

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 May 10, 11 & 12, 2006 at the Statehouse Inn, 981 Grove St., Boise, Idaho, to conduct Board business. The meeting convened at 11:00a.m. on Wednesday, May 10, 2006 with the following Board members present: Gary L. Young, Scott McClure, James H. Milligan, John Howe and William J. Ancell. Also present was David L. Curtis, Executive Director.

**V. CONSIDERATION OF APPLICATIONS**

**NON-STANDARD – COMITY**

Moved by Mr. Milligan, seconded by Mr. Howe to deny the application of Frank S. Bush for licensure as a professional engineer especially qualified in civil engineering on the basis of his licensure in New York. Motion passed unanimously.

Moved by Mr. Milligan, seconded by Mr. Howe to deny the application of Timothy Lynn Christensen for licensure as a professional land surveyor on the basis of his licensure in Utah. Motion passed unanimously.

Moved by Mr. Milligan, seconded by Mr. Ancell to approve the application of Christopher Mortimer Clemow for licensure as a professional engineer especially qualified in civil engineering on the basis of comity with his licensure in Oregon. Motion passed unanimously.

Moved by Mr. McClure, seconded by Mr. Howe to continue the application of Tomas Golo for licensure as a professional engineer especially qualified in electrical engineering on the basis of comity with his licensure in New Mexico for further documentation as requested by the Board. Motion failed.

Moved by Mr. Milligan, seconded by Mr. Ancell to approve the application of Tomas Golo for licensure as a professional engineer especially qualified in electrical engineering on the basis of comity with his licensure in New Mexico. Motion passed with Mr. McClure and Mr. Howe voting against the motion.

Moved by Mr. McClure, seconded by Mr. Milligan to continue the application of Fransiscus Hardianto for licensure as a professional engineer especially qualified in civil engineering on the basis of comity with his licensure in California for further documentation as requested by the Board. Motion passed unanimously.

Moved by Mr. McClure, seconded by Mr. Milligan to deny the request for reconsideration in the application of Dharmendera Rana for licensure as a professional engineer especially qualified in civil engineering on the basis of his licensure in Washington. Motion passed unanimously with Mr. Howe abstained.

Moved by Mr. McClure, seconded by Mr. Milligan to approve the application of Michael E. Rebstock for licensure as a professional engineer especially qualified in electrical engineering on the basis of comity with his licensure in Oregon. Motion passed unanimously.

Moved by Mr. McClure, seconded by Mr. Milligan to approve the application of Patrick Stevens for licensure as a professional engineer especially qualified in civil engineering on the basis of comity with his licensure in California. Motion passed unanimously.

Moved by Mr. Milligan, seconded by Mr. Ancell to deny the application of Cary Stewart Palmer for licensure as a professional engineer especially qualified in civil engineering on the basis of his licensure in California. Motion passed unanimously.

#### **NON-STANDARD – EXAMINATIONS**

Moved by Mr. McClure, seconded by Mr. Milligan to reconsider the Board's previous decision to deny the application of Kerry Ray Albright for assignment to the Principles and Practice of Land Surveying examination. Motion passed unanimously.

Moved by Mr. Milligan, seconded by Mr. McClure to continue the application of Kerry Ray Albright for assignment to the Principles and Practice of Land Surveying examination for further documentation as requested by the Board. Motion passed unanimously.

Moved by Mr. Milligan, seconded by Mr. McClure to deny the request to reconsider the Board's previous decision in the application of Hugh Everett Cronin for assignment to the Principles and Practice of Engineering examination. Motion passed unanimously.

Moved by Mr. McClure, seconded by Mr. Milligan to take no formal action on the application of Jonathan E. Reichard for assignment to the Principles and Practice of Engineering examination until such time as he is prepared to sit for the exam. The Board authorizes staff to refund Mr. Reichard's fee so that he may submit it when he reappplies in the future. Motion passed unanimously.

Moved by Mr. McClure, seconded by Mr. Milligan to assign Rafiqul Alam Tarefder to the Principles and Practice of Engineering examination in the civil discipline. Motion passed unanimously.

## **NON-STANDARD – CERTIFICATE OF AUTHORIZATION**

Moved by Mr. Milligan, seconded by Mr. Ancell to continue the application for Certificate of Authorization for Tamb Wallin, Inc. for further documentation as requested by the Board. Motion passed with Mr. McClure abstaining.

Jennifer Rowe joined the meeting.

### **I. READING OF MINUTES**

1. Approval of the minutes of the February 28 – March 2, 2006 Board meeting as distributed.

Moved by Mr. Milligan, seconded by Mr. Ancell to approve the minutes of the February 28 – March 2, 2006 meeting as distributed. Motion passed unanimously.

2. Approval of the minutes of the March 17, 2006 Board meeting as distributed.

Moved by Mr. Milligan, seconded by Mr. Howe to approve the minutes of the March 17, 2006 meeting as distributed. Motion passed unanimously.

3. Approval of the amended minutes of the June 2004 Board meeting as distributed.

Moved by Mr. Milligan, seconded by Mr. Howe to approve the amended minutes for the June 2004 Board meeting as distributed. Motion passed with Mr. Ancell abstained.

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

4. Matthew Gibb wrote to the Board regarding their decision to deny him a license.
5. George Nishimura recommended that the Hawaii Board support Jim Milligan for Western Zone VP.
6. Garth Miller called to inform Mr. Curtis that the article on pg. 6 of the NEWS BULLETIN is incorrect in that the ME program at BYU-Idaho has not had an ABET evaluation but has requested one for fall of 2006.
7. Jack Billingsley of the Delaware Board asked the Idaho board to support Delaware's position relating to the UP&LG motion requiring an additional 30 credits for professional licensure.
8. NCEES announced the Center for Professional Engineering Education Services.

Moved by Mr. Milligan, seconded by Mr. Ancell to note the items on the Consent Agenda with no further action. Motion passed unanimously.

### III. UNFINISHED BUSINESS

1. The subcommittee on proto-type buildings continued researching the procedures used in other states. An article entitled “Board Discusses Proto-type Building Stamping Practices” was included in the NEWS BULLETIN for comments from license holders.

Moved by Mr. Ancell, seconded by Mr. McClure to authorize the subcommittee to develop a draft definition of “standard design plan” and specific language to consider for legislation at the June meeting. Motion passed unanimously.

4. Mr. Young continued his efforts to organize a task force in conjunction with the Board of Architectural Examiners to clarify the definitions of engineering and architecture. The task force will work towards formulating a flyer similar to Montana’s “Professional Use of Seals” document. The Board noted the information.
5. The subcommittee responsible for developing prescriptive course requirements for land surveyors drafted a list of 27 college level semester credit requirements for the Board’s review. These courses include:

1. Surveying Law and Boundary Descriptions	3 cr
2. Route Surveying	3 cr
3. Public Land Surveying	3 cr
4. Surveying Software Applications	3 cr
5. Research and Evidence in Surveying	3 cr
6. Surveying Adjustments and Coordinate Systems	3 cr
7. Subdivision Planning and Platting	3 cr
8. Geodesy	3 cr
9. Survey Office Practice and Business Law in Surveying	<u>3 cr</u>
TOTAL:	27 cr

Moved by Mr. Howe, seconded by Mr. Ancell to authorize staff to begin the rule making process to adopt the subcommittee’s suggested list of prescriptive courses as evidence that an applicant possesses knowledge and skill approximating that obtained through graduation from an approved surveying curriculum. Motion passed unanimously.

### V. CONSIDERATION OF APPLICATIONS

#### INTERVIEWS

A videoconference was held between Ms. Heather Tomaseski and Mr. Ancell to discuss her request to sit for the Principles and Practice of Engineering examination in the civil discipline. Mr. Ancell reported that Ms. Tomaseski will send monthly updates to him via email on her study progress. He will make a recommendation for her assignment at a later meeting. The Board noted the information.

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

1. Reports by Board Members and Staff of activities since the last Board meeting. Mr. Howe reported that he attended the NSPS Registration Board Member Forum in Orlando, FL where he discussed right-of-entry laws for surveyors in different jurisdictions. Mr. Milligan attended the ISPLS Annual Meeting in Boise; participated in a Civil PE exam committee meeting in Clemson, SC; co-chaired a panel on international licensure issues at the APEGGA meeting in Edmonton, Canada and participated in the Civil exam committee Preliminary Item Analysis review for water resources. Mr. Curtis reported that he conducted a presentation for the University of Idaho electrical engineering students on the Rules of Professional Responsibility; attended the Fire Protection Advisory Committee meeting in Boise; attended the ISPLS Annual Meeting in Boise; attended the APEGGA meeting in Edmonton, Canada and conducted a presentation on possible amendments to the right-of-entry and survey laws for the ISPLS Southwest chapter. Mr. Young attended the APEGGA meeting in Edmonton, Canada; attended the Fire Protection Advisory Committee meeting in Boise and the ISPLS Annual Meeting in Boise.
3. The Board elected Officers for the upcoming year.

Moved by Mr. Ancell, seconded by Mr. Milligan to elect Scott McClure as Chairman, James H. Milligan as Vice-Chairman and John Howe as Secretary for the upcoming year. Motion passed unanimously.

Attorneys Angela Richards and Woody Richards joined the meeting.

The Board voted by roll call vote to enter into executive session to discuss a matter that related to litigation and possible disciplinary action as provided for in Idaho Code Section 67-2345(1)(d) and (f). Roll call vote results - Mr. Young, yes; Mr. McClure, yes; Mr. Milligan, yes; Mr. Howe, yes and Mr. Ancell, yes.

The Board recessed from this executive session.

The Board voted by roll call vote to enter into executive session to discuss disciplinary matters as provided for the Idaho Code 67-2345(1)(d). Roll call vote results - Mr. Young, yes; Mr. McClure, yes; Mr. Milligan, yes; Mr. Howe, yes and Mr. Ancell, yes.

The Board exited this executive session. Attorney Mike Kane joined the meeting. The Board returned to the previously recessed executive session.

The Board exited this executive session.

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

FY05.18 Leavitt, Darren R., surveying practices. Mr. Leavitt signed a Stipulation and Consent Order in this matter. There were concerns that Mr. Leavitt

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had violated the order. An Administrative Hearing was held on May 10, 2006 to resolve this matter and Gary Young, PE/LS, the hearing Officer, presented a draft ORDER for the Board's consideration.

Moved by Mr. Milligan, seconded by Mr. Howe to approve the ORDER as amended by the Board. Motion passed unanimously.

FY05.23 Soderling, Alan R., P.E., violations of the Rules of Professional Responsibility. A response was received from Mr. Soderling. Mr. Richards circulated additional information via email. On May 2, 2006 John Elle submitted his completed Preliminary Investigation to the Board for their review.

Moved by Mr. McClure, seconded by Mr. Milligan to dismiss this matter as the time constraints imposed by law were not met. Motion passed unanimously.

Moved by Mr. Milligan, seconded by Mr. McClure to request that Mr. Richards draft an ORDER to be signed by the Chair and sent to concerned parties dismissing the matter and allowing 21 days for the complainant to request reconsideration. Motion passed unanimously.

FY04.10 Hassell, Joseph E., P.E. /P.L.S., multiple allegations.

Moved by Mr. McClure, seconded by Mr. Milligan to dismiss this matter as the time constraints imposed by law were not met. Motion passed unanimously.

Moved by Mr. Milligan, seconded by Mr. McClure to authorize Mike Kane to write a letter to the concerned parties in this matter and notify them of the Board's decision. Motion passed unanimously.

The Board voted by roll call vote to enter into executive session to discuss disciplinary matters as provided for the Idaho Code 67-2345(1)(d). Roll call vote results - Mr. Young, yes; Mr. McClure, yes; Mr. Milligan, yes; Mr. Howe, yes and Mr. Ancell, yes.

The Board exited executive session.

FY05.22 Cook, Kenneth H., P.L.S., timely filing. Previously staff was authorized to negotiate a Stipulation and Consent Order. Mr. Cook signed the Stipulation and Consent Order and submitted surveys performed by various surveyors that he felt were similar in quality to his work. Mr. Cook requested that the Board review the surveys he submitted.

Moved by Mr. McClure, seconded by Mr. Milligan to authorize the Chair to sign the Stipulation and Consent Order. Motion passed unanimously.

Moved by Mr. McClure, seconded by Mr. Milligan to authorize Mike Kane to send a letter to Mr. Cook notifying him that the Board accepted the Stipulation and Consent

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Order but declined to review the surveys he submitted. If Mr. Cook finds a material discrepancy, he has an obligation to communicate that to the person involved and allow them 60 days to respond. If no response is received, Mr. Cook may notify the Board. Motion passed unanimously.

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

2. Bruce Anderson submitted questions to the Board relating to IDAPA 10 Title 01 Chapter 2 Rule 005.04, discovering material discrepancies. Mr. Anderson joined the meeting to discuss his questions with the Board. The Board responded to Mr. Anderson's questions as follows:

1A) Email should not be used as notification in writing unless a response is received. If a response is not received send a hard copy letter with delivery confirmation.

1B) What constitutes a material discrepancy should be decided on a case by case basis.

1C) The discover should decide what is a satisfactory response to their initial contact.

2) The original PLS is ultimately responsible for the work performed.

3) Monuments cannot be removed. A surveyor does not need to accept the monument but cannot remove it.

4) This question relates to the discussion and answer of question three above.

5) Anyone can write a legal description.

6) The county, not the Board, has the authority to judge subdivision names.

7) Condos consist of space, not land and require delineation of walls, floors, ceilings, etc. (55-1504(ii) and 55-1509(a)).

### **III. UNFINISHED BUSINESS**

2. At the previous Board meeting, Counsel was directed to research what is considered a “subordinate” in the law and draft possible legislation to better define the term. Counsel provided suggestions for better defining the term.

Moved by Mr. McClure, seconded by Mr. Ancell to accept the definition of subordinate as amended by the Board. Staff is authorized to proceed with preparation of a bill to submit to the legislature which defines a subordinate as “a person who assists a professional engineer or professional land surveyor within the same government or business entity in the practice of professional engineering or professional land surveying without being in responsible charge of the work”. Motion passed unanimously.

3. At the previous meeting, a subcommittee consisting of Mr. Young, Mr. Howe and Mr. Curtis was formed to work with ISPLS drafting a position on possible right-of-entry legislation. Mr. Young received documentation on right-of-entry laws in other jurisdictions and Counsel provided suggestions for revising the current statutes.

Moved by Mr. Howe, seconded by Mr. Milligan to propose the following to ISPLS as suggested language for right-of-entry law changes. Staff will forward the following to Loyce Smith so that she may distribute it to ISPLS for their comments. Motion passed unanimously.

54-1230. PUBLIC OR PRIVATE SURVEYING -- RIGHT OF ENTRY.

(a) Any person employed in the execution of any survey authorized by the congress of the United States may enter upon lands within this state for the purpose of exploring, triangulating, leveling, surveying, and of doing any work which may be necessary to carry out the objects of then existing laws relative to

surveys, and may establish permanent station marks, and erect the necessary signals and temporary observatories, doing no unnecessary injury thereby.

(b) A professional land surveyor licensed pursuant to the provisions of this chapter, and their subordinates, who in the course of his work finds it necessary to go upon the land of a party or parties other than the one for whom such professional land surveyor is making the survey shall not be guilty of trespass but shall be liable for any damage done to such lands or property. The person making a survey under this section shall make every reasonable effort to give oral or written notice of the survey to the owner of the land before entering the land.

54-1231. PUBLIC OR PRIVATE SURVEYING -- ASSESSMENT OF DAMAGES FOR ENTRY.

If the parties interested cannot agree upon the amount to be paid for damages caused thereby, either of them may petition the district court in the county in which the land is situated, which court shall appoint a time for a hearing as soon as may be, and order at least twenty (20) days' notice to be given to all parties interested, and, with or without a view of the premises, as the court may determine, hear the parties and their witnesses and assess damages.

54-1232. PUBLIC OR PRIVATE SURVEYING -- TENDER OF DAMAGES FOR ENTRY. The person so entering upon land may tender to the injured party damages therefore, and if, in case of petition or complaint to the court, the damages finally assessed do not exceed the amount tendered, the person entering shall recover costs; otherwise the prevailing party shall recover costs.

54-1233. PUBLIC OR PRIVATE SURVEYING -- COSTS OF ASSESSMENT OF DAMAGES. The costs to be allowed in all such cases shall be the same as allowed according to the rules of the court, and provisions of law relating thereto.

## V. **CONSIDERATION OF APPLICATIONS**

### **INTERVIEWS**

The Board met with George Zhou to discuss the denial of his application for assignment to the Principles and Practice of Engineering examination.

Moved by Mr. McClure, seconded by Mr. Howe to reconsider the Board's previous decision to deny the application of George Zhou for assignment to the Principles and Practice of Engineering examination. Motion passed unanimously.

Moved by Mr. McClure, seconded by Mr. Milligan to continue without additional fee the application of George Zhou pending the receipt of an acceptable evaluation of his undergraduate education from China. Motion passed unanimously.

### **III. UNFINISHED BUSINESS**

6. House Bill 300, passed by the legislature during the last session, necessitates the review and possible restructuring of the Board Strategic Plan.

Moved by Mr. Milligan, seconded by Mr. Howe to authorize staff to hire a facilitator to assist in the development of the Strategic Plan at the June meeting. Motion passed unanimously.

### **IV. NEW BUSINESS**

10. Steve Walker requested that the Board review his concerns about the Marathon Cheese Bid Documents proposed by H+M Architects/Engineers.

Moved by Mr. Howe, seconded by Mr. Milligan to authorize Chairman Young to contact H+M Engineers regarding the matter, emphasize the Board's concern, state the requirements under the Rules of Professional Responsibility, and encourage compliance. Motion passed unanimously.

Moved by Mr. McClure, seconded by Mr. Ancell to authorize Mr. Curtis to contact the professional engineer in responsible charge at H+M Architects/Engineers and request that he send a copy to the Board of his response to Mr. Walker within the 60 day requirement. Motion passed unanimously.

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

- FY06.13 Ladd F. Cluff met with the Board on May 12, 2006 to petition for reconsideration of the denial of his application for assignment to the Principles and Practice of Land Surveying examination.

Moved by Mr. McClure, seconded by Mr. Milligan to reconsider the Board's previous decision to deny the application of Ladd Cluff for assignment to the Principles and Practice of Land Surveying examination. Motion passed unanimously.

Moved by Mr. McClure, seconded by Mr. Milligan to continue the application of Ladd Cluff for assignment to the Principles and Practice of Land Surveying examination until July 1, 2008. Mr. Cluff will need to complete 12 college level semester credits as prescribed by the Board in order to satisfy the Board that he has the knowledge and skill gained from a college level academic program. These courses are to consist of the following: 6 credits in humanities/social science, 3 credits in business, and 3 credits in mathematics or a technical subject. These courses will need to be completed before the law changes on July 1, 2010. Motion passed unanimously.

### **IV. NEW BUSINESS**

11. David Koelsch requested authorization to use the business name "Eastern Idaho Engineering Council" in Idaho. The corporation is an umbrella organization of various local chapters of national engineering societies.

Moved by Mr. McClure, seconded by Mr. Ancell to approve the use of the business name "Eastern Idaho Engineering Council" as requested by David Koelsch. Staff will issue a letter to the Secretary of State regarding the Board's decision. Motion passed unanimously.

13. Ken Jones requested a copy of the documents relating to the complaint he filed against Richard Lindsay (FY05.21).

Moved by Mr. McClure, seconded by Mr. Milligan to authorize Counsel to send a letter to Mr. Jones asking him to specify what information he is requesting and notify him of what documentation is allowed to be distributed under the Public Records Act. Motion passed unanimously.

## **VII. CONSIDERATION OF DISCIPLINARY MATTERS**

- FY03.21 Mr. Curtis petitioned the Board for a declaratory ruling stating that the design of fire alarm systems and fire sprinkler systems for commercial applications constitutes the practice of professional engineering. The Fire Protection Advisory Committee drafted a position statement to address this issue.

Moved by Mr. McClure, seconded by Mr. Howe to issue a DRAFT ORDER in response to the Petition for Declaratory Ruling stating that if a design falls outside the prescriptive path of NFPA 13 or 72, a professional engineer must be involved. If a design falls within the parameters established in NFPA 13 or 72, it is recommended that a professional engineer be involved. If a professional engineer is involved, the position statement will outline the level of performance required of the license holder. A copy of the DRAFT ORDER will be sent to all participants to date allowing 60 days for their comments. Motion passed unanimously.

- FY05.07 Balance Engineering, LLC, unlicensed practice. This matter has been investigated further and Counsel was directed to file an injunction against Chris Farthing and the business of Balance Engineering for unlicensed practice. Counsel filed a complaint and summons and served it on Mr. Farthing on May 8, 2006. Counsel is waiting for the court to set a date for the hearing.

Moved by Mr. Milligan, seconded by Mr. Howe to continue this docket. Motion passed unanimously.

FY06.03 American General Contractor, Inc. – unlicensed practice. Counsel sent a letter to this company demanding a response to the Board’s inquiry. American General responded that the reference to engineering would be removed from the letterhead and business cards. The Board directed Counsel to contact American General Contractor, Inc. and direct them to notify the Board when these actions have been completed. Correspondence was received from American General Contractors on May 8, 2006 and they indicated that they have complied with the Board’s request.

Moved by Mr. Milligan, seconded by Mr. Howe to close this docket with no further action. Motion passed unanimously.

FY06.04 Mickelson, Richard, P.L.S. Surveying Practices. The Board directed Mr. Mickelson to submit copies of his last 5 surveys as well as documentation substantiating his compliance with the continuing education requirement to the Board for their review. On April 28, 2006, the requested information was received from Mr. Mickelson.

Moved by Mr. McClure, seconded by Mr. Milligan to continue this docket allowing Mr. Howe time to review the Records of Survey submitted by Mr. Mickelson. Motion passed unanimously.

FY06.06 Idaho Rural Water Assoc., non-certificated business entity. Counsel was directed to send a cautionary letter to Idaho Rural Water Association directing them to obtain a Certificate of Authorization in order to continue their current business practices. Idaho Rural Water Association responded to this letter by requesting more time to comply in order for the newly hired attorney to review the background of the matter.

Moved by Mr. McClure, seconded by Mr. Milligan to authorize Counsel to send a letter to Attorney Edwin Litteneker requesting a response within 15 days. Motion passed unanimously.

FY06.07 Coeur d’Alene Builders Supply, unlicensed practice. Attorney Richards sent a letter to CDA Building Supply regarding an advertisement for employment submitted by Greg Brands to conclude whether or not a professional engineer was involved. Mr. Curtis completed a preliminary investigation into this matter and was directed to clarify with Coeur d’Alene Builders Supply whether MiTek engineers review the output before it is sent to the building officials and whether MiTek engineers stamp only truss design or the structural design as well. Mr. Curtis spoke with Steve Parham at CdA Builders Supply about this matter.

Moved by Mr. Milligan, seconded by Mr. Ancell to authorize staff to contact the City of Coeur d' Alene and the City of Post Falls and research what is required by the code officials in those cities. Motion passed unanimously.

FY06.15 Marks, Colleen, surveying practices

Moved by Mr. Milligan, seconded by Mr. Howe to send a letter from the Chair to the complainant, Mr. Brown explaining that Wade Porter was contacted and Mr. Porter informed the Board that there was no material discrepancy. Therefore, this matter has been dismissed as unfounded. A copy of the letter will be sent to Colleen Marks and Wade Porter. Motion passed unanimously.

FY06.16 Vermeer, Louis, engineering practices

Moved by Mr. Milligan, seconded by Mr. Ancell to authorize staff to conduct a preliminary investigation into this matter. Motion passed unanimously.

FY06.17 Stubbs, David, unlicensed practice

Moved by Mr. Milligan, seconded by Mr. Howe to authorize staff to find out who the relevant parties are and better define the issues prior to the June meeting. Motion passed unanimously.

FY06.09 McKinney, Earl F., action taken by Kentucky Board. Mr. McKinney did not respond to Attorney Kane's letter in the time frame requirement. An Administrative Hearing has been scheduled for June 9, 2006 at 9:00am. The Board noted the information.

FY06.10 Spaulding, Scott, responsible charge.

Moved by Mr. McClure, seconded by Mr. Howe to continue this docket. Motion passed unanimously.

FY06.11 Reeder, Shawn, responsible charge.

Moved by Mr. McClure, seconded by Mr. Howe to continue this docket. Motion passed unanimously.

FY06.12 Petrich, Christian, No Certificate of Authorization. A response was received from Mr. Petrich.

Moved by Mr. McClure, seconded by Mr. Howe to close this docket with no further action. Motion passed unanimously.

FY06.14 Hunter Helicopter Engineering, unlicensed practice. Glenn Hunter is not a licensed engineer in Idaho. His business is registered in Canada as stated

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in his correspondence. APEGGA indicated that Mr. Hunter is not authorized to use the word “engineering” in his business name and they will be contacting him regarding this matter.

Moved by Mr. Milligan, seconded by Mr. Howe to deny Mr. Hunter’s request to use the word “engineering” in his business name in the state of Idaho. Motion passed unanimously.

## **V. CONSIDERATION OF APPLICATIONS**

### **TERMINATIONS**

Atiemo, Nicholas Akuffo (Engineer-in-Training) – relocated to Nevada and no longer intends to sit for FE in Idaho.

Creason, Sam (Engineer-in-Training) – changed majors to Law and no longer intends to sit for FE exam.

Przychodzen, Joseph (Civil) – unresponsive to multiple requests for documentation.

Thorsell, Thomas Burton (Electrical) - unresponsive to multiple requests for documentation.

Moved by Mr. Milligan, seconded by Mr. McClure to terminate the applications referenced above for the stated reasons. Motion passed unanimously.

## **IV. NEW BUSINESS**

4. Jill Tietjen distributed a revised Guidelines for Continuity for the Board’s review and comments.

Moved by Mr. McClure, seconded by Mr. Ancell to request a summary of the changes made to this document at the NCEES WZ meeting before deciding how to vote. Motion passed unanimously.

5. A.J. Maupin of DEQ submitted questions to the Board on engineering practice relating to pressure distribution systems.

Moved by Mr. Milligan, seconded by Mr. Howe to send a letter from the Chair indicating that the Board shares Mr. Maupin’s concern that these guidelines go beyond simple calculations and require the application of engineering principles and data and involve the practice of engineering. Motion passed unanimously.

6. The Mississippi Board proposed a resolution relating to geological engineers and requested that the Idaho Board support the resolution.

Moved by Mr. McClure, seconded by Mr. Howe to authorize staff to send a letter to the Mississippi Board stating that the Board is sympathetic to their concerns but would prefer to hear more details before taking action. Motion passed unanimously.

7. Engineers at the Dept. of Agriculture requested input from the Board on the use of OnePlan software and the necessity of an engineering stamp on sizing recommendations of storage ponds.

Moved by Mr. Milligan, seconded by Mr. McClure to respond to Mr. Lillibridge stating that all three examples he provided are the practice of engineering. Without further details the Board cannot provide a definitive answer. The Board will invite Mr. Lillibridge to meet with them at the June meeting to discuss the matter further. Motion passed unanimously.

8. Jeff Heath requested that the Board review his educational credentials and make a ruling as to whether he would qualify to sit for the Fundamentals of Engineering examination under 54-1212(3)(b).

Moved by Mr. Milligan, seconded by Mr. Howe to authorize the Chair to send a letter to Mr. Heath stating that his credentials are not equivalent to a related science degree because he lacks upper-division courses in science. He would need to obtain a B.S. in a related science or a B.S. in engineering. Motion passed unanimously.

9. Mr. Curtis requested Board authorization to attend the PNWER Annual Summit, July 16-20, 2006.

Moved by Mr. Ancell, seconded by Mr. Howe to authorize Mr. Curtis, Mr. Milligan and Mr. McClure to attend the PNWER Annual Summit, July 16-20, 2006. Motion passed unanimously.

12. Mitch Barreras was previously denied assignment to the LSIT exam for educational deficiencies. He requested that the Board clarify what credits were accepted towards his education.

Moved by Mr. Howe, seconded by Mr. Milligan to continue this matter to the June meeting. Motion passed unanimously.

14. Which Board Member will be the funded delegate for the NCEES Annual Meeting in September?

Moved by Mr. Howe, seconded by Mr. Milligan to authorize Mr. McClure to be the NCEES funded delegate for the Annual Meeting in Anchorage, Alaska. Motion passed unanimously.

15. Staff presented the Board with a financial summary of FY06 through April 30, 2006 as well as an update of the Board Member payroll expenses.

Moved by Mr. Milligan, seconded by Mr. Howe to continue this item to the June meeting. Motion passed unanimously.

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:

Katherine F. Baad (Civil) 3520 Maricopa Street, #15 Torrance, CA 90503	California
Alvia E. Bridges (Nuclear, Mechanical) Duratek Federal Services, Inc. 345 Hills Street Richland, WA 99354	Washington
Sinclair Buckstaff, Jr. (Civil) P.O. Box 2248 Jackson, WY 83001	Colorado
Jeffrey Wayne William Carlson (Civil) ProjectWorks, LLC 23608 Flora Court NW Saint Francis, MN 55070	Minnesota
Zhaohui Chai (Civil, Structural) 120 Brighthurst Drive Chesterfield, MO 63005-1657	Missouri, Illinois
Christopher Mortimer Clemow (Civil) 1030 NW 12 <sup>th</sup> Avenue #331 Portland, OR 97209	Oregon
Charles M. Conselman (Civil) 734 Muret Court Richland, WA 99352	Washington
Brian R. Crisp (Electrical) 455 13 <sup>th</sup> Avenue N. South Saint Paul, MN 55075	Minnesota

Brian L. Elser (Civil, Structural) Lawson Elser, Inc. 650 East Carmel Drive, Suite 150 Carmel, In 46032	Illinois, Indiana
Ronald Dwight Faust (Electrical) Associated Construction Engineering 2040 Harnish Blvd. Billings, Mt 59102	Montana
F. Patrick Fitzgerald (Civil) Eagle Eye Engineering 10144 E. Jewell Ave., #2 Denver, CO 80247	Colorado
Derek O. Forseth (Civil) Terragraphics 121 S. Jackson St. Moscow, ID 83843	Oregon
William A. Fyfe (Mechanical) Hallam-ICS 38 Eastwood Dr., Suite 200 South Burlington, VT 05403	Vermont
Gabe R. Gallinger (Civil) E. 1414 Enoch Lane Deer Park, WA 99006	Washington
John Francis Garlitz (Civil) J-U-B Engineers, Inc. 250 S. Beechwood Ave., Suite 201 Boise, ID 83709-0944	Oregon
Robert Gaspercic (Mechanical) 118 Ford Road Landing, NJ 07850	New York
Thomas N. Gillins (Civil) 1205 E. 3075 N. North Ogden, UT 84414	Utah
Chad E. Ginther (Civil) 2755 NW John Olsen Ave. #F86 Hillsboro, OR 97124-7178	California, Oregon

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Royal D. Glenn (Mechanical)  
Christopher Kidd & Associates  
N48 W16550 Lisbon Road  
Menomonee, WI 53051-6630

Wisconsin

Richard L. Golberg (Electrical)  
ARES Corporation  
1100 Jadwin Ave., Ste. 400  
Richland, WA 99352

Washington

Tomas R. Golo, Jr. (Electrical)  
4662 N. Tipton Avenue  
Meridian, ID 83642

New Mexico

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May 10, 11, & 12, 2006

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Steven L. Zielnicki (Civil)  
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The following business entities were issued a Certificate of Authorization:

Business Entities offering Professional Engineering Services Only

Advanced Consulting Engineers, Inc.

P.O. Box 427

Rogers, AR 72756-0427

Alber Engineering, Inc.

10499 Bradford Road, #102

Littleton, CO 80127

Ascendent Engineering & Safety Solutions, LLC

4251 Kipling St., Suite 580

Wheat Ridge, CO 80033

Balzhiser & Hubbard Engineers, Inc.

100 W. 13<sup>th</sup> Ave.

Eugene, OR 97401

Chesebro & Kalb

P.O. Box 19

Mill City, OR 97360

Columbia Energy and Environmental Services, Inc.

1806 Terminal Drive

Richland, WA 99354

Christopher Kidd & Associates, LLC

N48 W16550 Lisbon Road

Menomonee Falls, WI 53051-6630

C.W. Howe Associates

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Los Angeles, CA 90034

May 10, 11, & 12, 2006

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dba Hallam-ICS  
38 Eastwood Dr., Suite 200  
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Hayes, Seay, Mattern & Mattern, Inc.  
dba Watershed Concepts  
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Tulsa, OK 74115

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Northbrook, IL 60062

Lachel Felice & Associates, Inc.  
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May 10, 11, & 12, 2006

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Business Entities offering Professional Land Surveying Services Only

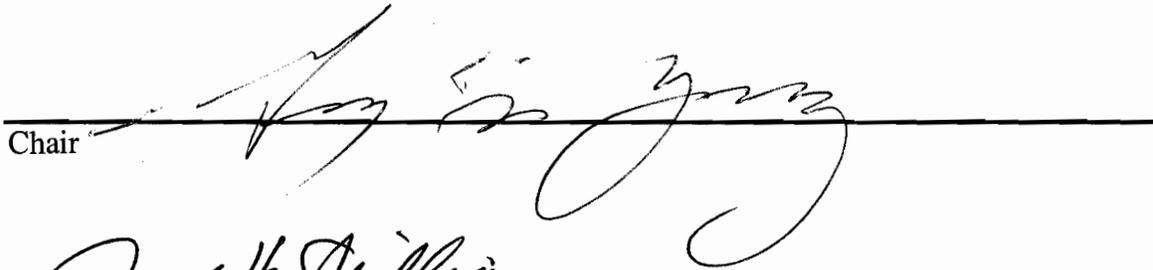
Compass Land Surveying, PLLC  
6940 N. Linder Road  
Meridian, ID 83646

GradeTek, PLLC  
329 Washington Street  
Gooding, ID 83330

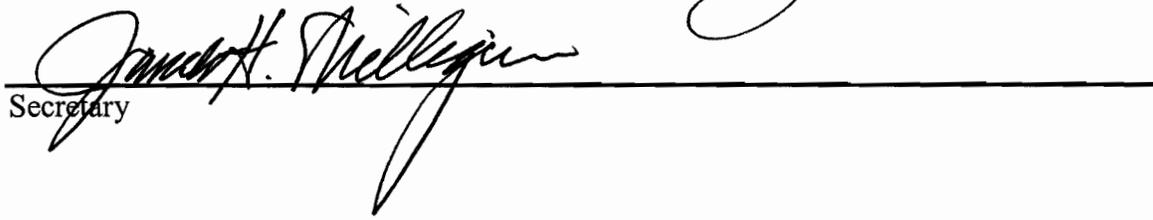
May 10, 11, & 12, 2006

The meeting adjourned at approximately 6:30 p.m. on Friday, May 12, 2006.

Chair

A handwritten signature in cursive script, appearing to read "Ray E. Young", written over a horizontal line.

Secretary

A handwritten signature in cursive script, appearing to read "James H. Mellegren", written over a horizontal line.