



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

DATE: August 8, 2024
TIME: 8:00 a.m.
LOCATION: Crowne Plaza
Beacon Room
17338 International Blvd
Seattle, WA 98188

ATTENDANCE:

Board Members

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

Guest(s)

Rebecca Kim (via WebEx)
Edwin Huston

Staff Members

Ken Fuller, PE, Director
Kristina Horton, PLS, Deputy Director
Mackenzie Wherrett, Executive Assistant
Bryce Dickison, Administrative Assistant
Shanan Gillespie, Regulatory Program Manager
Jill Short, Investigations & Compliance Manager
Vonna Cramer, Licensing Lead
Greg Schieferstein, Communications Manager
Elizabeth Lagerberg, Advising AAG
Ian Shelley, DES, Senior Financial Advisor
(via WebEx)

1. Call to Order at 8:00 am

1.1. Roll Call

Ms. Lund took roll call.

1.2. Order of Agenda

A motion was made by Mr. Blaisdell, and seconded by Mr. Wengler, to accept the agenda as written. Motion approved.

Executive Session

Ms. Lund, Board Chair, announced that the Board would go into executive session to consult with the board attorney to discuss matters related to enforcement, and cases in current litigation. It was estimated the Executive Session would last from 8:04 a.m. until 9:30 a.m.

Open Session Reconvened – 9:30 a.m.

2. Call to Order Continued

2.1. Approval of the June 13, 2024 Meeting Minutes

A motion was made by Mr. Hendrickson, and seconded by Mr. Peden, to accept the June 13, 2024 Meeting Minutes as written. Ms. Jackson abstained. Motion approved.

- 2.2. Public Comment Opportunity
No Public Comment

3. Disciplinary Action

3.1. Case Deliberation

2024-03-0624-00ENG

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

2024-04-0935-00ENG

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

2024-05-1023-00ENG

Mr. Hendrickson recommended the case be closed with no further action. A motion was made by Mr. Blaisdell, seconded by Ms. Jackson, to accept the Case Manager's recommendation for closure. Mr. Hendrickson abstained. Motion approved.

2024-05-1305-00ENG

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

2024-06-1415-00ENG

Mr. Hendrickson recommended the case be closed with no further action. A motion was made by Mr. Peden, seconded by Ms. Jackson, to accept the Case Manager's recommendation for closure. Mr. Hendrickson abstained. Motion approved.

2024-05-1071-00LSV

Mr. Hendrickson recommended the case be closed following remedial counseling. A motion was made by Mr. Blaisdell, seconded by Ms. Jackson, to accept the Case Manager's recommendation for closure following remedial counseling. Mr. Hendrickson and Mr. Wengler abstained. Motion approved.

Discussion: Mr. Wengler recommended remedial counseling covering WAC 332-130.

3.2. Disciplinary Report

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

Discussion:

The Board discussed the new Discipline Timeline Report included in the [board packet](#). Mr. Wengler recommended removing case manager names from the report. Ms. Horton

suggested redactions. Ms. Short will adjust the report and bring to the Practice Committee.

4. Committee Reports

4.1. Executive Committee (EC)

The board received the committee's report as delivered by Ms. Lund.

- [8/1/2024 EC Report](#)

Discussion:

Mr. Blaisdell asked if staff can produce and place reports in one location for better accessibility. Ms. Wherrett will find a location in SharePoint for committee reports.

4.2. Structural Committee (SE)

The board received the committee's report as delivered by Mr. Peden.

- [8/1/2024 SE Report](#)

Discussion:

Mr. Wengler inquired if signal towers over 100 feet tall are considered a significant structure. Ms. Lund confirmed they are considered a significant structure and require a stamp from a structural engineer. Ms. Lund confirmed EQC will review the California Seismic Exam. Mr. Harney asked what actions and considerations EQC will have when reviewing the California Seismic Exam. Mr. Peden elaborated that EQC will look at logistics and ramifications related to adding a seismic exam for SE endorsements.

4.3. Survey Committee (SC)

The board received the committee's report as delivered by Mr. Blaisdell.

- [8/5/2024 SC Report](#)

4.4. Exam Qualifications Committee (EQC)

The board received the committee's report as delivered by Mr. Harney.

- [8/5/2024 EQC Report](#)

Discussion:

Mr. Hendrickson inquired about the application review process and if applications will be selected at random. Mr. Harney explained that Mr. Fuller and Ms. Horton will continue to review random PE and PLS applications weekly. Mr. Blaisdell asked if the EQC report could include the number of applications reviewed between each report. Ms. Cramer will report on the number of applications reviewed by board members in the EQC report. Ms. Lund asked the committee members to inform EQC if they become overwhelmed with application review.

4.5. Practice Committee (PC)

The board received the committee's report as delivered by Mr. Hendrickson.

- [8/7/2024 PC Report](#)

4.6. UK Mutual Recognition Agreement Task Force (UK MRA TF)

The board received the Task Force's report as delivered by Ms. Lund.

- [8/5/2024 18.43 TF](#)

Discussion:

Mr. Peden questioned how California's board is considering the UK Mutual Recognition Agreement. Ms. Lund explained California intends to exclude Structural Engineering licensure and continue to require their seismic exam for all PE Civil.

5. New Business

5.1. Approval of CR102 for WAC 196-16-120 *(from SC)*

Mr. Blaisdell delivered recommendations from the Survey Committee to change Professional Development Hours (PDH) units for Professional Land Surveyors based on results of audits and stakeholder feedback. A motion was made by Mr. Peden, seconded by Mr. Hendrickson, to advance the CR102 process for WAC 196-16-120. Motion carried.

Discussion:

Mr. Hendrickson suggested updating items 10 and 15, to cap PDH as they cover 'general worker practices' such as safety training. Ms. Jackson recommended changing verbiage in WAC 196-12 from 'the board' to 'BRPELS' as it's more specific to the agency. Ms. Lund elaborated that 'the board' is defined in WAC 196 and should be left as written. Ms. Horton and Ms. Short will continue audits.

5.2. Next steps for RCW 18.43 *(from PC)*

Mr. Hendrickson explained the board's decision on timing to advance 18.43 title use legislation. Changes won't be ready by the next legislative session. A motion was made by Mr. Blaisdell, seconded by Mr. Wengler, to revise the definition of Engineer as used in the chapter to add 'Professional' in front of Engineer and Land Surveyor throughout. Motion carried.

Discussion:

Mr. Fuller described the current timeline of changes regarding title use. Changes may occur next year, after the rulemaking for fee changes is complete. Ms. Lagerberg stated the board can ask for the AGO opinion regarding title use and recommended making minor changes to remove ambiguity. Ms. Lund asked PC if the 18.43 Task Force was still necessary. PC confirmed it was not. Ms. Lund, as Board Chair, dissolved the 18.43 Task Force and assigned any remaining tasks to PC.

5.3. Approval of Exam Policy *(from EQC)*

Mr. Harney presented the exam policy and recommended additional updates before it is ready for approval. The exam policy will be ready for the October board meeting.

5.4. Discuss Decoupling *(from EQC)*

A motion was made by Mr. Peden, seconded by Mr. Wengler, for EQC to review language in RCW 18.43 as it pertains to the way applicants are currently applying to the Washington board. Motion approved.

Discussion:

Ms. Lagerberg explained how other state boards use attestations with applications and described two types of application processes in decoupled states. Ms. Lagerberg advised changes to statutes may be needed to move forward with decoupling. The board discussed if not decoupled, should it recognize PE exams from other jurisdictions if the applicants lack 8

years of experience and education when approved for the exam.

5.5. US/UK Mutual Recognition Agreement *(from UK MRA TF)*

Ms. Lund confirmed the board will attend and participate in the UK MRA signing ceremony but not physically sign the MRA. The board will develop a policy after attending. Mr. Peden motioned, seconded by Mr. Blaisdell, for the board to agree to the MRA at the NCEES Annual Meeting and then develop a policy for accepting UK applicants. Mr. Peden, Mr. Hendrickson, and Mr. Blaisdell were in favor. Ms. Jackson, Mr. Wengler, and Mr. Harney were opposed. Ms. Lund, as the board chair, was opposed. Motion failed.

5.5.1. Presentation from Ed Huston

Ms. Lund introduced Mr. Huston and who provided perspective regarding the UK MRA, as a member of the Institution of Structural Engineers (IStructE).

Discussion:

Mr. Huston explained the complexities with UK engineers applying for a license in Washington State and demonstrating an understanding of Washington State codes. Mr. Blaisdell added that more importantly, the applicant must prove competency within their discipline. The board considered how engineers from other countries would respond if only UK applicants weren't required to take a PE exam.

5.6. NCEES Annual Meeting Motions and Direction

Mr. Peden motioned, seconded by Mr. Hendrickson, to grant Ms. Lund voting authority at the 2024 NCEES Annual Meeting. The designated backup will be Mr. Hendrickson as Vice Chair. Motion approved.

5.7. Potential Fee Increases *(from EC)*

Ms. Lund presented information about the agency's current fees and financial projections as provided in the [board packet](#). Ms. Lund explained that the board could add on-site fees to WAC 196-26A, clean up the WAC, and repeal WAC 196-30, or update fees without consolidating WAC 196-26A. Mr. Hendrickson motioned, seconded by Ms. Jackson, to repeal WAC 196-30, to proceed with the CR102 for full cleanup of WAC 196-26A, and to update renewal fees to \$128, late fees to \$64, and COA renewals to \$121. Motion approved. Staff to review changes to the WAC and present a clean version, with fee changes, to the executive committee.

Discussion:

Mr. Shelley stated general inflation and additional costs of new/reallocated positions are the two main drivers of consideration to increase fees and balance revenue long-term. Mr. Blaisdell inquired about a cost benefit for licensees if the board increases fees. BRPELS hasn't increased fees since 2002. The Department of Licensing (DOL) will be adjusting fees and updating fees at the same time as DOL, in POLARIS, and there may have a cost benefit to the board. Ms. Jackson emphasized transparency with constituents about fee changes.

6. Director's Report

6.1. Financial Report

Mr. Shelley was available for questions. The report was provided to EC and available in the [board packet](#).

6.2. Agency Operations

Ms. Horton gave agency updates regarding reallocations for licensing staff, a new management analyst position, and double filling the investigator position to prepare for the current incumbent's upcoming retirement. Staff are developing a new licensing approval process and have obtained legacy licensing system data from DOL. Ms. Wherrett informed the board of a deferred maintenance walkthrough on August 13, 2024, with DES as part of lease renewal. Ms. Wherrett added the agency is completing annual reporting. Ms. Wherrett reminded the board of the upcoming accountability audit in October – December 2024.

6.3. Other Items

None

7. Other Business

7.1. Additional Public Comment

No comments provided.

7.2. Upcoming Outreach and Events

- August 14, 2024 - Mr. Wengler to speak at Land Surveyors Association of Washington
- October 9, 2024 – American Public Works Association in Kennewick
- October 16, 2024 - Gonzaga Meet & Greet
- October 24 & 25, 2024 - WA-Association for Career and Technical Education in Grand Mound
- November 06, 2024 - On-Site Workshop at BRPELS office
- January 30-February 2, 2025 - Home and Garden Show in Tacoma

7.3. Board/Staff Affiliate Involvement

Mr. Chun Lau to receive an award for 'Distinguished Service' at the 2024 NCEES Annual Meeting. Ms. Lund will appear in a video for NCEES. Mr. Hendrickson was asked to join the NCEES Examination Policy and Procedures committee, the National Society of Professional Engineers' policy and advisory committee, AIChE's licensure and policy development committee, and the Washington Society of Professional Engineers elected him the Washington State delegate to the national board.

7.4. Action Items from This Meeting

- Ms. Short to bring the disciplinary timeline report to PC for review and adjustments
- Ms. Lund will direct EQC to review the CA seismic exam for logistics and ramifications, once the updated SE report is received
- Ms. Lagerberg to review recommendations from PC about title use and adding 'Professional' in front of Engineer and Land Surveyor as defined in chapter 18.43
- Board staff to send a SharePoint link for the 18.43 title questionnaire to the board members
- EQC will move forward with reviewing language for RCW 18.43, as it applies to our current trends in processing applications
- Board staff to move forward with fee increases (\$128 renewal, \$64 late fee, \$121 for COA renewal)
- Board staff to proceed with CR102 for WAC 196-16-120
- Board staff to proceed with CR102 of complete changes to WAC 196-26a, including repeal of WAC 196-30
- EQC to review comity applications to ensure applicants show knowledge of applicable

Washington State codes using an attestation, and possibly requiring a seismic exam for PE Civil engineer applications.

7.5. Agenda Items for Next Meeting

- Approval of Exam policy (*from EQC*)
- Select board meeting dates for 2025

8. Adjourn Meeting

A motion was made by Mr. Wengler, and seconded by Ms. Jackson, to adjourn the meeting at 3:49 p.m. Motion approved.

Next Meeting: October 16, 2024 – Special Board Meeting – Gonzaga University, Spokane, WA & WebEx

Respectfully submitted,

Ken Fuller, PE, Director