



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

**BRAD LITTLE**  
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**Minutes of 09/30/2024**

<b>Board Members</b>	Ray Watkins, Chair	<b>Division</b>	Jessica Spoja, Executive Officer
<b>Present:</b>	Tom Ruby, Vice-Chair	<b>Staff:</b>	Jill Randolph, Legal Counsel
	Keith Brooks, Secretary		Nicole Kenyon, Licensing Supervisor
	Glenn Bennett		Don Morse, Investigations Supervisor
	Dick Jacobson		Craig Boyak, Investigator
	Wyatt Johnson		Justin Montoya, Investigator
	Sondra Miller		Patty Sayre, Technical Records Spc. 2
			Erin Einarsson, Board Support Specialist
			Craig Wiedmeier, Automated Sys. Mgr.
			Kevin Hastings, Program Manager
		<b>Others</b>	
		<b>Present:</b>	Andrea Rosholt, Prosecution Counsel

The meeting was called to order at 9:00 AM MT by Chairman Ray Watkins.

**APPROVAL OF 07/25/2024 MINUTES**

A motion was made and seconded to approve the July 25, 2024 meeting minutes. The motion carried unanimously.

**DIVISION BUSINESS**

**Financial Update:** Executive Officer (EO) Jessica Spoja presented the Preliminary Financial Plan Status of the Idaho Board of Licensure of Professional Engineers and Professional Land Surveyors as of June 2024. EO Spoja noted that the proposal to transfer excess funds to the Idaho Launch program did not pass. DOPL is now under the direction that any Board with excess of 120% of operating expenses is to reduce fees. At this time, if the Board took no action to change their fees, it is projected that in five years, the fund would increase to 900% of operating expenses. The DOPL finance department has recommended a decrease in fees by 20%. Secretary Keith Brooks asked what the Board was paying for prior to the formation of DOPL that they are not paying for now. Items such as conference travel, the costs associated with paying an outside vendor to develop the newsletter and rent were discussed. Board Member Dick Jacobson added that there are several cases going to prosecution and that the Board should be prepared for a significant increase in costs should those cases go to a hearing. EO Spoja agreed and added that for those reasons, DOPL is not suggesting a dramatic change in fees. EO Spoja added that the Board's financial trends will be evaluated every year to ensure that any changes will not dramatically affect the necessary cash balance. Legal Counsel (LC) Jill Randolph and EO Spoja will review statute and provide the board

with the information necessary to make an informed decision at either the November or January Board meeting.

**OASIS Update:** EO Spoja invited Automated Systems Manager (ASM) Craig Wiedmeier and Program Manager Kevin Hastings to the meeting to listen to any concerns or issues the Board or members of the public have encountered while using the OASIS Licensing System. Vice-Chairman Tom Ruby shared a recent issue where the public license look-up tool would not pull up the surveyor because that person was deceased. However, because the monuments are still active, Vice-Chairman Ruby emphasized that all licensees must be searchable. EO Spoja confirmed that the OASIS team has been instructed that all Land Surveyor licenses, living or deceased, active or in-active, must be searchable.

Secretary Brooks shared that he found the process of renewing his two licenses relatively easy. He received the email to renew his licenses a month in advance and was able to complete the renewals online.

Board Member Glenn Bennett requested a status update with regards to providing contact information in the public search for cases of material discrepancy. EO Spoja shared that because the public search is used by every licensing board at DOPL, providing contact information in a public search creates safety concerns. ASM Wiedmeier added that Idaho Public Records Law allows the release of business information, but not personal information. The Phase 2 launch of OASIS, scheduled for November 4, 2024, will provide the business contact information in the public search. EO Spoja suggested adding the capability of sending material discrepancy notices from one licensee to another within the OASIS system, which could assist DOPL in tracking the notices, and will meet with the programming team to discuss options.

Currently, the OASIS system requires a user to manually fill in their NCEES records. There will be an update to the system soon where the OASIS licensing system will connect to NCEES and the data can be submitted automatically.

**2025 Meeting Dates:** The Board approved to meet on the following dates in 2025: March 13, May 8, July 10, September 11 and November 13. An additional date, scheduled around the Idaho Society of Professional Land Surveyors Annual Conference in February of 2025 will be determined based on the conference schedule and room availability. Secretary Brooks noted that the Idaho Society of Professional Engineers Annual Conference will be in Coeur d'Alene, ID in June 2025.

## **BOARD BUSINESS**

**Law Book Updates:** LC Randolph presented a draft of The Selected Laws and Rules Pertaining to the Practice of the Professions of Engineering and Land Surveying as of July 1, 2024, also known as the Law Book, to the Board for review. Board Member Bennett commented that in the past, any code updates or changes were highlighted for easy reference and requested that the same be applied to this version. LC Randolph confirmed that DOPL can continue to do that moving forward and noted that the document being reviewed today does not include the rule changes the board has discussed during zero-based regulation. Chairman Watkins asked if the document could be searchable, and LC Randolph replied that she would look into the protections the Idaho

Legislature has on PDF documents to see if that functionality is possible. EO Spoja confirmed that she is monitoring the legislative tracker and will continue to bring relative proposed legislation before the Board.

**IPELS Newsletter:** In previous years, the Board has paid an outside developer to create the newsletter and EO Spoja asked if the Board would like to explore that option again. Chairman Watkins recalled that staff created the content and the publisher formatted the design. EO Spoja presented the option of working with Board Support Specialist Erin Einarsson to produce the newsletter internally and the Board agreed. The Board discussed topics to include in the newsletter such as: Digital Signatures, In Memoriam, Inquiries and Board Opinions, Election of Officers, New Appointments, Get to Know a Board Member, Discipline Cases, New Law Changes, Licensing Data and Save the Date.

**Board Stipend Review:** The Board requested clarification from DOPL on [Idaho Code 54-1205](#) and the Honorarium Policies of DOPL and the State of Idaho Controller's Office, noting that statute states that "each member of the board shall be compensated as provided by section [59-909\(i\)](#), Idaho Code, when attending to the work of the board or any of its committees and for the time spent in necessary travel". Board Member Sondra Miller asked for information on PERSI eligibility for Board Members.

**Land Surveying BAS Degree Approval:** Secretary Brooks provided the Board with a Land Surveying/Geomatics course comparison between Great Basin College (GBC) and Idaho State University. A motion was made and seconded to approve the GBC Land Surveying BAS Degree. The motion carried unanimously.

**Table of Penalties:** EO Spoja and LC Randolph presented the updated Table of Penalties which includes the current citations and 30 hours of continuing education. A motion was made and seconded to approve the Table of Penalties as presented. The motion carried unanimously.

**NCEES Emeritus Member Review:** EO Spoja reviewed the NCEES Emeritus Members with the Board. The Board agreed to make no changes to the Emeritus Members at this time, but the website and DOPL staff attorney information will be updated. Board Member Dick Jacobson noted that when reviewing the general information on the NCEES website, several items related to Idaho were out of date. EO Spoja will provide the updated information to NCEES.

**Comity Delegated Authority:** Before beginning the discussion on Comity Delegated Authority, Chairman Watkins requested that all previous delegated authority documents be provided to the Board. EO Spoja will place those documents on the Board's SharePoint page for their review and suggested that the reexamination of delegated authority documents be an agenda topic at the first Board Meeting in 2025 and then reviewed on a continuous basis at the beginning of every fiscal year.

LC Randolph presented the draft Comity Delegated Authority document to the Board. A motion was made and seconded to approve the Delegation to Act on Behalf of the Board – Comity Licenses as amended. The motion carried unanimously.

**Faculty Delegated Authority:** Before beginning the discussion on Faculty Delegated Authority, Chairman Watkins requested an update from EO Spoja with regards to a licensee’s complaint letter he had forwarded. The letter was not readily available at the Board Meeting, and it was agreed that the letter would be reviewed afterwards so that Chairman Watkins could compose a response.

LC Randolph presented the draft Faculty Delegated Authority document to the Board. A motion was made and seconded to approve the Delegation to Act on Behalf of the Board – Restricted License for Engineering Faculty as amended. The motion carried unanimously

**Zero-Based Regulation:** LC Randolph presented the Rules of the Idaho Board of licensure for Professional Engineers and Professional Land Surveyors to the Board with the proposed changes highlighted. Comments gathered from the public hearing held on August 21, 2024 were shared with the Board as well as a prospective analysis of the continuing education requirements of the states surrounding Idaho. A motion was made and seconded to approve the rules as amended to Pending. The motion carried unanimously. The pending rules will be published in the Idaho Administrative Bulletin and licensees will be notified.

**Public Comment(s):** Mr. George Yerion commented that the public statement section that was removed from the rules in a previous year included the prohibition of disparaging remarks against other licensees as well as topics such as report statements, testimony opinions and statements regarding public policy. Additionally, Mr. Yerion requested the time frame from when a complaint is submitted to DOPL until it reached the Board. Investigation Supervisor (IS) Don Morse replied that complaints are reviewed and assigned to investigators as soon as possible. Mr. Yerion added that he has not received a reply with regards to a complaint submitted in November 2023. IS Morse replied that he would check into the status of the complaint and contact Mr. Yerion as soon as possible.

#### **EXECUTIVE SESSION – APPLICATION(S) AND DISCIPLINE**

**Motion to Enter into Executive Session:** A motion was made and seconded for the Board to enter executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law, Idaho Code § 74-106(9). The purpose of the executive session is to discuss documents relating to the fitness of a licensee to obtain or retain a license or registration. Roll call: Chairman Watkins-Aye, Vice-Chairman Ruby-Aye, Secretary Brooks-Aye, Board Member Bennett-Aye, Board Member Jacobson-Aye, Board Member Johnson-Aye and Board Member Miller-Aye. The motion carried unanimously.

**Motion to Exit Executive Session:** A motion was made and seconded to exit executive session. The motion carried unanimously.

#### **MOTION(S) RESULTING FROM THE EXECUTIVE SESSION**

**Motion(s) re: Discipline:** A motion was made and seconded to take no action on case #1329247. The motion carried unanimously.

A motion was made and seconded to refer case numbers I-PELS-2024-33 and I-PELS-2024-24 to the Idaho Board of Architects and Landscape Architects. The motion carried unanimously.

A motion was made and seconded to extend cases I-PELS-2023-1, I-PELS-2023-5, I-PELS-2024-6, I-PELS-2024-8, I-PELS-2024-9, I-PELS-2024-12, I-PELS-2024-13, I-PELS-2024-15, I-PELS-2024-17, I-PELS-2024-18, I-PELS-2024-19, I-PELS-2024-20, I-PELS-2024-21, I-PELS-2024-23, I-PELS-2024—26 and I-PELS-2024-28. The motion carried unanimously.

**Motion(s) re: Application(s)** Upon reviewing licensure applications, the Board made the following motions.

A motion was made and seconded to approve applications 1298916, 1294901, 1199591, 1279262, 1317951, 1323390, 1337305, 1339594, 1341749, 1342940, 1343251, 1347836, 1371114, 1293591 and 1289318. The motion carried unanimously.

A motion was made and seconded to approve, pending receipt of requested information, application 1329392. The motion carried unanimously.

A motion was made and seconded to continue, with the option to withdraw, applications 1259823 and 1308295. The motion carried unanimously.

A motion was made and seconded to continue, pending receipt of requested information, application 1451193. The motion carried unanimously.

A motion was made and seconded to deny, with the option to withdraw, applications 1249293, 1199788 and 1347024. The motion carried unanimously.

A motion was made and seconded to deny Waiver Request 54-1223. The motion carried unanimously.

A motion was made and seconded to deny the COA Waiver Requests for Whelan Engineering and Engineered Insurance Services. The motion carried unanimously.

## **ADJOURNMENT**

There being no further business, the meeting was adjourned at 3:28 PM.