an out-of-state licensing exam, the Board would allow eight hours if the surveyor passed the exam. Mr. Merten thought that the maximum was four hours but Mr. Kwan said it would be eight hours based on the policy. Mr. Merten reiterated that preparation for a course that will be submitted for approval would earn the instructor four hours.

5. *Is the preparation and teaching of para-professional classes acceptable for CEUs?* Mr. Merten explained that he had conversed with a registrant who teaches para-professional classes. Mr. Merten felt that it would be acceptable to receive CEUs. Ms. Chruszczak thought it would depend on the class. Mr. Kwan said that the purpose of continuing education was to improve your knowledge. Ms. Chruszczak recalled CAD drafting classes and how the Board did not consider that a substantial course for CEUs. Para-professional courses won't always qualify for CEUs and should be looked at on a case-by-case basis. Dr. Edwards agreed that the courses would be looked at on a case-by-case basis.

6. *If a surveyor submits an Individual Course Approval form and backup information for a non-approved class (greater than 4 hours), is he/she required to pay a course approval fee to have the work approved? Currently, the Board does not require payment of a fee.* Mr. Merten wondered if the person should submit a fee because it takes staff time to review. Mr. Kwan said these courses were different from sponsored courses; why would you charge yourself? Mr. Kwan did not believe that a fee should be charged unless the Board was wanting to generate more revenue.

7. *If a surveyor submits a Self-Study Form and back information for self-study (4 hours maximum), is he/she required to pay an approval fee to have the work approved? Currently, they do not.* Dr. Edwards wondered if the staff received that many requests. Mr. Kwan said he reviewed approximately 10 during this quarter. Mr. Kwan noted that the Board reviews approximately 100 courses per year. The individual course review does not require the same amount of effort compared to sponsored courses. Mr. Kwan stated that he would either proctor the course or get a password and review the course online. Mr. Estrada raised a concern that the rules allow for a sponsor to initiate a request and move forward with teaching a course before it has even been approved. Attendees should visit the Board's web site and confirm the course is on the approved course list before they sign up.

This concluded Mr. Merten's report.

b. Treating surveys submitted to Texas Railroad Commission as "preliminary surveys" – Kerry Hoefner

Mr. Hoefner offered a presentation on oil and gas surveys and suggested the board consider they be treated as preliminary surveys so that the surveys would be compliant with our rules while also complying with rules set out by the Texas Railroad Commission.

c. Response to issues raised regarding oil and gas surveys – Dennis Hughes

Mr. Hughes expressed his views on issues that were raised in the board's recent discussion of oil and gas surveys and presented examples of plats submitted to the Texas Railroad Commission. He noted that a

tremendous amount of detail would be required under the surveying rules that the Railroad Commission really did not need on their drawings.

d. Update from Committee formed to address oil and gas well surveys submitted to the Texas Railroad Commission – Mark Neugebauer

Mr. Neugebauer informed the members that the issue is one that has been going on for a long time. Betty Pope, Executive Secretary of the Board, had requested an opinion from Jim Mattox, Office of the Attorney General, in 1985 (JM-418). In the opinion they talk about the very issue being discussed today. The opinion states that the Railroad Commission can make its own rules and created form W-1 for its own use in implementing its rules. The Commission decided its applicants can provide sufficient information without providing well location or surveying boundary lines. Form W-1 refers to a plat but it does not refer to precise and detailed plat used to record property lines in public records.

In 2002, Sandy Smith, Executive Director, requested an opinion that affirmed the previous opinion.

Mr. Neugebauer does not believe that one state agency, this Board, can dictate what another agency can do. He and Mr. Merten believe that the TSPS may be the organization that can get another agency to change its rules. Mr. Merten felt that our hands were tied in this matter.

Mr. Kwan related a situation that occurred in the 1990s. TCEQ was requiring surveyors to certify the three-foot covering depth of landfills. There was discussion at that time on whether the surveyor could sign and seal this document. As a result rule 663.18(e) was drafted giving the surveyor the latitude to certify documents that are not related to surveying.

Discussion on whether the current rule definition of “surveying” would apply to hydrographic surveys – Davey Edwards

Dr. Edwards wanted to know if the Board felt that the definition of professional surveying cover hydrographic surveying under the statement “beds of bodies of water to determine areas and volumes” (Occupation Code 1071.002(6)(A)). Mr. Thompson, PLS of North Carolina, is compiling definitions of hydrographic surveying from all States for NOAA Hydrographic Services Review Panel. Mr. Merten felt that hydrographic surveys were like topographic surveys, they do not rely on boundaries but more on volume. Dr. Edwards wondered if the term should be changed to hydrographic topographies instead of surveys. The members did not offer a definition.

8. Future Agenda Items – Select next meeting date

July 21, 2017 was selected as the next meeting date. Mr. Merten felt that he and Mr. Neugebauer needed to look into the oil and gas surveys and the topic should remain on the agenda. Ms. Chruszczak and Mr. Kwan will draft a policy on continuing education for the next meeting.

9. Comments from the Public

Jerry Lehew said that the TSPS Dallas Chapter had a seminar the previous week would like the board to offer guidance on rule 663.17. Some surveyors interpret this rule to mean that all corner monuments be placed prior to signing a survey or subdivision plat; others believe that the easement be tied to corners of records and placing monuments at all corners is not necessary. He asked if a task force or round table could be established to study this. Mr. Kwan replied that this would be professional judgment.

Mr. Lehew also mentioned the Sunset Review was coming up in the next session. TSPS would like the agency to continue and offered to help.

Curtis Strong offered that too many rules can come back and bite you. If you start taking surveyors out of the oil and gas equations, GIS people will step in and people will wonder what happened to the surveyors.

Mike Romans was curious about the policy if the four hours of CEUs for attending meetings would continue after Mr. Kwan leaves the board.

Deward Karl Bowles mentioned rule 663.8(2) could be modified to cover the issue with the oil and gas surveys. He also mentioned contracts, stating that complaints could be reduced if surveyors would have contracts with their clients.

10. Adjourn

The meeting was adjourned at 1:11 p.m.

**EXHIBIT A
CONTINUING EDUCATION
May 19, 2017**

Page 1

APPLICATION FOR COURSE APPROVAL

Appd Rejd

1. Texas Society of Professional Surveyors

Rules, Repercussions and Reconciliation

 X _____

Subject Matter: The Act & Rules of the Texas Board of Professional Land Surveying discussed will be the surveyor's responsibility to the Board, the complaint process, probation guidelines, ethical standards and professional and technical standards.

Objectives to be taught:

- a. Rule violations that result in license revocation.
- b. RPLS responsibility to TBPLS and ethical standards.
- c. Informal Settlement Conference.

Instructors: Doug Turner
4 hours

Motion: _____ **MC** _____

Second: _____ **AP** _____

2. Texas Society of Professional Surveyors

How Texas Got its Shape

 X _____

Subject Matter: Explore the origins and unique characteristics of Texas Boundaries. We will discuss the role of the Texas General Land Office and the importance of landmark boundary cases.

Objectives to be taught:

- a. Identify and discuss the historical boundaries of Texas.
- b. Recognize and discuss what events lead to present day Texas Boundary.
- c. Recognize and discuss the disposition of lands from the sovereign.

Instructors: Michael Hoover and David Klotz
4 hours

Motion: _____ **MC** _____

Second: _____ **AP** _____

3. Texas Society of Professional Surveyors

Project Management Training

 X _____

Subject Matter: The key to success as a Project Manager is to institutionalize the process and save creative energy for the things that deserve creativity. We will discuss ways to set up systems to track and monitor scope, budge and schedule as easily as possible.

Objectives to be taught:

- a. Improve profitability on survey projects.
- b. Improve client satisfaction.
- c. Understand how to leverage PM systems.

Instructors: John Geddie

**EXHIBIT A
CONTINUING EDUCATION
May 19, 2017**

Page 3

Motion: MC **Second:** AP

Appd Rejd

6. Texas Society of Professional Surveyors

Errors, Errors, Errors

X

Subject Matter: A practical guide on how to avoid them. As land surveyors we depend on our measurements. Of course technology has improved the data collection process giving more accurate results, reduction of time in data collection and processing and hopefully reducing errors resulting in a cost savings to the client. Unfortunately errors do creep in, often due to equipment failure, bad methodology, Mother Nature and of course human error. The key to eliminating these errors is to recognize and understand them and to know your limitations.

This class will explore the most common types of errors, how to recognize them and how to avoid them in the everyday work day. The different types of errors such as systematic observational and gross errors will be discussed with possible solutions that may be incorporated into standard field procedures.

Objectives to be taught:

- a. Defining and understanding the different types of errors (i.e. Random, Systematic, Observational, etc.)
- b. Understanding equipment and personnel limitations and how it affects accuracy.
- c. How care and maintenance of field equipment affects accuracy and solutions to recognize and avoid these issues.
- d. Recognizing common measurement errors and solutions to prevent them.

Instructors: William (Bill) Merten

2 hours

Motion: MC **Second:** AP

7. Texas Society of Professional Surveyors

Introduction to Gradient Boundaries

X

Subject Matter: An introduction to the laws, rules, history and procedures of a gradient boundary.

Objectives to be taught:

- a. What is a gradient boundary?
- b. History and laws of gradient boundary.
- c. Field procedures to locate a qualified bank.

Instructors: Philip Adams and David Klotz

2 hours

Motion: MC

Second: AP

**EXHIBIT A
CONTINUING EDUCATION
May 19, 2017**

Page 4

Appd Rejd

8. Texas Society of Professional Surveyors

FAA Regulations for UAS Operations

X

Subject Matter: An overview of 14CFR Part 107 – FAA regulations for UAS commercial operations, including summary of rules for:

- a. Pilot in Command
- b. UAS airman certification
- c. Reporting requirements
- d. Hardware standards
- e. Operations restrictions
- f. Waiver procedures
- g. FAA enforcement activity

Objectives to be taught:

- a. Describe the primary objectives for FAA developing regulations for commercial use of UAS in the National Airspace System on the United States.
- b. Give a general description of a UAS that can be flown under the regulations in FAA Part 107.
- c. Describe the certification process set forth in Part 107 for a person to qualify as a Remote UAS Pilot.

Instructors: George Southard
2 hours

Motion: MC

Second: AP

9. Texas Society of Professional Surveyors

How to Become a Licensed UAV Pilot

X

Subject Matter: This session will acquaint the attendees with the FAA testing and qualifications to become licensed as a Remote UAS Pilot. There will be a careful review of the Knowledge Test Study Guide to help potential Remote UAS Pilot applicants to prepare themselves to successfully complete the exam.

Objectives to be taught:

- a. Know where to study guide and knowledge test for Remote UAS pilot can be found.
- b. Describe the qualifications for a person to be eligible to apply to become a licensed Remote UAS Pilot.
- c. Describe the recurring licensing requirements for a Remote UAS Pilot.

Instructors: George Southard
2 hours

Motion: MC

Second: AP

**EXHIBIT A
CONTINUING EDUCATION
March 19 2017**

Page 5

10. Texas Society of Professional Surveyors

UAS as a Tool for Land Surveyors

 X _____

Subject Matter: In this session, you will learn about the:

- a. Preparation for owning and operating a UAS for commercial work.
- b. Operation of a UAS for photogrammetric applications.
- c. Overview of principles of photogrammetry for UAS data reduction.
- d. Detailed information on the operation of UAS to collect surveying and mapping data.
- e. Discussion of new technologies, system integration, as well as available technical capabilities of UAS for surveying and mapping.

Objectives to be taught:

- a. Describe some of the applications for which a UAS can be used in Surveying and Mapping profession.
- b. Briefly describe why the use photogrammetric processes are necessary for the creation of useful and accurate map products using UAS systems.
- c. What are the approximate overall annual costs involved in setting up and operating a UAS production business.

Instructors: George Southard
4 hours

Motion: _____ MC _____ **Second:** _____ AP _____

11. Texas Society of Professional Surveyors

Understanding the Risks Associated with Surveys, Descriptions and Plats

 X _____

Subject Matter: This presentation will encompass an overview of various types of surveying services designed to fulfill the intended purpose of the client. We will discuss various elements for consideration when determining the scope of services to be provided. The participants will review and discuss the potential benefits and risks associated with a variety of seemingly routing projects gone awry. The range of projects will include the preparations of legal descriptions, routine boundary and construction surveys, topographic surveys and plats. We will discuss a series of cases with a view of “what went wrong” and “how could it have been prevented.”

Objectives to be taught:

- a. Understanding the client’s needs.
- b. Learning how to communicate with the client.
- c. Defining your role in the project team environment.
- d. Examining the purpose of your survey, descriptions and plats.
- e. Minimizing the risks and preventing disasters.

Instructors: John B. Stahl
4 hours

Motion: _____ MC _____ **Second:** _____ AP _____

**EXHIBIT A
CONTINUING EDUCATION
March 19 2017**

Page 6

12. Texas Society of Professional Surveyors

Unlocking Boundary Disputes "You Hold the Keys"

___X___

Subject Matter: This course will provide a thorough examination of the creation and establishment of boundaries. Current court decisions defining the surveyor's role in determining land boundaries will be reviewed. Methods for determining solutions to multiple monumentation and documentation of boundary evidence will be discussed. We will learn how alternative dispute resolution processes can benefit the land surveyor and landowner and will also examine the surveyor's role in the litigation process. Participants will discuss various methods to prepare for depositions and courtroom testimony.

Objectives to be taught:

- a. Understanding the process for creating and establishing boundaries.
- b. Learning what the courts expect of the land surveyor.
- c. Defining your role in alternative dispute resolution.
- d. Preparing, deposition and trial.

Instructors: John B. Stahl

4 hours

Motion: ___MC___

Second: ___AP___

13. Texas Society of Professional Surveyors

What Went Wrong, A Study in Surveyor Errors and Omissions

___X___

Subject Matter: As I continue "Traversing the Law," studying and writing about court cases involving boundary disputes and land surveyors, I have found everything from the ridiculous to the sublime. In some cases, I have to shake my head in disbelief over what I was reading leaving me with just one question: What went wrong? This seminar will investigate the answer to this question by a detailed study of several recent court decisions involving surveyors and surveys that went terribly wrong. The painful lessons learned by others through the school of hard knocks can be painlessly explored and appreciated without the accompanying liability and damages that attach to boundary disputes and negligence actions. My presentation includes 1.5 hours of Ethics.

Objectives to be taught:

- a. Learn about the importance of evidence gathering and evidence evaluation.
- b. Learn about the dangers of "arbitrary rules of surveying."
- c. Learn about torts that the surveyor can commit while performing a boundary survey.
- d. Learn how to avoid litigation and the liability associated with it.
- e. Learn from the mistakes of others without having to experience the pain yourself.

Instructors: Jeff Lucas, JD, PLS

4 hours

Motion: ___MC___

Second: ___AP___

**EXHIBIT A
CONTINUING EDUCATION
March 19 2017**

Page 7

14. Texas Society of Professional Surveyors

Better Business Practices and the Law

___X___

Subject Matter: What do better business practices have to do with the law? Plenty! Put another way, better business practices must be in harmony with the law that affects our practice as professional service providers (land surveyors, engineers, architects, etc.). The law that most affects us as professionals is property law, contracts, negligence, torts, the common law, administrative law and statutory enactments. Ignorance of the law is no excuse for the average citizen and even more so for professional service providers. This seminar will focus on 10 Better Business Practices that you can implement immediately to bring your focus on 10 Better Business Practices that you can implement immediately to bring your practice in harmony with the law. These practical steps will benefit your company whether you are a multi-state corporation with hundreds of employees, a solo practitioner or an individual licensee wanting to improve his or her own personal practices. This presentation included 1.5 hours of Ethics.

Objectives to be taught:

- a. Ample case law will be studied to flesh out the concepts and principles involved.
- b. Discussion of basic legal requirements for business, contracts and corporation.
- c. Cover the standard of care for professional services providers.
- d. Study evidence and procedures land surveying.
- e. Discussion of the land Surveyor's duties and responsibilities under the law.

Instructors: Jeff Lucas, JD, PLS

4 hours

Motion: ___MC___

Second: ___AP___

15 Texas Society of Professional Surveyors

Using Geospatial Data in the Oil & Gas Industry

___X___

Subject Matter: A Geospatial Data Science Center is an advanced database of information organized and accessible using multiple software tools on the desktop, web or cell phone. Dr. Lyle will walk through a complete life cycle workflow for exploration of Oil & Gas production. Dr. Lyle will demonstrate how his new UAV Rapid Design Tool, "Status Check" and "Level-up" technology using his Geospatial Data Science Center places Surveyors as leaders in managing Oil & Gas data in the future.

Objectives to be taught:

- a. Attendees will see a complete workflow of surveying and geospatial data in the Oil & Gas Industry.
- b. Attendees will be provided a summary of Oil & Gas software with connects to geospatial data in the value chain.
- c. Attendees will understand how Geodesy, UAV's, GPS, LiDAR, Hydrographic, Pipeline, RoW, Seismic Data, Geological and other data is used in the Oil & Gas Industry.

Instructors: Stacey Lyle, PhD

2 hours

Motion: MC

Second: AP

**EXHIBIT A
CONTINUING EDUCATION
March 19 2017**

Page 8

16. Texas Society of Professional Surveyors

Leaving Tracks

X

Subject Matter: This course is the outflow of court instructions to follow the footsteps of the original surveyor. The course have given far less emphasis on how to leave good footsteps. It is my hope that more substantial, durable and unique monuments will be left and described in the student's field notes so fewer lines will be lost to the future retracement surveyor. It has been my personal experience that I have expended resources to find evidence of faded lines, marked them and recorded field notes in client's deeds only to learn that development has destroyed my own footsteps. This has led me to seek means of accessorizing my lines and corners to aid the future surveyor with his retracement. I have also realized that our directive calls can provide much better guidance to the lines if we understand the precision available and use our directive expeditiously.

Objectives to be taught:

- a. In this course the audience will be offered concrete methods of creating "footsteps" to be followed by future generations of land surveyors.
- b. We will discuss corner monuments and accessories and line monuments and how to properly call for items that are found in place along or near a line so these objects can be elevated to locative calls in the event that the primary monuments are obliterated.
- c. We will discuss directive calls including use of the Texas Coordinate Systems. Within this topic the student will be given information about measurement science and statistical evaluation of measurements to aid with understanding the precision capabilities modern technology can offer and its limitations as well. A thorough discussion of the value of actual physical monumentation for the benefit of the landowner and others utilizing land surveying services will be offered.
- d. Recognizing common measurement errors and solutions to prevent them..

Instructors: Wayne Terry
2 hours

Motion: MC

Second: AP

17. Hill Country Land Surveyor's Seminars

Kerrville Fall Conference

X

Subject Matter: Act and Rules; Court Cases as applied to boundary retracement; boundary retracement and perpetuation of the record through property prepared descriptions.

Objectives to be taught: Proper and working knowledge of Act and Rules. Working knowledge of key court decisions as to land boundary construction. The responsibility of the land surveyor to protect the record of the land.

Instructors: Gary Gilley and C.B. "Ben" Thompson
12 hours

Motion: MC

Second: AP

**EXHIBIT A
CONTINUING EDUCATION
March 19, 2017**

Page 9

18. Pacheco Koch Consulting Engineers, Inc.

Pacheco Koch Internal Seminar

 X _____

Subject Matter: Professional Land Surveying Services Act; General Rules of Procedures and Practices; Standards of Professional Responsibility and rules of Conduct; Professional and Technical Standards; Laws, Codes and Statues affecting the Professional Surveyor.

Objectives to be taught: Refresh familiarity with the Act and Rules. Discuss Ethics and professional responsibility. Update knowledge base to be aware of changes in code and law that affect the profession and our daily practice.

Instructors: Michael L. Lewis and Rene Silvas
4 or 8 hours

Motion: MC _____

Second: AP _____

19. Texas Society of Professional Surveyors

“Surveyors Speaker Development Workshop”

 X _____

Subject Matter: Skills and techniques to aid industry experts in instructing/teaching their peers in the surveying profession.

Objectives to be taught: In this case, adult learning principles are to be used to develop clear and measurable objectives, design interesting and relevant content, and perform needs analysis to determine the educational needs of the profession and attendees. How to use the ADDIE process to efficiently design effective educational seminars for surveyors?

Instructors: Jim Comer
8 hours

Motion: MC _____

Second: AP _____

Motion: _____MC_____

Second: _____AP_____

**EXHIBIT A
CONTINUING EDUCATION
March 19, 2017
Page 11**

22. McKissock 100% Education

Online Correspondence:

Seized Land: Eminent Domain

__X__ _____

Subject Matter: This course covers the topic of land seizures using the power of the eminent domain law. Eminent domain is a legal power legislatively granted to city, state or federal government entities for the purpose of seizing private property deemed necessary to serve the best interests of the general public. In this course, some of the basic elements of the power of eminent domain are discussed. These topics include the steps involved in the condemnation process, how to determine the valuation of property and the types of compensation which are feasible. In addition, this course defines what qualifies as public use, the rights of a land owner and highlights the historical use of eminent domain and famous real estate holdouts.

Objectives to be taught:

- a. What is Eminent Domain?
- b. Steps in the Condemnation Proceedings.
- c. Just Compensation and Establishing Fair Market Value.
- d. Compensation for Damages
- e. Other Topics Relating to Eminent Domain.

Instructors: Angus Stocking
5 hours

Motion: _____MC_____

Second: _____AP_____

23. McKissock 100% Education

Seized Land: Eminent Domain

__X__ _____

Subject Matter: This course covers the topic of land seizures using the power of the eminent domain law. Eminent domain is a legal power legislatively granted to city, state or federal government entities for the purpose of seizing private property deemed necessary to serve the best interests of the general public. In this course, some of the basic elements of the power of eminent domain are discussed. These topics include the steps involved in the condemnation process, how to determine the valuation of property and the types of compensation which are feasible. In addition, this course defines what qualifies as public use, the rights of a land owner and highlights the historical use of eminent domain and famous real estate holdouts.

Objectives to be taught:

- a. What is Eminent Domain?
- b. Steps in the Condemnation Proceedings.
- c. Just Compensation and Establishing Fair Market Value.
- d. Compensation for Damages.
- e. Other Topics Relating to Eminent Domain.

Instructors: Angus Stocking
5 hours

Motion: MC Second: AP

EXHIBIT A
CONTINUING EDUCATION
March 19, 2017
Page 12

24. Doug Turner

Rules, Repercussions & Resolutions X

Subject Matter: The professional Land Surveying Practices Act & the TBPLS Rules of Procedures & Practices.

Objectives to be taught: Violations of Act & Rules that result in license revocation, easements, firm compliance, RPLS responsibility to the board, complaint process and ethical standards.

Instructors: Doug Turner
4 hours

Motion: MC Second: AP

25. Stone Fort Group/Energy Drone Coalition Summit

How to Fuse UAV Data with Geospatial Data to Improve Onshore New Well Site Development X

Subject Matter: This workshop will go through the workflow of selection of the best locations to establish a pad, road, well, wellbore, facilities, pipeline, a pond and utilities by fusing UAV data to geospatial data.

Objectives to be taught:

1. review UAV regulations and process to obtain FAA 107 License.
2. compare UAV equipment and software.
3. utilize Geospatial Data Cubes to predesign site
4. use real-time design tools to see real time site surveys.
5. design pad, road, ponds, utilities, facilities, pipelines, drainage and support infrastructure.
6. calculate earth volumes.
7. monitor construction/drilling process.

Instructors: Dr. Stacey Lyle
2 hours

Motion: MC Second: AP

**EXHIBIT A
CONTINUING EDUCATION
March 19, 2017**

Page 13

INDIVIDUAL COURSE APPROVAL

1. Carlos P. Cotton #1902

CVEN 403 Applied Civil Engineering Surveying __X__ _____

Subject Matter: Application of land surveying principles; topographic surveying, boundary surveying and construction staking through field exercise using state-of-the-art equipment and data capture/analysis techniques; preparation of topographic and boundary maps with related documents; presentation of results.

Objectives to be taught:

1. The student will be able to complete a topographic survey using state-of-art equipment and develop a map of the area surveying using state-of-the art mapping software.
2. The student will be able to stake a construction site from drawing including tract boundary, streets, utilities, lots and utility easements.
3. The student will be able to prepare a boundary survey map along with meters and bounds from survey data and deed descriptions using state-of-the art mapping software.
4. The student will be able to discuss typical problems encountered in surveying and how they affect civil engineering design.
5. The student will be able to discuss the value of surveying to the civil engineering profession.

Instructors: Carlos Cotton #1902 and Doug Bramwell #5976

~~80 hours~~ **Approved for maximum 16 hours**

Motion: _____ **MC** _____ **Second:** _____ **AP** _____

2. Doug Bramwell #5976

CVEN 403 Applied Civil Engineering Surveying __X__ _____

Subject Matter: Application of land surveying principles; topographic surveying, boundary surveying and construction staking through field exercise using state-of-the-art equipment and data capture/analysis techniques; preparation of topographic and boundary maps with related documents; presentation of results.

Objectives to be taught:

1. The student will be able to complete a topographic survey using state-of-art equipment and develop a map of the area surveying using state-of-the art mapping software.
2. The student will be able to stake a construction site from drawing including tract boundary, streets, utilities, lots and utility easements.

**EXHIBIT A
CONTINUING EDUCATION
March 19, 2017**

Page 14

3. The student will be able to prepare a boundary survey map along with meters and bounds from survey data and deed descriptions using state-of-the art mapping software.
4. The student will we able to discuss typical problems encountered in surveying and how they affect civil engineering design.
5. The student will be able to discuss the value of surveying to the civil engineering profession.

Instructors: Carlos Cotton #1902 and Doug Bramwell #5976

~~80 hours~~ **Approved for 16 hours maximum**

Motion: MC **Second:** AP

3. Anthony L. Gray #5789

TEPM 6306 Project Management Office X

Subject Matter: This is a Masters Level Project Management course that is taught in the College of Technology at the University of Houston. The subject matter is created to how to create, operate and align a strategic Project Management office within a corporation.

Objectives to be taught: Knowledge Management and how to establish the frame work for implementing an Enterprise or Strategic Project Management Office within a Technical Organization.

Instructors: Ron Smith

~~33 hours~~ **Approved for 16 hours maximum**

Motion: MC **Second:** AP

4. Teresa Myers #6234

Best of Advanced Real Estate Drafting 2016 X

Subject Matter: Quit Claims...; Top Ten Drafting Rules...; Drafting rofo/option agreements, etc; Ethics – Con. Int; Involuntary extinguishment of easements; how to solve insolvable breaks in chain of title; trespass to try title suits; case law update; transfer on death deeds; annotated promissory note; thorny Firpta withholding issues involving foreign sales of real estate.

Objectives to be taught: Real estate drafting do and don'ts; how to solve problems in chain of title; different types of deeds, what they mean and how to draft; how easements are extinguished involuntary; how to draft documents for adverse possession case; new case law update; ethic and conflict of interest related info and other property law related subjects.

Instructors: G. Rowland Love, Chad Baruch, Kent Newsome, Steven Haley, Tommy Bastian, Douglas Becker, Michael Jones, Jeffrey Matthews; David Weatherbie, Fredrick Biel Jeffrey Jones and Diane Dillard

~~6.2 hours~~ **Approved for 6 hours**

Motion: MC **Second:** AP

**EXHIBIT A
CONTINUING EDUCATION
March 19, 2017**

Page 15

5. Bill Wedelich #4098

Legal Principals I

___X___

Subject Matter: A study of the location, conveyance, ownership and transfer of real property under the laws of the State of Texas with emphasis on the history of disposition of public land, relevant landmark cases involving boundary location, interpreting written descriptions, dignity of calls and evidence, record search of public and private land records and preparation of deed record sketches.

Objectives to be taught:

1. Explain the roll of the General Land Office from its inception after Texas Gained its independence to the present.
2. Understanding of how title to property is conveyed and how title rights can be acquired by unwritten means.
3. Explain the meaning of a number of legal terms used in boundary law and understand the types of evidence used in boundary determination.
4. Know the requirements for licensure as an RPLS in Texas.
5. Understand the dignity of calls, riparian rights and subdivision law.
6. Be able to locate a court case in a law library.
7. Understand the different type of descriptions fund in conveyances of real estate.
8. Explain the basic elements of a contract in Texas.
9. Be able to discuss the different attributes of a professional.

Instructors: Bill Wedelich

~~48 hours~~ **Approved for 16 hours maximum**

Motion: ___MC___

Second: ___AP___

6. Bill Wedelich #4098

Legal Principals II

_X___

Subject Matter: An advanced course in legal principles, retracement and boundary location with application of legal principals and Rules of Construction for public land and Texas land laws; writing survey reports and property descriptions; and a review of boundary law cases.

Objectives to be taught:

1. Demonstrate an understanding on how to apply the “dignity of calls” as used by the courts to determine the location of boundary lines from survey information.
2. Demonstrate ability to describe land boundaries and articulate the legal principals encountered in determining land boundaries.
3. Explain the meaning of a number of legal terms used in boundary law and understand the types of evidence used in boundary determination.
4. Know the requirements for licensure as an RPLS in Texas.

EXHIBIT A
CONTINUING EDUCATION
March 19, 2017

Page 16

5. Be able to locate court cases on-line through the library facilities and understand the reasoning behind the decision by the judge including preparation of sketches where necessary to illustrate the particular facts of the case.

Instructors: Bill Wedelich

~~48 hours~~ **Approved for 16 hours maximum**

Motion: MC **Second:** AP _____

7. Mark Yale #5975

International Right of Way Association – Course 901

Engineering Plan Development and Application X _____

Subject Matter: The purpose of this course is to enable participants to improve their plan reading skills in order to perform their jobs more easily, effectively and efficiently. The course is designed to enable participants to improve their skills in using engineering plans and drawings.

Objectives to be taught: How to read topographic and property information on plans? The interrelationship of plan, profile and cross sections sheets. How to determine the horizontal and vertical alignment of a centerline? How to use aerial photogrammetry? Plane coordinates. Utility line crossings of highways. Contour line characteristics. How to calculate earthwork? Interpreting right of way plans.

Instructors: Lawrence Dupree

8 hours

Motion: MC **Second:** AP _____

8. Mark Yale #5975

International Right of Way Association – Course 902

Property Descriptions X _____

Subject Matter: How to read topographic and property information on plans? The interrelationship of plan, profile and cross section view, the horizontal and vertical alignment of a centerline, aerial photogrammetry, plane coordinates, utility line crossings of highways, contours, calculating earthwork and interpretation of right of ways plans.

Objectives to be taught: Requirements of a valid description. Use of the rectangular grid system. When and how to use the point and centerline method. Sources of uncertainties, subdivision descriptions and metes and bounds descriptions.

Instructors: Lawrence Dupree

8 hours

Motion: MC **Second:** AP _____

**EXHIBIT A
CONTINUING EDUCATION
March 19, 2017**

Page 17

9. Rhodes Urban

Drone Pilot Ground School

 X _____

Subject Matter: Be able to operate drones and acquire an FAA license for their operation. This course was necessary to legally operate a drone for surveying purposes.

Objectives to be taught: Drone Laws & FAA Regulation weather & Micrometeorology, the National Airspace System and Drone Flight Operations.

Instructors: Alan Periman

~~6.75 hours~~ **Approved for 6 hours**

Motion: _____ **MC** _____

Second: _____ **AP** _____
