



State of Idaho

Division Of Occupational and Professional Licenses Idaho Board of Licensure of Professional Engineers and Professional Land Surveyors

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Minutes of 03/13/2023

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|----------------------|----------------------|-----------------|--|
| Board Members | Glenn Bennett, Chair | Division | Michael Hyde, Executive Officer |
| Present: | Tom Ruby | Staff: | Yvonne Dunbar, Legal Counsel |
| | Sondra Miller | | Lea Kear, Legal Counsel |
| | Dick Jacobson | | Jessica Spoja, Licg/Regist Prog Manager |
| | Ray Watkins | | Nicole Kenyon, Licensing Supervisor |
| | Keith Brooks | | Patty Sayre, Technical Records Spc. 2 |
| | | | Jeana Graff, Human Resource Specialist |
| | | | Renee Bryant, Board Support Supervisor |
| | | | Linda Pratzner, Board Support Specialist |

The meeting was called to order at 9:00 AM MT by Glenn Bennett.

APPROVAL OF MINUTES

A motion was made and seconded to approve the 01/13/2023 meeting minutes. The motion carried unanimously.

DIVISION BUSINESS

Honoraria Policy: Legal Counsel Dunbar presented the Division's Honoraria policy. The Board decided to return to two-day meetings with the first day reviewing and voting on applications.

Respectful Workplace Training: HR Specialist Graff provided Respectful Workplace training.

Title 50 Chapter 13 Plats & Vacations: Chairman Bennett stated Title 55, Chapter 15, *Condominium Property Act*, pertains to plats and condominiums in subdivisions. There are areas of the state that are ignoring this statute; thus, allowing the Record of Survey to split a parcel into multiple parcels and not going through the subdivision process. Chairman Bennett questioned whether the licensees are in jeopardy of future discipline and, if so, what can the Board do with regard to communicating with cities/counties on this issue. Legal Counsel will research and bring back findings at the next meeting.

Confidentiality, and Conflict of Interest Policies: Legal Counsel Kear addressed the policies for the Board member's review and signatures.

NCEES 2023 Annual Meeting: The annual NCEES meeting will be August 15-18, 2023, in Boston, Massachusetts. Board delegates are Chairman Bennett, Board Member Jacobson, and Board Member Miller.

New Webpage for Engineers & Land Surveyors: A new DOPL website is being created. Board Member Jacobson asked documentation from past meetings, with the exception of applications, be placed back on IPELS SharePoint page.

BOARD BUSINESS

Board's Strategic Plan: The Board's Strategic Plan is more in-depth than DOPL's plan; however, is outdated in several areas. Legal Counsel Kear will review the Plan and bring suggested changes to the Board's next meeting.

Inquiry from DEQ: The Board agreed when providing an analysis, evaluating a waiver or an exception, DEQ staff needs to stamp their work. Executive Officer Hyde will contact DEQ with the Board's decision.

Subdivision Naming Requirements 50-1307 Idaho Code: George Yerion, PLS, GradeTek, PLLC, provided proposed revised language in Idaho Code 50-1307, *Designation of townsite and addition--Necessity of distinctiveness--Limitations on rule*, to make the subdivision naming requirements less restrictive. Executive Officer Hyde will contact Mr. Yerion and relay the Board's sentiments on this issue.

Chairman's Report on ISU Technical Advisory Committee: Chairman Bennett shared his notes from the February 2023 ISU Technical Advisory Committee meeting, which will be included in the Newsletter.

ASCE Presentation on Professional Ethics: The American Society of Civil Engineers (ASCE) will discuss professional ethics on June 20, 2023, in Idaho Falls.

License Application Denial Process: It was agreed if the Board denies an application, the applicant will have the option to withdraw the application. A motion was made and seconded to enact a practice for licensure, allowing a licensee to withdraw its application at the approval of the Board. The motion carried unanimously.

Approval of Newsletter: Executive Officer Hyde presented a draft of the 69th edition *NEWS BULLETIN*. The newsletter would be printed and distributed every May and November. Topics will be legislation, licensing, complaints, investigations, and training. Board members suggested new licensees, active to retired status, and individuals that have passed away be included in the newsletter.

Licensing Report: Jessica Spoja, Licensing and Registration Program Manager, provided the *IPELS Licensing Report: Nov 22-Feb 23*. Board Member Miller asked, and Ms. Spoja replied that testing will be taken over by national testing organizations. New Licensing Supervisor Nicole Kenyon was introduced.

EXECUTIVE SESSION - APPLICATIONS, AND DISCIPLINE

Motion to Enter into Executive Session: A motion was made and seconded for the Board to enter into Executive Session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Public Records Act, Idaho Code § 74-106(9). Roll call: Sondra Miller-aye,

Glenn Bennett-aye, Dick Jacobson-aye, Ray Watkins-aye, Keith Brooks-aye, and Tom Ruby-aye. The motion carried unanimously.

Motion to Exit Executive Session: A motion was made and seconded to leave Executive Session. The motion carried unanimously.

Motion(s) re: Discipline: A motion was made and seconded to extend the time frame set forth in Idaho Code 54-1220(2) on the ground that justifiable cause exists to provide additional time for Case Nos. I-PELS-2023-1, I-PELS-2023-2, I-PELS-2023-3, I-PELS-2023-4, and I-PELS-2023-5, to be resolved through either settlement or a formal hearing. The motion carried unanimously.

Public Comment: There were no public comments.

License Application Experience Rewrite: Surveyor Board members reviewed Section 11 of the Land Surveyor Application and provided changes for re-write. A motion was made and seconded to proceed as is with the appropriate paragraph breaks. The motion carried unanimously.

Licensure – Review of Applications: The Board reviewed applications. A motion was made and seconded to approve applications XC-0590, XL-1622, XL-5636, XL-7059, XL-7546, XL-9582, XP-1977, XP-4541, XP-6240, XP-6906, XP-7529, XP-7642, XP-7946, XP-1977, XP-4541, XP-6204, XP-6906, XP-7529, XP-7642, and XP-7946. The motion carried unanimously.

A motion was made and seconded that applications XC-1851 and XC-5134 be continued with the applicants appearing before the Board. The motion carried unanimously.

A motion was made and seconded to continue with the option to withdraw application XE-7023. The motion carried unanimously.

A motion was made and seconded to continue applications XL-6791, XL-9303, and XP-0040. The motion carried unanimously.

A motion was made and seconded to deny, with the option to withdraw, applications XP-1905, XP-5995, XP-8078, and XP-2690. The motion carried unanimously.

There was no need for a vote on application XS-5348 as it expires in March 2023. The licensing staff will follow up with the applicant.

With no further discussion, the meeting adjourned at 3:26 P.M.