



Idaho Board of Licensure of Professional Engineers and Professional Land Surveyors

Fall/Winter 2019 - NEWS BULLETIN 62nd EDITION

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INTRODUCTION

This NEWS BULLETIN is distributed a minimum of twice per year by the Idaho State Board of Licensure of Professional Engineers and Professional Land Surveyors to inform the public and the State's Professional Engineers and Professional Land Surveyors of those events which significantly affect the professions.

Board Home Page <https://www.ipels.idaho.gov>

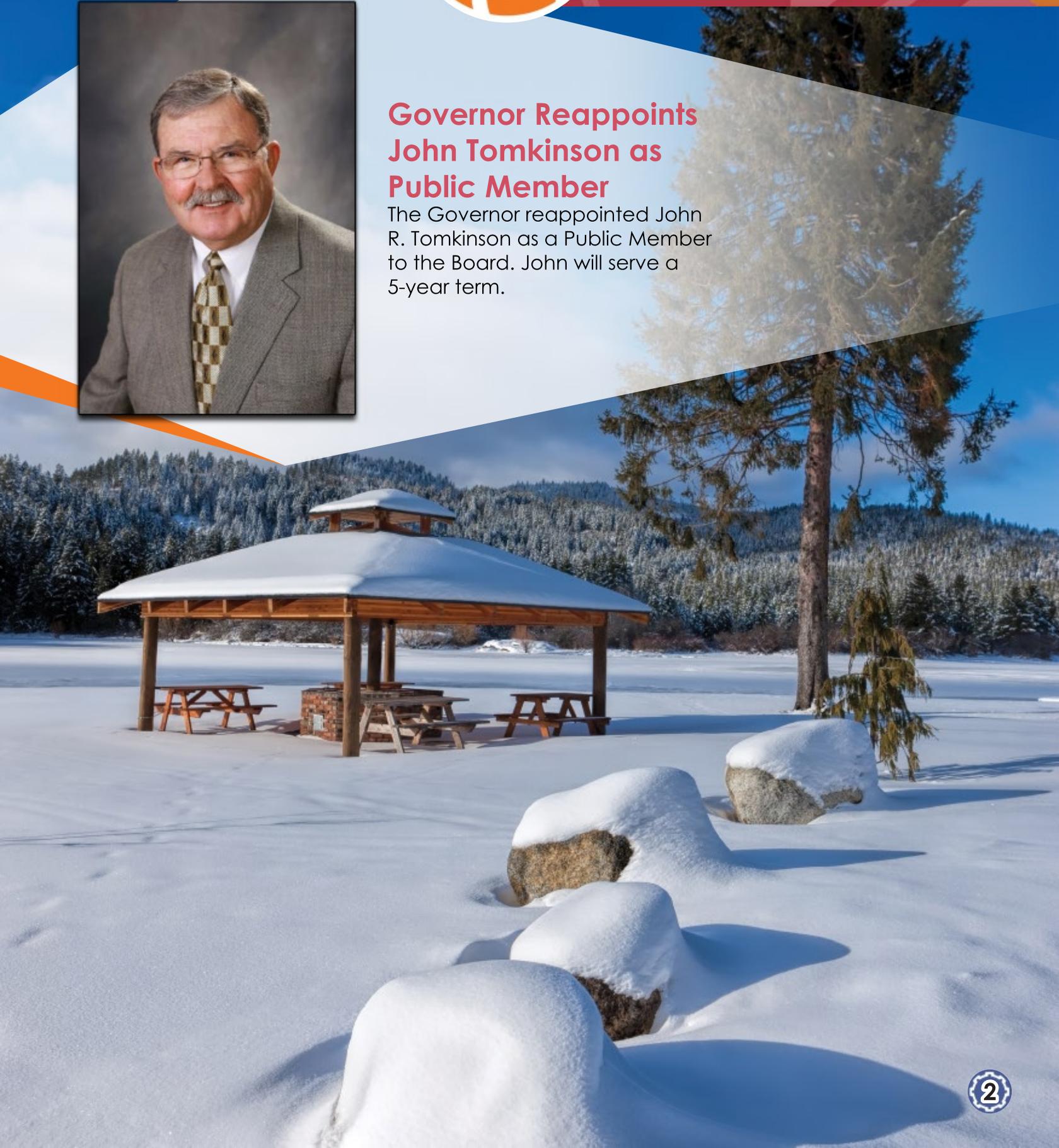


Board Member Highlights



Governor Reappoints John Tomkinson as Public Member

The Governor reappointed John R. Tomkinson as a Public Member to the Board. John will serve a 5-year term.

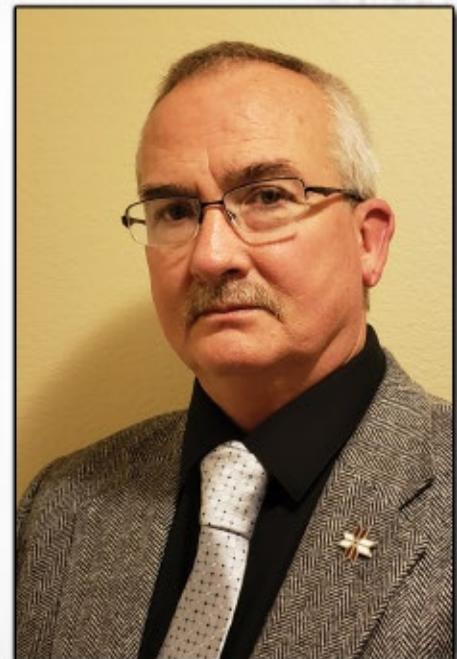


Introduction



New Surveyor Hired

The Board is pleased to announce Tom Judge, P.L.S. as the new staff land surveyor. He is licensed in Idaho, Utah, Washington, Oregon and Nevada. In addition to his state licenses, Tom has also completed mediator training and obtained his Certified Federal Surveyor designation. He has been surveying for nearly 40 years, the last 20 years being based in Boise. His most recent position was as a senior surveyor and Boise County Surveyor. Tom began his career in 1979 as a Fire Direction Controller in the Army. After his service in the military, he continued honing his surveying skills working in Texas and Missouri. Additionally, Tom studied boundary law at the University of Missouri and counseling at the Christian Outreach School of Ministry. His longtime interest in policy led him to serve as vice president of the Idaho Society of Professional Surveyors, 2015-2016, and as president and past president of the Idaho State Bowhunters, 2003-2007. All survey related issues and complaints will go to Tom. He can be reached at tom.judge@ipels.idaho.gov, or (208) 332-1785.





Board Changes Opinion on the Acceptance of Gratuities

The Board issued an opinion in 1999 that allowed the acceptance of travel, entertaining, and lodging for a licensee to receive training at the location of a manufacturer or vendor out of state where the expenses were paid by the manufacturer or vendor. The Board recently changed their opinion on this matter. Upon further research and reflection, the Board now believes the prior opinion does not comply with **IDAPA 10.01.02.008.04** Gratuities. The prior opinion did not address the possibility of a third party or the public's perception related to receiving the gift of travel, entertainment and accommodations may have had on the licensee or certificate holder. The attendance and receipt of related training materials has been well established as a normal, ethical and possibly necessary activity for a professional to participate in. The acceptance of travel, entertainment, and lodging, however, could be perceived by others as a way to influence the licensee or certificate holder favorably toward the provider, and thus should be avoided. See the website FAQ for more information https://ipels.idaho.gov/forms_pubs/IPELS_FAQ_092208.htm#33.



Question 1

- A. In the State of Idaho is it required for a City Engineer to have a professional engineers license?
- B. If one is not required what limitations are placed on a non-licensed City Engineer?
- C. Can a non-licensed City Engineer review and approve subdivision and capital improvements plans submitted to the City by a licensed engineer?
- D. Can a non-licensed City Engineer manage construction of public works project that require a licensed engineer to design?

P.E. from southeastern Idaho

Question 1 Answer

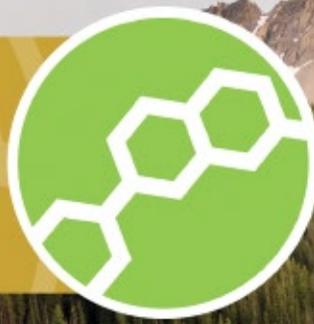
- A. Prior opinions stated that it is not possible or practicable for a party to hold the office of city engineer without an Idaho P.E. license.
- B. Not applicable based on the answer above.
- C. City or other government officials decide who they want to review documents and there is no requirement that reviewing official be licensed engineers unless they hold the title of City Engineer, County Engineer, etc.
- D. City or other government officials decide who they want to manage construction of public works projects. However, 54-1218, Idaho Code requires the construction to be reviewed by a professional engineer. In some cases, record drawings must be completed by a P.E.



Question 2 **Can Unlicensed Persons Perform Work Related to River Bank Stabilization?**

Question 2 Answer

The Board received a request for inquiry related to work being performed along the Wood River in Blaine, County by a P.E. in Southern Idaho. Private land owners hired consulting firms to address stream bank stabilization to protect property along the river. Upon investigation, it was determined that the persons performing the work had qualifications related to fisheries and hydrology, but not engineering. Review of the type of work included hydraulic engineering such as the placement and sizing of riprap and other stabilization measures. After review of the proposed measures, the Board determined that the hydraulic engineering component must be done by an Idaho licensed professional engineer.



Land Surveying Questions

Question 3

Do FEMA LOMR Forms Require Seal and Signature?

I am reviewing a FEMA Letter of Map Revision (LOMR) application for Garden City. The land surveyor or engineer certification on the form includes a box for the certifier's seal that is labeled as optional. In my opinion in accordance with Idaho law, the seal should be included.

Am I correct in my thought? I don't think I have ever seen one before that wasn't sealed. This may just be an oversight and is easy to fix. But I thought I would ask the question. As I recall, the FEMA Elevation Certificate has the same note as optional.

PE/PLS from Southern Idaho

Question 3 Answer

Idaho Code 54-1215(3)(b) says, in part: "The seal, signature and date shall be placed on all final specifications, land surveys, reports, plats, drawings, plans, design information and calculations, whenever presented to a client or any public or governmental agency." When this FEMA LOMR application is submitted to a public or governmental agency or any client, the seal, signature and date are required. Federal forms often will say the seal and signature are optional, but in Idaho they are required.





Board Decisions

Question 4

If a Surveyor prepares a description for an easement from record data, are they required to set monuments and file a Record of Survey?

Question 4 Answer

"**54-1227, Idaho Code**, Surveys – Authority and Duties of Professional Land Surveyors and Professional Engineers. Every licensed professional land surveyor is hereby authorized to make land surveys and it shall be the duty of each licensed professional land surveyor, whenever making any professional boundary land survey as defined in section **54-1202**, Idaho Code, that is not preliminary in nature, to set permanent and reliable magnetically detectable monuments at all unmonumented corners **field located**, ..." **[emphasis added]**





Question 4 Answer (Continued)

The language 'field located' was developed to give a clear trigger for setting monuments and filing a record of survey. A description that is not based on field work and where the location is not marked in any way does not require monuments and a map. It may be advisable to educate the client on the benefits and do the work. This is especially true where the easement or defining feature is to be staked as part of the project. Getting the easement monumented and into the record (as a survey) reduces questions of location and intent. If the easement is final and the work is going to be done, getting it done sooner rather than later is good practice.





Question 5

If a surveyor is contracted to stake an easement or feature defining the location of an easement prepared by others, will they be required to set monuments and file a survey?

Question 5 Answer

55-1901, Idaho Code states that the provisions of this chapter are supplementary to existing laws relating to surveys, subdivisions, platting and boundaries.



Question 5 Answer (Continued)

55-1904(5) includes easements and lease areas. This links the Record of Survey law and Platting law together and provides the justification to require the monumenting of irregular shaped easements in a subdivision. As the first surveyor 'field locating' the easement they are required to set monuments and record a record of survey.

Question 6

Does the Board believe that the law requires all monuments that do not meet the requirements of I.C. §50-1303 be replaced with a conforming monument? (This applies to platting only)

Question 6 Answer

Idaho Code 50-1303 reads in pertinent part, "**50-1303.** Survey - monuments - Accuracy. The centerline intersections and points where the centerline changes direction on all streets, avenues, and public highways, and all points, witness corners and reference points on the exterior boundary where the boundary line changes direction **shall be marked with magnetically detectable monuments the minimum size of which shall be five-eighths (5/8) of an inch in least dimension and two (2) feet long** iron or steel rod unless special circumstances preclude use of such monument..." **[emphasis added]**

Historical Photo

Building Oregon Trail Memorial Bridge.
Boise, Idaho
1931-03-10



Board Decisions

Question 6 Answer (Continued)

The language 'shall be marked with' is affirmative and clear. A ½ inch rebar would have to be replaced to comply with code. The remaining language gives some latitude by giving minimum dimensions.

Question 7

Is a concrete and brass cap monument a non-conforming monument?

Question 7 Answer

As stated above, the size requirements are a minimum. A magnetically detectable concrete monument with brass disk would be acceptable.

Question 8

Does the Board recognize that the replacement of clearly original monuments could be damaging to the chain of evidence?

Question 8 Answer

The Board members discussed this point at length. While the merits of the current language are not completely settled, the specific question as posed is. If the surveyor gives a complete description of the found monument and the reference to the survey in which it was set, and gives a complete description of the new monument, that will not damage the chain of evidence or the pedigree of the corner.



Reprint of Q & A from Last News Bulletin

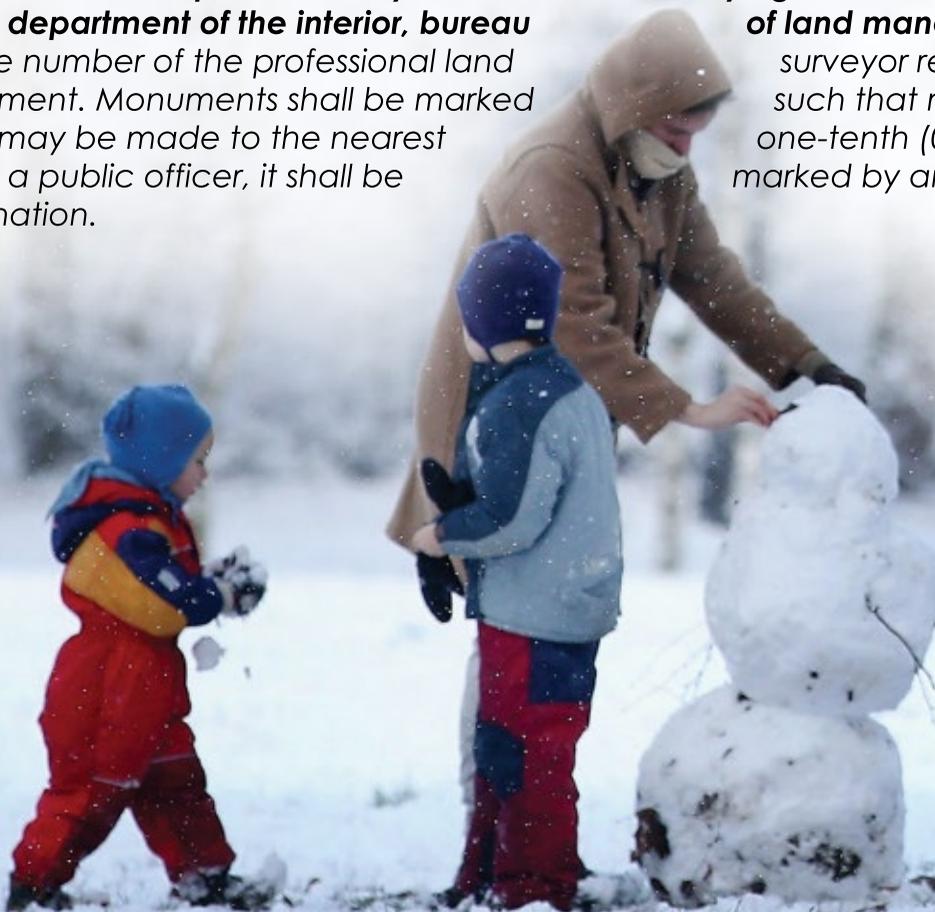
The answer to **Question 1** from the last news bulletin was inadvertently truncated. The rest of the answer is described below. The question was: **If I find a section corner (or any original gov't corner) that is a rebar and a yellow plastic cap am I required to replace the plastic cap with a cap marked as shown in the BLM manual and with his PLS number? This would also apply to finding an iron pipe, RR spike etc.**

Answer

Idaho Code 55-1608. Professional Land Surveyor to Reconstruct Monuments.

(1) In every case where a corner record of a survey corner is required to be filed or recorded under the provisions of this chapter, the professional land surveyor must reconstruct or rehabilitate the monument of such corner, and accessories to such corner.

(2) Any monument set shall conform to the provisions of section 54-1227, Idaho Code, and shall be surmounted with a cap of such material and size that can be permanently and legibly marked as prescribed by the manual of surveying instructions issued by the United States department of the interior, bureau of land management, including the surveyor responsible for placing the monument. Monuments shall be marked such that measurements between them may be made to the nearest one-tenth (0.1) foot. If the monument is set by a public officer, it shall be marked by an appropriate official designation.





Reprint of Q & A from Last News Bulletin (Continued)

Answer (Continued)

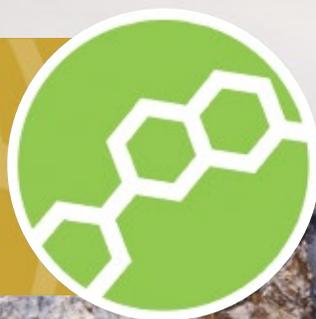
(3) When nonmetallic corner monuments **were set in a survey conducted by an agency of the United States government, the corner location shall be remonumented with a monument conforming to the provisions of section 54-1227, Idaho Code, and shall be surmounted with a cap of such material and size that can be permanently and legibly marked as prescribed by the manual** of surveying instructions issued by the United States department of the interior, bureau of land management, including the license number of the professional land surveyor responsible for placing the monument. Monuments shall be marked such that measurements between them may be made to the nearest one-tenth (0.1) foot.

(1) Based on **55-1608, Idaho Code**, if a surveyor has to file a new corner record due to inadequacies outlined in **55-1604**, Idaho Code, then the land surveyor is required to rehabilitate the monument to the standard called for in **55-1608**, unless special circumstances preclude use of such monument as described in **54-1227** Idaho Code.

(2) If a monument locating a public land survey corner needs to be set or re-set, it must comply with **54-1227** and have a cap of a material that can be marked in conformity with the BLM Manual of Surveying Instructions. An iron pin with a cap marked with only the firm's name and PLS number are not acceptable.

(3) When stones, posts or other nonmetallic corner monuments for a public land survey corner are found, they must be re-monumented with a monument conforming to **54-1227** and have a cap of a material that can be marked in conformity with the BLM Manual of Surveying Instructions. An iron pin with a cap marked with only the firm's name and PLS number are not compliant with the law.

Surveyors should also bear in mind that a PLSS corner is not just a section or one-quarter corner. It may also include interior and exterior one-sixteenth corners and center of section. **55-1902 (9)** – defines a “Public land survey corner” as any point actually established and monumented in an original survey or resurvey that determines the boundaries of remaining public lands, or public lands patented, represented on an official plat and in the field notes thereof, accepted and approved under authority delegated by congress to the U.S. general land office and the U.S. department of the interior, bureau of land management.



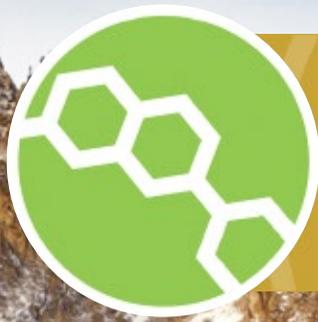
Reprint of Q & A from Last News Bulletin (Continued)

Answer (Continued)

During the course of their research, surveyors should be aware that there are many sections in many townships that have been re-surveyed and subdivided by the GLO or BLM for patent and they have set monuments and prepared plats and notes describing these subdivisions. As such, surveyors should include in their research a visit to the BLM website and verify which corners were monumented during the GLO/BLM surveys. If any one-sixteenth, center of section, or other corners were monumented, a corner record is required to be prepared and recorded for those corners if used as control in the survey.

In addition to the above answer, surveyors and engineers are reminded of the following:

55-1613. Monuments Disturbed by Construction Activities - Procedure - Requirements. *The physical existence and location of the monuments of property controlling corners and accessories to corners, as well as benchmarks established and points set in control surveys by agencies of the United States government or the state of Idaho, shall be determined by a field search and location survey conducted by or under the direction of a professional land surveyor prior to the time when project construction or related activities may disturb them. Construction documents or plans prepared by professional engineers shall show the existence and location of all such monuments, accessories to corners, benchmarks and points set in control surveys. All monuments, accessories to corners, benchmarks and points set in control surveys that are lost or disturbed by construction shall be reestablished and re-monumented, at the expense of the agency or person causing their loss or disturbance, at their original location or by the setting of a witness corner or reference point or a replacement benchmark or control point, by or under the direction of a professional land surveyor.*



Reprint of Q & A from Last News Bulletin (Continued)

Answer (Continued)

*Professional engineers who prepare construction documents or plans that do not indicate the existence and location of all such monuments, accessories to corners and benchmarks and points set in control surveys by agencies of the United States government or the state of Idaho shall be deemed to be within the purview of and subject to disciplinary action as provided in section **54-1220, Idaho Code.***

Engineers and surveyors need to be aware of and understand this statute. Engineers preparing plans or other construction documents for projects that have the potential to disturb or destroy existing corner monuments, benchmarks and/or Federal or state control stations must show on their plans the existence and location of said monuments. This also includes property corners. All such monuments must be reestablished and re-monumented at the expense of the agency or person causing the monument's destruction or disturbance and must be done by, or under the direction of, a professional land surveyor.

Engineers who prepare plans or construction documents and do not show the existence and location of these monuments are subject to disciplinary action and can be held financially responsible for the cost of replacing the destroyed or disturbed monuments.



Reprint of Q & A from Last News Bulletin (Continued)

Answer (Continued)

Surveyors providing land surveying services to engineers must remind their client of this requirement and perform a thorough and diligent search for existing corners within the roadway, along the right-of-way and any other corner locations that may be impacted during construction. Surveyors may be subject to disciplinary action and held equally responsible if it is shown that they did not provide the standard of care required under this statute.

IDAPA 10 TITLE 01 CHAPTER 03 10.01.03 - Rules for Corner Perpetuation and Filing 005. Form.

The form to be used in filing corner perpetuations in the state of Idaho shall be substantially the same as that form available from the Idaho Board of Licensure of Professional Engineers and Professional Land Surveyors, 1510 E. Watertower St., Suite 110, Meridian, Idaho 83642-7993. Clear spaces on the form may be provided as requested and required by County Recorders in order to place recording information in an unobstructed area. The form is not available in quantity from the Board, but one (1) copy will be furnished, upon request, and it may be duplicated or reproduced.

Even though the form was revised in 2015 and the original requirement for its use was made in 2009, many corner records are still being filed using the old form and does not include all the required information.



Rule Changes Proposed for Adoption by the Legislature in 2019

Docket 10-0101-1801 relates to implementing **SB 1252** which repealed the provision requiring additional education and waiting periods after multiple professional examination failures and decoupled the professional examinations from the experience requirement. It also allows business entities to request their COA be discontinued which effectively removes late fees. This rule went into effect on July 1, 2018 as a temporary rule but must still be approved by the legislature in 2019 as a permanent rule.

Docket 10-0102-1801 relates to the requirements of surveyors to notify affected landowners when setting monuments that represent a material discrepancy with existing monuments of record. It also requires the Board be notified when unresolved material discrepancies are encountered.

Law Changes Proposed to the Legislature in 2019

The Board is considering updates to the existing right-of-entry law in the coming session. The Board is proposing adding a survey narrative to plats and records of survey. All law and rule language presented to the legislature in 2019 can be found at: <https://ipels.idaho.gov/2018Rulemaking.htm>



Law and Rule Changes Considered for Adoption in Future Years

Continuing Professional Development – two changes are proposed, one that adds mentoring of students as a qualifying activity and another that clarifies that professional development hours counted toward making up deficiencies as a result of disciplinary action cannot also be credited toward to current biennium CPD requirements.

Retirement of a License – a change that will allow any licensee to retire a license any time, without conditions.

CP&F – A law change that adds a requirement to set the C $\frac{1}{4}$ monument when breaking down a section and file corner records for controlling $\frac{1}{16}$ th corners.

Monuments - A law change that requires the rehabilitation of non-metallic monuments such as county surveyor stones or posts and clarifying the definition of a monument.

Authoritative Surveying – a rule that further defines surveying and mapping products and services that require a P.L.S. license.



Surveyor Access Law Change

54-1230. PUBLIC SURVEYING - RIGHT OF ENTRY. (1) Any person or his subordinate employed in the execution of any survey authorized by the congress of the United States or authorized by Idaho law, may enter upon or go over lands within this state for the purpose of exploring, triangulating, leveling, surveying, and of doing any work ~~which~~ that may be necessary to carry out the objects of ~~then~~ existing laws relative to surveys, ~~and~~ may establish permanent station marks, and may erect the necessary signals and temporary observatories, doing no unnecessary injury thereby.

(2) Nothing in this section shall affect the right of entry established in **sections 40-1310(1)** and **§ 40-2301, Idaho Code.**

(3) A surveyor or his subordinate shall not enter railroad property pursuant to this section without written permission from the railroad's chief engineering officer or his designee.



Survey Narrative Law Change

55-1906. Records of survey -- Contents. The records of survey as a minimum shall show:

(6) Surveyor's Narrative. The narrative must explain:

a. the purpose of the survey and how the boundary lines and other lines were established or reestablished and the reasoning behind the decisions;

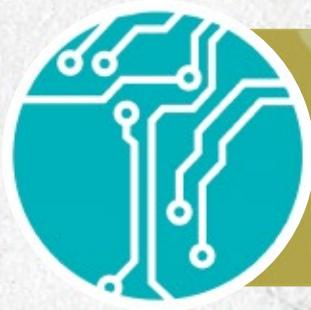
b. which deed records, deed elements, survey records, found survey monuments, plat records, road records or other pertinent data were controlling when establishing or reestablishing the lines;

c. for surveys that contain a vertical component the narrative shall show the benchmarks used, the vertical datum referenced and the methodology used to achieve the elevations.

50-1304. Essentials of plats.

(k) narrative as described in **55-1906, Idaho Code.**





Education

Board meets with the Deans of Engineering and Surveying

Each year the Board meets with the Deans to discuss trends in enrollment, fundamentals examination pass rates, accreditation, faculty licensure, and related issues. The Deans or representatives from UI, ISU, BSU, BYU-I and NNU made presentations. Engineering enrollment has not increased at the state universities but is increasing at private universities; the number of individuals taking the FE examination continue to increase in Idaho. BYU-I had an accreditation visit; programs were reviewed in civil, electrical and mechanical engineering.

Faculty and staff from the ISU Geomatics and Surveying program also made a presentation. Enrollment has increased to 14 new students. ISU is working to make all survey course offerings available online. LCSC has two surveying students with another four others interested. Mentors are needed to teach the laboratory portion of some survey courses online and distance learning. If you want to be a mentor in your local area, please contact Tom Judge. More students are needed. Please do your part to encourage surveying as a career.

Historical Photo

Applying asphalt flush coat on old base.
1910



Survey Education Subcommittee

The Board continues to look for ways to increase the educational options for students seeking to become licensed land surveyors. Currently Idaho State University (ISU) in Pocatello offers the only Board approved and ABET accredited surveying program. They now offer all four years in a distance learning format that can be taken in lieu of relocating to ISU. The need for new surveyors entering the profession is increasing as on average there are 10 fewer licensed surveyors each year and on average only one new licensed surveyor is entering the profession by examination. The Board, working with industry and the Idaho Society of Professional Land Surveyors wants to see more survey educational options in the future. One change being adopted by ISU is to make the surveying a 2 + 2 program where students will enroll for two years and receive an Associates of Applied Science degree and then enroll in the final two-year program for a Bachelor of Science degree. For those with a related science degree, ISU is considering a "certificate" program to complete ISU surveying courses that meet the minimum requirements in the Board's rule. Obtaining a certificate from ISU demonstrates the survey educational requirements are met, which enables a clear pathway to licensure.



Idaho State University Surveying Program Receives NCEES Award

ISU was awarded \$15,000 from NCEES in recognition of their accredited surveying program. They competed with other universities across the U.S. for this well-deserved recognition.

Idaho State University Surveying Program Receives Sector Grant

ISU has received a grant to assist bringing new surveyors into the profession. The Workforce Development Council (WDC) at the Dept. of Labor approved a request for \$159,595.50 to support the Surveying and Geomatics Industry Sector Grant. Including the matching funds, the total grant value is \$212,595.50. Program partners contributing funds include the Idaho Society of Professional Land Surveyors, American Council of Engineering Companies - Idaho, T-O Engineers, J-U-B Engineers and Keller Associates. Industry partners contributed \$53,000 toward the grant.



Idaho State University Surveying Program Receives Sector Grant (Continued)

The following is the projected schedule for this program.

- The grant award date is January 1, 2019.
- With the beginning of the project, ISU and industry partners formally move forward with preparations (equipment purchase, course development/improvement, marketing and recruitment, etc.).
- The first cohort of project participants (including those identified in the proposal) begins Fall 2019.
- ISU collaborates with the WDC to strengthen this project's recruitment/outreach efforts by incorporating the financial aid possibilities offered by the new Idaho adult learners/completers scholarship.
- ISU may seek an extension at the end of the project to give participants the planned four semesters of coursework (and the opportunity to pass the Level 1, Level 2 and/or Level 3 NSPS national certification examinations or the NCEES fundamentals of surveying examination and intern certificate).

Individuals interested in enrolling in this program should contact Robert Liimakka at limrobe@isu.edu.



Examinations and Licensure

All computer-based test (CBT) PE or PS examinations are offered at city-wide Pearson-VUE test centers in Boise, Spokane, Ogden and other metropolitan areas. The paper PE examinations are only offered in Boise on April 5 and October 25. NCEES 2019 cutoff date for the April paper PE examination is February 7.

New Application Process for Initial License

The PE and PS examinations may now be taken any time after passing the FE or FS examinations. Candidates must register with NCEES to take the examinations and after passing them, apply for licensure once the required education and experience is obtained. All licensure and certificate applications are available online and initial license applicants may now use the NCEES record.

Principles and Practice of Surveying - The PS exam has new specifications starting in January 2019. The specifications are posted at NCEES.org.

PE Environmental - Examinees are now able to register and schedule CBT appointments for the PE Environmental exam, which will be available year around starting on April 1, 2019.

PE Software Engineering - The PE Software Engineering exam will have its last administration in April 2019.

PE Chemical and Nuclear Engineering and Professional Surveying – These examinations are now offered in CBT format. The ChE and PS examinations are offered year around.

PE Mechanical, Industrial and Systems, and Fire Protection will convert to CBT in 2020. 2019 is the last year these examinations are offered in paper and pencil format.

Examinations and Licensure



UI Offers PE Review Course in Boise

Time: 12 three-hour sessions on Thursdays from 6:00 - 9:00pm, running January 10, 2019 through April 1, 2019. The final session will be held on a Monday evening and will include a mock exam. There will be no meeting during the Boise school district's spring break. The State Board of Licensure for Professional Engineers and Professional Land Surveyors will be holding the PE exam on April 5, 2019.

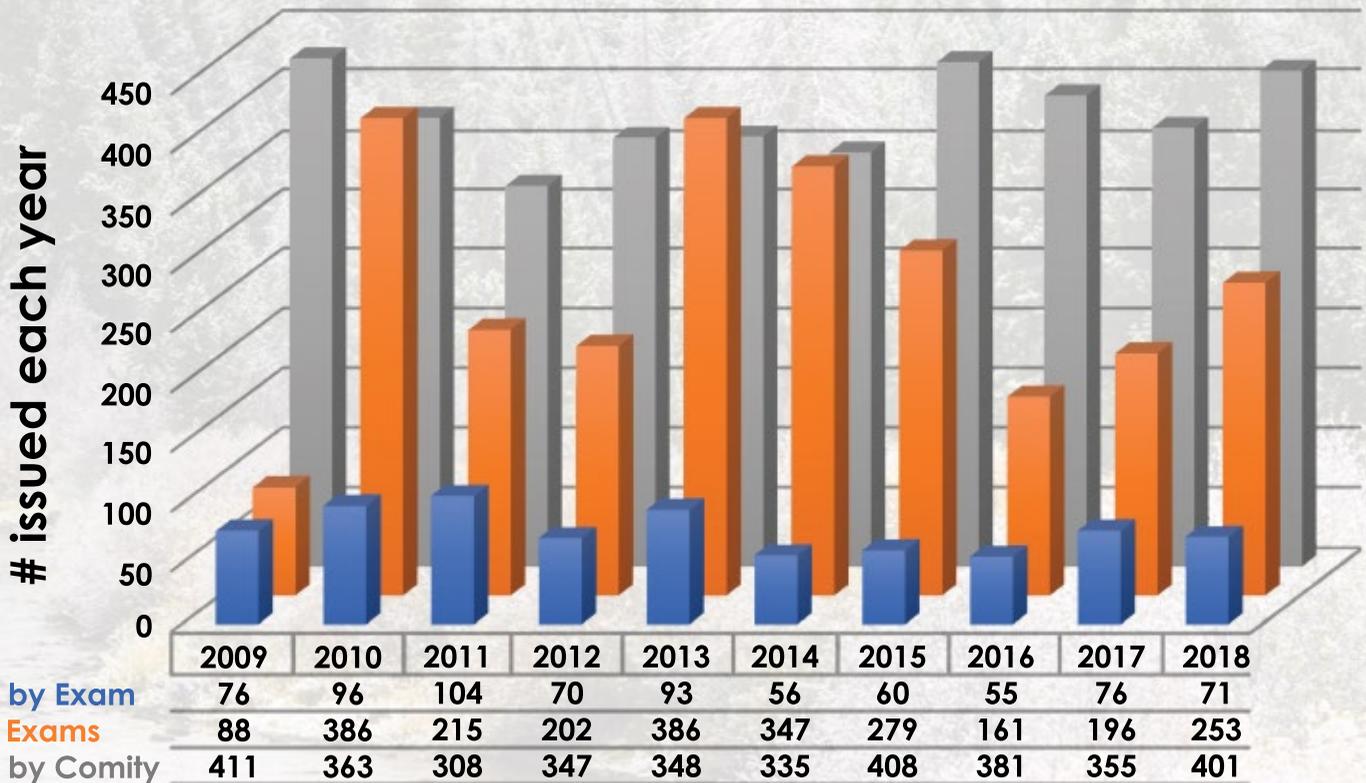
Location: Classes will be held at the University of Idaho Water Center, 322 E. Front St, Boise, ID 83702.

Price & Enrollment Information: \$875.00 Enrollment is limited due to space availability so contact Denise Engebrecht at 364-6123 or denise@uidaho.edu to register. More information can be found at <https://goo.gl/pwcqpf>



Examinations and Licensure

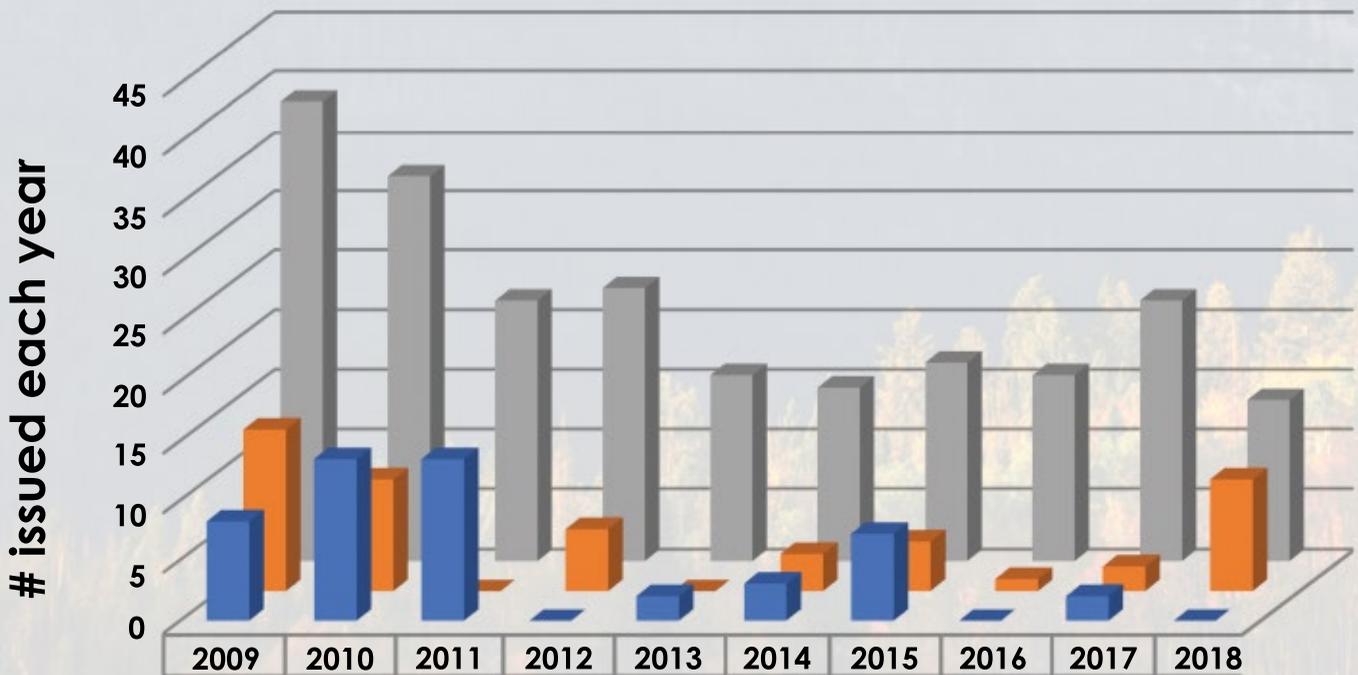
Professional Engineers/FE Exams Passed



Examinations and Licensure



Professional Land Surveyors/FS Passed



PLS by Exam

FS Exams

PLS by Comity



Examinations and Licensure

New Idaho Professional Engineers Licensed by Examination 1/1/2018 – 6/30/2018

| First Name | Last Name | City | State | Degree Field |
|------------|-----------|-------------|-------|------------------------|
| Jack | Barrett | Boise | ID | Electrical Engineering |
| Julie | Bryant | Boise | ID | Civil Engineering |
| Kirby | Cook | Caldwell | ID | Civil Engineering |
| Kevin | Craig | Boise | ID | Civil Engineering |
| Jordan | Crane | Meridian | ID | Civil Engineering |
| Alexander | Deduck | Boise | ID | Civil Engineering |
| Griet | Devriese | Meridian | ID | Electrical Engineering |
| Alexander | Grover | Meridian | ID | Civil Engineering |
| Jordan | Hauge | Twin Falls | ID | Chemical Engineering |
| Derritt | Kerner | Boise | ID | Civil Engineering |
| Samuel | Larrondo | Boise | ID | Civil Engineering |
| Brandon | Mapes | Nampa | ID | Civil Engineering |
| Cayla | Maccheyne | Pocatello | ID | Chemical Engineering |
| Dane | McGrady | Hailey | ID | Electrical Engineering |
| Camille | Miller | Idaho Falls | ID | Civil Engineering |



New Idaho Professional Engineers Licensed by Examination 1/1/2018 – 6/30/2018 (Continued)

| First Name | Last Name | City | State | Degree Field |
|------------|------------|-------------|-------|---------------------------|
| Keith | Morse | Boise | ID | Civil Engineering |
| Tyler | Noble | Boise | ID | Mechanical Engineering |
| Jared | Norton | Meridian | ID | Civil Engineering |
| Nathan | Palmer | Idaho Falls | ID | Mechanical Engineering |
| Michael | Schulz | Meridian | ID | Civil Engineering |
| Nathaniel | Seal | Boise | ID | Civil Engineering |
| Stephen | Sjostrom | Paul | ID | Electrical Engineering |
| Shelby | Smith | Boise | ID | Environmental Engineering |
| Edmond | Stowe | Boise | ID | Civil Engineering |
| Austin | Suing | Pocatello | ID | Civil Engineering |
| Jesse | Tatum | Boise | ID | Civil Engineering |
| Nikolas | Urlaub | Portland | OR | Electrical Engineering |
| Jordan | Winkelseth | Post Falls | ID | Civil Engineering |
| R Benjamin | Young | Rexburg | ID | Civil Engineering |



Disciplinary Actions

The following are summaries of final actions taken by the Board since publication of the last news bulletin.

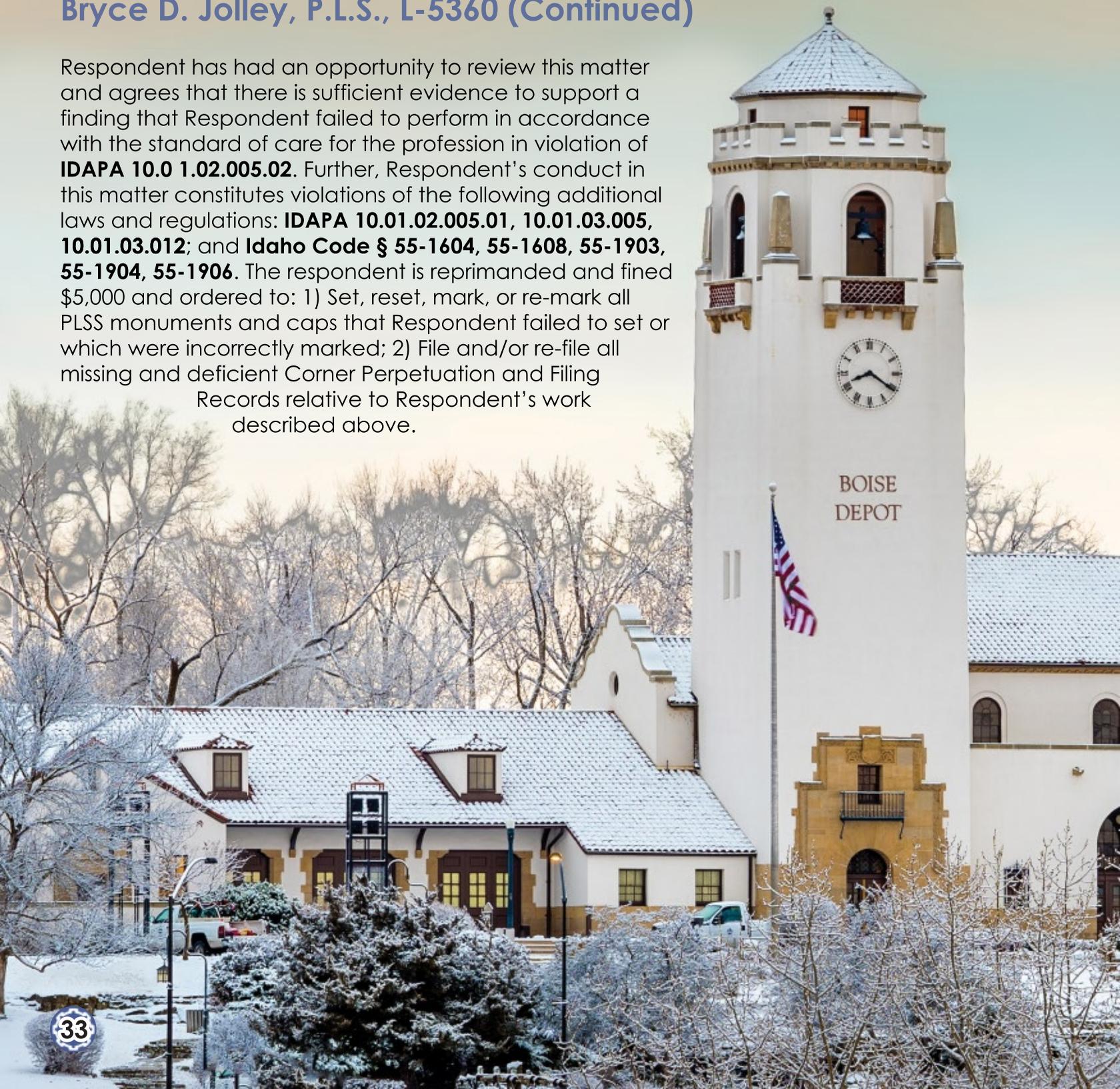
Docket No. FY 18.02 In the Matter of Bryce D. Jolley, P.L.S., L-5360

This matter involves work performed by Respondent in Power County, Idaho, in and around Sections 3, 10, 15 and 22 of Township 9 South, Range 34 East, Boise Meridian. This matter comes before the Board in connection with several Corner Perpetuation and Filing Records, which were not properly prepared and/or timely filed in accordance with Idaho law. Additionally, Respondent failed to properly prepare and/or timely file certain Records of Survey in accordance with the standards and prescribed time frames set forth under Idaho law. Respondent acknowledged that his work on this project was inferior and not compliant with the accepted and recognized standards of care in the profession, as the documents prepared by Respondent failed to adequately depict and/or describe all relevant and required information, and Respondent failed to timely file said documents with the Power County Recorder's Office.



Docket No. FY 18.02 In the Matter of Bryce D. Jolley, P.L.S., L-5360 (Continued)

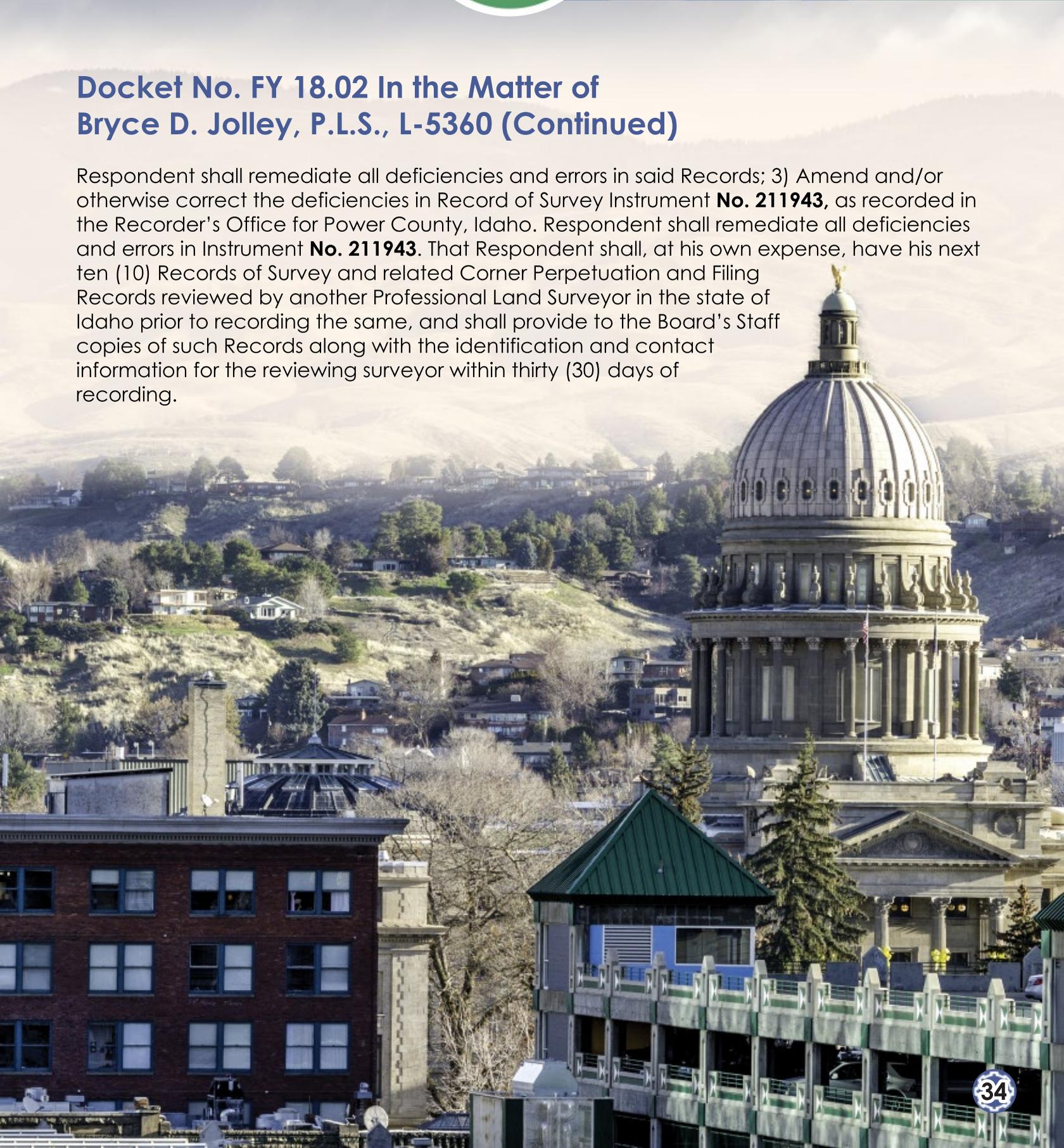
Respondent has had an opportunity to review this matter and agrees that there is sufficient evidence to support a finding that Respondent failed to perform in accordance with the standard of care for the profession in violation of **IDAPA 10.0 1.02.005.02**. Further, Respondent's conduct in this matter constitutes violations of the following additional laws and regulations: **IDAPA 10.01.02.005.01, 10.01.03.005, 10.01.03.012**; and **Idaho Code § 55-1604, 55-1608, 55-1903, 55-1904, 55-1906**. The respondent is reprimanded and fined \$5,000 and ordered to: 1) Set, reset, mark, or re-mark all PLSS monuments and caps that Respondent failed to set or which were incorrectly marked; 2) File and/or re-file all missing and deficient Corner Perpetuation and Filing Records relative to Respondent's work described above.





Docket No. FY 18.02 In the Matter of Bryce D. Jolley, P.L.S., L-5360 (Continued)

Respondent shall remediate all deficiencies and errors in said Records; 3) Amend and/or otherwise correct the deficiencies in Record of Survey Instrument **No. 211943**, as recorded in the Recorder's Office for Power County, Idaho. Respondent shall remediate all deficiencies and errors in Instrument **No. 211943**. That Respondent shall, at his own expense, have his next ten (10) Records of Survey and related Corner Perpetuation and Filing Records reviewed by another Professional Land Surveyor in the state of Idaho prior to recording the same, and shall provide to the Board's Staff copies of such Records along with the identification and contact information for the reviewing surveyor within thirty (30) days of recording.





**Docket No. FY 18.07
In the Matter of Seth
Michael Light, P.E.
P-6422**

This matter involves Respondent's failure to report a pending disciplinary action on his application and renewal signed October 28, 2016. On that application, Respondent did not indicate that there were any pending allegations of wrongdoing relating to a violation of engineering or land surveying laws, ethics, or performance in another jurisdiction. However, Respondent first received notice of a complaint against him from the South Dakota Board of Technical Professions on March 19, 2015 for potential violations regarding a Certificate of Authorization with respect to his individual license and his business.





Docket No. FY 18.07 In the Matter of Seth Michael Light, P.E. P-6422 (Continued)

The South Dakota Board of Technical Professions issued its Final Order on January 31, 2017, indicating that Respondent and ASK4 ENGINEERING were ordered to both cease and desist practicing or offering to practice professional engineering in the state of South Dakota, and were prohibited from applying for two years from that date. This also included a letter of reprimand.





Docket No. FY 18.07 In the Matter of Seth Michael Light, P.E. P-6422 (Continued)

The Respondent has had an opportunity to review this matter and agrees that there is sufficient evidence to support a finding that Respondent failed to indicate that there were pending allegations of wrongdoing regarding disciplinary action in another jurisdiction at the time he signed and submitted his renewal application on October 28, 2016 in violation of **IDAPA 10.01.02.007.01** and **IDAPA 10.01.02.010.03**. The Board reprimanded the Respondent and issued a fine of \$250.



Voluntary Retirement of License in Lieu of Compliance with CPD

Patrick Charles Harkins, P.E., Arlington, WA
John I. Mathis, P.E., Richmond, KY
Michael E. Rabena, P.E., Tomball, TX
Michael J. Richardson, P.E., Sandpoint, ID
Marc A. Wagner, P.L.S., University Place, WA

Cases Dismissed by the Board

A request for inquiry (RFI) was received by a landowner in Preston. The RFI and response was placed before the Board. Upon review, the Board passed a motion to dismiss the RFI as unfounded as the Board could not determine if the RFI related to a title issue or a survey issue. The complainant was informed that more information was needed before the Board would authorize an investigation. No further information was provided.



Docket No. FY 18.04 In the Matter of a P.L.S. in Canyon County

A request for inquiry (RFI) was received from a landowner who owned a parcel in a subdivision in Caldwell, Idaho. A survey was performed in 2006 and lot corner monuments were set but no record of survey was recorded. The landowner was having a dispute with a neighbor regarding trees along the lot and could not find a record of survey in the courthouse. The Board authorized an investigation and discovered that the subdivision was platted in 1965, and the surveyor set the pins but did not record a survey. The investigation noted that another surveyor had set a pin one foot away on one of the lot corners which represented a material discrepancy and that the original subdivision plat is unclear as to whether the lot corner monuments were originally set. These two issues required a record of survey. The city has also installed a sidewalk and all the front lot pins were removed. To resolve the complaint, the surveyor reset the pins and filed a record of survey. The Board dismissed the matter as moot since the original RFI was essentially resolved.



In Memory of Those Deceased



Donald C. McCarter
1924 ~ 2018

IN MEMORY OF THOSE RECENTLY DECEASED

Donald C. McCarter was born on September 4, 1924 in Boise to Claude C. and Julia R. (Shipman) McCarter. His first six years were spent on the family ranch in Camas County. He was educated in Boise schools and graduated from Boise High School in 1942. He attended Boise Junior College briefly before entering the U.S. Marine Corps in March 1943. He served in the Pacific theater and China until May 1946. He married his high school sweetheart, Beverly Kay Kennedy, in March 1943 for a lifelong relationship. He attended Boise Jr. College from 1946 to 1948 and graduated from the University of Colorado with a degree in Civil Engineering in 1950. He worked for several employers in Boise and in 1958 started his own Consulting Engineering firm. He was joined by Bill Tuller in 1961 and the firm continued for thirty years as McCarter and Tuller. Don was active in several professional organizations and a number of public boards and commissions. He was instrumental in helping organize the Idaho Association of Land Surveyors and served on the Idaho State Board of Professional Engineers and Land Surveyors for nine years. He served for twelve years in the Army Reserve as a Commissioned Officer.

In Memory of
Those Deceased



IN MEMORY OF THOSE RECENTLY DECEASED (Continued)

| First Names | Last Name | Licence | City | State |
|----------------|-----------|-----------------|-------------|-------|
| Larry W | Adams | P-6610 (CE) | Athol | ID |
| William Joseph | Ancell | P-2423 (CE) | Boise | ID |
| John P | Barnes | L-826 | Rexburg | ID |
| Kenneth V | Beard | L-10160 | Rexburg | ID |
| Robert W. | Crommelin | P-6295 (CE) | Palm Desert | CA |
| Nadim F | Fuleihan | P-13525 (CE) | Orlando | FL |
| Laurence D | Hartzog | P-5708 (METE) | Hayden | ID |
| Mark Ieroy | Jensen | L-10343 | Pocatello | ID |
| Clinton O. | Kingsford | P-2104 (CE, SE) | Rexburg | ID |
| Dale Edgar | Kramer | E-2569 (EIT) | Boise | ID |
| Earl W | Krenz | P-2762 (CE) | Idaho Falls | ID |



In Memory of
Those Deceased



IN MEMORY OF THOSE RECENTLY DECEASED (Continued)

| First Names | Last Name | Licence | City | State |
|--------------|-----------|----------------|------------|-------|
| James F | Lackey Jr | P-3200 (CE) | Gustine | CA |
| Donald | McCarter | PL-849 (CE/LS) | Boise | ID |
| John W | Meyer | P-3113 (ME) | Twin Falls | ID |
| Jeff R | Morf | P-7566 | Boise | ID |
| Sherman A | Nelson | P-1680 (CE) | Warm Lake | ID |
| Bernard John | Owens | P-11990 (ME) | Milan | TN |
| Lino A | Palmieri | P-7104 (EE) | San Marino | CA |
| Galan M | Rogers | P-4722 (ME) | Burley | ID |
| James A | Sewell | PL-775 (CE/LS) | Newport | WA |
| Garrett E J | Smith | P-15349 (ME) | Milton | WA |
| Rick D | Wheadon | P-8703 (CE) | Alpine | UT |

Calendar of Upcoming Events



| | |
|-----------------------|---|
| February 7, 2019 | Deadline for Registering with NCEES for Spring PE Exams |
| February 19-23, 2019 | Board meeting and ISPLS Conference in Pocatello, Idaho |
| April 5-6, 2019 | PE Examinations in Boise, Idaho |
| April 11-12, 2019 | Board meeting in Boise, Idaho |
| May 16-18, 2019 | NCEES Western and Southern Zone Meeting in Boise, Idaho |
| June 11-14, 2019 | Board & ISPE Meeting in Coeur d'Alene, Idaho |
| July 30-31, 2019 | Board Retreat in Riggins, Idaho |
| August 15-17, 2019 | NCEES Annual Meeting in Washington, DC |
| August 29, 2019 | Deadline for Registering with NCEES for Fall PE Exams |
| September 12-13, 2019 | Board Meeting in Boise, Idaho |
| October 25-26, 2019 | PE Examinations in Boise, Idaho |
| November 7-8, 2019 | Board Meeting with Deans in Boise, Idaho |

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