



STATE OF WASHINGTON
**BOARD OF REGISTRATION FOR
PROFESSIONAL ENGINEERS AND LAND SURVEYORS
SPECIAL BOARD MEETING MINUTES**

DATE: October 12, 2023
TIME: 8:30 a.m.
LOCATION: Davenport Grand Hotel & WebEx
Meeting Room 11
333 W Spokane Falls Blvd
Spokane, WA, 99201

ATTENDANCE:

Board Members

Dave Peden, PE, SE, Chair
Aaron Blaisdell, PLS, Vice Chair
Doug Hendrickson, PE
Ivan VanDeWege, PE
James Wengler, PLS, CFedS
Marjorie Lund, PE, SE (WebEx)
Mike Harney, PE

Staff Members

Ken Fuller, PE, Director
Kristina Horton, PLS, Deputy Director
Mackenzie Wherrett, Executive Assistant
Shanan Gillespie, Regulatory Program Manager
Greg Schieferstein, Communication Manager
Vonna Cramer, Licensing Lead
Elizabeth Lagerberg, Advising AAG
(WebEx)

Guest(s)

Luke Lymangrover (WebEx)
Call-in User 2 (WebEx)
Tom Gray, PLS (WebEx)
Kris (WebEx)

1. Call to Order at 9:00 am

1.1. Roll Call

Mr. Peden took roll call.

1.2. New Board Member & Staff Introductions

Mr. Harney introduced himself to the board as a Professional Engineer and Geotechnical Engineer for the consulting firm Shannon & Wilson in Seattle Washington. Mr. Harney has been practicing since the late 90's and primarily works in Western Washington area.

Ms. Horton introduced herself to the board as a Professional Land Surveyor and the new Deputy Director for the agency.

1.3. Order of Agenda

A motion was made by Mr. Hendrickson, and seconded by Mr. VanDeWege, to accept the agenda as written. Motion carried.

1.4. Approval of the August 3, 2023 Meeting Minutes

A motion was made by Mr. Wengler, and seconded by Mr. Hendrickson, to accept the August 3, 2023 Meeting Minutes as written. Motion carried.

1.5. Approval of August Board Member Training Report

A motion was made by Mr. Wengler, and seconded by Mr. Hendrickson, to accept August Board Member Training Report. Motion carried.

Mr. Hendrickson asked if the Board needed to receive or approve the August Board Member Training Report. Ms. Lagerberg requested the report be renamed as minutes and clarified that as an open and public meeting the minutes should be approved.

1.6. Review Correspondence & Communications

Mr. Fuller provided an explanation of the email communication from Van Voorhies which was included in the [board packet](#). The Attorney General's opinion (AGO 2022 No. 3) addresses this inquiry. There was discussion about the Board's authority to determine if something is, or is not, the practice of engineering and the Building Official's authority to determine which design professional best protects the safety of the public. Mr. Fuller to follow-up with Mr. Voorhies by phone regarding his inquiry.

1.7. Public Comment Opportunity

Mr. Lyman grover introduced himself as a guest.

Mr. Gray introduced himself as the County Surveyor for Grays Harbor County, attending as a guest.

Executive Session

Mr. Peden, Board Chair, announced that the Board would go into closed session to consult with the board attorney, discuss matters related to enforcement, and cases in current litigation. It was estimated the Executive Session would last from 8:53 a.m. until 9:10 a.m.

Open Session Reconvened – 9:10 a.m.

2. Disciplinary Action

2.1. Case Deliberation

2023-05-1028-00OSW

Mr. VanDeWege recommended the case be closed with no further action. A motion was made by Mr. Wengler, and seconded by Mr. Blaisdell, to accept the Case Manager's recommendation for closure. Mr. VanDeWege abstained. Motion carried.

2.2. Disciplinary Report

Ms. Horton provided a summary of the Disciplinary Report that was included in the [board packet](#). The Board discussed the volume of cases now that Dan Clark is no longer a Pro-Tem Board Member and the possibility for a new PLS Pro-Tem Board Member.

2.2.1. Case Management Tracker

Ms. Horton and Ms. Wherrett gave an overview of the new case management tracker. Mr. Blaisdell asked staff to investigate ways for the new case management tracker data, specifically timeframes, to be available on the Board Member SharePoint site.

3. Committee Reports

3.1. On-Site Wastewater Ad Hoc Committee (OSC)

Mr. Hendrickson delivered the committee's report.

- [08/21/23 On-Site Ad Hoc Committee Report](#)
- [10/04/23 On-Site Ad Hoc Committee Report](#)

3.2. Practice Committee (PC)

Mr. VanDeWege delivered the committee's report.

- [10/11/23 PC Report](#)

A motion was made by Mr. Hendrickson, and seconded by Mr. Blaisdell, to accept the Practice Committee report. Motion carried.

3.3. Executive Committee (EC)

Mr. Peden delivered the committee's report.

- [09/14/23 Communication Task Force Report](#)
- [10/11/23 EC Report](#)

A motion was made by Mr. Hendrickson, and seconded by Mr. VanDeWege, to accept the Executive Committee report. Motion Carried.

3.4. Survey Committee (SC)

Mr. Blaisdell delivered the committee's report.

- [10/11/23 SC Report](#)

A motion was made by Mr. Wengler, and seconded by Mr. Hendrickson, to accept the Survey Committee report. Motion carried.

3.5. Exam Qualifications Committee (EQC)

Mr. Wengler delivered the committee's report.

- [10/11/23 EQC Report](#)

A motion was made by Mr. Blaisdell, and seconded by Mr. Hendrickson, to accept the Exam Qualifications Committee report. Motion carried.

4. New Business

4.1. PLS Exam Cut Scores *(from EQC)*

The EQC determined the state specific exam cut scores have previously been approved and it is not necessary to approve the cut scores after each administration. The committee requested the Board approves the release of results to examinees. Mr. VanDeWege made a motion to approve the release of the PLS state specific exam results, seconded by Mr. Harney. Motioned approved.

4.2. On-Site Exam Cut Scores *(from EQC)*

Mr. Blaisdell made a motion to approve the release of the On-Site state specific exam results, seconded by Mr. Wengler. Motioned carried.

4.3. Strategic Planning Session Report

The Board discussed the [10-11-23 Strategic Planning Session Report](#).

Mr. Fuller explained that staff will take each strategic planning item and evaluate the resources needed to move them forward, then present these items at the December 7, 2023 Special Board Meeting for prioritization and committee assignments.

Mr. Wengler requested that Board Staff add an item to the strategic planning items list. Mr. Wengler added, look into AI and its impacts on the Professional Land Surveying and Professional Engineering professions.

Mr. Blaisdell made a motion for staff to review the strategic planning session items and provide the raw data to the board with possibility for a Special Board Meeting. The motion was seconded by Mr. Wengler. Motion approved.

4.4. Rulemaking

4.4.1. WAC 196-09 *(from PC)*

Mr. VanDeWege moved to accept the Concise Explanatory Statement and approve the filing of CR103 for WAC 196-09. The motion was seconded by Mr. Hendrickson. Motion carried.

4.4.2. WAC 196-12 *(from EQC)*

Mr. Wengler made a motion to accept the Concise Explanatory Statement and approve the filing of CR103 for WAC 196-12. The motion was seconded by Mr. VanDeWege. Motion carried.

4.4.3. WAC 196-33 *(from PC)*

Mr. VanDeWege moved to accept the Concise Explanatory Statement and approve the filing of CR103 for WAC 196-33. The motion was seconded by Mr. Wengler. Motion carried.

4.4.4. WAC 196-26A & 196-30 *(from EQC)*

No action.

4.5. Revisions to Board Policy 36 *(from EC)*

Mr. Blaisdell motioned to approve the revisions to Board Policy 36, seconded by Mr. VanDeWege. Motion carried.

4.6. Revisions to Board Policy 39 *(from PC)*

No action. Practice Committee to further review Policy 39.

4.7. 2024 Board Meeting Dates

The Board discussed additional dates to add to the events calendar which was included in the [board packet](#). These dates are listed under agenda item 7.2. The Board determined the following dates for 2024 meetings:

<u>Meeting Date</u>	<u>Meeting Location:</u>
February 21 & 22	SeaTac, WA
April 17 & 18	Vancouver, WA
June 12 & 13	Port Angeles, WA
August 7 & 8	SeaTac, WA
October 16 & 17	Spokane, WA
December 11 & 12	Olympia, WA

Mr. Hendrickson motioned, seconded by Mr. VanDeWege, to approve the selected dates for 2024 meetings. Motion approved.

5. Director's Report

5.1. Financial Report

The financial report was included in the [board packet](#). The agency is in excellent financial condition and stated the agency is projected to end the biennium with about \$1.76 million in its operating account and is on track to underspend appropriation this biennium by \$520,000. Reported for the first two months of the fiscal year, the agency generated \$307k in revenue vs. \$325k during the same period last biennium. This represents a reduction of about 5.5% relative to last biennium.

5.2. Agency Operations

Mr. Fuller discussed recruitment for the Administrative Assistant 3 position and possible reduction of facility space as requested by Office of Financial Management (OFM).

Mr. Fuller and Mr. Chun Lau attended the UK's Department for Business and Trade reception where the National Council of Architectural Registration Board (NCARB) entered into a Mutual Recognition Agreement for architects between the US and UK.

5.3. Program Reports

Board Staff provided summaries of the program reports included within the [board packet](#).

- 5.3.1. Communications & Outreach – Mr. Schieferstein
- 5.3.2. Regulatory – Ms. Gillespie
- 5.3.3. Investigation & Compliance – Ms. Short
- 5.3.4. Licensing – Ms. Cramer
- 5.3.5. Admin – Ms. Wherrett

5.4. Other Items

5.4.1. NCEES Annual Meeting Report & Nomination Discussion

Mr. Blaisdell asked the Board for their support in a nomination for the NCEES Western Zone Vice President. A motion was made by Mr. Wengler, and seconded by Mr. VanDeWege, that the board nominate Mr. Blaisdell for the NCEES Western Zone Vice

President. Motion approved.

6. Assistant Attorney General's Report

6.1. Update on Tappel Case

The case has ended, there are no further updates.

7. Other Business

7.1. Additional Public Comment

No public comment.

7.2. Upcoming Outreach and Events

2023 Events

- October 16 | SIRENS | Ms. Lund, Ms. Horton & Ms. Cramer
- October 26 | ASCE Meeting | Seattle, WA | Mr. Fuller & Mr. Harney
- November 3 | Ethics Presentation | Bremerton, WA | Mr. Hendrickson
- November 3-4 | LSAW Fall Seminar | Vancouver, WA | Mr. Blaisdell & Mr. Wengler
- December 6-8 | EPE NCEES Committee | Ms. Lund

2024 Events

- January 18-20 | NCEES EPP Committee | Tampa, FL | Mr. Blaisdell
- March 22 | State Specific Exams | Lacey & Spokane, WA

7.3. Action Items from This Meeting

- Board Staff to release results for PLS and On-Site state specific exam results.
- Ms. Wherrett to add 'look into AI and its impacts on the Professional Land Surveying and Professional Engineering professions' to strategic planning items
- Board Staff to review strategic planning session items and provide the raw data to the Board with possibility for a special board meeting.
- Ms. Gillespie to file CR103 for WAC 196-09
- Ms. Gillespie to file CR103 for WAC 196-12
- Ms. Gillespie to file CR103 for WAC 196-33
- Board Staff to nominate Mr. Blaisdell for NCEES Western Zone Vice President
- Ms. Wherrett to post the 2024 board meeting dates to the website

7.4. Agenda Items for Next Meeting.

- NCEES record and CPC Tracking
- 18.43 Task Force Discussion
- Strategic Planning Items
- Director Evaluation Process
- NCEES Committee Participant Reports

8. Adjourn Meeting

A motion was made by Mr. Hendrickson, and seconded by Mr. VanDeWege, to adjourn the meeting at 12:25 p.m. Motion approved.

Next Meeting: December 7, 2023 – Special Board Meeting – St. Martin’s University, Lacey, WA & WebEx

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Ken Fuller', written over a horizontal line.

Ken Fuller, PE, Director