



Oregon

**State Board of Examiners for
Engineering & Land Surveying**

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DRAFT
Minutes of Meeting
September 11, 2007

CALL TO ORDER

President Laszlo called the meeting to order at 9:00 a.m. in the Conference Room of the OSBEELS office at 670 Hawthorne Avenue, S.E., Suite 220, Salem, Oregon 97301.

Members Present:

Susanna Laszlo
Edward Butts
Grant Davis
Mari Kramer
Bob Neathamer
John Seward
Ron Stuntzner
Carl Tappert
Amin Wahab
Dan Linscheid (excused absence)

Visitors Present:

Scott Ashford
Marv Pyles, PE
Steve Tesch

Others Present:

Mari Lopez, OSBEELS Executive Secretary
Jennifer Gilbert, OSBEELS Executive Assistant
James R. (JR) Wilkinson, OSBEELS Investigator
Joanna Tucker-Davis, Assistant Attorney General

A moment of silence was held in remembrance of the lives lost from the September 11, 2003 terrorist attacks.

APPROVAL OF AGENDA

Mr. Stuntzner requested to add Item E. Certificate of Appreciation, under New Business. It was moved and seconded (Neathamer/Tappert) to approve the agenda as amended. The motion passed unanimously.

APPROVAL OF MINUTES

It was moved and seconded (Davis/Wahab) to approve the minutes, as distributed, for the meeting of July 10, 2007. The motion passed unanimously.

PUBLIC INPUT

There were no guests in attendance at this time. President Laszlo noted that guests would be arriving around 12:00 p.m. for the OSU Discussion.

EXECUTIVE SECRETARY'S REPORT

Committee Activities

Ms. Lopez reported that the Examinations and Qualifications Committee, External Relations Committee, Finance Committee, Law Enforcement Committee, Professional Practices Committee and Rules and Regulations Committee each met during the interim. The Committee minutes are included in the packets.

Administrative Activities

Oregon Specific Examinations

Ms. Lopez stated that there are currently 45 applicants scheduled to take the Oregon Specific exams in October.

ELSEES

Ms. Lopez reported that the arrangements for the October examinations are complete. Currently, there are 291 applicants scheduled to take national exams in Oregon and 303 scheduled to take exams outside Oregon. She also commented that ELSEES needed to secure additional space at the South Korean FE exam site because of the significant number of applicants from South Korea.

NCEES 86th Annual Meeting

Ms. Lopez reported that throughout the Annual meeting, several matters were voted on that may affect the Board and examinees, such as the structural engineering examinations. A motion passed to update the format of the SE I and SE II exams by creating a single examination that could be in use by April 2011. An NCEES memorandum dated August 31, 2007 was also provided with additional highlighted actions. She also announced that Jerry Carter was appointed as the new executive director of NCEES during the meeting.

Oregon Mechanical Officials Association

Ms. Lopez stated that members, Sue Laszlo, John Seward, Carl Tappert, along with AAG Joanna Tucker-Davis and herself, are scheduled to represent the Board on September 13, 2007 in Wilsonville at the Holiday Inn to speak in cooperation with representatives from the Architect Board to Building Officials and Senior Staff about the Reference Manual, the Law Enforcement process, and similar concerns each Board may face.

DAS and the State Treasurer's Office

Ms. Lopez reported that she will be attending a training opportunity, along with Ms. Gilbert, presented by the Department of Administrative Services and the State Treasurer's Office regarding payment collection methods on September 27, 2007. This training is designed for agency management looking to streamline the process of collecting funds.

Board Vacancies

Ms. Lopez reported that the Board has yet to fill the engineer position that was vacated by George Gross and no replacement has been found for Bob's position (land surveying).

Staffing

Ms. Lopez noted that temporary staff has continued to convert OSBEELS files to the new end-tab filing system since July of 2007. In addition, temporary staff is nearly complete with the proper disposal and recording of inactive licensing files. However, other projects included with this housekeeping are the disposal and recording of inactive microfiche and licensing index cards that have not yet begun.

In addition, the vacant Investigator positions (2) have not been filled. Ms. Lopez stated that further discussion concerning the budget for additional staff will take place during the October 2007 Finance Committee.

PRESIDENT'S REPORT

President Laszlo summarized the 2007 NCEES Annual Meeting held in Philadelphia, PA last month. She noted that the change in meeting format was more efficient. Items that required Member Board vote were presented and discussed. Previously, all activities of each committee were discussed.

President Laszlo touched upon the subject of as-built drawings related to the position statement presented by NCEES. Initially, four specific conditions were identified to assist the individual on when to certify a document. It was then determined that any one of the conditions could be met. It was recognized that sometimes a jurisdiction will request certification on an as-built, from the engineer. The issue, as it relates to land surveying, still needs to be addressed. She noted that the NCEES position discussed is essentially the same position the Board has recommended.

President Laszlo mentioned that the Board anticipated revenue and expenses very well with respect to the Western Zone meeting. The 2008 meeting will be a joint Western and Central Zone meeting held in North Dakota and a possible joint meeting again with the Central Zone in 2009 will be held in Canada.

FINANCIAL REPORT

Mr. Tappert reported that the Finance Committee met on August 3, 2007, to discuss the following matters:

Review of Current Financial Activity

Mr. Tappert stated that the Committee reviewed the financial activity of the Board. Mr. Stuntzner requested information presented in the board packets differ to ease understanding. Mr. Tappert stated that he would be spending time with staff regarding this matter.

Increase in Fees

Mr. Tappert reported that the Committee discussed the future increase in registration renewal fees. For additional consideration and discussion at the October committee meeting, staff has been requested to provide information regarding revenues lost from numerous exam administration changes and if possible, accounts receivable trend information. He stated that the information requested should contain an analysis of anticipated expenses for additional staff and any contracts the agency has in place.

Salary – (Investigator position)

Mr. Tappert reported that as a result from the recruitment for the Investigator position, the board initiated research to the possibility of developing its own classifications and salaries comparable to positions in other local government and the private sector. Ms. Lopez has scheduled a meeting with AAG Logan to discuss the Employee Handbook and will also seek additional guidance in possible options developing its own compensation packages. Discussion was held regarding this matter and the size of the task to consider the entire staff, or for the immediate time, the investigator position.

LAW ENFORCEMENT COMMITTEE

Due to the absence of Mr. Linscheid, Law Enforcement Committee members volunteered to present the Board report. The Law Enforcement Committee met on August 2, 2007, to discuss the following matters:

There were no cases reviewed during the August meeting.

Recommended Board Action

It was moved and seconded (Neathamer/Davis) to approve the Recommended Board Action. The motion passed unanimously. The Board authorized President Laszlo to sign a Final Order Incorporating a Settlement Agreement with Thomas H. Burton. The agreement resulted from an informal conference between the Committee and Burton to settle law enforcement case number 2462. Mr. Burton admitted to violations of ORS 672.025(1) and ORS 672.045, the unlicensed practice of land surveying, on two separate occasions. Mr. Burton agreed to a \$2,000 civil penalty and to provide the Board proof that he transferred all his pending land surveying work to a licensed land surveyor.

Miscellaneous Issues

Hearing Schedule for Ruben Martinez: AAG Joanna Tucker-Davis briefed the Board on the schedule for the revocation hearing of Ruben Martinez, PLS. A hearing in the Board office with an Administrative Law Judge has been scheduled for November 27-28, 2007. Mr. Martinez has retained legal representation. A discovery request by his attorney was received, processed, and sent. Next steps involve preparation of exhibits and witnesses. AAG Tucker-Davis also alerted

the Board that a settlement was offered. Mr. Martinez wants to avoid revocation. There was no further discussion.

Bellevue, WA, Crane Collapse: A brief discussion of a staff memorandum showed that OSBEELS played a supportive role for a Washington Board of Registration for Professional Engineers and Land Surveyors investigation into a Bellevue, WA, crane collapse on November 16, 2006. The Washington Board conducted interviews in the OSBEELS office on July 3, 2007, with Salem-based Morrow Equipment Co. employees who were involved in the leasing of the crane. Also under investigation is Magnusson Klemencic Associates (MKA). This Seattle firm employs two OSBEELS registrants who produced the design for the tower crane foundation, which is suspected of failure causing the collapse. Board members concluded that OSBEELS should be prepared to take action if the Washington Board finds that Oregon registrants were culpable in the collapse.

Practical Example of LIDAR use: A brief discussion related to a LIDAR example map by OTAK for the East Happy Valley Comprehensive Plan revealed continued concerns about the land surveying potential of the technology. While lot lines were depicted on the map, they were not in an authoritative manner. However, there is continued interest that LIDAR meets the land surveying definitions of ORS 672.005. Other members countered it depends on the project to which it is applied.

Dale Marx cases 2291/2425: The members discussed overarching options to seek payment for outstanding civil penalties. For Marx case 2425, the account will be turned over for collections.

Status of Expert Reviewer: Changes were made to the posted Request for Qualifications (RFQ). No expert reviewers have been used to date.

Darryl Anderson: Members briefly discussed Darryl Anderson inquiry regarding County Surveyors. The question is if County Surveyors are required to submit their records of survey to another County Surveyor for approval when they are practicing inside their county. It was determined to refer this question to the Professional Practices Committee.

The Locating Company: The Board discussed the Web site for The Locating Company. The Minnesota based firm offered to locate property monuments without restriction to location. Presumably, their services are available in Oregon. Staff was directed to continue the investigation.

Settlement Agreement Monitoring

2455 – Hammond: The Committee has a pending informal conference with David B. Hammond, PE, regarding the Notice of Intent to Issue a Civil Penalty for case 2455. Mr. Seward and Mr. Neathamer had agreed to meet with Hammond to accommodate his illness rather than requesting Mr. Hammond to travel to Salem. Mr. Wilkinson informed the Board that a letter was sent to Mr. Hammond outlining the options, but he had not responded. After discussion, staff was directed to contact Mr. Hammond to schedule the informal conference, no later than the next Committee meeting.

2408 – *Reece*: David Reece, PE, contacted the Board office regarding the status of his Grant's Pass project office. According to the settlement agreement to close case 2408, Mr. Reece was to either close the Grant's Pass office at end of project or hire a registrant in responsible charge. His EIT Geoff Vaughn passed the PE exam and will take over responsible charge of that office. Board members agreed that Mr. Reece had met the terms of his agreement.

Case Status Report

A discussion was held regarding the number of cases listed on the status report (37). It was observed that this was a number lower than what it has been historically. Mr. Wilkinson noted that the number of cases when he was first hired was around 66 and that number has been steadily reduced. However, there were eight new cases ready for entry. The discussion moved then to addressing the challenges presented by hiring a new investigator and the options to proceed.

PROFESSIONAL PRACTICES COMMITTEE

Mr. Tappert reported that the Professional Practices Committee met on August 3, 2007, to discuss the following matters:

As-built Plan Stamping

Mr. Tappert summarized the discussion held regarding as-built plan stamping.

Geodetic Control

Mr. Tappert reported that guest, William Baierski, PLS, presented the Committee with a letter regarding the Oregon Park and Recreation's intent to use GPS to establish horizontal and vertical control at parks statewide. The agency is currently in the process of spatially locating their physical assets to be applied to the agency's GIS coordinate system. The requirements causing concern are under ORS 209.005 and ORS 209.250. Clarification is being requested regarding "control points" and "geodetic points" and the setting of such points in relation to the necessity of filing a survey report according to ORS 209.025. The letter also contained several questions for the Board to consider in regards to a public agency or its' contractor performing a survey.

Mr. Tappert noted that the Committee asked if the agency was setting permanent monuments and Mr. Baierski responded that it depends on the location, but primarily using iron rods with plastic caps. For control, aluminum caps are set and for traverse points 60d nails are set. Mr. Tappert stated that the proposed survey fits the definition of geodetic control under ORS 209.250(5)(a). However, Mr. Baierski informed the Committee that the control points in this matter are for the agency to use with their GPS/GIS system and are not intended for general public use; control points set by the agency, which are also used by the public, are set consistent with ORS 209.250(5)(a). Staff was directed to draft a response with further review by Mr. Tappert, Mr. Stuntzner, Mr. Neatham, and Mr. Linscheid.

OSSC 1704.1.1 Special Inspections

Mr. Tappert summarized a discussion regarding a request for interpretation of whether a PE would be required to seal and sign a Statement of Special Inspections. Mr. Tappert reported that the Committee observed the Statement of Special Inspections as a checklist of completed reports

required and is not considered a final document that would necessitate the seal and signature of the engineer of record. A response was sent accordingly.

General Document and Electronic Media Release

Mr. Tappert noted that Committee held a discussion, as a result from the July Board Meeting, regarding a firm's contract that a PLS was required to sign in order to receive electronically released engineering and surveying documents. Concern was held regarding language that implied a registrant's stamp was being appropriated for another party's use. Mr. Tappert summarized the discussion held related to the difference in practice and answers towards the engineering aspect and the land surveying aspect. OAR 820-010-0622 – Modifying Designs or Documents Prepared by Another Professional authorizes such practice for the engineering aspect; however, filed records of survey can only be modified by an affidavit of correction. Once a record of survey is filed, it becomes a legal document. Mr. Tappert also stated that the future discussion regarding digital signatures may assist with this issue.

Official Seals

Mr. Tappert reported on the brief discussion held by the Committee regarding an inquiry of a water rights examiner seal. He stated the Committee observed that the seal was not an exact replica in size and style of Exhibit 1; font size too small and not in all capital letters.

HVAC System an Appurtenance?

Mr. Tappert briefly summarized an inquiry if the design of a HVAC system required a professional engineer for a non-exempt structure. As defined in the *Reference Manual for Building Officials*, a professional is required for the design of appurtenances to include HVAC systems.

Preparing a Record of Survey

Mr. Tappert reported that the outcome of this inquiry would be referred to the Law Enforcement Committee. The inquiry was regarding the setting of monuments while employed with a company that has since gone bankrupt. He further explained that the individual left the company prior to the completion of the project and did not file a record of survey for the company. The individual believed that the project was handed off to his successor. Mr. Tappert stated that ORS 209.250 requires a record of survey to be filed with 45-days of setting monuments. It was also noted that this topic should be included in a future newsletter.

Sealing of Naval Engineering Reports

Mr. Tappert summarized an inquiry that arose from a law enforcement case in which the respondent is a naval engineer not licensed in Oregon who produced a stability analysis of a vessel for an Oregon firm. He stated that there was discussion on the nature of naval engineering and the fact that the outcome is not a fixed works project. However, the U.S. Coast Guard evaluates boat designs and accepts engineering reports with a professional engineering seal affixed from any state under U.S.C.G. NVIC 10-92. Due to the unique circumstances surrounding this issue, Mr. Tappert reported to the members that the Committee urged the individual to consult an attorney for legal advice on matters outside the Board's jurisdiction.

Oregon Geologist Examiner Newsletter Article

Mr. Tappert reported to the members that an article in the June 2007 *Oregon Geologist Examiner* generated interest related to the scope of responsibility of a Certified Engineering Geologist (CEG). The article included the contents of the test required for certification as an engineering geologist in addition to the Oregon State Board of Geologist Examiners position on the scope of work a CEG may perform. The article is contradictory to an article that was written in conjunction with members of the Joint Compliance Committee (JCC). It was the understanding of the members from OSBEELS on the JCC that a CEG may provide input to the design only. The article written with the JCC will be included in the next Oregon Examiner distributed by OSBEELS. As a courtesy, Ms. Lopez will contact Suzanna Knight regarding this matter.

2007 Reference Manual for Building Officials

Mr. Tappert noted that it is the Board's turn to take the lead in producing the next Reference Manual for Building Officials. AAG Tucker-Davis mentioned she was not aware of any changes to the statutes that would affect the Manual. Any suggestions or requested revisions should be sent to Ms. Lopez.

Fire Protection Systems and Sprinkler Design

Mr. Tappert briefly commented that the Committee agreed to develop a strategy to work with building officials and fire protection contractors to enforce rules requiring a professional. AAG Tucker-Davis will also be updating an earlier opinion regarding the issue, but the conclusion remains that professional engineers should be preparing fire protection systems.

Digital Signatures

Mr. Tappert stated that he and Mr. Davis, Chair of the Rules and Regulations Committee will schedule a joint meeting to discuss digital signatures. Mr. Neathamer noted that he would be interested in attending the discussion. ASCE would also be interested.

EXTERNAL RELATIONS COMMITTEE

Ms. Kramer reported that the External Relations Committee met on August 3, 2007, to discuss the following matters:

Oregon Examiner

Ms. Kramer stated that articles for the newsletter were due by this meeting. The Committee also reviewed the design drafts submitted by the business hired to design and distribute the newsletter; staff would continue to consult with representatives regarding the final layout. She reported that discussion was also held in respect to the distribution of the newsletter. Due to rising costs of operations, the Committee recommends to distribute the newsletter via email. Therefore, an additional section will be included in the next newsletter to obtain the proper information for distribution via email. Future renewals will also request updated email information. Additionally, the Committee will refer revisions that include email address changes in OAR 820-010-0605 to the Rules and Regulations Committee for consideration. The Oregon Examiner will still be available for viewing on the board's Web site.

Articles for the next newsletter will be due at the January 2008 Board meeting. To assist with a timely distribution of future newsletters, the Committee developed a schedule to submit articles; January Board meeting for the Spring edition and July Board meeting for the Fall edition.

Website

Ms. Kramer reported that the Committee viewed and discussed the current OSBEELS Web site. To ensure the success of migrating to Oregon.gov, the Committee reviewed several portions of the Web site and further review and discussion will be held at the next meeting in October.

RULES AND REGULATIONS COMMITTEE

Mr. Davis report that the Rules and Regulations Committee met on August 2, 2007, to discuss the following matters:

“Suspended” Status

Mr. Davis commented that as a result from the discussion held related to the Policy for Conducting a Random Audit of registrants at the July board meeting, the Committee further discussed the “suspend” status. After consideration of initial information from the implementation of the Policy for Conducting a Random Audit of Licensed Engineers and Land Surveyors, along with additional discussion with AAG Tucker-Davis, who supported the previous information and summarized a legal analysis to the Committee, it was determined that implementing a rule to define the status of “suspend” is not necessary. It was moved and seconded (Seward/Davis) to approve the Procedures for Conducting a Random Audit of Licensed Engineers, Land Surveyors, and Photogrammetrists. The motion passed unanimously.

Policy Manual

Mr. Davis stated that the January 14, 2003 Policy Manual is not in use. However, a formal motion of the Board has not voided this publication. He reported that through the work of the various committees of the Board, along with former AAG Dahlin, policies contained in the January 14, 2003 Policy Manual related to the examination, licensure, and other board related internal processes were adopted as Oregon Administrative Rules. Since the change of administrators of the agency, effective November 2003, the Policy Manual dated January 14, 2003 has not been utilized. It was moved and seconded (Seward/Neathamer) to void, in its entirety, the Policy Manual updated on January 14, 2003. The motion passed unanimously.

The members also discussed other important matters related to procedures of the Board and where the information is contained. It was noted that procedures for the various committees should be updated and to continue the process with development of a formal Board handbook. The Board handbook would contain other information for the members related to administrative procedures, travel information, and AAG opinions.

Renewal Form

Mr. Davis briefly summarized the Committee’s discussion regarding the current renewal form. Ms. Lopez informed the Committee that, as a result of proposed rules and changes to statutes, AAG Tucker-Davis has been requested to review the form and information contained within prior to completing any revisions.

Review of Examinations

Mr. Davis reported that a minor change to OAR 820-010-0470 – Review of Examinations was requested. It was established from an April 2007 exam appeal, that an individual may submit a successful request for rescore within 5 points; not only within 2 points. The Committee drafted a revised version that was included in the packets and will be presented at the September 17, 2007, Rules Hearing.

OSU Discussion

Guests Marv Pyles, Steve Tesch, and Scott Ashford were in attendance to discuss various concerns related to applications and results for examinations, and surveying education. Ms. Kramer addressed concerns that OSU is confirming students will meet educational requirements as set forth in OAR 820-010-0225 and 820-010-0226, within the time period allowed in ORS 670.010 for entrance to the FE exams. However, several OSU examinees are noncompliant with ORS 670.020 due to the timing and process in which OSU confers the degree(s) to include the graduation date on the official transcript. Mr. Tesch explained the process in which OSU administration completes these records. It was further discussed that these requirements are outlined in statute and results for examinees not in compliance would be considered null and void. He informed the members that students are given the proper recommendation on when to sit for the exam, noting that to promote licensure, it is in the best interest to allow students entrance to the exams during their senior year. Ultimately, it is the students' responsibility to successfully complete coursework within the given timeframe.

The surveying education offered at OSU was also discussed. During the 2007 NCEES Annual Meeting, it was stated that Professor Schultz is the only tenured civil surveying professor left in the United States (for educational institutions without a surveying specialty). It was also stated at the Annual Meeting that Professor Schultz is close to retirement and the position will not be filled with a surveying person.

EXAMINATIONS AND QUALIFICATIONS COMMITTEE

Ms. Kramer reported that the Examinations and Qualifications Committee met twice in the month of August due to the different deadlines to accommodate applicants for the October 2007 examination. The first meeting of the Committee was held on August 3, 2007, to discuss the following matters:

Korean Professional Engineers Association (KPEA)

Ms. Kramer stated that the Committee reviewed a series of corresponding emails with regards to representatives from KPEA requesting to observe the exams administered in South Korea due to their interest with entering into a direct Memorandum of Understanding (MOU) with NCEES. This MOU would allow KPEA to offer and administer NCEES examinations through the Society of American Military Engineers, Korea Post (SAME) in South Korea. After discussion, the Board agreed to approve their request, subject to ELSSES procedures and rules.

The Exam Solutions Team (TEST)—Test Development Workshop Proposal

Ms. Kramer briefly summarized the discussion held regarding TEST, Inc. and the offer to provided consultation with the development of the Oregon Land Survey Law (4-hour) examination. She stated that the Committee concurred to continue the test development and grading through the established volunteer group.

Request for Refund

Ms. Kramer noted that the Committee approved a request to waive the \$80 delinquent fee due to an individual's deployment to Japan. There was no further discussion.

Pre-Registration Questionnaire

Ms. Kramer reported to the members that there are no provisions for applicants applying for registration by examination that require successful completion of a pre-registration examination covering questions on laws, procedures and practices in the State of Oregon. She stated that the Committee discussed several issues and concerns surrounding the expenses exhausted to distribute the large quantity of questionnaires for each administration, as well as staff time to grade the questionnaires received. It was suggested for the Board to possibly consider eliminating this requirement for exam applicants. However, after discussion, it was moved and seconded (Davis/Butts) to develop a rule requiring applicants applying for registration by examination to successfully complete a pre-registration questionnaire covering questions on laws, procedures, and practices in the State of Oregon. The motion passed, with one opposition (Neathamer). As provided in the Oregon Administrative Rules, comity, first licensure, and prior practice applicants will continue to be required to pass the pre-registration questionnaire.

Oregon Specific Exam Syllabus Discussion

Ms. Kramer reported that the Committee clarified the process of receiving and distributing exam syllabuses for Oregon Specific exams (Acoustical, Geotechnical, Forest, Oregon Land Survey Law, Washington Structural III, and Certified Water Right Examiners). To ensure applicants are given the appropriate information, the Committee concurred that the primary contact of each Oregon Specific exam volunteer group provides an exam syllabus to OSBEELS annually. Mr. Neathamer noted that the volunteer group for the Oregon Land Survey Law exam has scheduled a meeting and is prepared to comply with the Board's request.

Washington Structural III Exam

Ms. Kramer summarized the discussion held Committee with regards to the Washington (WA) Structural III exam. Particularly, the zero pass rates as well as the lack of refresher courses available in Oregon. To solicit input from Structural Engineers Association of Oregon (SEAO) to assist the Board in determining if the WA Structural III exam requirement is an appropriate avenue for individuals interested in obtaining registration as a professional structural engineer in the State of Oregon, SEAO will be invited to the next scheduled Committee meeting in October. To support Oregon examinees, the Committee is also interested in seeking assistance from SEAO to facilitate Oregon examinees in obtaining successful scores by offering a structural engineering refresher course locally.

Forest Engineering Exam Results

Ms. Kramer briefly summarized information provided to the Committee regarding the April 2007 Forest Engineering exam results. A letter was received from the Washington Board recommending that a cut score of 70 was scheduled for adoption during the July 2007 Washington Board meeting. Mr. Twiss will provide additional details of the Washington Board's decision. There was no further discussion since the Board previously determined that Board action is not necessary to provide examinees their results and ultimately, delays the information to the examinee.

NCEES Staff Changes

Ms. Kramer updated the Board regarding several staff changes at NCEES. Phyllis Fenno, Director of IT/Administrative Services resigned from her position with NCEES effective July 14, 2007, and Jerry Carter was appointed Acting Executive Director, replacing Betsy Browne, effective July 13, 2007.

Certified Water Right Examiner (CWRE) Test

Ms. Kramer updated the members with regards to the progression of the Memorandum of Understanding (MOU) between Water Resources Department (WRD) and OSBEELS. Several items of concerns related to the fees, CWRE test administration, appeals, and delinquent notifications were brought forth for additional clarification to assist AAG Tucker-Davis in developing the MOU. Further review and discussion will be held at the next Committee meeting in October.

Acoustical Examination

Ms. Kramer also updated the members on the progress of the MOU between the acoustical exam volunteer(s) and OSBEELS. She stated the Committee agreed with AAG Tucker-Davis that the MOU should not be in contract form. However, it should include ramifications for any issues that do not conform to the MOU. If the volunteer group does not comply with the MOU, applicants may be highly inconvenienced. Further review and discussion will be held at the next Committee Meeting in October.

Review of Comity Applications

Ms. Kramer summarized discussion held regarding several comity applications. Those approved by the Committee were included on the list to be approved for registration by the Board. She stated that staff sent correspondence accordingly to those who did not qualify.

Exam Applications

Ms. Kramer summarized discussion held regarding several applications for the October 2007 exam administration. Those approved by the Committee were admitted to the respective examinations. She stated that staff sent correspondence accordingly to those who did not qualify.

Review of Reapplications

During the first meeting of the Committee, Ms. Kramer reported that 14 re-applications from those who did not achieve a passing grade in their first and second written examinations were reviewed. Of the 14 reapplications reviewed, 9 were admitted to the October 2007 examinations

and 5 were denied entrance. She also noted that the Committee directed staff to provide a report after the exam administration to include the passing rates of those reviewed and approved.

Appeals in Process

April 2007 OR 4-Hour Exam—Benjamin Yanez

Ms. Kramer stated that Benjamin Yanez' appeal for the April 2007 Oregon 4-Hour examination was completed. Mr. Yanez' name has been included in the packets for Board approval. She also noted that an appeal is in process for John Heaton.

The second meeting of the Committee was held on August 24, 2007, to discuss the following applications:

Comity Applications

Ms. Kramer reported that the Committee reviewed 4 comity applications. Three of the applications were approved and included in the packets for Board consideration. She noted that staff has been directed to continue research on the remaining application.

Exam Applications

Ms. Kramer reported that the Committee reviewed 15 applications for entrance to the October 2007 exam administration. Of the 15 applications reviewed, 10 were approved for admittance. Staff was directed to send correspondence to the remaining 5 applicants.

Review of Reapplications

Ms. Kramer reported that the Committee reviewed 22 re-applications from those who did not achieve a passing grade in their first and second written examinations. All of the 22 reapplications reviewed were admitted to the October 2007 examinations. Sufficient information was submitted for review.

Licensure

Comity Applications – Ms. Kramer directed the attention of the Board to the list of 84 applicants for licensure by Comity. It was moved and seconded (Kramer/Stuntzner) to approve the list of 84 applicants. The motion passed unanimously.

Professional Land Surveyor Comity Application – Ms. Kramer directed the attention of the Board to the applicant for licensure as a professional land surveyor by Comity. It was moved and seconded (Kramer/Neathamer) to approve the applicant as presented. The motion passed unanimously.

Applications by Prior Practice – Ms. Kramer directed the members' attention to the list of 6 applicants seeking registration by prior practice. It was moved and seconded (Kramer/ Seward) to approve the list of 6 applicants as presented. The motion passed unanimously.

First Licensure Applications – Ms. Kramer directed the members' attention to the list of 5 applicants seeking first licensure registration. However, correspondence was received from an applicant's reference wishing to retract the prior recommendation. Discussion was held regarding the process on how to handle this request. It was determined that the matter would be

forwarded to the Rules and Regulations Committee for consideration regarding references to include clarification whether an applicant must provide positive references with an application. It was moved and seconded (Kramer/Davis) to remove applicant #2 from the list, for further consideration, prior to approval. The motion passed, with 3 opposed (Stuntzner, Tappert, Butts).

NEW BUSINESS

Joint PPC/RRC Meeting

Mr. Tappert and Mr. Davis, chairs of the Professional Practices and Rules and Regulations committees, will set aside time during the October committee meetings to jointly discuss Digital Signatures. Ms. Lopez will contact Ron Singh with further information.

Rules Hearing

The Rules Hearing has been rescheduled for September 17, 2007, to formally adopt or amend proposed rules. For the convenience of the members, a teleconference has been arranged.

Lind Letter

Correspondence was received from Ken Lind regarding a land surveying situation in the Wallowa-Whitman National Forest. After a brief discussion, it was determined that the matter would be referred to the Professional Practices Committee for discussion.

Holiday Lunch

Brief discussion was held regarding the annual holiday lunch. Since the annual holiday lunch is to show appreciation for Board staff, it was determined that staff decide the location. There was no further discussion.

Certificate of Appreciation

Mr. Stuntzner brought to the attention of the Board that Marv Pyles has committed much time and effort to the Board for various activities, including assisting with the development and scoring of the Forest examinations.

ADJOURN

The meeting was adjourned at 3:07 p.m.

NEXT MEETINGS

Next Board Meeting:

November 13, 2007

Next Committee Meetings:

RULES & REGULATIONS:	Wednesday, October 3 rd at 9:00 a.m.
PROFESSIONAL PRACTICES*:	Wednesday, October 3 rd at 10:00 a.m.
FINANCE:	Wednesday, October 3 rd at 1:00 p.m.
EXAMINATIONS & QUALIFICATIONS:	Wednesday, October 3 rd at 1:30 p.m.
EXTERNAL RELATIONS:	Wednesday, October 3 rd at 3:30 p.m.

LAW ENFORCEMENT:

Thursday, October 4th at 10:30 a.m.

Discussion related to Digital Signatures will be held during the Professional Practices meeting at 11:00 a.m., on Wednesday, October 3, 2007.