



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

DATE: December 08, 2022

TIME: 9:00 a.m.

LOCATION: BRPELS Office, Olympia, WA & WebEx

ATTENDANCE:

Board Members

Doug Hendrickson, PE, Chair
Dave Peden, PE, SE, Vice Chair
Aaron Blaisdell, PLS
Nirmala Gnanapragasam, Ph.D, PE
Marjorie Lund, PE, SE
James Wengler, PLS, CFedS

Staff Members

Elizabeth Lagerberg, Advising AAG
Paul Bitar, Senior Financial Consultant (WebEx)
Ken Fuller, PE, Director
Richard Larson, PLS, Deputy Director
Mackenzie Wherrett, Executive Assistant
Vonna Cramer, Licensing Lead
Shanan Gillespie, Regulatory Program Manager
Greg Schieferstein, Outreach & Communication Manager

Guest(s)

Luke Lymangrover (WebEx)
LC Engineers (WebEx)

1. Call to Order at 9:01 am

1.1. Roll Call

Mr. Hendrickson took roll call.

1.2. Order of Agenda

A motion was made by Mr. Peden, and seconded by Ms. Gnanapragasam, to accept the agenda. Motion carried.

1.3. Approval of Meeting October 20, 2022 Meeting Minutes

A motion was made by Ms. Lund, and seconded by Ms. Gnanapragasam, to accept the October 20, 2022 meeting minutes as written. Motion carried.

1.4. Public Comment Opportunity

None provided.

Executive Session

Mr. Hendrickson, Board Chair, announced that the Board would go into closed session to consult with the board attorney and discuss matters related to enforcement and cases in current litigation. It was estimated Executive Session would last from 9:08 a.m. until 9:43 a.m.

Open Session Reconvened - 9:43 a.m.

2. Disciplinary Action

2.1. Case Closures

No case closures.

2.2. Disciplinary Report

Mr. Larson provided a summary of the Disciplinary Report that was included in the [board packet](#).

2.3. Consideration of Board Order 2021-08-2070-00LSV, 2022-10-1445-00LSV

Mr. Larson presented a permanent Cease-and-Desist order. A motion was made by Ms. Lund, and seconded by Mr. Peden, to approve the Cease-and-Desist order as presented by Mr. Larson. Motion carried. Mr. Wengler abstained.

3. Committee Reports

3.1. Executive Committee

Mr. Hendrickson delivered the committee's report.

- [12/07/22 Executive Committee Meeting Minutes](#)

A motion was made by Ms. Lund, and seconded by Mr. Blaisdell, to accept the Executive Committee report. Motion carried.

3.2. Practice Committee (PC)

Mr. Peden delivered the committee's report.

- [12/07/22 Practice Committee Meeting Minutes](#)

A motion was made by Ms. Lund, and seconded by Ms. Gnanapragasam, to accept the Practice Committee report. Motion carried.

3.3. Exam Qualifications Committee (EQC)

Ms. Gnanapragasam delivered the committee's report.

- [12/02/22 Exam Qualifications Committee Meeting Minutes](#)

A motion was made by Ms. Lund, and seconded by Mr. Wengler, to accept the Exam Qualifications Committee report. Motion carried.

3.4. Survey Committee

Mr. Wengler delivered the committee's report.

- [12/07/22 Survey Committee Meeting Minutes](#)

4. New Business

4.1. Approval of Monument Removal/Replacement Response to DNR (from PC)

A motion was made by Mr. Peden and seconded by Mr. Wengler to approve the Monument Removal/Replacement Response to DNR with signature of the Board Chair. Motion approved.

4.2. Potential Nomination of Dave Peden for NCEES WZ Secretary/Treasurer (from Executive Committee)

A motion was made by Mr. Hendrickson, and seconded by Ms. Lund, that the board nominate Mr. Peden for the NCEES WZ Secretary Treasurer. Motion approved.

- 4.3. NCEES Funded and Washington Funded Delegates for 2023 NCEES Zone Interim Meetings
Mr. Fuller asked the board who would like to attend the April 27-29, 2023 NCEES Zone Interim Meetings as funded delegates. The board directed Mr. Fuller to appoint Mr. Peden, Ms. Gnanapragasam, and Mr. Blaisdell as funded delegates.
- 4.4. NCEES PLS Exam EPS Request/Direction (from Survey Committee)
Survey Committee recommended the board require the following divisions of the NCEES PLS exam: Core, Boundary, Public Land Survey Systems and Mapping Sciences. The board directed Mr. Blaisdell and Mr. Fuller to work on completing the January survey.
- 4.5. Approval of Concise Explanatory Statement and Filing of CR-103 for WAC 196-25 (From PC)
Mr. Peden moved to approve the Concise Explanatory Statement and filing of CR-103 for WAC 196-25. The motion was seconded by Mr. Blaisdell. Motion carried.
- 4.6. Rulemaking for WAC 196-12 (from EQC)
A motion was made by Ms. Gnanapragasam and seconded by Mr. Wengler to approve the filing of CR101 for WAC 196-12. Motion carried.
- 4.7. Rulemaking for WAC 196-29 (from Survey Committee)
A motion was made by Mr. Wengler and seconded by Mr. Blaisdell to approve the filing of CR101 for WAC 196-29. Motion carried.

5. Directors Report

- 5.1. Financial Report
Mr. Bitar provided an overview of the financial report produced by Mr. Bitar that was included in the [board packet](#). He reported the agency is in excellent financial condition and stated the agency is projected to end the biennium with about \$1.79 million in its operating account and is on track to underspend appropriation this biennium by \$558,000. He reported last fiscal year, the agency generated \$2.866 million in licensing revenue vs. \$2.402 million during the same period last biennium. This represents an increase of about 19.3% between biennia.
- 5.2. Agency Operations
Mr. Fuller reported on agency operations and staffing. Board Staff will begin permanently filling the role of Licensing Specialist in mid-February. Mr. Fuller discussed the potential hiring of a temporary admin level position not to exceed a year around March or April 2023.
- 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 – Mr. Larson
 - 5.3.4. Licensing – Ms. Cramer
 - 5.3.5. Admin – Ms. Wherrett
 - 5.3.6. Deputy Director's Report – Mr. Larson
- 5.4. Other Items
No other items.

6. Assistant Attorney General's Report

6.1. Introducing The New Prosecuting AAG

The new Prosecuting AAG, Ms. Danitza Casselman could not attend.

7. Other Business

7.1. Additional Public Comment

None provided.

7.2. Upcoming Outreach and Events

- 01/26-28/23 | WOSSA SepticCon | Tacoma | Mr. Fuller
- 02/15-17/23 | LSAW Conference | Spokane | Mr. Blaisdell, Mr. Larson & Mr. Wengler
- 03/24/23 | WA State Specific Exams | TBD

7.2.1. April Committee/Board Meeting Dates

A motion was made by Ms. Lund and seconded by Mr. Blaisdell to change the April special board meeting date to April 27, 2023. The meeting location will be at the board's Olympia office and additionally in Houston, TX. Motion approved.

A motion was made by Mr. Blaisdell, and seconded by Mr. Peden, to change the August committee and special board meeting dates to August 2 - 3, 2023. Motion carried.

7.3. Action Items from This Meeting

- Board Staff to make the Disciplinary Report, as provided in the [board packet](#), available on the board SharePoint site homepage.
- Board Staff to prepare nomination letter for Mr. Peden as NCEES WZ Secretary Treasurer.
- Board Staff to File CR103 for WAC 196-25.
- Mr. Schieferstein to add journal article about the importance of written contracts and reputation management.
- Board Staff to File CR101 for WAC 196-12.
- Board Staff to update the board website and revise the PE application to clarify changes to WAC 196-12.
- Mr. Schieferstein to add article to the spring journal to clarify changes to WAC 196-12.
- Board Staff to File CR101 for WAC 196-29.
- Mr. Fuller and Mr. Larson to work with DNR to discuss language changes for the filing of CR101 WAC 196-29.
- Mr. Blaisdell and Mr. Fuller to complete survey for NCEES EPS committee.
- Mr. Fuller to appoint Mr. Peden, Ms. Gnanapragasam, and Mr. Blaisdell as funded delegates to the NCEES Zone Interim Meetings.
- Board Members to send Mr. Schieferstein itemized review of the current board website.
- Board staff to update website language under 'For Consumers' to provide more direction regarding using the license look-up.

- Mr. Fuller and Board Staff to begin the process of onboarding a new pro-tem board member.
- Board staff to update committee and board meeting dates for April and August.
- Board Staff to send the Monument Removal/Replacement Response to DNR with signature of the Board Chair.
- Board Staff to send signed permanent Cease-and-Desist order by email and certified mail.
- Mr. Fuller, Ms. Lagerberg, and Ms. Short to research how the board may possibly pursue law enforcement action against unlicensed practice.

7.4. Agenda Items for Next Meeting.

- Discuss how the board may possibly pursue law enforcement action against unlicensed practice.

8. Adjourn Meeting

A motion was made by Ms. Lund, and seconded by Mr. Wengler, to adjourn the meeting at 1:40 p.m. Motion carried.

Next Meeting: February 23, 2022 - Special Board Meeting - Vancouver & WebEx

Respectfully submitted,

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

Ken Fuller, PE, Director