

MINUTES OF MEETING

September 15, 2003 – 8:00 a.m.
Plaza Hotel.
116 East Park
Thermopolis, Wyoming

OPEN MEETING MINUTES

BOARD MEMBERS PRESENT: William J. Edwards; Peter J. Hutchison; Stanton J. Abell, Jr; Martin A. Pedersen; Patrick T. Tyrell; David L. Whitman; and Richard C. Moore

STAFF MEMBERS PRESENT: Christine Turk, Executive Director and Jennifer Wilhelm, Licensing Officer.

VISITORS PRESENT: Darel Danyluk and Neil Windsor from the Association of Professional Engineers, Geologists, and Geophysicists of Alberta (APEGGA); Rick Hudson; Don Davis, President of PLSW; and Jeff Hermansky and Larry Robinson, DEQ.

PRESENTATION BY APEGGA: A presentation was given by the representatives from APEGGA regarding licensing requirements in Canada and bilateral agreements with individual states and encouraging state Boards to seek legislative change to have the authority to enter into these agreements.

FOLLOW-UP ON CORRESPONDENCE FROM JAMES D. WHITE, PE #3150: Mr. White had been informed by Sublette County that he was not allowed to design his own wastewater treatment systems. Jeff Hermansky and Larry Robinson from the DEQ discussed DEQ's licensing requirements and had contacted Sublette County regarding Mr. White's complaint. Permitting authority has been given to certain counties based on pre-approved engineering plans that may be used for single residential systems without hiring a PE. Sublette County was informed that Mr. White, being a PE, should have been allowed to design his own system. DEQ representatives informed the Board that Mr. White's system is already installed. DEQ asked the Board's approval of a proposed memo to be distributed to the individual counties supporting the use of pre-approved designs prepared by a Professional Engineer. The Board raised concerns that the plans be signed and sealed by the engineer who prepared them, and that the memo be clear that the Board was not approving the plans, merely supporting the use of pre-approved plans. Rick Moore brought up that counties might have specific concerns not addressed in the pre-approved plans. Mr. Robinson re-assured that no permits would be approved that conflict with local interests. A suggestion was made to add a statement to the plan packet that there may be local issues that need to be addressed.

APPROVAL OF JUNE 2003 MINUTES: Rick Moore asked about the addition to the renewal form of the number of carry-over hours a registrant has; he was informed that staff had already added this field to the renewal form. A motion was made by Martin Pedersen, seconded by Peter Hutchison and carried to approve the minutes with corrections noted at meeting.

APPROVAL OF BUDGET AND TREASURER REPORTS: Motion made by Peter Hutchison, seconded by Martin Pedersen and carried to accept the Budget and Treasurer Reports as distributed.

REINSTATEMENT APPLICATIONS: Martin Pedersen proposed all expired licenses to require updated references and employment information in addition to payment of fees. Christine Turk pointed out that Wyoming Statute § 33-29-131 (c) gives the Board authority to require new application after two years; therefore, no change in the rules and regulations is necessary. A motion was made by Martin Pedersen, seconded by Rick Moore and carried to start requiring applicants seeking re-registration to provide an update to their employment record and reference to cover the period from when they last renewed to their current request for re-registration.

BOARD SALARY: A motion was passed at the meeting of June 27, 2003, to begin paying Board members for all time spent attending meetings, etc., where they are directly representing the Board. Pat Tyrrell advised that an estimated amount has been added to the upcoming biennial budget, and the funds will be transferred as needed for expenses until that time. As the motion passed at the June meeting was to be effective immediately, the Board members should

be paid for their recent trip to Baltimore. Rick Moore suggested that the word “immediately” be added to the June minutes regarding the Board’s salary. This motion was made by Martin Pedersen, seconded by Pete Hutchison and carried. Board members will need to notify Christine Turk of days spent representing the Board.

SURVEYING PROGRAM AT LCCC: Per Dr. Stoughton, LCCC is still offering a Surveying program. Martin Pedersen advised that a degree in cooperation with the University of Wyoming is being offered in Torrington.

ABET VISITS: Pete Hutchison will be an observer at the ABET accreditation visit in Laramie; Stan Abell will be an observer Metro State’s first ABET accreditation in Denver. As all expenses are the responsibility of the observers, Pete Hutchison asked that the Board cover their expenses; the Board agreed.

LSIT EDUCATIONAL REQUIREMENTS: A motion was made by Martin Pedersen to allow Land Surveyor In-Training candidates who are still in school to take the Fundamentals of Land Surveying Examination after they have completed 27 hours of surveying coursework, though they have yet to earn their degree. Those who pass the examination would be issued their LSIT card and certificate upon graduation and the Board’s receipt of their official transcript. Motion seconded by Stan Abell and carried.

COMMENTS ON RULES AND REGULATIONS:

Patrick B. Collins, P.E., Wyoming Department of Transportation

A motion was made by Stan Abell add language to Chapter V Section 2(b) to read “...Legible full size or reduced reproductions of sealed...”; motion seconded by Rick Moore and carried.

Motion by Dave Whitman to add an “s” to the word “page” on page 5-3 to clarify that a cover sheet can be more than one page. Motion seconded by Pat Tyrrell and carried.

Comments regarding paper size require a statute change.

Susan Myers, PE, J.D.

Observation 1 Motion made by Pat Tyrrell to strike the words “and negligence” from Chapter I, Section 3(g) and any other place the term has been added to the rules, seconded by Martin Pedersen and carried.

Observation 2 No action.

Observation 3 No action

Observation 4 No action.

Observation 5 Comity registration for Professional Land Surveyors has not been discontinued. No action.

Observation 6 The Board has met all legal requirements. No action.

Observation 7 No action.

Observation 8 No action.

Paul Scherbel, L.S.

Christine Turk informed the Board that the statutes were adopted in 1987 and have not been changed since; therefore, the date cannot be changed to 2003 as proposed by Mr. Scherbel. No action.

Scott Scherbel, L.S.

Pat Tyrrell moved to strike the “and” from “and not following” from page 1-1, Section 3(e)(i) and (ii); seconded by Stan Abell and carried.

Stan Abell moved to add the word “other” to page 1-2, Section 3(f)(vi), seconded by Martin Pedersen and carried.

Martin Pedersen moved to accept all changes proposed by Scott Scherbel, seconded by Pete Hutchison and carried.

James Carroll

Chapter 1, Section 3(n) The reason for the definitions is due to the overlap among the disciplines. Will be explained to Mr. Carroll; no action.

Chapter 1, Section 3(p) No action; the addition of “construction management” to the definition of Architectural Engineering does not preclude other licensed disciplines to be construction managers for buildings.

Chapter 4, Section 5(a) Correction will be made.

Chapter 1, Section 3(i) No action.

Chapter 1, Section 3(i)(iii) Language mandated by statute; no action.

Jeff Fuller, PE: “ELSESES” need not be defined because the Board is still administering examinations, just contracting with ELSESES

David Griffin

Chapter III, Section 4(a)(i) and (b) - Paper copies of the roster will be available upon request.

Chapter IV, Section 1(a)(vi) - Any reference to “his” has been changed to “his/her.”

Chapter V, Section 2(a), strike the word “below.”

Additional Rule Actions

Rick Moore moved to use the most current Code of Ethics for Engineers in Appendix A from January 1, 2003; seconded by Pat Tyrrell and carried. This is not a rule change

Rick Moore moved that page 9-3, record-keeping paragraph, section 8, third line and any other references to NPDRE program be stricken, as it has been phased out. Phrase needs to be changed to read “records as maintained by a national registry recognized by the Board.” Seconded by Stan Abell and carried.

Christine Turk pointed out that the Board will be charging an additional fee of \$25 for examinations. However, there are no additional exam fees for the Fundamentals of Engineering examination, but the rule change state an additional fee for the Fundamentals of Land Surveying examination. Motion made by Pat Tyrrell and seconded by Martin Pedersen to wave the \$25 additional fee for the Fundamentals of Land Surveying Examination so it is consistent with the Fundamentals of Engineering examination. Motion carried.

Motion made by Rick Moore to change language on page 3-1, Fees (d)(ii), as ELSESES is administering state-specific examination, to the NCEES national exam fee plus the \$25 (proposed) fee. Seconded by Stan Abell and carried.

Stan Abell proposed any reference to a Wyoming statute be replaced with the words “The Act.”

A motion was made by Martin Pedersen to adopt the rules as amended, which was seconded by Rick Moore and carried.

STAFF INVESTIGATOR: Martin Pedersen and Christine Turk came up with a list of duties for the RFP for the Staff Investigator position. Pat Tyrrell raised concern over the lack of a limit to the investigator’s expenses. Motion by Pete Hutchison to accept the addition of the word “reasonable” to the expenses that the Board will pay, seconded by Stan Abell and carried.

Pat Tyrrell wanted it clarified that the proposed workstation to be built is not only for the investigator; it will be used for other purposes, but may be used by the investigator from time-to-time. Motion made by Martin Pedersen to approve the building of a workstation at the Board office for the proposed amount of \$3,500; seconded by Rick Moore and carried.

MEETING WITH ATTORNEY GENERAL: Christine Turk received a memo from Attorney General Pat Crank for an open-forum meeting with the Boards regarding the application process. Martin Pedersen and Christine Turk will attend this meeting, and any issues a Board member would like addressed can be forwarded to Christine or Martin.

LETTER FROM PAUL SCHERBEL, L.S.: Paul Scherbel wrote a letter questioning the description of the land used in W.S. § 36-8-1303. Martin Pedersen stated that if it is from the original description, it might have been legal at the time the survey was done. Martin Pedersen will write a letter to Mr. Scherbel.

WHEN TO USE THE TITLE “PE”: Martin Pedersen introduced an article from PE Magazine that addressed states not allowing correspondence be sent to a recipient in their state that uses the title PE if the engineer is not registered in that state. However, the Board’s opinion is that an individual should be allowed to use their title so long as they are not implying they are registered in Wyoming if they are not.

REPORTING OF VIOLATIONS BY BOARD MEMBER: A letter from the Attorney General’s office states that if a Board member is aware of a violation on a hearsay basis, the Board should take no action. Bill Edwards asked to have Angela Dougherty address this matter at the December 8, 2003, Board meeting. Rick Moore will collect some information from the Tennessee Board about this type of situation and forward the information to Martin Pedersen.

PROFESSIONAL ENGINEER – COMITY

- 9972 Weylan A. Bryant – Pennsylvania by 16 hour PE Examination
- 9973 Robert A. Heil – Kentucky by 16 hour PE Examination
- 9974 Derek A. Brown – Colorado by 16 hour PE Examination
- 9975 Richard K. Davis – Texas by 16 hour PE Examination
- 9976 Jeffrey N. Hillson – Washington by 16 hour PE Examination
- 9977 James A. Lijewski – Wisconsin by 16 hour PE Examination
- 9978 John Longnecker – Minnesota by 8 hour PE Examination; Arkansas EIT
- 9979 Sheldon R. McInelly – Arizona by 16 hour PE Examination
- 9980 Mark M. Mitts – Minnesota by 8 hour PE Examination; Iowa EIT
- 9981 David M. Schierloh – Ohio by 16 hour PE Examination
- 9982 Wayne C. Smith – California by 16 hour PE Examination
- 9983 David L. Cochran – Pennsylvania by 8 hour PE Examination; Georgia EIT
- 9984 Jeffrey T. Copeland – Colorado by 8 hour PE Examination; Montana EIT
- 9985 James J. Sands – Montana by 16 hour PE Examination
- 9986 Barbara L. Forslund – Pennsylvania by 8 hour PE Examination; Michigan EIT
- 9987 Philip M. Greci – New Jersey by 16 hour PE Examination
- 9988 Richard C. Hendee, Jr. – Maine by 16 hour PE Examination
- 9989 David S. Heneage – Utah by 8 hour PE Examination; Colorado EIT
- 9990 Laura H. Langham – Tennessee by 16 hour PE Examination
- 9991 Tony J. Prothero – Montana by 16 hour PE Examination
- 9992 Steven M. Tebben – South Dakota by 16 hour PE Examination
- 9993 William T. Templeton – Texas by 16 hour PE Examination
- 9994 Royd T. Warren – Kansas by 8 hour PE Examination; Wyoming EIT
- 9995 Paul A. Hazel – Oregon by 16 hour PE Examination
- 9996 Vincent C. Gerace – Pennsylvania by 16 hour PE Examination
- 9997 Bryan E. Kazin – Colorado by 16 hour PE Examination
- 9998 Robert A. Lonnemann – Kentucky by 16 hour PE Examination
- 9999 Yancy T. Nichol – Colorado by 8 hour PE Examination; Wyoming EIT
- 10000 Daniel C. Rogers – Alaska by 16 hour PE Examination
- 10001 Stephanie A. Seymanski – Montana by 16 hour PE Examination
- 10002 Karl K. Tashjian – California by 16 hour PE Examination
- 10003 Florin Arsene – Michigan by 16 hour PE Examination
- 10004 Jay R. Fischer – California by 16 hour PE Examination
- 10005 Scott E. Jacobs – California by 8 hour PE Examination; Utah EIT
- 10006 Garrick F. Mitchell – Texas by 16 hour PE Examination
- 10007 Michael J. Oelrich – Colorado by 16 hour PE Examination

- 10008 Patrick L. Redmond – Montana by 16 hour PE Examination
- 10009 Wilfred A. Rohde – New York by 8 hour PE Exam; Washington DC EIT
- 10010 Gary A. Shaffer – Colorado by 8 hour PE Examination; Nebraska EIT
- 10011 Mark R. Stark – Nebraska by 16 hour PE Examination
- 10012 John W. Weldy – Indiana by 16 hour PE Examination
- 10013 Michael A White – Missouri by 16 hour PE Examination
- 10015 Alan E. Aldrich – Kentucky by 8 hour PE Examination; Colorado EIT
- 10016 J. Daniel Arthur – Florida by 16 hour PE Examination
- 10017 Galen W. Hesterberg – Virginia by 8 hour PE Examination; Colorado EIT
- 10018 David J. Hodder – California by 8 hour PE Examination; Nevada
- 10019 Garrett Nariman – California by 16 hour PE Examination
- 10020 Neil W. Tappana – Missouri by 16 hour PE Examination
- 10021 Tim M. Lawton – Washington by 8 hour PE Examination; FE Examination Waived
- 10022 Jagadish C. Paul – Texas by 16 hour PE Examination

EIT NUMBERS ISSUED UPON RECEIPT OF TRANSCRIPT:

- | | |
|--------------------------|-------------------------|
| 4474 Mark A. Daigle | 4484 Daniel J. Hruska |
| 4475 Korby D. Bracken | 4485 Christina Spindler |
| 4476 Frank A. Strong, IV | 4486 Youquan Jiang |
| 4477 Breck C. McGary | 4487 Cherish K. Teters |
| 4478 John E. Boltz | 4488 Michelle Cummings |
| 4479 Michael D. Moxley | 4489 Brinton J. Hinz |
| 4480 Anna M. Jones | 4490 Steven D. Carter |
| 4481 Shawn W. Meline | 4491 William G. Kunz |
| 4482 Andrew A. Ellmaker | 4492 Robert E. Boysen |
| 4483 Ryan J. Calahan | 4493 Tara R. Rintamaki |

LAND SURVEYOR NUMBER ISSUED:

- PELS 4259 Mark Rehwaldt Registered by examination. Passed Principles and Practice of Land Surveying NCEES Examination 4/11/2003 and Wyoming Land Surveyor 2-hour Examination 4/12/2003; passed Wyoming Land Surveyor Take-Home Examination 7/15/2003. Prior PE registration

CORPORATIONS NUMBERS ISSUED:

- E-0689 Tetra Tech FW, Inc.
- ES-0690 Universal Ensco, Inc.
- E-0691 McInnish Engineering, PLLC
- E-0692 RNF Consultants, Inc.
- E-0693 ATC Group Services
- E-0694 Radian Communication Services, Inc.
- E-0695 Aqua Engineering, Inc.
- S-0696 C and C Construction, Inc.
- E-0697 Pinnacle Engineers, Inc.
- ES-0698 Rendezvous Engineering, P.C.
- E-0699 Keystone Retaining Wall Systems, Inc.
- E-0700 ECI, An AECOM Company
- E-0701 Shaw Environmental, Inc.
- E-0702 Keller Associates, Inc.
- E-0703 A.G. Wassenaar Inc.
- E-0704 Valley West Engineering PC

SCHEDULE OF NEXT BOARD MEETING: The Board will meet on December 8, 2003, in Cheyenne, Wyoming.