

MINUTES

**UTAH PROFESSIONAL ENGINEERS AND
PROFESSIONAL LAND SURVEYORS
LICENSING BOARD
MEETING**

January 18, 2012

**Room 474, 4th floor, 9:00 A.M.
Heber M. Wells Building
160 East 300 South
Salt Lake City, Utah 84111**

CONVENED: 9:02 A.M.

ADJOURNED: 11:23 A.M.

**Bureau Manager
Board Secretary**

Richard J. Oborn
Lee Avery

Board Members Present

Norman Bennion, Chairperson
Von Hill, Vice Chairperson
Scott Marsell
Max Peterson
Norman Bennion
Jonathan Richards

Board Members Excused

David Wesemann
Thomas Colvin

DOPL staff present:

Susan Higgs, Compliance Specialist

TOPICS FOR DISCUSSION:

DECISIONS AND RECOMMENDATIONS

ADMINISTRATIVE BUSINESS:

MINUTES:

The minutes dated November 16, 2011 were reviewed. Mr. Hill motioned to accept the minutes, seconded by Mr. Marsell. The motion carried unanimously

Ms. Susan Higgs, compliance report

#1. R. Craig Brown is not in compliance with his stipulation. The Board has not received supervisor reports. He submitted his own employer reports because he is self employed. He submitted a request for Board approval for Mr. Robert Conder to be his new supervisor. Shawn Witzel will supervise Mr. Brown in Mr. Conder's absence.

APPOINTMENT:

#1. R. Craig Brown, probation interview

Mr. Brown met with the Board for his probation interview. The Board advised Mr. Brown that his supervisor reports were not submitted in a timely manner. He has not submitted reports for October, November, December, or January. Mr. Hill conducted the interview. Mr. Brown submitted documentation showing his projects have been reviewed. Mr. Brown advised the Board that he had a difficult time getting his reports from David Jenkins. He is proposing Robert Conder and/or Shawn Witzel as his supervisor. He still needs to provide his new supervisor with a copy of his stipulation. The Board stated that Mr. Brown could have only one supervisor and Mr. Conder would be acceptable. The Board advised Mr. Brown that it is his responsibility to see that his supervisor reports are submitted on time. The Board expressed a concern regarding Mr. Brown's continued non-compliance with his stipulation. The Board advised Mr. Brown that continued non-compliance with his stipulation could lead the Board to recommend suspension of his license. The Board noted that this was discussed at his probation interview meeting in May 2011. Mr. Brown noted that he did not have any completed projects in November or December. The Board noted that there would not be reports required then. The Board encouraged Mr. Brown to obtain projects specific to structural engineering. Mr. Peterson motioned to hold off consideration of taking disciplinary action against Mr. Brown's license until March 2012. If he is not in compliance at the March meeting, the Board will recommend further sanctions be taken, seconded by Mr. Richards. The motion carried, with Mr. Marsell abstaining. The Board reminded Mr. Brown that his reports are due the 1st of each month to be in compliance with his stipulation. Mr. Richards motioned to approve Mr. Robert Conder as Mr. Brown's supervisor, seconded by Mr. Peterson. The motion carried unanimously. The Board asked to see Mr. Brown on March 21, 2012.

Mr. Brown is not in compliance with his stipulation.

#2. Todd Jacobsen, applicant for land surveyor license

Mr. Jacobsen met with the Board. The Board reviewed Mr. Jacobsen's documentation to support his application for a PLS license. Mr. Jacobsen advised the Board that Mr. Larry Bundy is willing to verify some of his work experience; however, he is still unwilling to say that he was Mr. Jacobsen's supervisor. The Board tabled this discussion until the March 2012 Board meeting, requesting additional time to review the additional documentation submitted by Mr. Jacobsen.

DISCUSSION ITEMS:

1. UCLS proposal regarding law changes

The Board reviewed possible statutory amendments proposed by the relating to guidelines for creation of maps of boundary surveys established in Utah Code 17-23-17. The Board noted that there needs to be clarification regarding when a map of a survey needs to be filed with the county. The Board noted that such an amendment would impact all land surveyors, not just county surveyors. Mr. Oborn will research this for further review by the Board.

2. Investigation report, Wayne Jeppson

Mr. Oborn reviewed the statistics and investigated cases regarding professional engineers and professional land surveyors with the Board.

3. Continuing education requirements

Mr. Oborn advised the Board that he is still waiting to hear back from NCEES regarding other states' requirements for the number of hours of technical continuing education for engineers. The Board requested that this discussion take place at a future Board meeting.

4. Consideration of drafting guidelines for land surveyors regarding land marker issues

The Division was recently contacted by someone who recommended that drafting guidelines for land surveyors regarding land marker issues be outlined in more detail in rule. The guidelines are currently established in statute, not rule. To provide more detail in rule, the Legislature must grant statutory authority.

5. Update on rule amendments approved by the Board at previous board meeting

The Board approved some rule changes at previous Board meetings. Due to the possibility of changes to the statute coming during the upcoming legislative session, the Division will not move forward with

filing proposed rule changes until after the legislative session.

6. Consideration of statutory changes to land surveyor education requirements

Mr. Hill led the Board in discussing possible statutory changes to the land surveyor education requirement. Mr. Hill outlined how the changes would, over time, eliminate the possibility of fulfilling the land surveyor licensing requirement with an associate's degree. Beginning in January 2020, applicants would be required to verify completion of a bachelor's, master's, or doctorate degree in a land surveying program.

The Board noted that these changes will keep the education requirement consistent with the education requirement recommended by NCEES. Mr. Hill motioned for the Board to endorse the changes, seconded by Mr. Marsell. The motion carried unanimously.

Not on the agenda:

Mr. Richards advised the Board that he will be doing a newsletter for SEAU for February 2012. He will address issues relating to structural engineers.

Currently he plans to address professional courtesy, such as the importance of a licensed SE letting the person who designed a project know if there are concerns or problems with the design before making a formal complaint. Mr. Richards stated he welcomes input from the Board members.

Not on the agenda:

The Board noted that all members received a letter from Jerry Carter about a NCEES computer testing update. The last administration of the FE/FS exams in a paper/pencil format will be the October 2013 exam administration. The rule does not need to be changed to reflect the change to NCEES computer based testing.

The Board requested the following items be added to the March agenda.

1. Mr. Bennion requested that the Board discuss the role of the Board and DOPL in providing information about licensure to students at Utah schools

2. Mr. Richards requested that the Board discuss the use of electronic seals and electronic signatures in

final plans. Many municipalities are transitioning to requesting that all plans be submitted electronically.

Mr. Bennion requested that documentation relating to agenda items be emailed to Board members prior to the upcoming meeting.

Next Board Meeting:

March 21, 2012

2012 Board meetings have been tentatively scheduled:

March 21, May 16, July 18, September 19, November 21

ADJOURNED:

The adjourned at 11:23 A.M.

Note: This report is not intended to be a verbatim transcript, but is intended to record the significant features of what was discussed in the meeting. Discussed items are not necessarily arranged in chronological order.

March 21, 2012
Date Approved:

(ss) Norman Bennion
Chairperson, Utah Professional Engineers and
Professional Land Surveyors Board

March 21, 2012
Date Approved:

(ss) Richard J. Oborn
Bureau Manager, Division of Occupational and
Professional Licensing