Legislation changes board of examiners composition

The Governor has signed legislation changing the composition of the Engineering and Land Surveying Examining Board. The change allows for one additional land surveyor on the board, which could reduce the number of professional engineers on the board by the same number. The additional land surveyor position could be held by an individual who also holds both the P.E. and L.S. license.

The reason for the change, which was initiated by the Society of Land Surveyors of Iowa (SLSI), was to provide additional expertise on the Board to address the disproportionate number of complaints against land surveyors which are brought before the Board. In some years the number of complaints brought to the Board’s attention is as high as 60-70% land surveying related. Current code has limited the number of individuals holding the L.S.-only to one. Others holding both the L.S. and the P.E. license could be included. However, the Board has recently had only one L.S. serving on the Board. In addition, the Board is responsible for developing the Iowa specific land surveying exam and addressing comity requests.

This change should help in finding additional qualified individuals to serve on the Board and protect the safety, health and welfare of the public.

Legislature adjourns – no sales tax on professional services

The Iowa legislature adjourned in early May after the longest session in the state’s history where all three branches were controlled by the same party. And they did so without extending the state’s sales tax to professional services – specifically, engineering and land surveying.

Early in the session a draft tax reform plan was leaked that showed a proposal to extend the state sales tax to engineering and land surveying services. This would have been a nightmare for engineers and land surveyors to administer. Land surveyors would have been responsible for knowing the tax rate in every jurisdiction in which they worked and when those taxes were due. It would have resulted in in-state firms having a disadvantage when competing with out-of-state firms on Iowa jobs, or a disadvantage when Iowa firms would compete on out-of-state work.

Add to that the problem of a pyramiding of the sales tax when land surveyors were providing services to other professionals who were also paying a sales tax.

Fortunately, legislative leaders in both Houses agreed with our concerns and the sales tax extension to our services was stricken from the tax plan. However, several new services and products are now subject to the sales tax. If you buy it online or download it, plan on it being taxed. If it’s an online service, plan on it being taxed. Use Uber or a local taxi? It’s now taxed. The list goes on, but thankfully to our legislative leaders it does not include our services.
Rule changes implemented by Board of Examiners

As a result of a required review of all rules every five years, the Iowa Engineering and Land Surveying Examining Board has released a set of updated rules:

1. Decreases from 25 to 10 the number of required years of experience necessary for a waiver of the FE exam.
2. Creates a new “retired” status of engineer or land surveyor. Allows an individual to use the retired PE or LS distinction without the mandatory continuing education requirements. The individual must be 100% retired and receiving no monetary compensation by providing PE or LS services. There is no fee for retired status.
3. Applicants for the licensure must present a record of four years or more practical experience of which one must include a minimum of one-year field experience.
4. The requirement for a personal interview with a Board member prior to taking the LS exam is rescinded.
5. Applicants who have failed the state-specific exam on two occasions shall not be allowed to retake the exam before waiting at least one year. Current rules require a two-year wait.
6. Reduces the number of references from three to one and that individual must be able to verify the number of years of experience and an applicant’s level of education.
7. Requires licensees to maintain documentation of reported PDH’s for two years after the hours were submitted.
8. Requires all Board members to be audited for compliance for a biennium within each their three-year appointment term.
9. If the Board disallows any PDH or the licensee has failed to complete the required PDHs, the licensee shall have 60 days from Board notice to either provide further evidence of having completed the disallowed PDH or remedy the discrepancy by completing the required number of PDHs. Additional time may be granted on an individual basis.
10. The new rule would allow complaints to be made via the Board’s website.
11. The current definition of Professional Misconduct in 9.3(6) is rescinded and replaced with 9.3(6) Professional misconduct. Professional misconduct includes, but is not limited to revocation, suspension, or other disciplinary action taken against a licensee by a licensing authority of this state or another state, territory, or country. A “disciplinary action” includes a voluntary surrender of a license to resolve a pending disciplinary investigation or proceeding. A stay by an appellate court shall not negate this requirement; however, if such disciplinary action is overturned or reversed by a court of last resort, discipline by the board based solely on such action shall be vacated. A licensee shall notify the board of such disciplinary action within 30 days of the disciplinary action.
12. Reports from peer reviewers must be submitted within 90 days. Current rules simply state “within a reasonable period of time.” Extensions may be granted.
13. Rule 11.2 defining “retrace” is amended as follows: “Retrace” means following along a previously established line to logical termini monumented by corners that are found or placed by the surveyor.
14. 11.4 “Descriptions” is amended as follows: (underlined is new language) “.... The description must contain dimensions sufficient to the description to be platted and retraced and shall describe the land surveyed either by government lot or by quarter-quarter section or by quarter section and shall identify the section, township, range and county; and by metes and bounds commencing with a corner marked monumented in the U.S. Public Land Survey System; or if such land is located in a recorded subdivision or recorded
addition thereto, then by the number or other description of the lot, block or subdivision thereof which has been previously tied to a corner marked and established by the U.S. Public Land Survey System.

15. 11.5 relating to plats is amended as follows: 11.5(5) The plat shall show that record title boundaries, centerlines, and other boundary lines were retraced to monuments found or placed by the surveyor. The surveyor shall retrace those exterior lines of a section that divide a metes and bounds described parcel of land to determine acreage for assessment and taxation purposes.

16. 12.2(a) relating to public survey corner certificates requirements is amended as follows: There is no certificate for the corner monument on file with the recorder of the county in which the corner is located. 12.2(3) relating to public survey corner certificates requirements is amended as follows: The identity of the corner monument, with reference to the U.S. Public Land Survey System, shall be clearly indicated.

2019 Annual Conference

Approximately 300 individuals participated in this year's event making it another successful annual surveying conference.

This year's program consisted of Charlie Tucker's presentation on Railroad Surveying 101, ethics training provided by Rita Perea (helping to fulfill the recently updated licensing requirement of 2 hours per biennium), along with programs on drone technology in surveying, new datums 2022, engineering and land surveying licensing board updates and a presentation by NSPS Vice President Lisa Van Horn.

Award Winners 2019

Greg Chlebicki, PE/PLS, DMACC (left), receives the Rud Lubsen Excellence Award from SLSI board member and awards chair Mike Geier, PLS, with Snyder & Associates, Council Bluffs at the March 7, 2019 Awards Luncheon in Ames.
Greg Chlebicki, PE/PLS, with Des Moines Area Community College and their surveying program, received the **Rud Lubsen Excellence Award** at the awards luncheon during this year’s annual conference. The Rud Lubsen Excellence Award is presented to a SLSI member in recognition of outstanding performance or service in:

~Direct supervision of a noteworthy land surveying project: or,
~Teaching activities and improvement in land survey education; or,
~Recruiting new talent; or,
~Being a “prime mover” for development of new techniques; or,
~Public relations and/or improvement of the public image of the land surveyor.

David Hoffart (left) receives the John J. Reineke Service Award from SLSI board member and awards chair Mike Geier, PLS, at the March 7, 2019 Awards Luncheon in Ames.

David Hoffart, with Transit Works, received this year's **John J. Reineke Service Award** at the annual conference luncheon. This award is presented in recognition of extraordinary service to SLSI and/or to the land surveying profession.

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**SLSI Foundation Auction**

The Annual Iowa Professional Surveyors Foundation auction raised just over **$4000** at this year's auction and social hour!
Members of the Iowa Professional Surveyors Foundation presented two students with scholarships in the amount of $1500 each at the March 7, 2019 Awards Luncheon. Recipients pictured are Quinton Knopik, Southeast Community College (middle left) and Kassidy Reicks, Hawkeye Community College (middle right). Not pictured: Harold Patton, St. Cloud State University, who also received a $1500 scholarship from the Foundation.

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**Photo Competition Winners**

For a second year, SLSI held a photo competition in conjunction with the annual conference. The competition consists of three different entry categories: Category 1 - Surveying Related Photos, Category 2 - Monumentation Photos and Category 3 - Scenic Photos.

Annual conference attendees were asked to view the 20-plus entries and vote for a favorite in each category. Attendees selected the photo entries of SLSI members Dan Rittel, PLS, with Engineering Resource Group of Des Moines, and his Monumentation Category entry and Paul Herold, PLS, with Herold-Reicks-Surveying of New Hampton, and his Scenic Category entry. The winning photo entries were auctioned off as part of the scholarship auction and both members received a $50 Gift Card for first place.

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**Gavel Exchange**

The March conference signaled the last official act as President for the 2018-2019 SLSI President, Terry Coady, PLS, with Snyder & Associates of Ankeny. SLSI would like to thank Terry for his leadership and service to the Society over the past year. SLSI welcomes incoming President David Wilberding, PLS, with Professional Surveying Service of Cherokee, as the 2019-2020 SLSI President.
Incoming SLSI President David Wilberding, PLS (left), presents the 2018-2019 President's Plaque to outgoing SLSI President Terry Coady, PLS (right)

SLSI 83rd Annual Conference
March 5-6, 2020
Scheman Center, Iowa State University
Ames, IA

Society of Land Surveyors of Iowa
Dave Scott, Executive Director
100 Court Avenue, Suite 203
Des Moines, IA 50309
Phone: (515) 284-7055
Fax: (515) 284-7301
email: info@slsi.org

Secretary/Treasurer
Gary Brown, P.L.S.
GB Consulting
503 Rosemary Drive
Cedar Falls, IA 50613
(319) 277-4519
gdbrown@cfu.net

President
Dave Wilberding, P.L.S.
Professional Surveying Service, Inc.
8 Brady Drive
Cherokee, Iowa 51012-7600
(712) 548-6325
dave@surveyiowa.com

NSPS Director
Richard Leu, P.L.S.
151 Larick Court
Marion, IA 52302
(319) 377-5095
richleu@yahoo.com