



# State of Idaho

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

**BRAD LITTLE**  
Governor  
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### Draft Minutes of 02/05/2025

<b>Board Members</b>	Ray Watkins, Chair	<b>Division</b>	Jessica Spoja, Executive Officer
<b>Present:</b>	Tom Ruby, Vice-Chair	<b>Staff:</b>	Agustus Tate, Legal Counsel
	Keith Brooks, Secretary		Nicole Kenyon, Licensing Supervisor
	Dick Jacobson		Don Morse, Investigations Supervisor
	Wyatt Johnson		Craig Boyak, Investigator
	Sondra Miller		Erin Einarsson, Board Support Specialist
			Amanda Lee, Board Support Specialist
			Jeannine DeWitt, Ed. & Training Specialist
		<b>Others</b>	
		<b>Present:</b>	Andrea Rosholt, Prosecuting Attorney

The meeting was called to order at 12:00 PM MT by Chairman Ray Watkins.

#### APPROVAL OF 11/14/2024 MINUTES

Board Member Dick Jacobson noted that Board Member Glenn Bennett was listed twice under “Board Members Present”. Executive Officer (EO) Jessica Spoja noted that under “Division Staff”, Legal Counsel should be corrected to Greg Loos. A motion was made and seconded to approve the November 14, 2024 meeting minutes with the discussed corrections. The motion carried unanimously.

#### DIVISION BUSINESS

**Introduction:** EO Spoja introduced DOPL Legal Counsel (LC) Agustus “Gus” Tate.

**Financial Update:** The Fiscal Year (FY) 2025, Quarter 2 Financial Report will be presented at the March 13, 2025 meeting. EO Spoja presented the Board with the Cash Balance Projection from FY 2023 to FY 2029. If no adjustments are made, the cash balance is projected to grow to 1081% of operating expenses by FY 2029. The Board was also provided with a chart showing the continual increase in licensees from 1990 – 2024. Aaron Ballard, KM Engineering, asked if the projections accounted for the expected increase of retiring land surveyors and that the growth may plateau soon. EO Spoja noted that the license totals include both land surveyors and engineers, but that a breakdown by license types could be provided at the next board meeting.

**OASIS Update:** EO Spoja shared that requested changes within OASIS have not been populated to the system at the time of the Board meeting, but that she is continuing to monitor the programming team’s progress.

**Legislative Update:** The 2025 Division Agency Legislation was presented to the Board, which includes an amendment to §67-2604. This legislation will require DOPL to provide quarterly and year end reports on revenues, expenditures and cash balances to the Legislative Services Office and will require boards with large cash balances (over 150% of operating expenses during a 5-year rolling average) to present a plan to reduce that balance. It also authorizes the division administrator to implement fee holidays. EO Spoja explained that the Board currently does not have the authority to implement a fee holiday and can only do so through legislative approval. Chairman Watkins expressed concern that this amendment gives authority to the division administrator and not to the Board. Vice-Chairman Tom Ruby expressed concern that a 125% cash balance will be used quickly if the Board is required to go to a hearing and suggested creating a separate fund for legal expenses. EO Spoja replied that other boards have expressed similar concerns, and that the agency is aware of this issue.

EO Spoja announced that a new bill, H0107, which includes amendments to the Occupational Licensing Reform Act, was introduced on February 3, 2025. DOPL staff were not able to review the bill prior to today's meeting and will present a summary at the next Board meeting. EO Spoja encouraged the Board members to read the bill as well.

Board Member Wyatt Johnson asked if DOPL takes a position on any bills. LC Tate replied that DOPL will take an active role in presenting bills they have sponsored and are available to answer any questions the legislature may have for all other bills. Board Member Johnson asked if the Boards have any sort of lobbying representation through DOPL. LC Tate responded that DOPL does not lobby for individual boards. Chairman Watkins responded that in the past the Board had representatives that would lobby and present legislation on their behalf, but that since the formation of DOPL, the Board is unable to participate in the legislative process. EO Spoja clarified that DOPL is an Executive Agency under the Governor and therefore cannot take a position on legislation being presented. EO Spoja added that each agency is allowed to present a limited number of Executive Agency Legislations (EALs) each year. These EALs must first go through a rigorous review process with the Division of Financial Management (DFM) and the Governor's Office before they can be presented to the legislature and that DFM will only approve a finite number of EALs for each agency. Chairman Watkins emphasized that the Board has support from various professional organizations that can act on behalf of the Engineering and Land Surveying industry.

## **BOARD BUSINESS**

**BYU Idaho Dean Presentation:** Dr. Greg Roach, Associate Academic Vice President of Instruction at Brigham Young University, Idaho, presented the College of Physical Sciences and Engineering Update to the Board. Topics included enrollment and graduation rates, ABET Accreditation, FE Exam Data, Faculty Licensure Status, Program Changes and Employment statistics.

**NCEES MBA Meeting Report:** EO Spoja presented the report on the National Council of Examiners for Engineering and Surveying (NCEES) Member Board Administrator (MBA) meeting. Highlights included the launch of the online FE practice exam in May of 2024, and the anticipated launch of online public land survey (PLS) exams in October of 2027. NCEES noted that the current PLS exam will be available until July 2027 and then access will be paused until the launch of the updated exam in October 2027. DOPL will notify applicants once NCEES finalizes those dates. Five states, including Idaho, are participating in the Mutual Recognition Agreement with the United Kingdom, and more are anticipated to join once their law or rule changes have been approved. Legislative trends for 2024 included board procedural reforms, board consolidations, changes to board compositions, including the standardization of a public member,

and artificial intelligence. NCEES has also noticed a growing trend towards umbrella organizations similar to DOPL. Additionally, there will be a proposal at the NCEES annual meeting to change the MBA title to Member Board Executive (MBE) to be in alignment with other associations. The MBA Committee is considering proposing adding an MBE position to the NCEES Executive Board.

**Fee Reduction:** The Board requested that DOPL provide a three to four-year financial projection of potential fee reductions. The Board will review these projections and then vote at the next meeting.

**Newsletter:** The newsletter is currently being reviewed by DOPL staff.

**Continuing Education Process:** Education and Training Specialist (ETS) Jeannine DeWitt presented the IPELS Renewal and Continuing Education Procedure PowerPoint to the Board. Chairman Watkins and EO Spoja confirmed that the Board follows the NCEES guidelines and accepts personal development hours credit for professional society memberships. The Board confirmed that Continuing Education (CE) credits are only audited when an applicant is disciplined, a renewal is submitted late or for the random 5% selection and that ETS DeWitt is only required to review the CE credits for audited applications.

**Public Comment(s):** George Yerion asked if individual boards can suggest legislative changes to DOPL administration. EO Spoja confirmed that DOPL Executive Officers meet every year to present proposed legislative changes to the administration. This year DOPL prepared eight EALs and DFM approved six to present to the legislature. Chairman Watkins suggested working with local organizations to propose legislation specific to engineering and land surveying. EO Spoja asked what legislative changes the Board would like to make. Board Member Johnson clarified that the current issues are due to legislation created outside of DOPL that negatively impacts the Board and the professions they represent. Board Member Johnson asked if there is anyone at DOPL who reviews proposed legislation and communicates with the legislators on behalf of the boards. EO Spoja suggested that the DOPL Administration Bureau Chief present the legislative process to the Board at the next meeting and the Board agreed.

Mr. Ballard shared that at the Idaho Society of Professional Land Surveyors (ISPLS) 2025 conference, many attendees expressed frustration that per Idaho Code §67-9409, non-resident land surveyors applying for comity are not tested on Idaho Code. Mr. Ballard added that ISPLS members are concerned that non-resident land surveyors are not learning nor following Idaho Code and are creating potential problems and safety hazards. Mr. Ballard asked if the statute could be changed or if new legislation could be introduced to require Idaho Code specific questions on the state exam. Vice-Chair Ruby asked if the Board could propose an exception to the statute. EO Spoja responded that an EAL could be proposed or that an association could suggest new legislation. Chairman Watkins noted that all professionals are required to follow Idaho code, but that the Board does not have a method to ensure the codes are understood prior to practice. Vice-Chair Ruby added that the Board would prefer to educate licensees rather than correct through discipline. Chairman Watkins encouraged ISPLS to draft legislation. Mr. Yerion asked DOPL to prioritize this issue for next year's legislation session. Ryen Johnson, Idaho Transportation Department, shared that when reviewing submitted plats, there has been a significant increase in errors from those submitted by non-resident surveyors. Dale Myers, Ada County Development Services, added that he has seen an exponential increase in non-compliance of state code by comity land surveyors and that his agency is now spending a significant amount of time providing education on code. Chairman Watkins suggested quantifying these issues for the legislature to demonstrate how this change is adversely affecting Idaho. Mr. Yerion asked if non-resident applicants are required to take an exam and EO Spoja confirmed that the

practical state exam and the NCEES exam are required. Mr. Yerion asked if an Idaho Code document could be presented to applicants that requires their signature. EO Spoja responded that she did not know if DOPL has the legal authority to require a signature, but that she would look into it. Chairman Watkins suggested every applicant be provided with Idaho Code documentation even if requiring a signature is not allowed. Secretary Keith Brooks emphasized that professionals in the field need to file complaints with DOPL so that the infractions reach the Board.

Mr. Ballard asked for clarification on the DOPL complaint process. Don Morse, Investigations Supervisor (IS), shared that once a complaint is filed, it becomes the property of DOPL. The complainant is notified that their file was received, but staff members cannot provide updates during the investigation process. Mr. Yerion asked what happens if DOPL determines to take no action on a complaint. IS Morse explained that DOPL has very limited delegated authority from the Board and thus most cases are brought forward for their review. Mr. Ballard asked what happens with unlicensed practice cases and IS Morse confirmed that unlicensed practices cases are sent to the Attorney General.

Mr. Ballard asked if the vacant land surveyor position has been filled and EO Spoja replied that she has not received any information from the Governor's office.

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

A motion was made and seconded to approve the following applications: 1404490 (Civil Only), 1437743 (Civil Only), 1443254, 1444724, 1478779, 1504519, 1514229 and 1518776. The motion carried unanimously.

A motion was made and seconded to approve, pending receipt of requested information, application 1479532. The motion carried unanimously.

A motion was made and seconded to deny COA Waiver Requests for FiberCom Engineering and SurveyStance. The motion carried unanimously.

**Motion(s) re: Discipline:** A motion was made and seconded to close case numbers 1354463, 1364013 and 1448692. The motion carried unanimously.

A motion was made and seconded to close with notification case number 1414819. The motion carried unanimously.

A motion was made and seconded to send case number 1424965 to the prosecuting attorney. The motion carried unanimously.

A motion was made and seconded to send case number 1444337 to the attorney general. The motion carried unanimously.

A motion was made and seconded to close case number 1477718 and refer to the Illinois State Board of Professional Engineers. The motion carried unanimously.

**ADJOURNMENT**

There being no further business, the meeting was adjourned at 4:24 PM.

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