



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

BOARD MEETING MINUTES

DATE: August 12, 2021

TIME: 8:00 a.m.

LOCATION: Radisson Sea-Tac and WebEx

ATTENDANCE:

Board Members

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

Staff Members

Elizabeth Lagerberg, Advising AAG
Ken Fuller, PE, Director
Richard Larson, PLS, Deputy Director
Carmena Moretti, Executive Assistant
Jill Short, Investigations & Compliance Manager
Vonna Cramer, Licensing Lead (via WebEx)

Excused

Ivan VanDeWege, PE

1. Call to Order at 8:00 a.m.

1.1 Roll Call

Ms. Lund, Board Chair, took roll call.

1.2 Order of Agenda

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

1.3 Approval of Meeting Minutes

A motion was made by Mr. Hendrickson, and seconded by Ms. Gnanapragasam, to accept the June 17, 2021 meeting minutes as amended. Motion carried.

1.4 Review Correspondence & Communications

The Board reviewed an email from Mr. Marshall regarding PDH requirements for Land Surveyors.

1.5 Public Comment Opportunity

None provided

Executive Session

Ms. Lund, Board Chair, announced the purpose and estimated time 8:10 to 9:00 a.m. for Executive Session.

Open Session Reconvened – 8:57 a.m.

Executive Session

Ms. Lund, Board Chair, announced the purpose and estimated time 9:00 to 9:45 a.m. for Executive Session.

Open Session Reconvened – 9:45 a.m.

2. Disciplinary Action

2.1 Board Order – Agreement for Voluntary Surrender of License

2020-09-0912-00OSW & 2020-10-1289-00OW Sally Little, OS

On September 1, 2020 a complaint was received alleging Ms. Little submitted incomplete or inaccurate drawings to the County that required a number of resubmittals and the resubmittals did not address all of the reviewer's comments. The complaint also alleged Ms. Little was submitting designs with technologies that she was not familiar with and/or competent to do. On October 8, 2020 a complaint was received alleging Ms. Little designed an on-site septic system in 2007 but did not complete the as-built drawings. The complainant was unable to sell the property due to a Report of System Status (RSS) hold and had to hire another designer to complete the work.

The Agreed Order imposes the following sanctions:

- Ms. Little consents to the entry of this Agreement and has waived any right to a hearing.
- Ms. Little voluntarily surrenders her license to practice as an on-site wastewater treatment system designer in the State of Washington effective on the date of entry of this Agreement.
- Ms. Little agrees that she will not apply for licensure again as an on-site wastewater treatment system designer in the State of Washington.

A motion was made by Mr. Hendrickson, and seconded by Mr. Blaisdell, to accept the Agreement for Voluntary Surrender of License as presented. Motion carried. Ms. Gnanapragasam abstained.

2.2 Recommended Case Closures

2020-02-0122-00OSW

Ms. Gnanapragasam recommended the case be closed.

A motion was made by Mr. Wengler, and seconded by Mr. Blaisdell, to accept the case manager's recommendation for closure. Motion carried. Ms. Gnanapragasam abstained.

2020-03-0149-00ENG

Ms. Short presented the case for case manager, Mr. VanDeWege, along with his recommendation that the case be closed.

A motion was made by Mr. Hendrickson, and seconded by Mr. Peden, to accept the case manager's recommendation for closure. Motion carried. Mr. VanDeWege was absent during the vote.

2020-09-1136-00ENG

Mr. Hendrickson recommended the case be closed.

A motion was made by Ms. Gnanapragasam, and seconded by Mr. Blaisdell, to accept the case manager's recommendation for closure. Motion carried. Mr. Hendrickson abstained.

2020-09-1137-00ENG

Mr. Hendrickson recommended the case be closed.

A motion was made by Mr. Wengler, and seconded by Ms. Gnanapragasam, to accept the case manager's recommendation for closure. Motion carried. Mr. Hendrickson abstained.

2.3 Disciplinary Report

Ms. Short provided a summary of the Disciplinary Report that was included in the board packet.

3. Committee Reports

3.1 Executive Committee

Ms. Lund delivered the committee's report.

8/3/21 (Virtual Meeting) Discussion Topics

- Budget

Mr. Bitar provided a summary of last biennium's accounting.

Revenue \$3.9M

Expenditures \$4.7M

Account Balance \$933K

Mr. Bitar projects \$985K will be left in the spending account at the end of the current biennium. He will email a draft of the 2021-23 spending plan to Ms. Moretti so it can be included in next week's board packet.

Mr. Fuller asked about personal property insurance and Mr. Bitar offered to research and determine what is automatically provided by the state and whether BRPELS needs to purchase additional coverage.

- Board Meeting Pre-game/Agenda Review

The Committee reviewed and updated the draft of next week's board meeting agenda.

- Director's Report

Mr. Fuller and Mr. Larson provided a brief update on BRPELS' new office space.

- Charging for additional wall certificates

Ms. Cramer explained that she is still gathering data and asked that the discussion be postponed until the next meeting.

- Lean Process Improvement

Mr. Fuller and Ms. Gillespie gave a brief overview of staff's intention to use Lean principles to improve the quality of current work processes to ensure the agency is efficiently using its resources. Ms. Gillespie has a Lean Six Sigma Green Belt and will be leading the project, starting with Licensing's wall certificate procedure.

- Other

Ms. Lund informed the Committee that she will not be attending the NCEES Annual Meeting in New Orleans later this month and asked Mr. Hendrickson to be the Board's voting delegate. He agreed.

Action Items

- Mr. Bitar will email draft spending plan to Ms. Moretti. (completed)
- Mr. Bitar will research personal property insurance. (completed)

8/12/21 Executive Committee Meeting

Discussion Topics

- NCEES Annual Motion Recommendation
The Committee discussed a summary of NCEES 2021 Motions for Annual Meeting provided by Mr. Fuller, specifically ones that he identified as pertinent to the Board. The Committee agreed to recommend that Mr. Hendrickson be given full authority to vote on behalf of the Board at the upcoming NCEES Annual Meeting and approval to change votes as needed.
- Strategic Planning Review
The Committee reviewed the 2021 BRPELS' Strategic Planning Session Outline submitted by Mr. Fuller. The Committee requested the list be reprioritized by committee assignment and possibly by sub-categories as recommended by Ms. Lagerberg.
- Budget & Draft Spending Plan Review
Ms. Lund explained that Mr. Bitar provided a summary of the last biennium budget wrap up and the proposed 2021-23 spending plan at last week's Executive Committee Meeting and Mr. Bitar indicated there haven't been any major changes and it still looks like the ending account balance is going to be around \$939K.

The revenue and expenditure projections for the new biennium are still \$3.9M respectively and therefore Mr. Bitar expects the account balance to remain the same. Allotments were prepared based on \$3.9M of expenditures however the entire \$4.19M was allotted in case there was a future need to spend more without having to file exception reports. The extra \$300K was allotted at the object level to salaries; benefits; and goods and services.

The Committee decided to recommend the proposed 21-23 spending plan be approved by the Board at tomorrow's meeting. Mr. Fuller will notify Mr. Bitar of the Board's decision so the spending plan can be filed by the Friday, August 13th deadline.
- Director's Report
Mr. Larson informed the Committee that the A/V equipment has been scheduled to be installed in BRPELS' new office space.

Action Items

- The Committee will recommend Mr. Hendrickson be given full delegation to vote on behalf of the Board at NCEES' 2021 Annual Meeting.
- Mr. Fuller will reprioritize the Strategic Planning Outline by committee assignment and resend to the Executive Committee and staff for review.

The Committee will recommend approval of 21-23 spending plan and Mr. Fuller will notify Mr. Bitar of the Board's decision.

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

A subsidiary motion was made by Mr. Wengler, and seconded by Ms. Gnanapragasam, to give Mr. Hendrickson full authority to vote on behalf of the Board at the upcoming NCEES Annual Meeting and approval to change votes as needed. Motion carried.

3.2 Practice Committee (PC)

Mr. Hendrickson delivered the committee's report.

Complaint Summary:

Total Complaints Received **12**

Engineering Complaints 10

Surveying Complaints 2

On-Site Designer Complaints 0

Total Administrative Closures **7**

Engineering Closures 6

Surveying Closures 1

On-Site Designer Closures 0

Compliance Report:

Mr. Hendrickson reported there are two individuals on compliance monitoring (Richard Russum, PLS and Russell Bodge). Mr. Russum is currently in compliance with the terms of his board order. Mr. Bodge is currently out of compliance with his board order. Staff has been unable to contact Mr. Bodge after several attempts.

Action Items:

1. The PC reviewed WAC 196-25 and recommends the board approve moving forward with filing the CR-102 as amended.
2. The PC reviewed WAC 196-23 and recommends the board approve refiling the CR102 with specific changes to section WAC 196-23-020(5).

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

3.3 Exam Qualifications Committee (EQC)

The EQC did not meet since the last report.

3.4 Survey Committee

Mr. Blaisdell delivered the committee's report.

Discussion Topics

- State Specific LS Examination

Mr. Larson informed the Committee that a meeting has been set up with SMEs to go over newly written items for the exam bank, review what's already there, and then fill in the portions of the bank that still need work. Notification was sent to both groups that they're being tasked with reviewing the questions and coming up with angoff scores.

- Update of LS Examination SME Tasks

Goal: to confirm we have a valid state specific PLS exam for September 2021.

SME Tasks:

1. Answer each question in the exam and identify time duration of each question
2. Review each question and determine angoff score.
3. Identify acceptable questions
 - a. Ensure 3 distractors and the answer key are valid.
 - b. Detect incorrect questions/answers.
 - c. Identify typos and check for grammar.
4. Review comment sheets from Oct 2020 exam and identify questions/concerns and correct if needed.

Mr. Wengler explained that he and Mr. Blaisdell spent hours going through the item bank and mapping the items to the domains. Mr. Wengler said they want the SMEs to go through the existing questions to determine if they're still relevant or if we need to get rid of them. Then, new questions can be written to fill in the gaps.

Mr. Blaisdell stated the need for a virtually collaboration platform where board/committee members have access to exam materials, e.g. spreadsheets, exam statistics, correspondence etc. Ms. Cramer explained that all exam materials are shared via the Box, stored in SharePoint in addition to her maintaining paper copies of all exams and comment sheets. Mr. Fuller confirmed that he is working with WaTech on board member access to SharePoint, Teams, and M365.

- Items from 2021 BRPELS Strategic Planning Session

- Pathways to State Specific PLS Exam

Mr. Fuller stated this has been taken care of.

- Work with DNR on Survey Recording Act and associated WACs to determine the Board's regulatory direction for "intelligent interpretation" and other items.

Mr. Fuller explained that he and Mr. Larson have met with Mr. Beehler and Mr. Knuth at DNR to discuss and come up with a common understanding on topics such as monument removal, intelligent interpretation, and signature. Mr. Wengler stated that board members need to be in the loop and notified before these types of things are discussed or acted upon with other agencies or stakeholders.

- CR-102, Public Hearing WAC 332-130 revisions

Mr. Wengler shared some of his suggested comments to DNR WAC 332-130 as part of their current public hearing process. Mr. Wengler agreed to send his feedback to survey committee members and Mr. Larson for review and further discussion.

Action Items

- Mr. Larson and Ms. Cramer will notify SMEs to stop evaluating the PLS exam.
- Mr. Wengler to send his WAC 332-130 comments to Mr. Blaisdell, Mr. VanDeWege, and Mr. Larson.
- Mr. Blaisdell will work with Mr. Fuller and prepare a presentation for the October meeting on potential changes to the state specific exams in light of NCEES' EPS Committee moving forward with exam modules.

3.5 Structural Committee

The Structural Committee did not meet since the last report.

3.6 On-Site Committee

Ms. Gnanapragasam delivered the committee's report.

Mission of On-Site Committee Overview

Keep the regulations current; provide support to those on path to licensure, licensees and public agencies/jurisdictional bodies. Collaboration of Professional Engineers, Professional Land Surveyors and On-Site Wastewater Designers/Inspectors.

- WAC Revision
 - Start with WAC 196-32
- Individuals on path to licensure
 - Modules to help them become licensed
 - Mentoring/support
 - Formulate a "what's needed for licensure" pathway
- Licensees
 - Continuing education
 - Anything to do to keep complaints to a minimum
 - Mentoring of examinees to gain required exp. to obtain licensure
- Public agencies/Jurisdictions
 - Collaboration or assistance
- Outreach
 - New Designer assistance

- Mentoring of new designers/inspectors
- Growing the industry
 - Growing the licensee base

Action Items

1. Ms. Gillespie to send out WAC 196-32
2. Directory
3. Build industry footprint
 - a. Work with WOSSA
4. Review of meeting from 7/28/2021

4. New Business

4.1 Budget Spending Allotment Approval

The Board reviewed the proposed BRPELS' 21-23 Biennium Spending Plan submitted by Mr. Bitar.

A motion was made by Mr. Hendrickson, and seconded by Mr. Wengler, to approve the spending plan as presented. Motion carried.

Mr. Fuller will notify Mr. Bitar of Board's approval to file the plan.

4.2 WAC 196-25 Approval Request (from PC)

Ms. Short provided a brief overview of the proposed revisions to WAC 196-25. The PC recommended the Board approve the changes to the draft language.

A motion was made by Mr. Wengler, and seconded by Ms. Gnanapragasam, to have staff advance this content to CR-102 Proposed Rule Making process. Motion carried.

4.3 WAC 196-23 Approval Request (from PC)

Ms. Short provided a brief overview of the proposed revisions to WAC 196-23. The PC recommended the Board approve the changes to the draft language.

A motion was made by Mr. Hendrickson, and seconded by Mr. Wengler, to have staff advance WAC 196-23 Section 1 to CR-102 Proposed Rule Making process and for Section 020 3(d) and (5) remain with the PC pending further review. Motion carried.

4.4 Rule Making Report

Mr. Fuller presented the Rule Making Report provided by Ms. Gillespie.

4.5 NCEES Annual Meeting Motions

The Board discussed Mr. Fuller's summary of the NCEES' Annual Meeting Motions. Mr. Wengler expressed his concern with motion UPLG4 regarding removing field experience specific language from PLS experience.

5. Old Business

5.1 Review of Strategic Planning Goals

Ms. Lund stated that going forward, strategic goals will be a reoccurring topic at each meeting as a way to review and measure progress towards the Board's objectives.

Mr. Fuller agreed to separate and organize items by committee for the next meeting. He also said he would compile sticky note comments from the Strategic Planning Session and send them out.

6. Director's Report

6.1 Financial Report

Mr. Fuller informed the Board that Mr. Bitar filed the 2021-23 spending plan as instructed.

6.2 Agency Operations

Mr. Fuller let the Board know that he is working with WaTech to get members set up with M365 in the state's domain.

6.3 Other Items

Mr. Bitar signed off on the financial approval for a Communication Consultant 3 position and Mr. Fuller is working with HR on developing the position description.

Mr. Fuller informed the Board of the passing of Jim Coan, PLS and Ms. Gnanapragasam shared a few words about her experience of working with Mr. Coan over the years.

7. Assistant Attorney General's Report

Ms. Lagerberg reported that a meeting was held with members from BRPELS and the Architects Board to discuss Senator Honeyford's Request for a Formal AGO Opinion regarding stamping of engineer and architectural design documents. Ms. Lagerberg stated she will be typing up notes from the meeting and sharing them with the Board.

8. Other Business

8.1 Additional Public Comment

None Provided

8.2 Upcoming Outreach and Events

None Provided

8.3 Action Items from This Meeting

Board staff reviewed the Rolling Action Items List and added the following items from this meeting:

1. Mr. Bitar will email draft spending plan to Ms. Moretti.
2. Mr. Bitar will research personal property insurance.
3. Mr. Fuller will reprioritize the Strategic Planning Outline by committee assignment and resend to the Executive Committee and staff for review.
4. Mr. Fuller will notify Paul of board approval of spending plan.
5. Mr. Larson and Ms. Cramer will notify SMEs to stop evaluating the PLS exam.
6. Mr. Wengler to send his WAC 332-130 comments to Mr. Blaisdell, Mr. VanDeWege, and Mr. Larson.

7. Mr. Blaisdell will work with Mr. Fuller and prepare a presentation for the October meeting on potential changes to the state specific exams in light of NCEES' EPS Committee moving forward with exam modules.
8. Ms. Cramer will check with DOL regarding limiting applicant/licensees' ability to change name in Polaris.
9. Ms. Gillespie will file CR-102 for WAC 196-25.
10. Ms. Gillespie will file CR-102 for WAC 196-23 Section 1. (Section 020 3(d) and (5) back to PC for further review.)
11. Ms. Short will send current Case Manager Worksheet to all board members.

8.4 Agenda Items for Next/Upcoming Meetings

None Provided

9. Adjourn Meeting

A motion was made by Mr. Hendrickson, and seconded by Ms. Gnanapragasam, to adjourn the meeting at 2:07 p.m. Motion carried.

Next Meeting: October 21, 2021 – Special Board Meeting – TBD & WebEx

Respectfully submitted

Ken Fuller, PE, Director