

**State of Rhode Island and Providence Plantations
DEPARTMENT OF BUSINESS REGULATION
1511 Pontiac Avenue, Bldg. 68-2
Cranston, Rhode Island 02920**

**Division of
Design Professionals STATE BOARD OF REGISTRATION FOR
PROFESSIONAL LAND SURVEYORS
MINUTES OF THE MEETING OF THE BOARD**

DATE: 6 August 2013

**PLACE: 1511 Pontiac Avenue, Building 69-1 Conference Room,
Cranston, RI**

**MEMBERS PRESENT: Chair John Mensinger, Vice-Chair Richard S.
Lipsitz, Secretary Michael J. McCormick and Members Daniel R. Cotta
(arrived at 3:00p.m.) and Curtis M. Johnson**

OTHERS PRESENT: Mrs. Lois Marshall, Administrative Assistant

**OTHERS ABSENT: Attorney Neena Sinha Savage, DBR Chief of Legal
Services**

**CALLED TO ORDER: Chairman Mensinger called the meeting to order
at 1:12 p.m.**

A. MEETING MINUTES (Review/Discuss/Take Action)

Vice Chairman Lipsitz made a motion to approve the Regular Meeting Minutes of 9 July 2013. Secretary McCormick seconded. Motion passed; three (3) in favors one (1) absent and one (1) abstained. Voting in favor were Chair John Mensinger, Vice-Chair Richard S. Lipsitz and Secretary Michael J. McCormick. Member Daniel R. Cotta was absent from this vote. Member Curtis Johnson abstained

B. EXECUTIVE SESSION

(1) Because of the nature of the following items, Member Johnson moved to convene into Executive Session at 2:23 p.m. pursuant to RI General Laws, §42-46-5(a)(2), for sessions or work sessions pertaining to collective bargaining or litigation and §42-46-5(a)(4) for investigative proceedings regarding allegations of civil or criminal misconduct. Secretary McCormick seconded. Motion passed; four (4) in favor, one (1) absent. Voting in favor were Chair John Mensinger, Vice-Chair Richard S. Lipsitz, Secretary Michael J. McCormick and Member Curtis M. Johnson. Member Daniel R. Cotta was absent from this vote.

(2) Member Johnson moved to adjourn from Executive Session and to reconvene to an open meeting at 3:20 p.m. pursuant to RI General Laws §42 46-4. Member Cotta seconded. Motion passed; five (5) in favor. Voting in favor were Chair John Mensinger, Vice-Chair Richard S. Lipsitz, Secretary Michael J. McCormick, Members Daniel R. Cotta

and Curtis M. Johnson.

(3) Member Johnson moved to seal the executive session and record the votes taken in executive session pursuant to RI General Laws §42-46-4 and §42-46-5. Member Cotta seconded. Motion passed; five (5) in favor. Voting in favor were Chair John Mensinger, Vice-Chair Richard S. Lipsitz, Secretary Michael J. McCormick and Members Daniel R. Cotta and Curtis M. Johnson.

(4) Member Johnson moved that no votes were taken in executive session at this time. Member Cotta seconded. Motion passed; five (5) in favor. Voting in favor were Chair John Mensinger, Vice-Chair Richard S. Lipsitz, Secretary Michael J. McCormick, Members Daniel R. Cotta and Curtis M. Johnson.

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(5) Member Johnson moved pursuant to RI General Law §42-46-4 that the Board defer disclosure of all votes in executive session until such time as such disclosure would not jeopardize any strategy, negotiation, or investigation undertaken concerning RI General Law §42-46-5(a). Member Cotta seconded. Motion passed; five (5) in favor. Voting in favor were Chair John Mensinger, Vice-Chair Richard S. Lipsitz, Secretary Michael J. McCormick and Members Daniel R. Cotta and Curtis M. Johnson.

(6) In Executive Session pending matters, there are three (3) pending matters, comprised of three (3) investigative matters with zero (0) recusals.

(7) Vice Chair Lipsitz moved to approve and seal the Executive Session Meeting Minutes of 9 July 2013 as published. Member Cotta seconded. Motion passed; four (4) in favors, one (1) abstained. Voting in favor were Chair John Mensinger, Vice-Chair Richard S. Lipsitz, Secretary Michalel J. McCormick and Member Daniel R. Cotta. Member Curtis M. Johnson abstained from this vote.

C. CORRESPONDENCE (Review/Discuss/Take Action)

(1) Coastal Resources Management Council (CRMC) Notice – Proposed changes to their Rules and Regulations of the Coastal Resources Management Council.

So noted.

(2) Rhode Island Society of Professional Land Surveyors – General Membership Meeting and Individual Renewal Registrations –

So noted.

D. OLD BUSINESS (Review/Discuss/Take Action)

(1) Joint Informational Bulletin

The Board has received no new information from the Board Registration for Professional Engineers regarding the joint informational bulletin. A discussion of the Massachusetts Board

updating 250 CMR as they related to the current joint informational bulletin.

(2) Professional Development Hours (PDH) Approval Requests

There are no PDH requests at this time.

(3) National Council of Examiners for Engineers and Surveyors (NCEES)

- **2013 NCEES Annual meeting.**

Member Cotta and Johnson will be attending the 2013 NCEES Annual Meeting as representatives of the Board and voting delegates.

(4) Rules and Regulations

Secretary McCormick moved to release, on the Board's website, a draft of their Rules and Regulations for review subject to approval by legal counsel. Member Curtis seconded. Motion passed; four (4) in favor, one (1) absent. Voting in favor were Chair John Mensinger, Vice-Chair Richard S. Lipsitz, Secretary Michael J. McCormick and Member Curtis M. Johnson. Member Daniel R. Cotta was absent from this vote. Vice Chair Lipsitz moved to have Chair Mensinger forward to Attorney Savage for new certification language for inclusion to the current draft Rules and Regulations. Secretary McCormick seconded.

Motion passed; four (4) in favor, one (1) absent. Voting in favor were Chair John Mensinger, Vice-Chair Richard S. Lipsitz, Secretary Michael J. McCormick and Member Curtis M. Johnson. Member Daniel R. Cotta was absent from this vote.

(5) 2014 Legislation-Status Update

Vice Chair Lipsitz will contact Warren Ducharme of the Building Code commission regarding language change to the Building Code regarding surveying.

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(6) PLS Examination

- **Exam Database**

Due to the absence of Member Cotta there was no updates at this time.

(7) Municipal Official's and State Regulatory Acceptance of Improper Plans

- **Follow-up on Letter to State Building Code Commissioner as a result from the Annual Building Officials Meeting**

Chairman Mensinger informed the Board that the Building Code matter is ongoing.

- **Rhode Island Department of Transportation Plan Conformance**
Secretary McCormick informed the Board that this matter is ongoing.

(9) Any other Old Business

There is no old business at this time.

E. NEW BUSINESS (Review/Discuss/Take Action)

(1) Any Other New Business

There is no other new business.

(2) Comments from the General Public

None at this time.

F. Applications (Review/Discuss/Take Action)

(1) Certificate(s) of Authorization (COA) Application(s)

(A) Martnex Couch & Associates, LLC.

Secretary McCormick made a motion, seconded by Member Johnson, that the Board approve this application provided that person in responsible charge is currently licensed, that the person in responsible charge is not listed on more than two (2) COAs, that there is no disciplinary action and that a current “Certificate of Good Standing” from the Rhode Island Secretary of State’s office is received. Motion passed; four (4) in favor, one (1) absent. Voting in favor were Chair John Mensinger, Vice-Chairman Richard S. Lipsitz, Secretary Michael J. McCormick and Member Curtis M. Johnson. Member Daniel Cotta was absent from this vote.

(2) Land Surveyor-in-Training/Professional Land Surveyor (LSIT/PLS) Application(s) by Examination and Comity

None that this time.

G. Next Meeting 10 September 2013 Adjournment

Vice Chairman Lipsitz moved to adjourn the meeting at 3:22 p.m. Member Johnson seconded. Motion passed; five (5) in favor. Voting in favor were Chair John Mensinger Vice-Chair Richard S. Lipsitz, Secretary Michael J. McCormick and Members Daniel R. Cotta and Curtis M. Johnson.

Posted on 19 September 2013 electronically on Secretary of State's Office website; pursuant to the Open Meetings Law, R.I. Gen. Laws Sec. 42-46-6(b), business not included in this notice may be considered with the consent of the majority of the members, and/or may convene into Executive (closed) Session pursuant to R.I. Gen. Laws Sec. 42-46-5.