

NEVADA STATE BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS
Minutes of the PLS Standards of Practice Committee Meeting
Held virtually Monday January 23, 2023, at 2:00pm

Committee members participating were committee chair Matt Gingerich, PLS; Michael Kidd, PLS; Jason Higgins, PLS; David Crook, PLS; Wayne Handrock, PLS; and Mark Cormier, PLS. Also joining were Patty Mamola, Executive Director and Murray Blaney, Operations/Compliance.

1. Meeting conducted by Matt Gingerich, call to order and roll call to determine presence of quorum.

It was determined a quorum was present.

2. Public comment period.

There was no public comment.

3. Approval of December 8, 2022, PLS Standards of Practice Committee meeting minutes.

PLS 23-01 A motion was made by Mr Handrock to approve the December 8th minutes, Mr Crook seconded, and the motion passed.

4. Discuss regulations related to standards of practice for land surveying, refer to Addendum A for list of regulations. (Discussion Only)

Mr Gingerich noted that the regulation changes approved on June 2, 2022, are provided for context to the other changes.

i. Regulation changes approved by the PLS Standards of Practice Committee June 2, 2022, meeting.

Ms Mamola said there was no action required with this item, it is informational only. The previously approved regulation changes were included in the packet to help the committee see other proposed changes in context.

ii. Regulation changes approved by the PLS Standards of Practice Committee at its December 8, 2022, meeting.

Ms Mamola said similar to the previous item the regulation changes have already been approved and have been included for context and discussion if need be.

iii. Regulation changes for consideration by the PLS Standards of Practice Committee at its January 23, 2023, meeting.

Ms Mamola introduced the regulation changes for consideration at this meeting. Two in particular had additional changes after they were discussed.

NAC 625.670 Required research, identifications, measurements and computations.

The last sentence of number five of NAC 625.670 (page 33 of your packet) was edited for additional clarity, based on comments and concerns raised at the last committee meeting.

Mr Kidd said that he feels it is important to incorporate a mention of the hierarchy of call because older evidence is ignored.

Mr Gingerich responded that number two addressed that concern. He said that we wanted to be somewhat generic, so junior and senior property rights, retracement of original survey evidence provided by existing records and proper application of the order and importance or priority of calls or conflicting calls.

Mr Gingerich and Mr Kidd continued to discuss the details of the hierarchy of calls and order of importance as described in D of the regulation.

Ms Mamola asked if we want to eliminate the words “the order of importance” or “priority of conflicting calls”.

There was additional discussion, and Mr Gingerich and Mr Kidd agreed that “proper application of the hierarchy of calls and the order of importance or priority of conflicting calls” sounds good.

Mr Crook, Mr Cormier, and Mr Higgins also offered input and all agreed on the changes.

There was discussion about voting on the regulation, and it was agreed to vote on them separately.

Mr Kidd asked if language should be included that defines a baseline effort for what “reasonable effort” in locating subsurface monuments is.

There was a discussion among the group about the definition of “reasonably” and “diligently” and which is more appropriate to describe the level of effort required to locate subsurface monuments.

Mr Cormier pointed out that subsurface monuments may be three inches below the surface or 5 feet below the surface and asked if “not digging” could be considered “undiligent”.

Discussion continued and it was agreed that the word “must” should be included with “diligent search”.

Ms Mamola offered that a panel of experts would typically be convened to review a complaint against a land surveyor to determine if the search was diligent. The group agreed to the revised language.

PLS 23-02 Mr Kidd made a motion to approve the language and Mr Higgins seconded the motion. All were in favor and the motion passed.

NAC 625.720 Drawing of survey; certification.

Ms Mamola reminded everyone that NAC 625.720, number 4, iii (page 34 of the packet) was still being discussed. Specifically, the last two sentences were cleaned up after the December 8th meeting. Ms Mamola explained the change that says “must be clearly legibly drawn in a manner typically used for creating permanent records.”

PLS 23-03 Mr Gingerich asked for a motion to approve the change, Mr Higgins made a motion, Mr Crook seconded, and the motion passed.

Ms Mamola reminded everyone that NAC 625.666 is still being edited and that it will require more thought. She said she will do more research based on discussions with Mr Gingerich.

Mr Kidd offered to provide Ms Mamola with a starting point. Ms Mamola accepted and said that she would have Mr Blaney send the Word document of NAC 625.666 to Mr Kidd. (ACTION Item)

5. Discussion of executive orders

Ms Mamola provided a summary of the two executive orders issued by Governor Lombardo. Each requires a report to be submitted. The first is due April 1, 2023 and the second is due May 1, 2023. She explained that the governor has requested boards to recommend eliminating at least regulations and that the Board is required to go through a public stakeholder process to obtain input.

Mr Kidd asked how long it takes for someone to get licensed by comity. Ms Mamola replied, one day after we receive the application, we typically approve the applicant for licensure. She said that we will highlight that fact to the governor.

A discussion ensued about eliminating the Nevada specific exams to speed the licensing process. Ms Mamola reminded everyone that the executive orders stipulated no new regulations and that there are five regulations we are going to repeal in the PLS standards of practice. The engineer’s 24 question exam and the PLS Nevada specific exam have to be considered to comply with the executive order asking for changes to regulations to speed new workers to be able to work in Nevada. Eliminating the state exams would speed the licensing process.

The conversation continued around timing relating to the legislature with everyone agreeing that the current steps and strategies being discussed are appropriate.

Mr Handrock said that he understands why the state specific exam may need to go away, but said he has to remind out-of-state surveyors what state law is.

Ms Mamola said then our state exam is not effective as all out-of-state surveyors currently have to take the state exam.

Mr Gingerich asked Ms Mamola what the next steps are for the proposed regulation changes. Ms Mamola replied that the legislative committee meets February 1. All the regulations that were approved by this committee will go to the legislative committee and then to the board for approval. Mr Gingerich, Mr Kidd and myself are planning a presentation at the NALS conference for additional feedback/input on the proposed regulation changes after the legislative committee approves them. Because of the executive order that states no new regulations we will then need to wait until the Governor lifts the stay on any new regulations.

6. Public comment period.

There was no public comment.

7. Adjourn

Mr Gingerich thanked the committee for their participation and adjourned the meeting at 2:56pm.

Respectfully,

Patty Mamola
Executive Director