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 November 15 - 18, 2006 at the Owyhee Plaza, 1109 Main St., Boise, Idaho, to conduct Board business. The meeting convened at 1:00 p.m. on Wednesday, November 15, 2006 with the following Board members present: Scott McClure, James H. Milligan, John Howe, and William J. Ancell. Also present was David L. Curtis, Executive Director.

VI. CONSIDERATION OF DISCIPLINARY MATTERS

FY06.19 J-U-B Engineers, Inc. Rules of Professional Responsibility

Following the Administrative Hearing on the Motion to Dismiss, the Board continued their discussions. Hearing Officer Milligan proposed that the Motion to Dismiss be granted on the basis of the prosecutor's recommendation.

Moved by Mr. Howe, seconded by Mr. Ancell to table this matter until Friday afternoon, November 17, 2006 to give Mr. Young an opportunity to review the transcript. Motion passed with Mr. Milligan voting no.

V. CONSIDERATION OF APPLICATIONS

NON-STANDARD – COMITY

The Board voted by roll call vote to enter into executive session to discuss credentials not subject to disclosure as provided for the Idaho Code 67-2345(1)(d). Roll call vote results - Mr. McClure, yes; Mr. Milligan, yes; Mr. Howe, yes and Mr. Ancell, yes.

The Board exited executive session.

Jennifer Rowe joined the meeting.

Moved by Mr. Milligan, seconded by Mr. Ancell to approve the application of Devavrata Goswami for licensure as a professional engineer especially qualified in mechanical engineering on the basis of comity with his licensure in Pennsylvania. Motion passed unanimously.

Moved by Mr. Milligan, seconded by Mr. Howe to approve the application of Donald Greulich for licensure as a professional engineer especially qualified in mechanical engineering on the basis of comity with his licensure in Kentucky. Motion passed unanimously.

Moved by Mr. Milligan, seconded by Mr. Howe to deny the application of Ira Gross for licensure as a professional engineer especially qualified in civil and structural engineering on the basis of comity with his licensure in Oregon. Motion passed unanimously.

Moved by Mr. Milligan, seconded by Mr. Ancell to continue the application of Brandon Helms 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. Milligan, seconded by Mr. Ancell to deny the application of Montgomery Hurley for licensure as a professional land surveyor on the basis of comity with his licensure in Oregon. Motion passed unanimously.

Moved by Mr. Milligan, seconded by Mr. Howe to deny the application of Jay Jack for licensure as a professional engineer especially qualified in electrical engineering on the basis of comity with his licensure in Washington. Motion passed unanimously.

Moved by Mr. Milligan, seconded by Mr. Howe to approve the application of Vello Koiv for licensure as a professional engineer especially qualified in civil and structural engineering on the basis of comity with his licensure in Washington. Motion passed unanimously.

Moved by Mr. Howe, seconded by Mr. Milligan to approve the application of Alan Kuhn for licensure as a professional engineer especially qualified in geological engineering on the basis of comity with his licensure in Colorado. Motion passed unanimously.

Moved by Mr. Milligan, seconded by Mr. Ancell to approve the application of Neil J. Kuplic for licensure as a professional engineer especially qualified in civil engineering on the basis of comity with his licensure in Tennessee. Motion passed with Mr. Howe voting against the motion.

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

Moved by Mr. Milligan to approve the application of Surendra Ramanna for licensure as a professional engineer especially qualified in civil engineering on the basis of comity with his licensure in Tennessee. Motion died for lack of a second.

Moved by Mr. Ancell to deny the application of Surendra Ramanna for licensure as a professional engineer especially qualified in civil engineering on the basis of comity with his licensure in Tennessee. Motion died for lack of a second.

Moved by Mr. Milligan, seconded by Mr. Howe to approve the application of Surendra Ramanna for licensure as a professional engineer especially qualified in civil engineering on the basis of comity with his licensure in Tennessee. Motion passed with Mr. Ancell voting against the motion.

Moved by Mr. Milligan, seconded by Mr. Howe to deny the application of Eric Michael Roth for licensure as a professional land surveyor on the basis of comity with his licensure in Washington. Motion passed unanimously.

Moved by Mr. Milligan, seconded by Mr. Howe to deny the application of Mark Rouch for waiver of the Fundamentals of Engineering examination through exceptional status. Mr. Rouch is eligible for assignment to the FE exam upon submitting a completed application and the required fee. Motion passed unanimously.

Moved by Mr. Howe, seconded by Mr. Ancell to deny the application of Rigoberto Sanchez for licensure as a professional engineer especially qualified in civil engineering on the basis of comity with his licensure in Illinois. Motion failed with Mr. Howe voting in favor of the motion.

Moved by Mr. Ancell, seconded by Mr. Milligan to continue the application of Rigoberto Sanchez for licensure as a professional engineer especially qualified in civil engineering on the basis of comity with his licensure in Illinois for further documentation as requested by the Board. Motion passed with Mr. Howe voting against the motion.

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

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

Moved by Mr. Ancell, seconded by Mr. Howe to deny the application of Lewis Ellsworth Venard for licensure as a professional engineer especially qualified in civil engineering on the basis of comity with his licensure in Washington. Motion withdrawn.

Moved by Mr. Ancell, seconded by Mr. Howe to continue the application of Lewis Ellsworth Venard for licensure as a professional engineer especially qualified in civil engineering on the basis of comity with his licensure in Washington for further documentation as requested by the Board. Motion passed unanimously.

Moved by Mr. Ancell to approve the application of Jeffrey J. Warkoski for licensure as a professional engineer especially qualified in civil engineering on the basis of comity with his licensure in New York. Motion died for lack of a second.

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

NON-STANDARD – EXAMINATIONS

Moved by Mr. Milligan, seconded by Mr. Ancell to assign Songqiao Chen to the Fundamentals of Engineering examination. Motion passed unanimously.

Moved by Mr. Milligan, seconded by Mr. Howe to assign Nicholas Ryan Miller to the Principles and Practice of Engineering examination in the civil discipline. Motion passed unanimously.

Moved by Mr. Milligan, seconded by Mr. Ancell to assign George Zhou to the Principles and Practice of Engineering examination in the electrical discipline. Motion passed unanimously.

NON-STANDARD – CERTIFICATE OF AUTHORIZATION

Moved by Mr. Milligan, seconded by Mr. Ancell to deny the application of Clarence E. Simpson Engineers, Inc. for a Certificate of Authorization. Motion passed unanimously.

Gary Young joined the meeting. Mr. Howe was excused from the meeting.
Board Attorneys Angela and Woody Richards joined the meeting.

I. READING OF MINUTES

1. Approval of the minutes of the August 29-31, 2006 Board meeting as distributed.

Moved by Mr. Milligan, seconded by Mr. Ancell to approve the minutes of the August 29-31, 2006 with corrections as discussed. Motion passed unanimously.

2. Approval of the minutes of the September 14, 2006 special Board meeting as distributed.

Moved by Mr. Milligan, seconded by Mr. Young to approve the minutes of the September 14, 2006 meeting as distributed. Motion passed unanimously.

II. REVIEW AND APPROVAL OF CONSENT AGENDA

1. Joel Petty expressed concerns relating to the Mike's Place subdivision.

2. ECEI evaluations are suspended by ABET indefinitely.

3. Staff shared with the Board some comments from applicants and registrants relating to our customer service.

Moved by Mr. Milligan, seconded by Mr. Young to note all items on the Consent Agenda with the exception of Item 1. Item 1 was moved to New Business Item 19 for discussion. Motion passed unanimously.

IV. NEW BUSINESS

9. Staff drafted a rewrite of Title 54 Chapter 12 for the Board's review. Mr. Curtis provided a cross reference to the NCEES Model Law where applicable. The Board reviewed and discussed the proposed changes.

Moved by Mr. Milligan, seconded by Mr. Young to continue this matter to the February Board meeting so that the Board members may have time to review the suggested changes before legislation is proposed. Motion passed unanimously.

11. Bob Ankersmit, Plan Review Supervisor at Kootenai County Bldg Dept., requested the Board's clarification on the practice of engineering relating to requirements on submittal plans. The Board reviewed Mr. Ankersmit's questions and prepared the following answers:

    1. *When is a PE signature required?* The Board would only be willing to consider a response to this question when we know the specific provisions provided to the Building Official by the Code and what latitude is provided to the Building Official by the Code under which the plans are being reviewed. If the Code requires that a design professional prepare the plans, they must be prepared by someone licensed as a design professional by an agency of the State of Idaho.

    2. *If structural solutions are for one's own project, does that require the seal and signature of a licensed engineer?* Ownership is immaterial. If engineering is being practiced, it must be by a licensed individual.

    3. *Is "partial engineering" of a structure allowed?* The Board has issued an opinion in the past indicating that an engineer can "qualify" his responsibility by including a statement similar to "Structural Only" alongside the seal. More specifically, an engineer who stamps a plan which contains work done by others must clearly identify the work he or she is responsible for. If an engineer were to be involved in only a portion of a structure, such as a beam, the engineer would

have a responsibility to assure the load path and connections to the beam and beyond the beam are properly analyzed and the appropriate components specified.

4. *Is it acceptable to require supporting calculations?* In the Board's opinion, asking for design calculations is not an unreasonable request to make of an engineer.

5. *Does the Board intend on hosting more meetings around the state with the Engineers, Architects and Building Officials in the future?* Tentative plans call for similar workshops in the future, but a specific schedule has not yet been established.

Moved by Mr. Young, seconded by Mr. Milligan to send a letter from the Chair to Mr. Ankersmit expressing the answers reflected above. Copies of the letter to be sent to IDABO and the Board of Architectural Examiners. Motion passed unanimously.

13. Eco Engineering, LLC requested that the Board allow them to offer lighting services under the assumed business name of "Consolidated Lighting Services Company" in the State of Idaho.

Moved by Mr. Milligan, seconded by Mr. Young to authorize Eco Engineering, LLC to provide lighting services under the assumed business name of "Consolidated Lighting Services Company" in Idaho. Motion passed unanimously.

14. Tom Hansen expressed concerns that an unlicensed individual was using the title "Electrical Engineer Designer".

Moved by Mr. Milligan, seconded by Mr. Young to send a letter from the Chair explaining to Mr. Hansen that the title "Electrical Engineer Designer" would not be a problem if the individual is working under the supervision of a PE. However, services cannot be offered by unlicensed personnel. The Board invites Mr. Hansen to submit further information if he feels that there is a violation. Motion passed unanimously.

Jack Clark joined the meeting.

8. Jack Clark met with the Board to discuss the meaning of Idaho Code 55-1908(2). The Board noted Mr. Clark's concerns and will consider possible amendments to the licensing law to address the problem. The Chair appointed Mr. Young and Mr. Howe to work with ISPLS in this matter.

Jack Clark left the meeting.

VI. CONSIDERATION OF DISCIPLINARY MATTERS

Clyde Porter joined the meeting.

FY07.03 Tucker, Richard – survey standards. Clyde Porter completed a Preliminary Investigation in this matter.

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.

Moved by Mr. Young, seconded by Mr. Milligan to send a letter from the Chair to Mr. Brazington with a copy to Mr. Tucker expressing the Board's view that while other surveyors might have concluded differently than Mr. Tucker, his conclusions were justified. The Board is not authorized to adjudicate boundary disputes and if Mr. Brazington wants to pursue this further, he should retain the services of an independent surveyor to survey the property in question. Motion passed unanimously.

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 and issued a DRAFT ORDER. No comments were received relating to the DRAFT ORDER.

Moved by Mr. Young, seconded by Mr. Milligan to issue the FINAL ORDER and include the position statement in the next NEWS BULLETIN. A copy of the FINAL ORDER will be mailed to all original participants. Motion passed unanimously.

FY05.18 Leavitt, Darren R., surveying practices. Staff contracted Glenn Bennett, P.L.S. to review recent Records of Survey and Plats completed by Mr. Leavitt that were not previously reviewed under the ORDER issued by the Board. Mr. Bennett provided the Board with his findings.

Moved by Mr. Milligan, seconded by Mr. Ancell to note Mr. Bennett's report and authorize staff to continue searching for additional Records of Survey completed by Mr. Leavitt in various counties. Motion passed unanimously.

FY05.22 Cook, Kenneth H., P.L.S., timely filing. Mr. Cook amended the two Records of Survey as required under the **STIPULATION AND CONSENT ORDER** he entered into with the Board.

Moved by Mr. Milligan, seconded by Mr. Young to close this docket. Motion passed unanimously.

FY05.23 Soderling, Alan R., P.E., violations of the rules of professional responsibility. The hearing on Mr. Soderling's Motion to Intervene was October 31st. The Judge allowed Mr. Soderling to intervene. Counsel made their arguments regarding Mr. Soderling's Motion to Dismiss, and the Judge took the matter under advisement. The Judge denied the Motion to Dismiss. Attorney Angela Richards discussed the judge's decision regarding the Motion to Dismiss with the Board.

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

FY06.04 Mickelson, Richard, P.L.S. Surveying Practices. Mr. Curtis completed a preliminary investigation into this matter. 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. Clyde Porter will review Mr. Mickelson's records for adequacy.

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

FY06.05 Orton, Richard F., Russell, William H., and Petrich, Christian R., failure to seal documents. The Board reviewed Attorney Richards response to Mr. Arkoosh.

Moved by Mr. Milligan, seconded by Mr. Ancell to close this docket. Motion passed unanimously.

FY06.10 Spaulding, Scott, responsible charge. A subpoena was issued to Mr. Spaulding requesting a narrative, a set of plans and specifications, documentation of time spent supervising the preparation of the plans and specifications and a summary of Mr. Spaulding's education and work experience on projects of a similar nature. Mr. Spaulding provided a response.

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.

Moved by Mr. Milligan, seconded by Mr. Young to close this docket and authorize staff to open a new docket relating to the unstamped site plans on the Mountain River title block. Motion passed unanimously.

FY06.11 Reeder, Shawn, responsible charge. Staff wrote to Mr. Reeder and asked for a narrative of his involvement on projects with Dave Moorehead, a set of any plans and specifications on projects on which he collaborated with Mr. Moorehead, documentation of time spent supervising the preparation of drawings and specifications and a summary of his education and work experience on projects of a similar nature.

Moved by Mr. Young, seconded by Mr. Milligan to send a letter from the Chair to Mr. Reeder notifying him that due to the late arrival of the requested documentation, the Board will be unable to review this matter until the February meeting. Motion passed unanimously.

FY06.17 Stubbs, David, unlicensed practice. At the May meeting, staff was directed to find out who the relevant parties were and better define the issues involved.

Moved by Mr. Milligan, seconded by Mr. Young to send a letter from the Chair stating that based on the information provided, the issue does not rise to the level of a complaint. Judges decide who qualifies as an expert witness regardless of professional licensure status. Motion passed unanimously.

FY06.20 Brooks, Brent L., & Russell, William, Rules of Professional Responsibility. As directed by the Board at the June meeting, staff wrote to Mr. Brooks and Mr. Russell and directed them to respond to Mr. Vickers' communication and send a copy to the Board which they did on June 28, 2006.

Moved by Mr. Milligan, seconded by Mr. Young to close this docket. Motion passed unanimously.

FY06.21 Greer, J. Mitchell – aiding and abetting. At the June meeting the Board authorized staff to further investigate this matter. Staff wrote to Mr. Mitchell requesting an explanation of Mr. Hagius' employment status with his business entity, his use of the title "Environmental Engineer", the working relationship between Mr. Mitchell and Mr. Hagius and the application of Mr. Mitchell's seal and signature to work previously submitted to DEQ by Mr. Hagius. Mr. Mitchell provided a response.

Moved by Mr. Milligan, seconded by Mr. Young to send a letter from the Chair to Mr. Ketterman indicating that the matter seems to have been resolved and the Board will not pursue it further. Motion passed unanimously.

FY07.02 Woolstenhulme, Arnold – rules of professional responsibility. An update on this matter was received from David Lee.

Moved by Mr. Milligan, seconded by Mr. Young to continue this docket. The Chair will send a letter to Mr. Woolstenhulme, with a copy to Mr. Lee, requesting his proposed schedule for completing the remaining corrections. Motion passed unanimously.

FY07.05 Cook, Kenneth H., PLS – survey practices. There are concerns that Mr. Cook is not in compliance with the Stipulation and Consent Order he signed previously. Mr. Cook provided a response.

Moved by Mr. Milligan, seconded by Mr. Young to continue this docket pending receipt of additional information from Mr. Cook or Mr. Moulton. Motion passed unanimously.

FY07.06 Morrill, Scott K., engineering practices

Moved by Mr. Ancell, seconded by Mr. Young to send a letter from the Chair indicating that based on the current information, the Board sees no reason to pursue this matter further. In response to Mr. LaPointe's questions; (1) an engineer may stamp work that is preliminary in nature; (2) a Professional Engineer has a responsibility to deal openly and resolve technical problems and related issues once they are brought to his attention if he is under contract to do so; (3) a Professional Engineer may or may not be under contract to make contacts with others. The responsibility to contact others under circumstances cited may fall on persons other than the engineer. Motion passed unanimously.

FY07.07 Hoj Engineering and Sales, Co., unlicensed practice

Moved by Mr. Milligan, seconded by Mr. Young to authorize Counsel to send a letter to Hoj Engineering and Sales Co. denying authorization to use the business name in Idaho. Counsel will suggest that Hoj Engineering and Sales, Co. use a dba in Idaho or hire an Idaho PE to be in responsible charge of the Idaho work. Motion passed unanimously.

FY07.08 Long, Verl., surveying practices

Moved by Mr. Milligan, seconded by Mr. Howe to authorize a preliminary investigation by Mr. Porter. Specific issues include the survey of the well site, lack of a corner record on a section corner and lack of a Certificate of Authorization for Long Surveying, Inc. Motion passed unanimously.

FY07.09 Dreyer, Robert P., violations of the rules of professional responsibility

Moved by Mr. Milligan, seconded by Mr. Young to authorize staff to negotiate a STIPULATION AND CONSENT ORDER in this matter. Motion passed unanimously.

FY07.11 Aqua Engineering, Inc., unlicensed practice. An application for a Certificate of Authorization was received on October 30, 2006 and a Certificate of Authorization for Aqua Engineering was issued.

Moved by Mr. Milligan, seconded by Mr. Young to close this docket. Motion passed unanimously.

IV. NEW BUSINESS

18. Representatives from the Colleges of Engineering at Boise State University, Idaho State University, the University of Idaho and BYU-Idaho met with the Board to discuss the engineering programs at each school. Associate Dean Hampikian, Dean Jacobson, Dean Elshabini and Dr. Miller each made a separate report to the Board on the status of their respective programs. Some of the items discussed included: enrollment, ABET accreditation status, licensing of faculty, curriculums, and the progress of staff licensure.

1. Reports by Board Members and Staff of activities since the last Board meeting. Mr. Milligan reported that he attended the NCEES Annual Business Meeting; participated in the Civil PE Exam Committee; participated in the NCEES EPE Committee meeting and attended the ISPE North Idaho Chapter Roundtable meeting. Mr. Howe reported that he attended the NCEES Annual Business Meeting; attended the ISPE North Idaho Chapter Roundtable meeting; and attended the ISPLS Board of Governor's meeting. Mr. Ancell attended the NCEES Annual Business Meeting and attended a presentation to ISPE Southwest Chapter on proposed legislation. Mr. Young attended the NCEES Annual Business meeting; attended the APEGBC Annual Meeting; made a presentation to students at Idaho State University, and served as Board Observer at the EAC/ABET accreditation visit at BYU-Idaho. Mr. McClure attended the NCEES Annual Business Meeting and attended the ISPE Southwest Chapter meeting on proposed legislation. Mr. Curtis made a presentation to Boise State University sophomore civil engineering students; made a presentation to University of Idaho electrical engineering seniors; attended the APEGBC Annual Meeting; participated in the ISPE North Idaho Chapter Roundtable meeting and made a presentation to the ISPE Southwest Chapter on proposed legislation.

VI. CONSIDERATION OF DISCIPLINARY MATTERS

FY06.19 J-U-B Engineers, Inc., Rules of Professional Responsibility. An Administrative hearing was held on the Motion to Dismiss.

Moved by Mr. Young, seconded by Mr. Ancell to grant the Motion to Dismiss this matter. Motion passed with Mr. McClure voting against the motion.

FY07.10 Schiess, David R. and Loftus, Ryan, competency for assignment

Moved by Mr. Milligan, seconded by Mr. Howe to respond to Ms. Bonney with a letter from the Chair notifying her that a request for review is not the nature of work the Board is empowered to do. If Aqua Engineering found a material error or discrepancy, then Aqua Engineering has an obligation to notify the other engineer(s) who are then obligated to respond. Motion passed unanimously.

IV. NEW BUSINESS

6. Ken Cook asked the Board to clarify what is deemed as controlling monuments.

Moved by Mr. Young, seconded by Mr. Milligan to send a letter to Mr. Cook indicating that if the 1/16 corner is a public land survey corner as defined by 55-1603(10), then the filing requirements of 55-1604 apply. Motion passed unanimously.

III. UNFINISHED BUSINESS

1. Mr. McClure and Mr. Young continue to work with the Board of Architectural Examiners to clarify the definitions of engineering and architecture.

Moved by Mr. Young, seconded by Mr. Milligan to continue this matter to the next meeting for a report on their progress. Motion passed unanimously.

2. The proposed amendments to the Rules of Procedure were published in the Administrative Bulletin as Pending Rules. Staff will be making a presentation of the rules to the House Business Committee and the Senate Commerce and Human Resources Committee in January.

Moved by Mr. Young, seconded by Mr. Ancell to remove the portion of the RS relating to extending the time required to hear a matter from 6 to 12 months. Motion passed unanimously.

3. A meeting has been scheduled for December 1, 2006 to discuss the issue of monuments disturbed by construction activities with stakeholders. The Board noted the information.

4. J. Chris Pfahl previously submitted his comments regarding the destruction of monuments at the Bunker Hill Superfund Site OU #3 by DEQ. The Board requested further information from Rob Hanson of DEQ and he provided a response.

Moved by Mr. Young, seconded by Mr. Howe to send a letter from the Chair requesting that DEQ contractors be put on notice of the requirements of Idaho Code 55-1613 and

that all future contracts make reference to that section. Existing contract provisions do not meet the requirements of the law. Motion passed unanimously.

5. ISPLS proposed changes to the monumentation standards in 50-1303. Mr. Howe and Mr. Young were charged with investigating the necessity of these changes.

Moved by Mr. Howe, seconded by Mr. Young to continue this matter. Motion passed unanimously.

6. ISPLS meeting minutes reflect concerns with the Board's response to Patrick Scheffler's questions from the last meeting.

Moved by Mr. Howe, seconded by Mr. Milligan to send a letter from the Chair notifying Mr. Scheffler that the Board is not aware of any authority granted a County Surveyor to determine who is in responsible charge of a survey. The Rules of Professional Responsibility Rule 005.04 requires notification of discovery of error, omission or discrepancy and is binding on all license holders. Motion passed unanimously.

IV. NEW BUSINESS

2. NCEES requested nominations for Distinguished Service Awards. The Board noted the information and Mr. McClure indicated that he would contact the Washington Board and suggest that they nominate George Twiss, PLS.

3 The 2007 NCEES Board Presidents Assembly will be held Feb. 15-17, 2007 in Atlanta, GA. A funded delegate needs to be selected by December 1, 2006.

Moved by Mr. Young, seconded by Mr. Howe to authorize Mr. Milligan and Mr. Curtis to attend the 2007 NCEES Board Presidents Assembly. Motion passed unanimously.

4. Mr. Curtis would like authorization to make a presentation on Ethics to ACEC-Utah as requested.

Moved by Mr. Young, seconded by Mr. Ancell to authorize Mr. Curtis to make a presentation on Ethics to ACEC-Utah. However, all direct expenses will need to be reimbursed through ACEC-Utah. Motion passed unanimously.

5. Staff wanted the Board to be aware of suggestions made by the Editor of the Gem State Surveyor. The Board noted the information.

7. The Washington Board surveyed their registrants regarding the proposed PNWER resolutions and has provided their findings. The Board noted the information.

10. Staff prepared the 2006 Annual Report for the Board's review.

Moved by Mr. Young, seconded by Mr. Howe to approve the Annual Report for signature and authorize staff to prepare copies for the Governor, ISPE, ISPLS, and the NCEES Western Zone. Motion passed unanimously.

12. Staff discussed alternatives to using a CD-Rom for Board meeting agendas. The Board decided to keep the current format.

15. Staff requested that the Board consider sending a postcard announcement to registrants when a NEWS BULLETIN is available on the website. This would replace the hard copy that they currently receive. This would reduce printing costs by 50%.

Moved by Mr. Howe, seconded by Mr. Young to print the next NEWS BULLETIN with an indication that future publications will be on the internet with notification by post card to all license and certificate holders. Motion passed unanimously.

19. Joel Petty was concerned with the Mike's Place subdivision. This item was removed from the Consent Agenda for discussion. The Board noted the information.

16. Staff provided the Board with an updated financial summary of FY07 through October 31, 2006 as well as an update of the Board Member payroll expenses. The Board noted the information.

V. CONSIDERATION OF APPLICATIONS - TERMINATIONS

Moved by Mr. Milligan, seconded by Mr. Young to terminate the application of John A. Cunningham for Professional Engineer by comity for failure to submit a seal sample. Motion passed with Mr. Howe absent.

Moved by Mr Milligan, seconded by Mr. Young to terminate the application of Matthew Risenmay for Engineer-in-Training at his request. Motion passed unanimously.

IV. NEW BUSINESS

17. ACEC-Idaho submitted questions relating to the recent Board ruling on the stamping of record drawings.

Moved by Mr. Young, seconded by Mr. Milligan to send a letter from the Chair answering ACEC-Idaho's questions as follows:

1. Any "disclaimer" would have to be tailored to reflect the level of responsibility on each individual job and the language does not lend itself to standardization.
2. The Board will be proposing changes to numerous sections of Title 54 Chapter 12 of Idaho Code, including this section, and while the Board is not

supportive of the language you suggested in this section, the Board will be circulating its proposed changes to stakeholders in the coming months and looks forward to your review at that time.

3. The Board agrees that when Idaho Code Section 39-118 or similar contract language applies, it requires preparation of record drawings by an engineer, and that same section requires field observation by the engineer or his designee, the standard of care for supervision of construction observation should include the requirement that an engineer be retained by the owner to be in responsible charge of the construction observation.

Motion passed unanimously.

V. CONSIDERATION OF APPLICATIONS - INTERVIEWS

Corey Lords joined the meeting to discuss his application with the Board.

Moved by Mr. Milligan seconded by Mr. Ancell to deny the application of Corey Lords for 4th assignment to the FE exam. The Board suggests that Mr. Lords take at least 5 courses in specific areas of deficiency, create a study plan, and take timed practice tests. Motion passed unanimously.

VI. CONSIDERATION OF DISCIPLINARY MATTERS

FY06.16 Vermeer, Louis, engineering practices. Mr. Curtis met with Mr. Kane and Ryan Luttmann, P.E. regarding the services provided by Mr. Vermeer. A formal complaint has not been filed in this matter pending further review of the evidence by Mr. Kane.

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

FY06.18 Landmark Surveying, Inc., Brad Wallace, PE. Responsible charge. This matter was continued for additional investigation and clarification of the involvement of the various parties.

Moved by Mr. Milligan, seconded by Mr. Young to continue this docket and authorize the Executive Director to arrange for a contract investigator and execute the contract for investigation. Motion passed unanimously.

FY06.22 H+M Engineers, standard of care. H+M will meet with Mr. Walker to review the plans.

Moved by Mr. Milligan, seconded by Mr. Young to continue this docket pending receipt of an update from Mr. Walker. Motion passed unanimously.

FY07.04 Truchot, Darren – rules of professional responsibility. A Preliminary Investigation was authorized and Dr. Sharma has been contracted to perform the investigation.

Moved by Mr. Milligan, seconded by Mr. Ancell to continue pending receipt of an investigation and direct staff to notify parties that the Board considers this a request for inquiry. 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:

Gregory J. Anderson (Civil) 12381 W. Billabong Street Boise, ID 83709	Michigan
Aubrey S. Argeris (Civil) Sargent Engineers, Inc. 320 Ronlee Lane NW Olympia, WA 98502	Washington
Eric August (Environmental) Confluence, LLC 6435 Outrigger Court Boulder, CO 80301	Colorado
Mark T. Babb (Electrical) Alethian Forensic Engineering 9424 Collingwoods Drive Justin, TX 76247	Texas
Gary C. Barnes (Mechanical) System Design Consultants, Inc. 33 NW 1st Avenue Suite #2 Portland, OR 97068	Oregon
Andrew R. Baxter (Mechanical) Page Southerland Page, LLP 400 W. Cesar Chavez Suite 500 Austin, TX 78701	California, Texas
Jared F. Baxter (Civil) Jack Johnson Company 1777 Sun Peak Drive Park City, UT 84098	Utah

Pamela Lynn Beavis (Electrical) Stanley Consultants, Inc. 9200 E. Mineral Avenue Englewood, CO 80112	Colorado
Michael Cory Bice (Civil) 67 West Sunrise Circle Farmington, UT 84025	Utah
Oliver U. J. Block (Chemical) 238 W. Harvest Run Drive Idaho Falls, ID 83404	Washington
Scott D. Butler (Mechanical) 245 E. Fairwood Drive Chalfont, PA 18914	New York
Jeffrey Mark Carpenter (Civil) 1536 Timberlake Circle Lodi, CA 95242	California
Laura S. Cespedes (Mechanical) 5354 Cliffside Circle Idaho Falls, ID 83406	Louisiana
Cecilia Ming Yee Cheng (Mechanical) PO Box 5681 Boise, ID 83705	Washington
Douglas W. Chubin (Civil) 243 West Candlewood Lane Gilbert, AZ 85233	Illinois
Timothy Wayne Danner (Electrical) 11563 Skyview Lane Olathe, KS 66061	Kansas
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James Bradley Watson - 508 East Elm St., Parma, ID 83660
Justin Wuest - P.O. Box 3263, Hayden, ID 83835
Joseph C. Young - 3215 Virginia, Boise, ID 83705

Comity licenses were granted to the following Professional Land Surveyors with the state as indicated:

Michael F. Feldbusch U.S. Surveyor 4929 Riverwind Point Drive Evansville, IN 47715	Indiana
Wesley G. Fox Fox Surveying Company P.O. Box 637 Taylorsville, NC 28681	North Carolina
Stephen J. Grimaldi c/o General Delivery Winchester, ID 83555	Maine
Royce Hill 4831 20th Avenue South Salem, OR 97302	Oregon
Roger D. Nelson 19014 E. Vassar Drive Aurora, CO 80014	Colorado

The following business entities were issued a Certificate of Authorization:

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717 Architecture & Engineering, LLC
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Atwell-Hicks, LLC
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The meeting adjourned at approximately 10:00 a.m. on Saturday, November 18, 2006.

Chair

Secretary