

BOARD OF PROFESSIONAL ENGINEERS  
AND PROFESSIONAL LAND SURVEYORS

Minutes of Meeting

The Board of Professional Engineers and Professional Land Surveyors held a regular meeting on March 1, 2016 at the Coeur d'Alene Resort, 115 South Second Street, Coeur d'Alene, Idaho 83814 to conduct Board business. The meeting convened at 8:00 a.m. (PST) on Tuesday, March 1, 2016 with the following Board members present: John Elle, George Murgel, David Bennion, Glenn Bennett, George Wagner, Dusty Obermayer and Raymond Watkins. Also present was Keith Simila, Executive Director and Jim Szatkowski, Deputy Director, and Jennifer Rowe, Administrative Assistant.

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

Moved by Mr. Bennion, seconded by Mr. Bennett to add an email question received by Mr. Obermayer as New Business #21. Motion passed unanimously

**I. READING OF MINUTES**

1. Meeting Minutes for the January 28 & 29, 2016 meeting.

Moved by Mr. Bennion, seconded by Mr. Bennett to approve minutes from the January 28 & 29, 2016 meeting as amended. Motion passed unanimously.

**II. REVIEW AND APPROVAL OF CONSENT AGENDA**

1. Voluntary license retirement requests were received from L. Kent Anderson and Scott M. Vanderau.
2. The California Board nominated Pat Tami for NCEES President Elect.

The Board noted the items on the Consent Agenda with no further action.

**III. UNFINISHED BUSINESS**

1. Review the Strategic Plan Objectives. The matter is continued.
2. Subcommittee Updates
  - a. Item Writing (Mr. Elle, Mr. Bennett and Mr. Obermayer): The subcommittee is up to date on questions for the exam. The subcommittee will review the State Specific exam for any necessary changes due to recent law and rule changes. Mr. Elle has provided new questions so that they can be added to the item bank.

- b. Surveying FAQ (Frequently Asked Questions) Page Subcommittee (Mr. Obermayer, Mr. Bennett and Mr. Elle): The subcommittee reviews changes to the surveying laws and assists staff with updating the Surveying FAQ web page. Mr. Bennett and Mr. Elle are working with Mr. Szatkowski to keep the FAQ current. There is nothing new to report at this time.
- c. QBS Subcommittee (Mr. Wagner, Mr. Bennett and Mr. Elle): The subcommittee will study whether sub consultant services should be procured using QBS and whether a change in the law for the definition of “agent” will accomplish this. The subcommittee will get in touch with Teri Ottens to discuss QBS education and changing the focus from engineers to design professionals.

#### **IV. NEW BUSINESS**

- 8. Mr. Simila presented future law and rule proposals to the Board.
  - c. Faculty Licensure law/rule. Larry Stauffer, Dean of the University of Idaho, College of Engineering joined the meeting to discuss faculty licensure and the current legislation. The Board noted the information.

Mr. Stauffer left the meeting.

#### **V. CONSIDERATION OF APPLICATIONS**

##### **NON-STANDARD – COMITY**

Jack Butler joined the meeting to discuss his application for Professional Land Surveyor in Idaho.

Moved by Mr. Wagner, seconded by Mr. Bennion to enter into executive session to consider records that are exempt from disclosure as provided for by Idaho Code 74-206(1)(d). Roll call vote results; Mr. Bennett, yes; Mr. Wagner, yes; Dr. Murgel, yes; Mr. Elle, yes; Mr. Bennion, yes; Mr. Watkins, yes and Mr. Obermayer, yes. After meeting in executive session, the Chairman directed the Board to return to regular session.

Moved by Mr. Bennett, seconded by Dr. Murgel to direct Mr. Butler to submit 3 types of surveys he personally signed and sealed to the Board for review (retracement of cadastral, sequentially and simultaneously created parcels). Motion passed unanimously.

#### **III. UNFINISHED BUSINESS**

- 2. Subcommittee Updates
  - d. Survey Program Evaluation: (Mr. Bennett and Mr. Obermayer): The subcommittee will evaluate the survey programs and courses at Great

Basin College and the University of Wyoming. There is nothing to report at this time.

3. Staff provided an update on the progress of online applications and COA renewals. This matter was continued to the June meeting.
4. Ed Snyder submitted his CPD log for the Board's review.

Moved by Mr. Wagner, seconded by Mr. Bennett to deny the waiver of 30 PDH hours of CPD due to hardship and request that he provide well documented CPD prior to reinstatement. Motion passed unanimously.

5. Joe Canning has been in touch with the QBS Council regarding the selection interview process.

Moved by Mr. Bennion, seconded by Mr. Bennett to request the QBS Council add to their training a recommendation to educate state and local jurisdictions that they should interview presenters in executive session. Motion passed unanimously.

#### **IV. NEW BUSINESS**

1. Reports by Board Members and Staff of activities since the January meeting. Mr. Bennett attended an ISPLS Chapter meeting and met with Mr. Edmunds from the Department of Labor; Mr. Obermayer answered email questions about surveying; attended ISPLS Chapter meetings and participated in the ISPLS annual conference subcommittee meetings. Dr. Murgel attended a NCEES Audit Exam committee meeting and attended the Engineers Week luncheon in Boise. Mr. Elle provided opinions on easement monumentation and basis of bearings; met with Mr. Edmunds from the Department of Labor and reviewed prosecution evaluations for disciplinary actions. Mr. Bennion attended the Engineers Week luncheon in Boise. Mr. Watkins attended an ISPE chapter meeting. Mr. Szatkowski attended the Engineers Week luncheon and Idaho Power Presentation. Mr. Simila attended the NCEES MBA forum in Atlanta, GA and the Engineers Week luncheon.
2. Staff provided an update on the Board's financial status as of January 31, 2016. The Board noted the information.
3. Staff prepared an Expense Reimbursement Summary for the Executive Director for January 1, 2016 through January 31, 2016 for the Board's review.

Moved by Dr. Murgel, seconded by Mr. Bennett to approve the expenses as presented. Motion passed unanimously.

4. A FY2018 budget increase of \$40,000 will be submitted due to a need for a new IT connection. Mr. Szatkowski will update the Board on this matter. The Board noted the information.
5. A licensee requested a waiver of CPD due to extenuating circumstances and requests that her license be considered expired from the last renewal date.

Moved by Mr. Watkins, seconded by Dr. Murgel to waive the late fee and consider the license expired. A refund of the renewal fee will not be provided. Motion passed unanimously.

6. Mr. Simila updated the Board on the status of pending legislation. The Board noted the information.
7. The Governor proposed legislation on Board composition and Executive Director positions. The Board noted the information.
8. Mr. Simila presented future law and rule proposals to the Board.
  - a. Related science degree change to IDAPA 10.01.01.017 & 019. The Board noted the information.
  - b. Website & Outreach changes to IDAPA 10.01.01.013

Moved by Mr. Wagner, seconded by Mr. Bennion to approve rule change as presented. Motion passed unanimously.

9. Does the Board want to send a representative to the APEGA Conference, April 21-22 in Edmonton?

Moved by Mr. Bennion, seconded by Dr. Murgel to send Executive Director to APEGA Conference in April. Motion passed unanimously.

10. Does the Board want to send a representative to the ISPE Annual Meeting, May 12-13 in Boise?

Moved by Mr. Bennett, seconded by Mr. Obermayer to send Mr. Bennion, Mr. Watkins, Mr. Wagner, Mr. Simila and Mr. Szatkowski to the ISPE Annual Meeting in May. Motion passed unanimously.

11. Does the Board want to send a representative to PNWER Summit in Calgary, July 17-21?

Moved by Mr. Bennion, seconded by Mr. Bennett to send Dr. Murgel and Mr. Simila to the PNWER Summit in July. Motion passed unanimously.

12. NCEES Registration is open for the Western Zone meeting in Anchorage, May 19-21. The Board noted the information.
13. Does the Board want to consider inviting the Southern Zone to the 2019 Western Zone Meeting in Boise?

Moved by Mr. Bennett, seconded by Dr. Murgel to invite the Southern Zone to the 2019 Western Zone meeting in Boise. Motion passed unanimously.

14. 2009 Letter from NCEES – Washington Accord not accepted – should Idaho follow suit?

Moved by Mr. Bennion, seconded by Mr. Watkins to evaluate a rule change that removes Washington Accord and replaces it with CEAB and the UK equivalent. Motion passed unanimously.

15. NCEES is in the process of an E3 Update and website redesign. The Board noted the information.
16. Should the Board only accept NCEES Credential Evaluations (remove AACRAO & others)?

Moved by Mr. Wagner, seconded by Dr. Murgel to accept only the NCEES credential evaluations. Motion passed unanimously.

17. The NCEES MBA Committee provided a white paper on decoupling experience from the PE/PLS examination. The Board noted the information.
18. A question on Conflict of Interest was received.

Moved by Mr. Watkins, seconded by Mr. Wagner to request the engineer to submit to the Board in writing his concerns with taking this job. Motion passed unanimously.

19. NCEES has a proposal to combine the Western Zone meetings into one Zone meeting. The Board noted the information.
20. USRA Engineering is requesting to use their business name in Idaho. They do not perform engineering services in this state. The application for COA that was submitted with this letter does not qualify for issuance as they do not have an Idaho PE in responsible charge.

Moved by Dr. Murgel, seconded by Mr. Wagner to deny use of the name and suggest the use an assumed business name. They cannot present or advertise themselves as engineers in Idaho. Motion passed unanimously.

21. Question from surveyor on Property Descriptions. Mr. Obermayer will respond to the individual indicating that not all legal descriptions need a land surveyor.
22. The Board will elect officers.

Moved by Mr. Watkins, seconded by Mr. Wagner to appoint Dr. Murgel as Chair, Mr. Bennion as Vice Chair and Mr. Bennett as Secretary. Motion passed unanimously.

## **VI. CONSIDERATION OF DISCIPLINARY MATTERS**

- FY11.11 Erickson, Chad, Standard of Care. This docket has been extended indefinitely.
- FY15.04 Meckel Engineering & Surveying. An individual raised an issue regarding Meckel Engineering and Surveying's business practices on a project in Sagle, ID. This docket has been extended indefinitely.
- FY15.06 Edwards, Et. Al. – ROPR. Mr. Elle has been assigned to the investigative team for this docket. A Stipulation & Consent Order has been negotiated.

Dr. Murgel is acting Chair as Mr. Elle is recused from this matter.

Moved by Mr. Wagner, seconded by Mr. Bennion to enter into executive session to consider records that are exempt from disclosure as provided for by Idaho Code 74-206(1)(d). Roll call vote results; Mr. Bennett, yes; Mr. Wagner, yes; Dr. Murgel, yes; Mr. Bennion, yes; Mr. Watkins, yes and Mr. Obermayer, yes. After meeting in executive session, the Chairman directed the Board to return to regular session.

Moved by Mr. Bennett, seconded by Mr. Obermayer to accept the Stipulation and Consent Order. Motion passed unanimously with Mr. Elle recused.

Moved by Mr. Bennett, seconded by Mr. Obermayer to accept the fine. Motion passed unanimously with Mr. Elle recused.

Moved by Mr. Obermayer, seconded by Mr. Bennett to dismiss all other issues cited in the complaint (road, etc.) Motion passed unanimously with Mr. Elle recused.

Mr. Elle returned to the Chair the meeting.

- FY16.01 Engineering Company A, ROPR. Staff believes this matter is no longer relevant and should be closed.

Moved by Mr. Bennett, seconded by Dr. Murgel to authorize a preliminary investigation into this matter. Motion passed unanimously.

FY16.03 Wellington, Steven Charles, ROPR. This matter was continued.

FY16.04 Ketcham, C.H. Pete, ROPR. This matter was continued.

FY16.07 Cosper, David, ROPR

Moved by Mr. Bennion, seconded by Mr. Watkins to direct Attorney Naylor to negotiate a Stipulation and Consent Order. Motion passed unanimously.

## **V. CONSIDERATION OF APPLICATIONS**

### **NON-STANDARD – COMITY**

Moved by Mr. Elle, seconded by Mr. Bennion to enter into executive session to consider records that are exempt from disclosure as provided for by Idaho Code 74-206(1)(d). Roll call vote results; Mr. Bennett, yes; Mr. Wagner, yes; Dr. Murgel, yes; Mr. Elle, yes; Mr. Bennion, yes; Mr. Watkins, yes and Mr. Obermayer, yes. After meeting in executive session, the Chairman directed the Board to return to regular session.

## **V. CONSIDERATION OF APPLICATIONS**

Mr. Elle left the meeting. Dr. Murgel is chair for the remainder of the meeting.

### **NON-STANDARD – Comity**

Moved by Mr. Bennion, seconded by Mr. Obermayer to approve the application of Patrick Belton for licensure as a professional engineer especially qualified in electrical engineering on the basis of comity with his license in Canada. Motion passed unanimously with Mr. Elle absent.

Moved by Mr. Bennion, seconded by Mr. Obermayer to approve the application of David John Herd for licensure as a professional engineer especially qualified in electrical engineering on the basis of comity with his license in the United Kingdom. Motion passed unanimously with Mr. Elle absent.

Moved by Mr. Bennett, seconded by Mr. Watkins to deny the application of Robert Mantz for licensure as a professional engineer especially qualified in civil engineering on the basis of comity with his license in the Washington. Motion passed unanimously with Mr. Elle absent.

Moved by Mr. Bennion, seconded by Mr. Obermayer to deny the application of Michael Robert Merritt for licensure as a professional land surveyor on the basis of comity with his license in the Nevada. Motion passed unanimously with Mr. Elle absent.

### **NON-STANDARD – Exams**

Moved by Mr. Bennett, seconded by Mr. Watkins to continue the application of David Evan Weeks for assignment to the Principles and Practice of Engineering examination, civil discipline pending additional documentation. Motion passed unanimously with Mr. Elle absent.

The Board noted the issuance of professional engineer licenses to the following individuals since the last meeting of the Board. They are listed by name, discipline and the comity state as indicated:

Scott Joseph Adams (Mechanical) 8886 Oak Valley Drive Sandy, UT 84093	UT
Jeffrey M Ashley (Civil) 1 Engineering Place Helena, MT 59602-0241	MN
Terry Scott Boomer (Civil) Civil Consulting Engineers Inc 122 Cedar Woods Trail Canton, GA 30114	GA
Jonna Leigh Bournias (Electrical) 3518 E Delta Ave Mesa, AZ 85204	TX
Steven H. Boyd Jr (Mechanical) PO Box 238 Eagle, CO 81631	CO
Adam S Brown (Mechanical) Engineering Consultants Inc 303 S Federal Way Boise, ID 83705	GA
Shawn Carl Buell (Civil) 2215 Royal Troon Ct Zachary, LA 70791	CO
Richard A Cameron (Civil) 2412 Rolling Hill Dr Dyer, IN 46311	MD

J Kevin Cary (Civil, Structural) David Evans and Associates Inc 908 N Howard Ave Ste 300 Spokane, WA 99201	WA
Alan Paul Church (Civil) APC Engineering PO Box 51 Armour, SD 57313	AZ
Wade M Clarke (Structural) Wiss Janney Elstner Associates Inc 330 Pfingsten Rd Northbrook, IL 60062	IL
Kenneth Melvin Dennis (Mechanical) 1070 Canterbury Place Qualicum Beach, BC V9K0A1 Canada	CANADA
David Alexander Freistaedter (Civil) Terracon 11849 W. Executive Dr. Ste. G Boise, ID 83713	UT
Kenneth F Gerard Jr (Civil) 5478 Boehm Dr Fairfield, OH 45014	VA
Ali Ghamkhar (Electrical) Swanson Rink 1120 Lincoln St Ste 1200 Denver, CO 80103	CO
James Jeffrey Griffin (Civil) LJB, Inc 2500 Newmark Dr Miamisburg, OH 45342	OH
Brian A Grimaldi (Civil) 706 W Wilshire Dr Phoenix, AZ 85007	MD
Syed Khaia Haneefuddin (Civil) 2020 Hemison Ln Lewisville, TX 75056	TX

Rex Cossey Hansen (Petroleum, Mechanical) CA  
5592 S Shadowwood Dr  
Murray, UT 84123

James R Kelley (Mechanical) IN  
MSKTD & Associates Inc  
1715 Magnavox Way  
Fort Wayne, IN 46804

Keith M Kosar (Civil) CA  
2115 Nw 146 St  
Vancouver, WA 98685

Joseph Link Jr (Civil) VA  
United Rentals  
7B Oak Branch Dr  
Greensboro, NC 27407

Travis W Miller (Mechanical) MT  
Temp Right Service Comf. Systems Usa  
101 N Catlin  
Missoula, MT 59801

Michael K Miotke (Civil) OR  
WSP | Parsons Brinckerhoff  
851 SW 6th Ave Ste 1600  
Portland, OR 97205

Scott Anthony Mueller (Civil, Structural) MI, IL  
Hixon Inc  
659 Van Meter St  
Cincinnati, OH 45202

Myles Scott Perkins (Environmental) WA  
10829 24th Ave NE  
Seattle, WA 98125

Bryan Prins (Structural) MO, IL  
512 Wellshire Ct  
Ballwin, MO 63011

Thomas A Rice (Civil) UK  
6 Van Gogh Lane  
Suffern, NY 10901

Eric Joseph Rolle (Civil) 22136 E Irish Drive Aurora, CO 80016	IN
Melissa Anne Schmitt (Civil) Geosyntec Consultants Inc 520 Pike St Ste 1375 Seattle, WA 98101	CA
Brock Leon Shepard (Civil) Structural Consultants Associates Inc 12511 Emily Court Sugar Land, TX 77478	TX
Michael Sims (Mechanical) Woodard & Curran 41 Hutchins Drive Portland, ME 04072	ME
Cory Allen Sparwasser (Mechanical) 911 McKinney Park Ln Houston, TX 77003	TX
Eric S Stover (Civil) 1248 Hobbs Reach Lane Houston, TX 77008	TX
Brian Nels Strandjord (Mechanical) 24273 E Dorado Place Aurora, CO 80016	CO
John Trudnowski (Environmental) Water & Environment Technologies 480 E Park St Butte, MT 59701	MT
Raul V Valdez (Civil) 10078 Flagstaff Butte Ave Las Vegas, NV 89148	NV
Donald Van Gerve (Civil) 5 Bridgehampton Crossing Unionville, CT 06085-1186	OH

Jason Ronald Virzi (Civil) CO  
Aviation Inc  
900 S Broadway Ste 350  
Denver, CO 80209

Brett Warren (Civil) MT  
SK Geotechnical  
2511 Holman Ave  
Billings, MT 59101

William F Waugh (Civil) MN  
Roof Spec Inc  
2400 Prior Ave N  
Saint Paul, MN 55113

Jason Alan Wayment (Electrical) UT  
171 Sadona Summit Drive  
Idaho Falls, ID 83404

Dustin Wilson Whyman (Civil) CA  
Carollo Engineers  
12592 W Explorer Dr Ste 200  
Boise, ID 83713

Based on passage of the Fundamentals of Engineering examination, a certificate was issued to the following:

Chanda, Sayonsom: 2785 Eagle Dr Apt F-304, Ammon, ID 83406  
Delight, Corwin Edward: 1635 S. Merrill St., Boise, ID 83705  
Hottinger, Nicholas: 2008 Longmont Ave, Boise, ID 83706-4235  
Jakober, Sarah: 121 Patti Lane, Derby, MT 59829  
Lopez, Jose Carmelo: 1228 Targee St, Boise, ID 83706  
Merrell, Preston Dean: 655 Baker St #S108, Costa Mesa, CA 92626  
Millin, Jay: 489 E 5500 S, Victor, ID 83455  
Mills, Matthew Craig M: 2017 S. Longmont Ave., Boise, ID 83706  
Mumford, Jason: 2821 W Dill Dr, Boise, ID 83705  
Schlotthauer, Nickolas D: 931 Public Ave, Moscow, ID 83843  
Stephens, Grant: 2035 E Oakridge Ct, Boise, ID 83706  
Wright, Denice E: 1105 Falls Ave, American Falls, ID 83211

The following business entities were issued a Certificate of Authorization for Professional Engineering Services and/or Professional Land Surveying Services.

208 Holdings PLLC  
4300 W Kootenai St  
Boise, ID 83705

Biohabitats Inc  
3600 Cerillos Rd Ste 1102  
Santa Fe, NM 87507

BNA LLC  
635 S State St  
Salt Lake City, UT 84111

Civil Consulting Engineers Inc  
122 Cedar Woods Trail  
Canton, GA 30114

Copper River Energy LLC  
90 Evergreen Dr  
Boise, ID 83716

Foraker Engineering & Construction LLC  
601 E Front Ave Ste 205  
Coeur d'Alene, ID 83814

Gate City Engineering Services PLLC  
122 S Main St Ste #1  
Pocatello, ID 83204

Geoterra Inc  
3410 W 11th Ave  
Eugene, OR 97402

Ingenium Design  
PO Box 762  
Sandy, UT 84091

J4 Engineering Group  
3333 W Rossi St Sp 300  
Boise, ID 83713

Lewellyn Technology LLC  
6210 Technology Ctr Dr Ste 200  
Indianapolis, IN 46278

Newcomb & Boyd LLP  
303 Peachtree Ctr Ave NE Ste 525  
Atlanta, GA 30303-1277

Osмосе Utilities Services, Inc

635 Hwy 74 S  
Peachtree City, GA 30269

Rainshadow Engineering Co PS  
PO Box 562  
Port Hadlock, WA 98339-0562

Roof Spec Inc  
2400 Prior Ave N  
Saint Paul, MN 55113

Skyline A/E/S Inc  
95 W Golf Course Rd Ste 101  
Logan, UT 84321

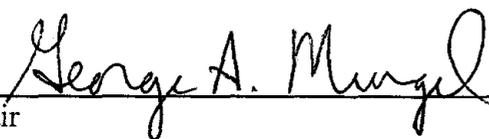
Stueve Construction LLC  
2201 E Oak St  
Algona, IA 50511

Swanson Rink Inc  
1120 Lincoln St Ste 1200  
Denver, CO 80203

Temp Right Service Inc  
101 N Catlin  
Missoula, MT 59801

The Leffler Group Consulting Structural Engineers, Inc.  
5690 Webster St  
Arvada, CO 80002

Moved by Mr. Wagner, seconded by Mr. Obermayer to adjourn the meeting at 6:00 p.m. (PST) on March 1, 2016. Motion passed unanimously.

  
Chair

  
Secretary