



## Practice Committee Meeting Notes

April 19, 2024 | 10:00 a.m.

BRPELS Office & Via MS Teams  
605 11<sup>th</sup> Ave SE, Suite 201  
Olympia, WA 98501

### Committee

Ivan VanDeWege, PE, Chair  
Doug Hendrickson, PE  
Aaron Blaisdell, PLS

### Guest(s)

Jim Wengler, PLS, CFedS  
Vince Brown, PLS, WSDOT

### Staff

Ken Fuller, PE, Director  
Kristina Horton, PLS, Deputy Director  
Jill Short, Investigations & Compliance Manager  
Shanan Gillespie, Regulatory Manager  
Vonna Cramer, Licensing Lead  
Elizabeth Lagerberg, Advising AAG

## 1. Complaint/Administrative Closure Summaries

<b>Total Complaints Received</b>	<b>8</b>
Engineering Complaints	5
Surveying Complaints	2
On-Site Designer Complaints	1
<b>Total Administrative Closures</b>	<b>2</b>
Engineering Closures	0
Surveying Closures	2
On-Site Designer Closures	0

## 2. Compliance Report/Noncompliance Report

Ms. Short reported there are currently 3 individuals on compliance monitoring (Kent Huxel; Clifton Berkey, PE; and Steven Morta, PE).

Mr. Huxel is still going through the appeal process. Filings are complete in this case, and it has tentatively been set for consideration by a panel of judges, without oral argument, on May 20, 2024.

Mr. Berkey and Mr. Morta are both in compliance with their board order.

Ryan Hawkins and Russell Bodge are on the Noncompliance Report for continued monitoring.

## 4. Interagency Agreement with WSDOT

The committee reviewed the 1990 Interagency Agreement with WSDOT regarding when WSDOT employees are allowed to perform surveys when not licensed but are under the direct supervision of a licensed professional land surveyor or licensed professional engineer.

Guest, Vince Brown, informed the committee that in 1998 the Board issued a “warning” letter about DOT activities and since that letter was issued, they have not been performing surveying without a licensed PLS in responsible charge.

The PC chair recommended a task force be established to have discussions with WSDOT and DNR to determine if an agreement is even necessary any more. If an agreement is necessary, a memorandum of understanding or a policy should be considered instead of an interagency agreement. Kris Horton and Jim Wengler volunteered to represent our agency. Pat Buehler, DNR, and Sean Simmons, DOT will be contacted for representatives from those agencies.

#### **4. PDH Audits Update**

Staff provided an update to the committee on 5 audits that occurred since the last meeting. Four of those audits were done through the complaint process and 1 was done automatically by Polaris. Staff will be requesting Polaris turn off the automatic audits as we have no way to know who was audited and the information requested is incorrect and asks the licensee to send their audit information to DOL and not BRPELS. Staff will continue to provide updates on audit findings in the future.

#### **Recommendations to the Board**

- Establish task force for Interagency Agreement review with WSDOT and DNR.

#### **Action Items:**

- Staff will ask DOL to turn off the automatic audits being sent out by Polaris.
- Ensure all board orders are put on the updated BRPELS Website.
- Staff will speak with AAG regarding the benefits of filing civil actions against Mr. Hawkins and Mr. Huxel.

#### **Strategic Planning Goals:**

None at this time.