



Idaho Board of Licensure of Professional Engineers and Professional Land Surveyors

Spring/Summer 2020 - NEWS BULLETIN 65th EDITION

Board Members

John Tomkinson, Chair, Star

John Elle, P.E., P.L.S., Vice Chair, Pocatello

Glenn Bennett, P.L.S., Secretary, Boise

George A. Murgel, P.E., Ph.D, Member, Kuna

Raymond J. Watkins, P.E., Member, Coeur d' Alene

Richard L. Jacobson, P.E., Member, Meridian

Tom Ruby, P.L.S., Member, Twin Falls

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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>

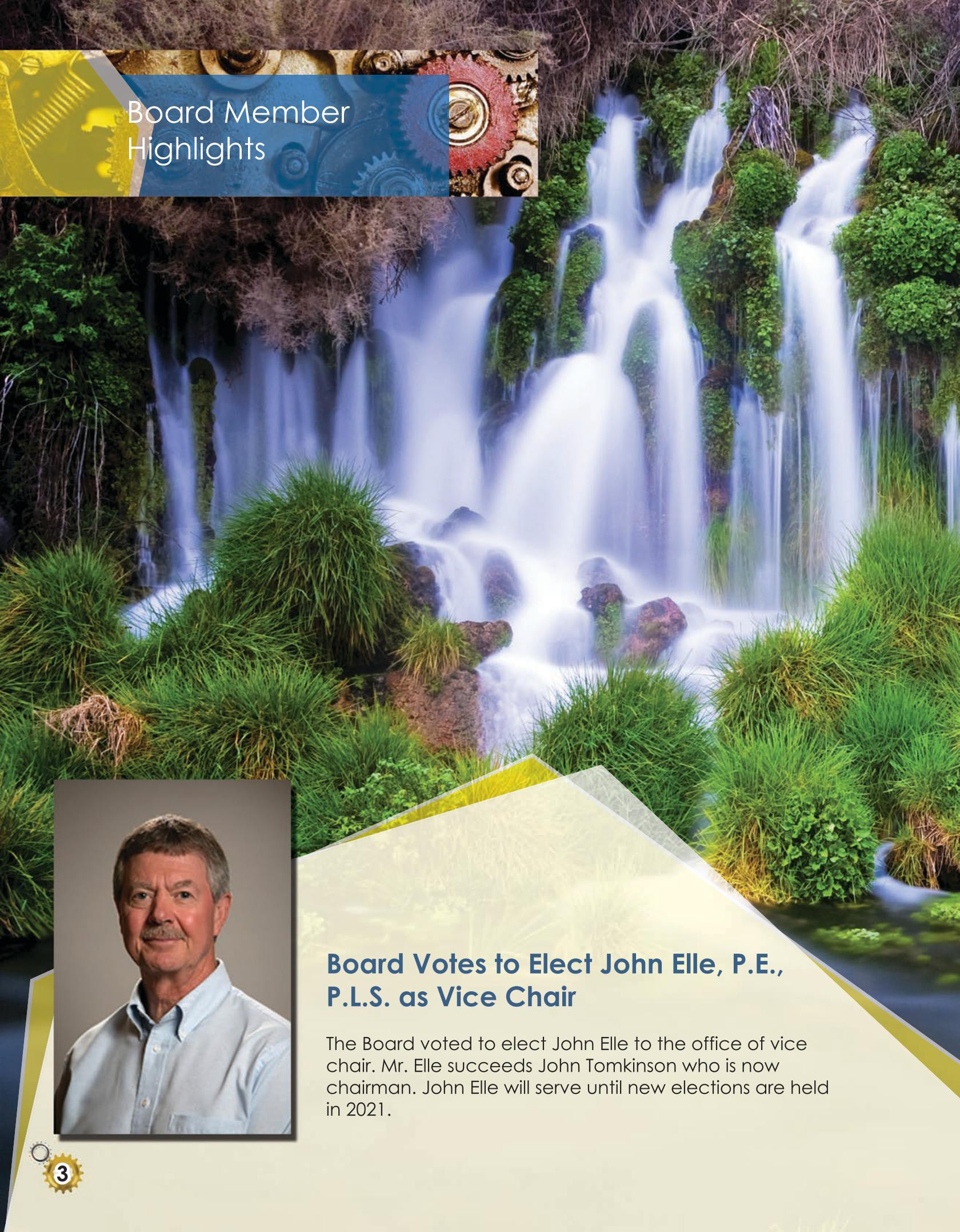


Board Member Highlights



Board Votes to Elect John Tomkinson, public member, as Chair

The Board elected John Tomkinson as new chairman to succeed Dusty Obermayer. John will serve until new elections are held in 2021

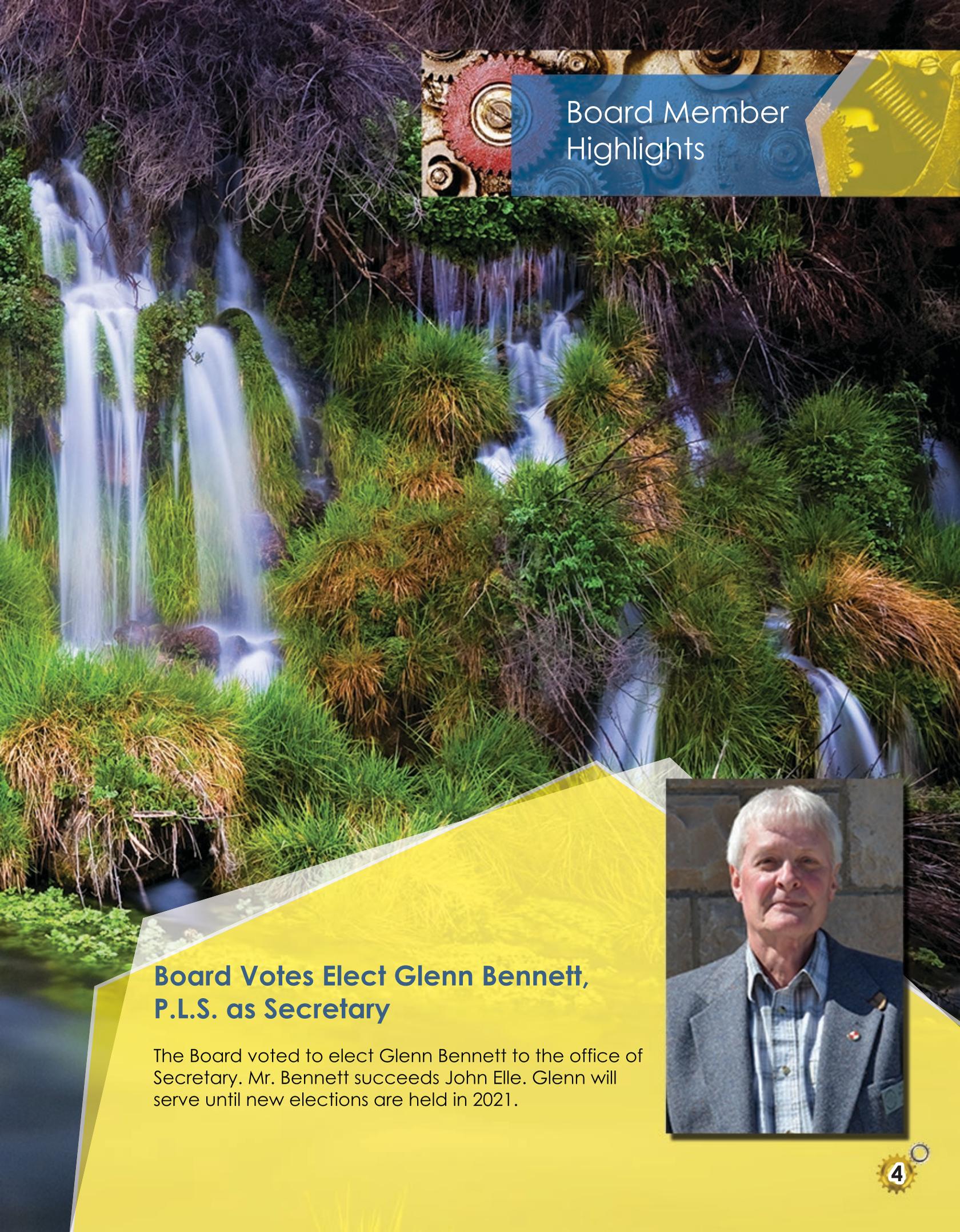


Board Member Highlights



Board Votes to Elect John Elle, P.E., P.L.S. as Vice Chair

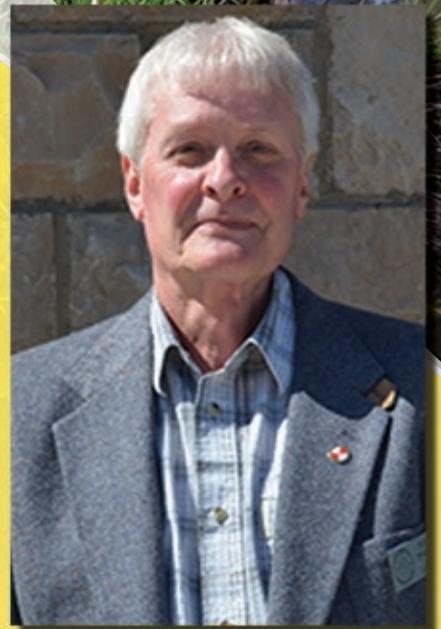
The Board voted to elect John Elle to the office of vice chair. Mr. Elle succeeds John Tomkinson who is now chairman. John Elle will serve until new elections are held in 2021.



Board Member Highlights

Board Votes Elect Glenn Bennett, P.L.S. as Secretary

The Board voted to elect Glenn Bennett to the office of Secretary. Mr. Bennett succeeds John Elle. Glenn will serve until new elections are held in 2021.





Introduction



Message from the Executive Director

The times we live in are anything but normal. With the COVID-19 virus along with legislative actions and executive orders, the Board is adapting to the changes before us. We all know the virus changed many things. The Board responded by waiving the requirement for obtaining continuing professional development as a condition of renewal during the time period of the declared emergency by the governor. Those who renewed their license during that period will not receive an audit. To address the potential for revenue reductions, each agency was asked to plan for a 5% budget reduction in FY 2021. This means that we may defer printing and mailing publications such as the news bulletins and paper renewal notices this year. The news bulletin may be published and available only on the Board's website during FY 2021. Renewal notices will be sent electronically via email to those with email addresses. Those without an email address will receive a paper renewal notice.

The legislature did not reauthorize rules again this year. As a result, our rules will again be temporary. The current temporary rules along with the updated laws are available on the Board's website. This also means our rules will be promulgated as proposed permanent rules this summer and reviewed in the 2021 session of the legislature. The legislature enacted several bills related to licensure including one known as Senate Bill 1351E.



Introduction



Message from the Executive Director (Continued)

This bill has provisions for comity licensure that allows the Board to issue a provisional limited scope of practice license to those lacking education, exams, or experience to qualify for an unrestricted license. It also addresses limiting criminal convictions as a barrier to licensure to only crimes of relevance.

Finally, after a hearing to reinstate a revoked license, the Board wanted to remind licensees of the importance of keeping your mailing address and email address current with the Board and not disregarding correspondence sent from the Board whether they are renewal notices, CPD audits or responses to complaints.

The hearing was related to a person who did not respond to a CPD audit that resulted in a revoked license for being non-responsive. The person wanted his license reinstated after four years and could have avoided this adverse action had he been responsive to correspondence by the Board. If you retire or chose to let your license or COA expire, it is a good idea to send us notification of your status change. The same is true of those designated in responsible charge on the COA. When responsible charge changes occur, there is a statutory requirement for notifying the Board within 30 days. The consequence of not doing so may result in a refusal to renew a COA or other discipline. Changes to responsible charge and addresses can be done online.

Monuments and Easements Questions

Scenario: An easement document is prepared wherein the description is subject to change. The easement is to be controlled (at least in part) by the constructed utility. The final easement location will be monumented and a record of survey will be recorded after construction is complete.

Question 1: “In the above situation, it appears appropriate to write an initial legal description for the easement agreement that both parties agree may change later. Does this initial legal description need to be monumented and have a Record of Survey filed with the County, knowing it will change? Please remember these alignments are miles long and would have a very high cost to perform the monumentation, only to do it again later.”

Question 1 Answer: An easement controlled by an improvement would not be considered final until the construction of the improvement is complete. The final description (based on the surveyed location of the pipeline) would require monuments conforming to **54-1227** and a record of survey in accordance with **55-1906 (2) and (5)**.



Monuments and Easements Questions (Continued)

Question 2: "It is very common to have a temporary construction easement and a permanent easement for a utility. The construction easement is larger, encompassing the permanent easement. If the permanent utility easement is monumented prior to construction, these permanent monuments will be substantially damaged during construction. Is it acceptable to monument and file the ROS for the permanent easement after the utility installation takes place?"

Question 2 Answer: The previous opinion of the Board is that a survey is complete when monuments are set. Setting monuments after construction is completed is a reasonable practice.



Board Decisions

Monuments and Easements Questions (Continued)

Question 3: “It is very common for buried utilities to be placed in cultivated fields that the landowner will continue to farm. Please confirm it is not required to monument and file a ROS for an easement within a cultivated field.”

Question 3 Answer: An easement must be monumented and a survey recorded, whether in a cultivated field or not. Cultivation may or may not preclude the use of monuments described in 54-1227 at some corners. It does not prevent the use of recessed monuments, witness corners, or reference monuments. Professional Land Surveyors are given latitude to make professional judgments as it relates to the conditions at a particular corner or corners, but the statute does not allow eliminating the record of survey and all monuments.

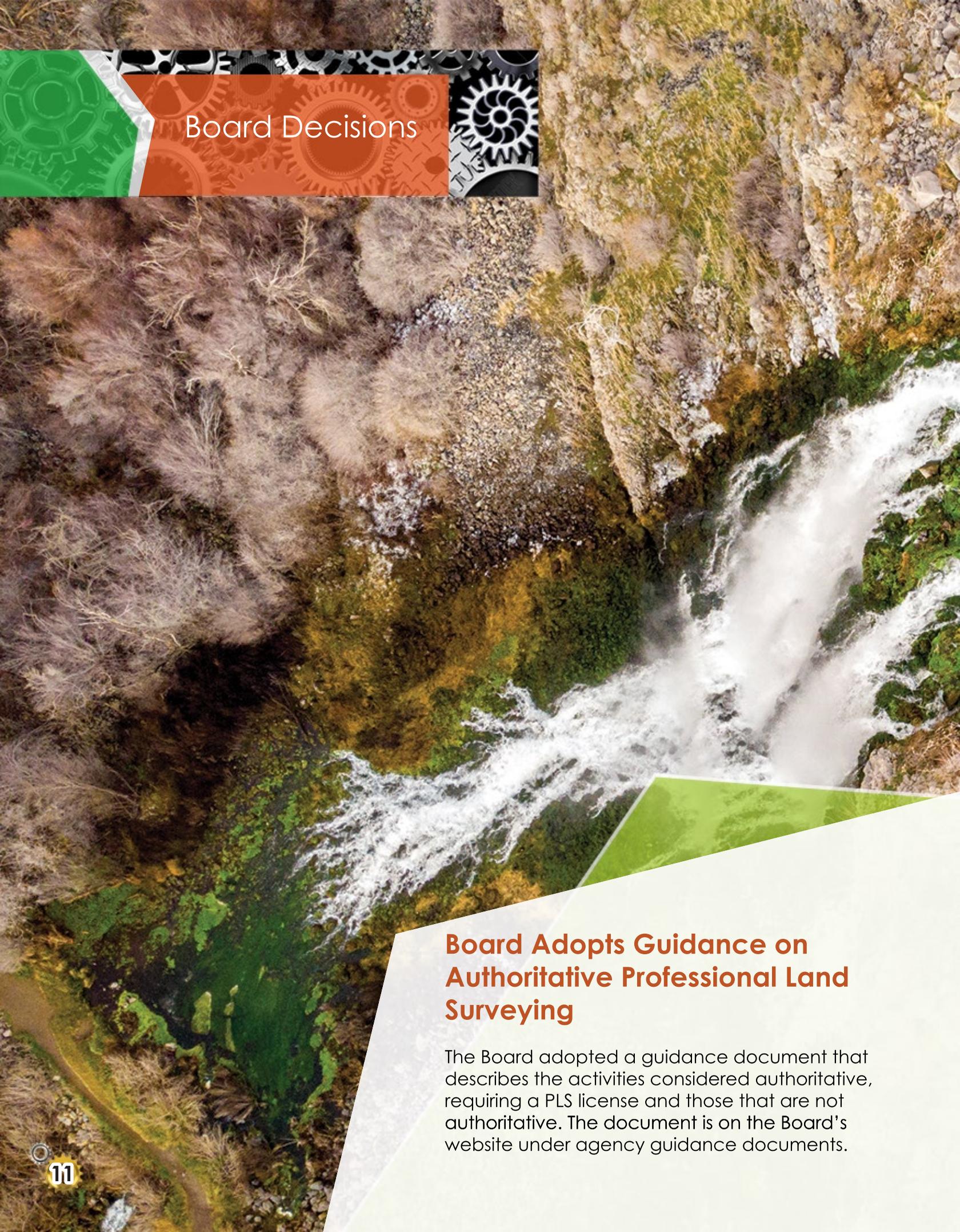




Agency Guidance Documents Available on Board's Website

There are many prior opinions and guidance documents provided by the Board over the years. Most of these were published in prior news bulletins or legal opinions. A recent executive order directed agencies to make documents considered as guidance documents available on agency websites. The Board has done this and will continuously update the guidance documents as new or revised opinions are made. Not all previous news bulletin opinions are currently relevant. Those posted on the website are considered relevant and useful.





Board Decisions

Board Adopts Guidance on Authoritative Professional Land Surveying

The Board adopted a guidance document that describes the activities considered authoritative, requiring a PLS license and those that are not authoritative. The document is on the Board's website under agency guidance documents.

Board Adopts Guidance on Credit for CFedS Completion

The Board adopted a guidance document that describes the Certified Federal Surveyor completion as equivalent to four (4) college semester credits. This is useful for obtaining professional development hours for CPD compliance. It is also useful for obtaining the thirty (30) semester credits of surveying courses for meeting the survey education component for those with a related four-year degree and seek PLS licensure. This document is found on the Board's website under agency guidance documents.



Statute and Rule Changes

Rule Changes Adopted by the Legislature in 2020

Substantial changes to the rules of the Board occurred in the last session of the legislature. The Board consolidated four rule chapters into one chapter and removed several sections of the rule that were no longer needed. This was done in response to the governor's executive order known as the Red Tape Reduction Act which directed all state agencies to remove unneeded rules and restrictions. There were only two removed sections of substance. One removed the time limitation on the Board to hear complaints; the other removed a 10-year time limit on publishing disciplinary cases. The Board added a provision to allow mentoring of students as an eligible activity for earning continuing professional development.



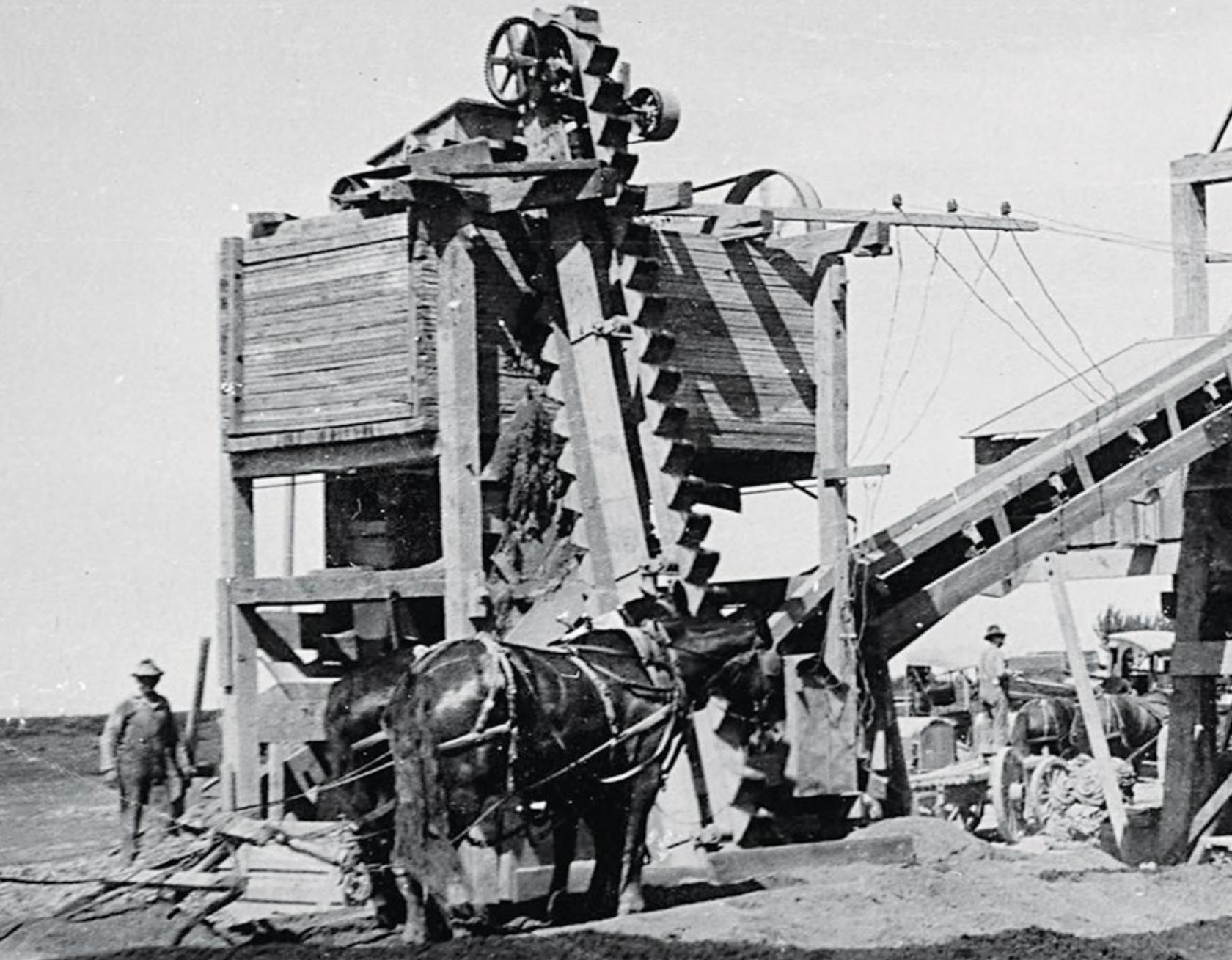
Statute and Rule Changes

Law Changes Adopted by the Legislature in 2020

The legislature adopted and the governor signed Senate Bill 1261. This bill implemented the changes described in the last news bulletin. The substantial changes relate to surveying laws and monuments. Changes to Title 55, Chapter 16 – the corner record statute were made. Specifically, all professional land surveyors are now required to monument the center $\frac{1}{4}$ of a section and file a corner record on it when subdividing a section. Existing $C \frac{1}{4}$ corners recovered, used as control or perpetuated will require a corner record from now on. Calculating a position for the $C \frac{1}{4}$ without setting a monument is no longer allowed. Off-line closing corners will require the true on-line position of the corner to be monumented and a corner record filed as well. Surveyors will have more options regarding the type of monument to use but all must be magnetically detectible. Other substantial changes should be reviewed by licensees. The new law and rule book is available on the Board's website.



Statute and Rule Changes



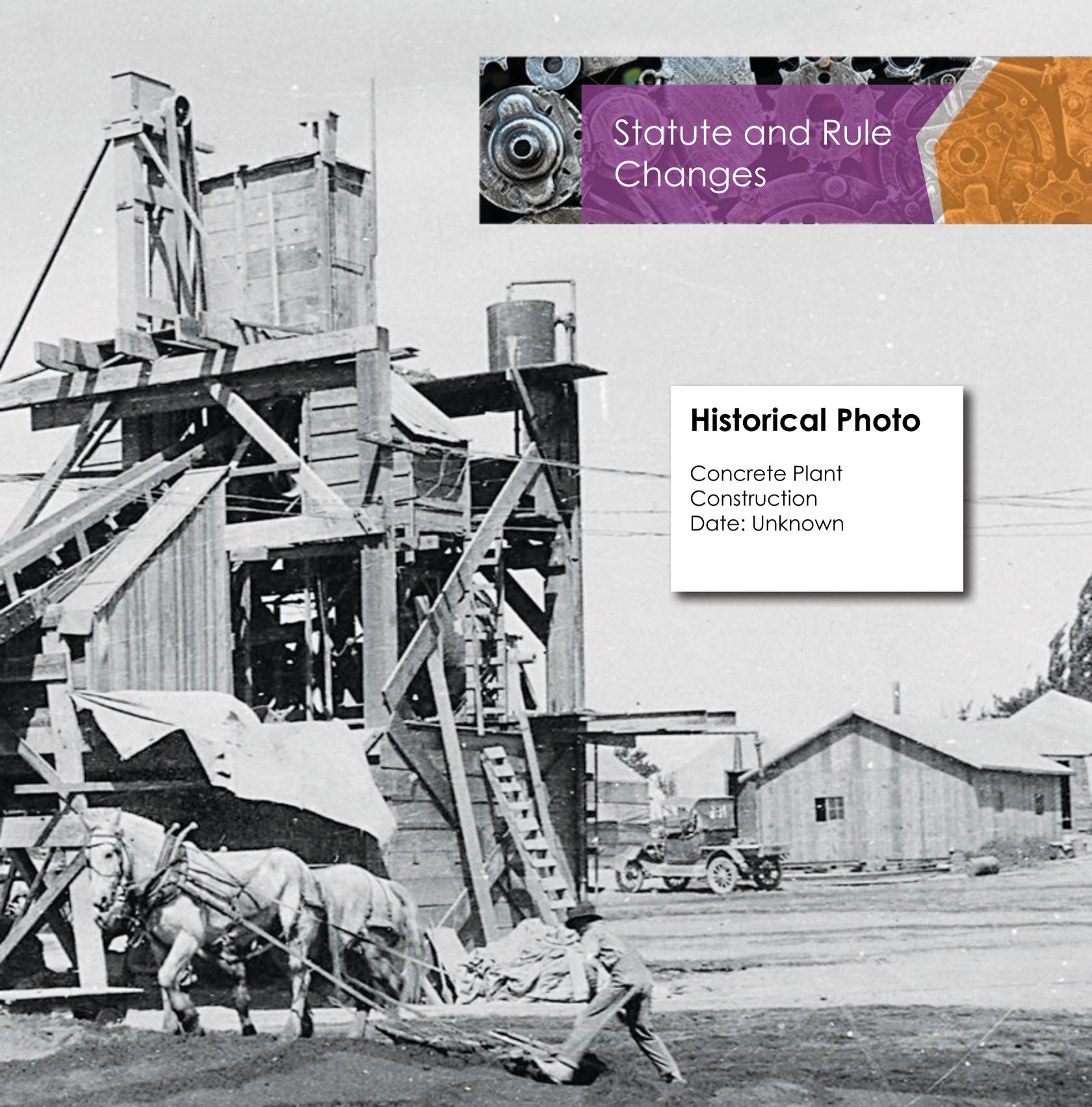
Out-year Rule Changes Considered by the Board

The governor issued executive order EO 2020-01 Zero Based Regulation that places a moratorium on new rules in 2020. It also implements a review process whereby all rules will be reviewed once in the next five years using a process that repeals existing rules and re-evaluates whether to reauthorize new rules going forward. Future rule changes will be made once in the next five years as part of this effort instead of annually as had been the Board's practice.

The Board's rules are proposed to be evaluated in fiscal year 2022 or beyond.



Statute and Rule Changes



Historical Photo

Concrete Plant
Construction
Date: Unknown

Out-year Law Changes Considered by the Board

New law changes proposed in 2021 or beyond include:

- **State Plane Coordinates** – updates to incorporate the new datums from NGS and to modernize Title 55, Chapter 17
- **Monument Definition** – updates the definition of a monument
- **Basis of Bearing** – updates to allow for use of alternative (GPS friendly) reporting



Education



Idaho State University

- Idaho State University now offers a survey certificate that can be used to meet the 30 semester credits of surveying courses required for those with related science degrees. For information contact Robert Liimakka at liimrobe@isu.edu.

ISU is also looking for surveying technicians that want to enhance their education and certifications. ISU offers a part-time education opportunity for current survey technicians and other survey personnel to earn college credits and gain additional certifications while working in their current positions. Eight courses from the Surveying and Geomatics Engineering Technology program have been grouped to prepare students to pass NSPS Certified Survey Technician Examinations, Levels 1, 2, or 3. This grouping of eight courses is called the TRIPOD program. Students in the TRIPOD program will take two surveying courses each fall and spring. There are not any scheduled class meeting times, and students can study at their convenience. All credits can be applied to earning an associate degree in Civil Engineering Technology or a bachelor's degree in Surveying and Geomatics Engineering Technology if the students decide to continue their education beyond the TRIPOD program. For more information go to <https://bit.ly/2X65exO>



Cancellation of the April 2020 paper-and-pencil exam

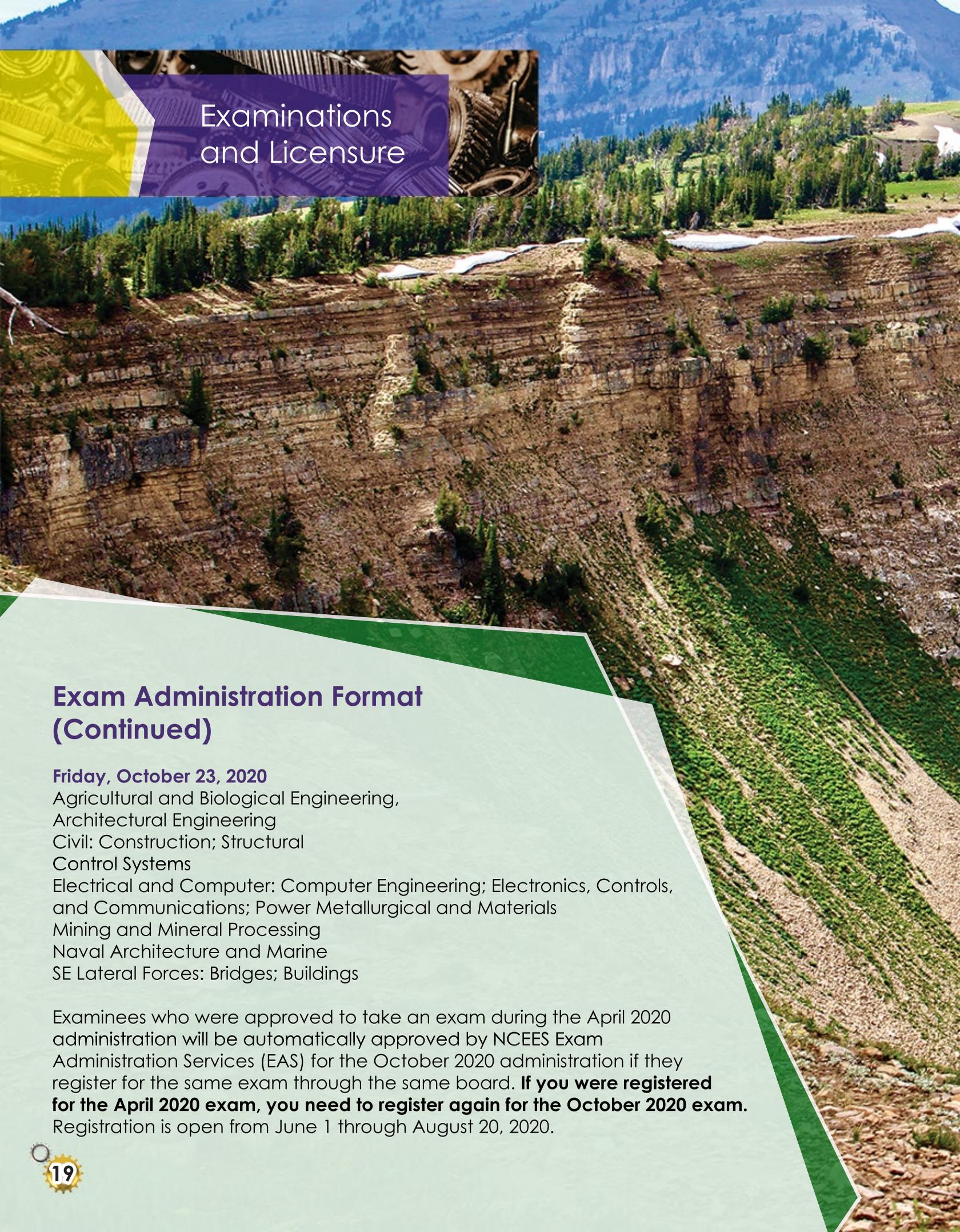
The cancellation of the April 2020 paper-and-pencil exam administration impacted approximately 16,000 examinees nationwide. To accommodate these examinees, the format of the October 2020 exam administration will be modified as shown below.

Exam Administration Format

The October 2020 paper-and-pencil exam administration will be administered over two days – Thursday, October 22 and Friday, October 23 in Boise. Please note that exams usually offered once a year during the April administration will be offered in October. Exams must be administered on the day assigned as follows:

Thursday, October 22, 2020

Civil: Geotechnical; Transportation; Water Resources and Environmental
SE Vertical Forces: Bridges; Buildings



Examinations and Licensure

Exam Administration Format (Continued)

Friday, October 23, 2020

Agricultural and Biological Engineering,

Architectural Engineering

Civil: Construction; Structural

Control Systems

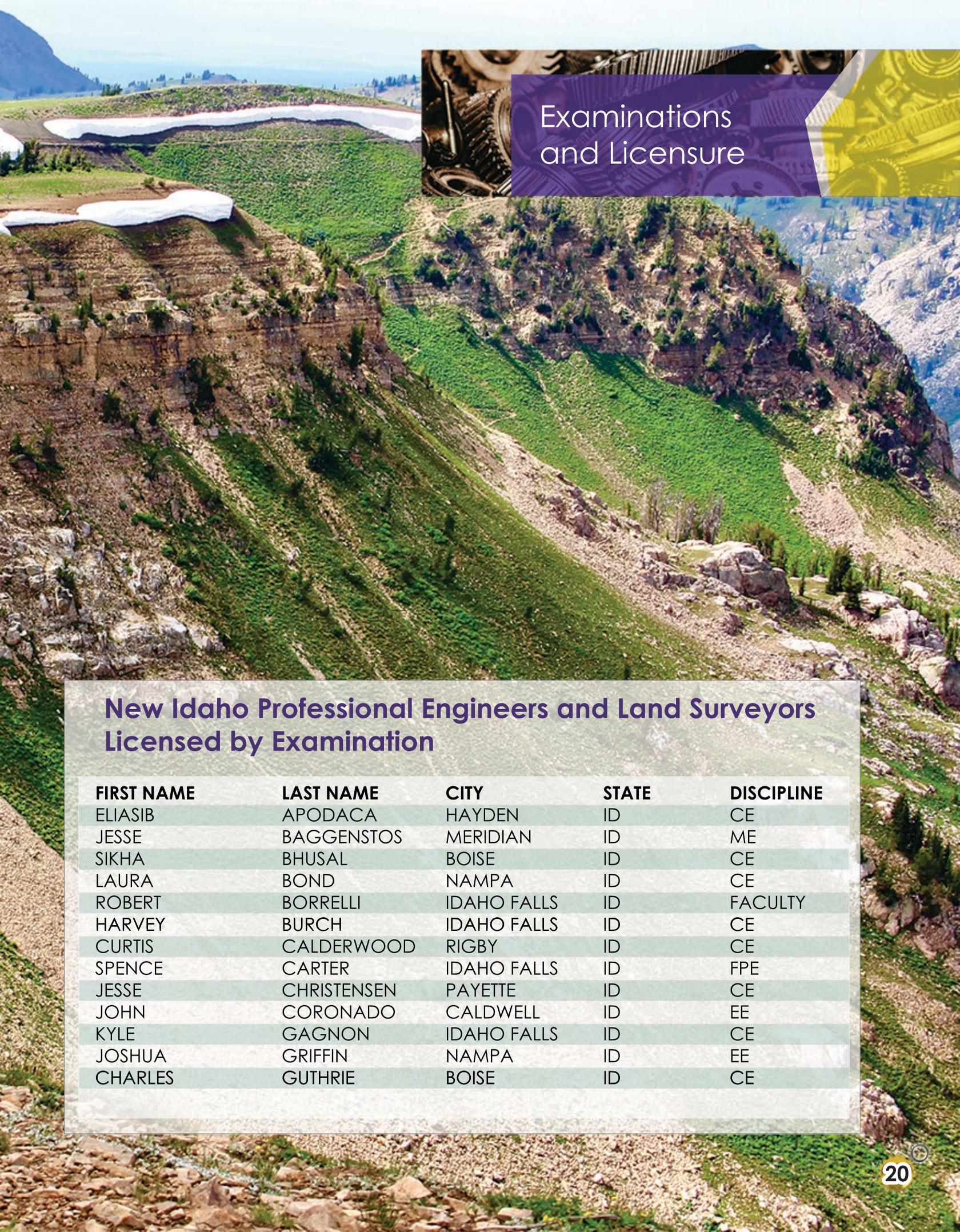
Electrical and Computer: Computer Engineering; Electronics, Controls,
and Communications; Power Metallurgical and Materials

Mining and Mineral Processing

Naval Architecture and Marine

SE Lateral Forces: Bridges; Buildings

Examinees who were approved to take an exam during the April 2020 administration will be automatically approved by NCEES Exam Administration Services (EAS) for the October 2020 administration if they register for the same exam through the same board. **If you were registered for the April 2020 exam, you need to register again for the October 2020 exam.** Registration is open from June 1 through August 20, 2020.



Examinations and Licensure

New Idaho Professional Engineers and Land Surveyors Licensed by Examination

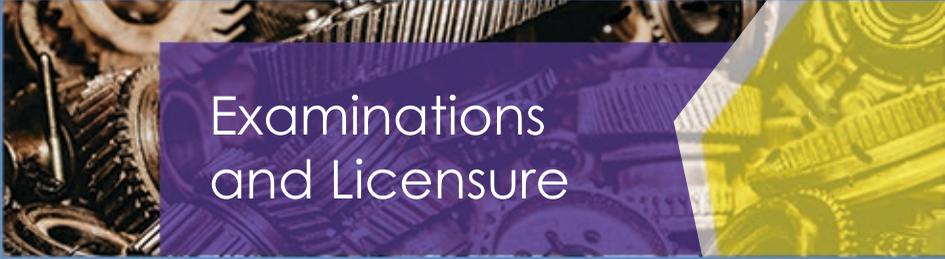
FIRST NAME	LAST NAME	CITY	STATE	DISCIPLINE
ELIASIB	APODACA	HAYDEN	ID	CE
JESSE	BAGGENSTOS	MERIDIAN	ID	ME
SIKHA	BHUSAL	BOISE	ID	CE
LAURA	BOND	NAMPA	ID	CE
ROBERT	BORRELLI	IDAHO FALLS	ID	FACULTY
HARVEY	BURCH	IDAHO FALLS	ID	CE
CURTIS	CALDERWOOD	RIGBY	ID	CE
SPENCE	CARTER	IDAHO FALLS	ID	FPE
JESSE	CHRISTENSEN	PAYETTE	ID	CE
JOHN	CORONADO	CALDWELL	ID	EE
KYLE	GAGNON	IDAHO FALLS	ID	CE
JOSHUA	GRIFFIN	NAMPA	ID	EE
CHARLES	GUTHRIE	BOISE	ID	CE



Examinations and Licensure

New Idaho Professional Engineers and Land Surveyors Licensed by Examination (Continued)

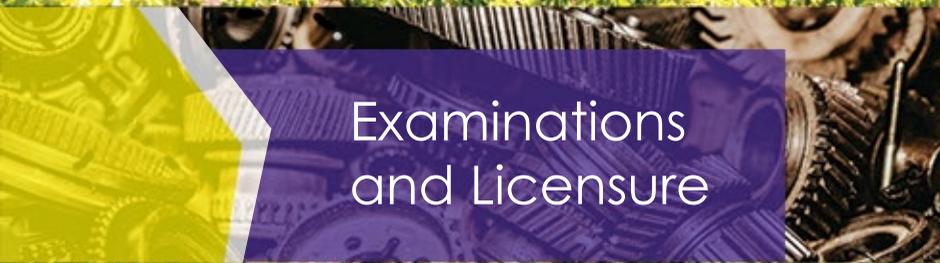
FIRST NAME	LAST NAME	CITY	STATE	DISCIPLINE
STEPHANIE	HALLOCK	COEUR D'ALENE	ID	CE
MARK	HAYES	SHELLEY	ID	CE
MATT	HOWELL	BOISE	ID	ME
NATHAN	JOHNSON	IDAHO FALLS	ID	ME
NICHOLAS	JORDAN	BOISE	ID	ME
KAMAL	KUMAR	MOSCOW	ID	FACULTY
THOMAS	LABRECQUE	BOISE	ID	ME
JOSHUA	LARAMIE	BLOOMINGTON	IN	CE
MILES	LAWRENCE	NAMPA	ID	FACULTY
VANCE	LEAVITT	NAMPA	ID	CE
SHAUN	LEHOSIT	MERIDIAN	ID	EE
BREANNA DEE	LOGERWELL	SPOKANE VALLEY	WA	CE
JOSE	LOPEZ	BOISE	ID	CE



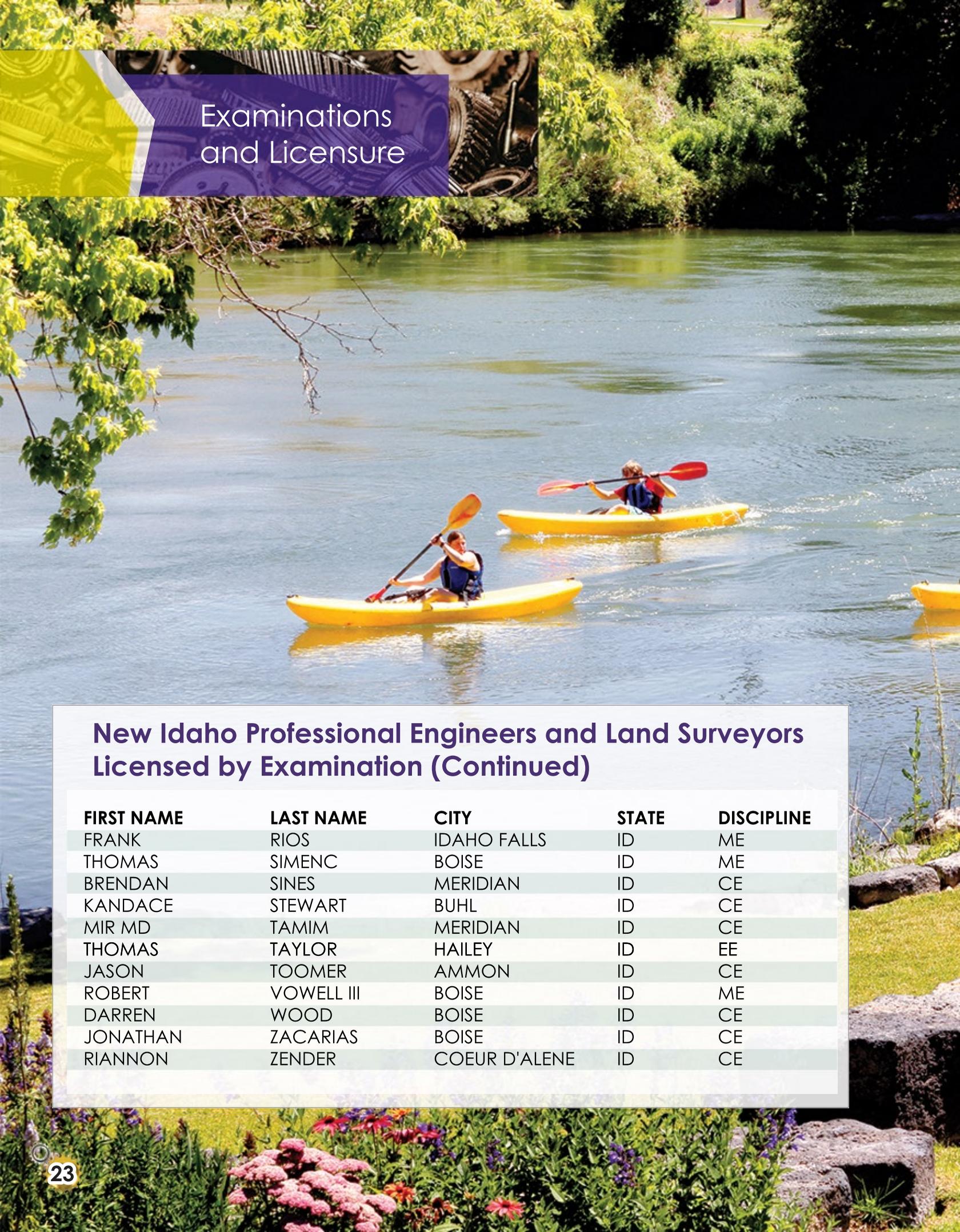
Examinations and Licensure

New Idaho Professional Engineers and Land Surveyors Licensed by Examination (Continued)

FIRST NAME	LAST NAME	CITY	STATE	DISCIPLINE
SARAH	LYNN	IDAHO FALLS	ID	ME
BRYCE	MARSH	IDAHO FALLS	ID	CE
ERIC	MEURLOTT	COEUR D'ALENE	ID	LS
JOHN	MILLER	MERIDIAN	ID	CE
ALI	NAZARIDAFARI	BOISE	ID	CE
TIRAS	NEWMAN	TWIN FALLS	ID	EE
JACOB	NORRIS	COEUR D'ALENE	ID	CE
LAUREN	NUXOLL	BOISE	ID	CE
SEAN	O'BRIEN	POCATELLO	ID	LS
KYLE	PERRY	HAILEY	ID	EE
MARSHALL	PIERCE	MERIDIAN	ID	CE
JUSTIN	POSTMA	GOODING	ID	EE
BEHNAZ	REZAI	PULLMAN	WA	FACULTY



Examinations and Licensure

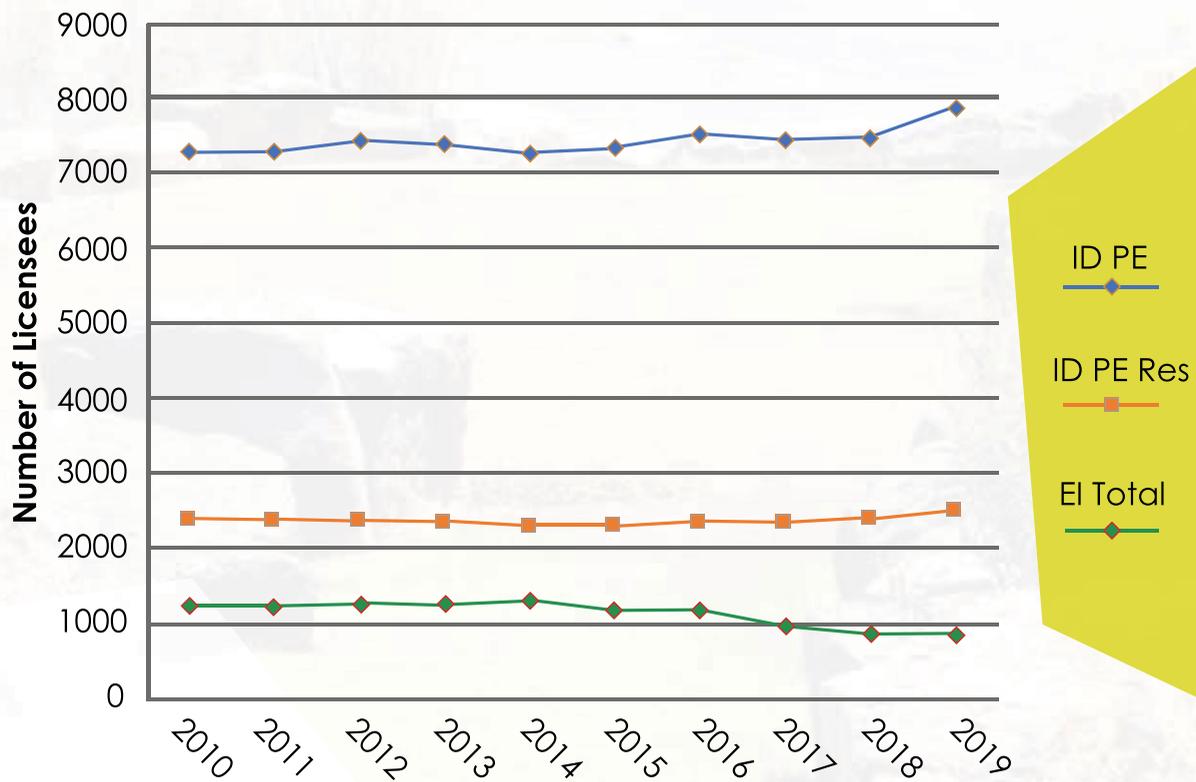


New Idaho Professional Engineers and Land Surveyors Licensed by Examination (Continued)

FIRST NAME	LAST NAME	CITY	STATE	DISCIPLINE
FRANK	RIOS	IDAHO FALLS	ID	ME
THOMAS	SIMENC	BOISE	ID	ME
BRENDAN	SINES	MERIDIAN	ID	CE
KANDACE	STEWART	BUHL	ID	CE
MIR MD	TAMIM	MERIDIAN	ID	CE
THOMAS	TAYLOR	HAILEY	ID	EE
JASON	TOOMER	AMMON	ID	CE
ROBERT	VOWELL III	BOISE	ID	ME
DARREN	WOOD	BOISE	ID	CE
JONATHAN	ZACARIAS	BOISE	ID	CE
RIANNON	ZENDER	COEUR D'ALENE	ID	CE

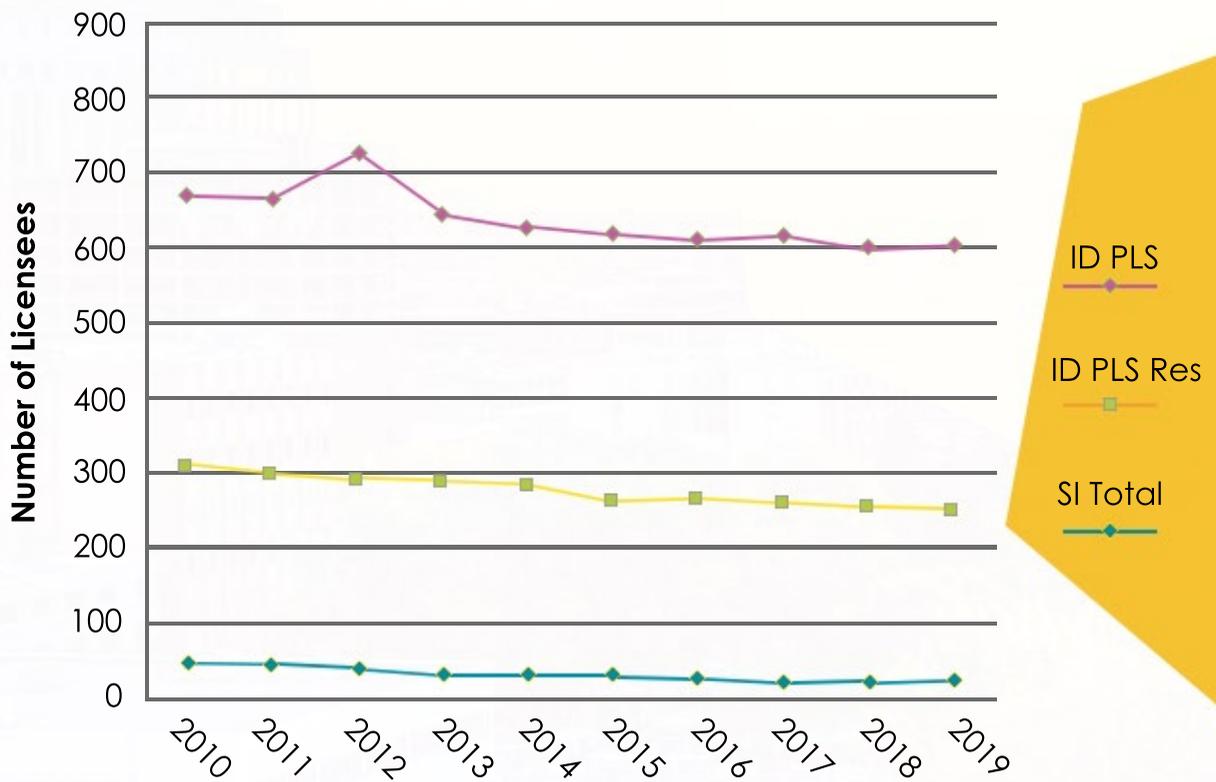
Examinations and Licensure

PE Licensure Trends



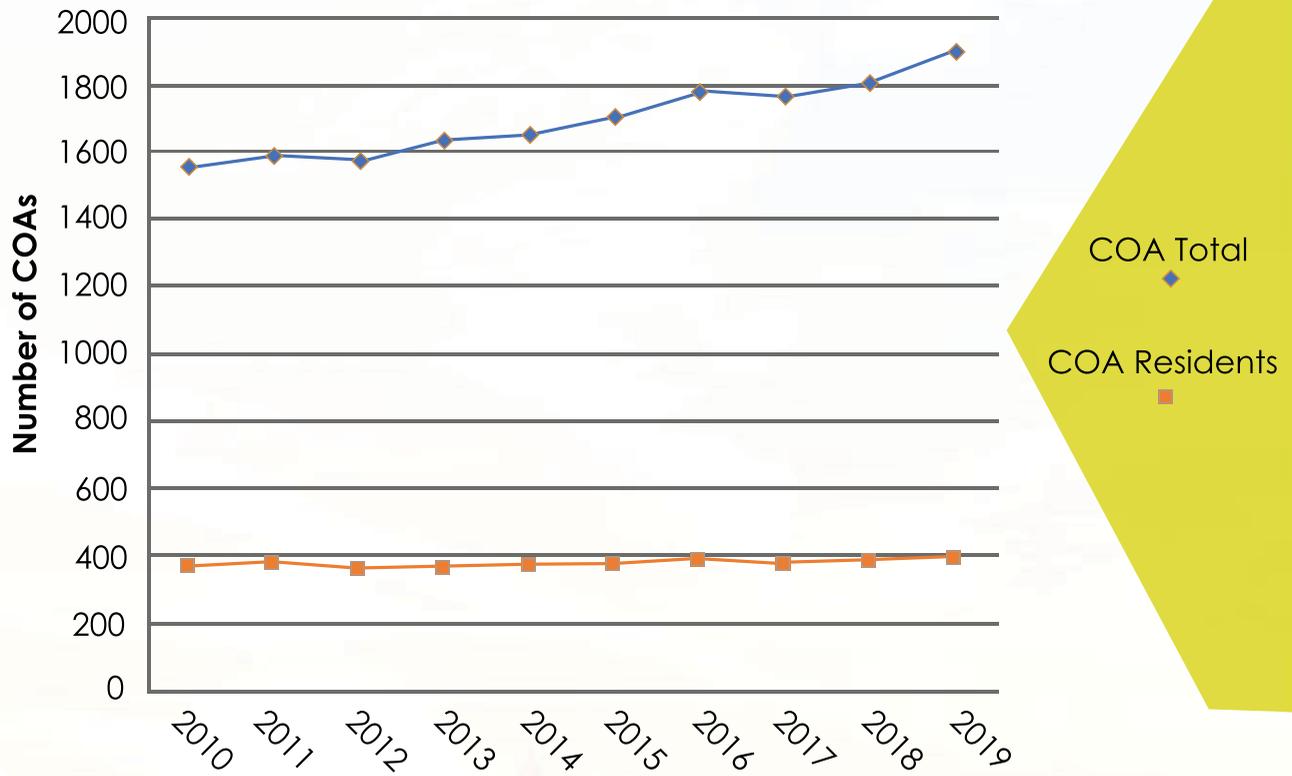
Examinations and Licensure

PLS Licensure Trends



Examinations and Licensure

Certificate of Authorization Trends





Enforcement

Disciplinary Actions

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

Retirement of License in Lieu of Discipline

Andrew Adams, P.E., Wasilla, AK

Cases Dismissed by the Board

PE in South Central Idaho – Allegations were made regarding violations of ethics rules such as confidentiality, criminal felony unrelated to licensed practice, and other moral standing violations. The complainant later withdrew the complaint. The Board dismissed the complaint as unfounded.



In Memory of Those Recently Deceased

In Memory of Those Deceased

FIRST NAME	LAST NAME	LICENCE	CITY	STATE	DECEASED
Scott John	Smith	P-11671 (ME)	Phelan	CA	8/10/19
Carl Roy	Ballantyne	P-17563 (CE)	Modesto	CA	6/28/18
Joseph Robert	Stimac	E-4292 (EIT)	Marsing	ID	11/10/19
Richard T	Jacobsen	P-2012 (ME)	Idaho Falls	ID	8/20/19
Donald H	Morse	P-1547 (CE)	Eagle	ID	10/29/19
Bryce E	Bay	P-5595 (EE)	Rock Springs	WY	11/16/19
William Richard	Petty	P-7696 (ME)	Sparks	NV	11/30/19
Dennis L	Jones	L-760 (LS)	Rigby	ID	1/13/20
Brent R	Helm	P-3761 (ME)	Idaho Falls	ID	8/29/2019
Donald L	Mecham	P-1480 (CE)	Ammon	ID	1/23/20
Melvin Clarke	Taggart	PL-1768 (PE/LS)	Potlatch	ID	6/16/19
Fredrick D	Ringel	L-986 (LS)	Cascade	ID	4/22/20



Calendar of Upcoming Events

August 3-4, 2020

August 20, 2020

August 27-28, 2020

September 10-11, 2020

October 22-23, 2020

November 16-17, 2020

February 4-5, 2021

April 23-24, 2021

April 1-2, 2021

April 23-25, 2021

June 8-9, 2021

Board Retreat in Riggins, Idaho
Deadline for Registering with NCEES for Fall PE Exams

NCEES Annual Meeting, Virtual

Board Meeting in Meridian, Idaho

PE & SE Examinations in Boise, Idaho

Board Meeting with Deans in Meridian, Idaho

Board Meeting in Meridian, Idaho

PE & SE Examinations in Boise, Idaho

Board Meeting in Meridian, Idaho

NCEES Western Zone Meeting in Bozeman, MT

Board & ISPE Meeting in Coeur d'Alene, Idaho

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Tom Judge, PLS Deputy Director

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jennifer.rowe@ipels.idaho.gov

Edith Williams, Technical Records Specialist

edith.williams@ipels.idaho.gov

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Idaho Department of Labor - Workforce Development Council Sector Grant (TRIPOD)

TRIPOD is the name of the Idaho Department of Labor - Workforce Training Industry Sector Grant awarded to the Idaho State surveying program. The purpose of this program is to offer core surveying courses to incumbent workers (surveying technicians in particular.)

Participants will be earning college credits the same as any other college student. Grant funding will pay for any of the NSPS Certified Survey Technician exams - Level I, II or III. In addition, completers will be awarded a Basic Technical Certificate in Surveying by Idaho State University. For those who wish to further their education, TRIPOD opens a pathway to additional degrees in Civil Engineering Technology (Associate of Applied Science) and Surveying and Geomatics Engineering Technology (Bachelor of Science.)

Enrollment into TRIPOD can be either Fall or Spring semester. Participants are enrolled along with other students pursuing degrees in Surveying and Geomatics Engineering Technology and Civil Engineering Technology. The course sequence is set up for participants to take two classes each semester over four semesters, totaling eight courses worth 24 credits. Participants may enroll for just one course to adjust for their job workload.

Although DOL policy does not allow grant funds to be allocated to participants for tuition, it does allow for stipends to be given to PLS mentors. Mentors play an integral roll in this program; supervision of proper techniques and procedures for labs, and providing access to equipment and technology.

Consortium partners in this grant, including ISPLS have supported this cause with generous financial contributions. These funds are being used in advertising campaigns (radio, billboards, state and national newsletters) throughout the state of Idaho. ISPLS funds are primarily being used for advertising.

At a recent meeting with the DOL Workforce Training representative, we requested and were granted an 18-month extension to continue offering TRIPOD courses. This means there is additional time to enroll survey technicians for online training and education up through June 2022.

As of this writing, we are still accepting survey technicians into TRIPOD to join the over one dozen others that are already enrolled. We ask that you encourage surveying technicians who do not already have formal training to participate in this program to increase their knowledge and skills. By doing so, they will be better prepared, more knowledgeable and more valuable to employers and the surveying professional as a whole.

For More Information Contact:

Robert Liimakka, PLS, MS, Coordinator
Surveying and Geomatics Engineering Technology Program
liimakka@isu.edu