

BOARD OF PROFESSIONAL ENGINEERS
AND PROFESSIONAL LAND SURVEYORS

Agenda for Meeting
September 5 – 6, 2012
Meeting starts at 8:00 am, September 5, 2012
at the Board Office,
1510 E. Watertower St., Ste. 110, Meridian, ID 83642

i. AGENDA REVIEW - Are there any new agenda items?

I. READING OF MINUTES

1. Review Minutes of the June 4 & 5, 2012 Board meeting.
2. Review Minutes of the August 2 & 3, 2012 Board Retreat.

II. REVIEW AND APPROVAL OF CONSENT AGENDA

1. The following items have been continued at previous meetings and staff is unaware of any activity relating to these matters:

- a. FY11.11 Erickson, Chad, Standard of Care. Mr. & Mrs. Badertscher submitted a complaint regarding the survey work of Chad R. Erickson. The work included locating a previous corner which was apparently incorrectly and previously located by Carl Edwards and others. The location of this corner affects a Badertscher's property line as well as several others. Mr. Erickson submitted a detailed response to the complaint. Staff has notified the Badertschers that the complaint lacks the requirements for a formal complaint and will be considered a request for inquiry. Pending outcome of litigation. The case we tabled the matter for is still active, but hasn't had any activity since February 2012. In addition, in 2011 the plaintiffs opened a new civil action against Grangeville Highway District and that case has a telephonic status call scheduled for November 2012. Bottom line: two cases still active; no predictions as to when they will resolve.

III. UNFINISHED BUSINESS

1. Review Strategic Plan Objectives.
2. Subcommittee Updates
 - a. Item Writing (Mr. Howe, Mr. Elle and Mr. Young): The subcommittee is currently in the process of digitizing and reviewing the 110 items that were written during the Item Writing Workshop in March. Approved items will then be sent to the psychometricians for inclusion in the item bank.
 - b. CM at Risk Subcommittee (Mr. Bennion and Mr. Wagner): The subcommittee will study the Construction-Manager-at-Risk issue.

- c. Structural Engineers Subcommittee (Mr. Bennion and Mr. Elle): The subcommittee will explore what type of projects should be restricted to structural engineers. Staff was directed to procure laws from other jurisdictions regarding structural engineering requirements. Mr. Bennion to invite ACEC-Idaho, ISPE, ASCE and SEAI to confer with subcommittee.
 - *d. International Mobility Subcommittee (Mr. Wagner and Mr. Bennion): The subcommittee will study (1) NCEES administering and selling exams internationally the result of which may be outsourcing of engineering jobs. (2) Foreign engineering students gain their education in the US and then cannot stay. (3) Foreign engineering students gain their education outside the US but come to the US to practice. (4) Foreign engineering students gain their education outside the US, pass the NCEES exams, but do not reside in the US but request licensure in the US. The subcommittee will focus on Idaho procedures. Attorney Kane to investigate the implications of the suggested changes in language / concepts and report his findings to the Board at the September meeting.
 - e. FE/FS Exam Expense Subcommittee (Mr. Wagner and Mr. Elle): The subcommittee will study ways and means by which the expense of the FE and FS exams could be offset once we move to computer based testing in January 2014. The subcommittee was authorized to contact ISPE, ISPLS, ACEC-Idaho and the technical societies and see if they have any interest in taking up the banner on this matter to help students defray the increased cost of the FE and FS exams.
 - f. Surveying FAQ Page Subcommittee (Mr. Howe and Mr. Elle): The subcommittee will review recent changes to the surveying laws (effective July 2011) and assist staff with updating the Surveying FAQ web page.
 - *g. At the Retreat the Board voted to create a task force of interested and affected professional and technical societies to review potential legislation focused on MOE for civil engineers, but did not designate any Board Members to lead. How does the Board want to proceed with this item?
- *3. The State of Washington brought to our attention the services of First American Title Insurance Company and their ExpressMap service. The Board continued this matter to see what Washington has done and to monitor ISPLS activity relative to the definition of surveying.
 - 4. Jack Clark has written an editorial for ISPLS relating to legislative ideas for changes in the law to add elevations to definitions of engineering and surveying. A letter will be drafted to Mr. Clark and the ISPLS Southwest Section with assistance from current and former Board members for Board review at this meeting.
 - *5. Dean Brown is requesting a status update of his request for a wording change to 54-1215(3b). The Board authorized staff to draft a letter to Mr. Brown for the Board and

Attorney Kane's review. Mr. Kane and Mr. Bennion have expressed some concern with the draft letter presented below.

- *6. Staff would like the Board to reconsider the strike-and-underscore amendments to Idaho Code Section 54-1221 regarding reinstatement of licenses and has suggested alternative wording to that which was previously approved by the Board.
- *7. Mr. Curtis will prepare a job description and prepare a list of tasks with a timeline to be undertaken by the Board to seek a replacement for the Executive Director position.
- *8. Staff has prepared a draft document of the lessons learned from the Administrative Hearing.

IV. NEW BUSINESS

1. Reports by Board Members and Staff of activities since the June Board meeting.
2. Staff will present an Expense Reimbursement Summary for the Executive Director for June 2012 through August 2012 for the Board's review.
3. Staff will provide an update on the Board's financial status as of July 31, 2012.
- *4. Mr. Wagner would like the Board to discuss how to provide a way for applicants to disclose their legal ability to work in the U.S.
5. The Board will discuss IDAPA 10.01.01.17 for non-approved surveying degree course requirement equivalence. *This will be discussed under IV-8.*
- *6. Barry Burnell would like to know if the Board has had any further or more recent discussions since the November 2007 NEWS BULLETIN on the Record Drawing disclaimer language?
7. The Board will discuss the status of the ISU Engineering Program accreditation. The ISU programs are highlighted on the spreadsheet.
8. Some time ago NCEES adopted an Engineering Education Standard by which their Credential Evaluation Department would evaluate non-EAC/ABET programs for equivalency. The Idaho Board adopted that standard into IDAPA rules and it went into effect upon adjournment of the legislature this year. NCEES has now adopted a Surveying Education Standard by which they will evaluate non-EAC/ASAC/TAC/ABET programs for surveying equivalency. Does the Board want staff to begin the process of rule promulgation to incorporate the NCEES Surveying Education Standard in lieu of the current IDAPA requirement of 27 prescriptive credits?

9. The 2012 APEGBC Annual Conference will be held October 25-27, 2012 in Victoria, British Columbia. Does the Board want to authorize attendance to this meeting?
- *10. Bob Paddock has submitted questions to the Board about licensing software engineers.
- *11. ACEC-Idaho requested that the Board to discuss "Transportation Planning". There have been recent efforts and RFP's soliciting cost proposals for Transportation Planning that are of concern. There are two main areas that we are seeking feedback from the Board as outlined in the attached letter.
12. Does the Board want to meet with the Deans, etc. in conjunction with the November meeting?
- *13. Mr. Howe would like to discuss the brokerage of surveying services.
- *14. Mr. Kane would like the Board to review and consider its policy of allowing a Request for Inquiry in lieu of filing a Formal Complaint.
15. Mr. Howe received the following proposed revisions to 54-1202.
16. Staff has drafted a proposed rule change relating to CPD.

V. CONSIDERATION OF APPLICATIONS

VI. CONSIDERATION OF DISCIPLINARY MATTERS