

Iowa Engineering and Land Surveying Examining Board

The Iowa Engineering and Land Surveying Board met on Wednesday, July 13, 2016 at 200 East Grand, Suite 350, Des Moines, Iowa. Board members present for all or part of the meeting: Rita Perea, Chair, Bob Fairfax, Vice Chair, Marlon Vogt, Jerry Shellberg, Laura Sievers, and Eric Green. Staff attending for all or part of the meeting: Luke Dawson, Assistant Attorney General; Robert Lampe, Executive Officer; Lori SchraderBachar, Site Manager; and Brandy March, Licensing Specialist.

Absent: Lisa VanDenBerg

Public present for all or part of the meeting: Mike Shamsie and Gerald L. Moughler

Chair Perea called the meeting to order at 10:00 a.m.

Roll call: Rita Perea, aye; Bob Fairfax, aye; Marlon Vogt aye; Jerry Shellberg, aye; Laura Sievers, aye; Eric Green, aye. Quorum was established.

AGENDA CHANGES

None

MINUTES

MOTION by Fairfax second by Vogt that the minutes of the May 19, 2016 open session meeting be approved as written. Motion carried unanimously.

MOTION by Green second by Fairfax that the minutes of the May 19, 2016 closed session meetings be approved as written. Motion carried unanimously.

CHAIR'S COMMENTS

Perea welcomed AAG Dawson who sat in for Barloon and welcomed the two public attendees.

SITE MANAGER COMMENTS

SchraderBachar stated this board meeting should be the last for March as the licensing specialist due to her promotion to EO for the Appraiser Board. Board members were encouraged to recommend anyone to the open licensing specialist position that is currently open.

ASSISTANT ATTORNEY GENERAL COMMENTS

None

EXECUTIVE OFFICER'S COMMENTS

None

PUBLIC COMMENT

Shamsie addressed the Board concerning a complaint that was filed and closed without formal charges. Shamsie requested the Board provide him with the definition of engineering practice and explain why the complaint was closed. Dawson recommended Shamsie to file a new complaint and provide the Board with the information he wishes them to review. Shamsie was advised that complainants are not provided appeal rights but he could continue to file multiple complaints if needed. The Board provided no comment due to the complaint being closed.

Discipline Committee (Shellberg)

Case #15-10 Discussion was held on the peer review report.

MOTION by Shellberg second by Fairfax that a civil penalty be imposed. Motion carried unanimously.

MOTION made by Shellberg second by Fairfax to enter closed session in accordance with Iowa Code §§ 21.5(1)(a) & (d) and 272C.6(4), the Board will go into closed session to review pending licensee discipline cases and investigations, including any cases ready for final resolution through closure or consent order. Roll call as follows: Perea, aye; Shellberg, aye; Sievers, aye; Fairfax, aye; Vogt, aye; and Green, aye. Upon the affirmative vote of all the members present, the board went into closed session at 10:13 AM. The Board returned to open session at 10:23 a.m. by motion of Shellberg second by Vogt.

15-07 Motion by Shellberg second by Fairfax to close case. Motion carried unanimously.

16-09 Motion by Shellberg second by Fairfax to find probable cause. Motion carried unanimously.

COMITY COMMITTEE REPORT

MOTION by Vogt to change the vote to approved, second by Sievers. Motion passed unanimously.	
Abdelmaneim, Mohamed	Approve
Martinez, M. H. Catalina	Approve

MOTION by Vogt to approve the following PE Comity applications slate, second by Green. Motion passed unanimously.			
Name	Branch(es)	Name	Branch(es)
Al Harash, Mohamed	Civil	Lane, Heidi	Civil
Bensingher, William	Civil	Levy, Joseph H	Civil
Britten, Jared	Electrical	Linville, Brandon	Civil
Carr, John S	Mechanical	Malmedal, Keith	Electrical
Catchpool, Alan	Civil	Mannor, Eric	Structural
Daw, Matthew	Civil	Marek, Matthew	Electrical
Ebeling, Michael W	Civil	Matzke, Daryl	Civil
Farrell Jr., Thomas S	Electrical	McCullough	Mechanical
Farrell, Jonathan	Environmental	Myers, Jason	Civil
Figard, Travis	Civil	Parkins, Geoffrey T	Civil
Fleck, James K	Mechanical	Petersen, John G	Civil
Flood, Brian	Civil	Peterson, Daniel	Mechanical
Franklin, Adam	Mechanical	Ringelstetter, Thomas E	Civil
Fricke, James	Electrical	Sayler, Travis	Civil
Graham, Eric T	Civil	Scalese, Thomas	Mechanical
Grasley, Steven	Architectural	Schmoll, Gus	Structural
Hanson, Adam	Civil	Smith, Christopher	Civil

Hermanson, Russell	Civil & Structural	Somsy, Sara	Civil
Hetro, Christopher	Electrical	Staroski, Nicholas	Structural
Johnson, Matthew A	Civil	Starrett, Brian W	Structural
Karnatz, Kurt	Mechanical	Stephens, Troy Michael	Civil
Kibler, Scott	Civil	Strodtman, Loren	Mechanical
Klenner, Andrew J	Civil	Surdock, Lynn	Electrical
Knopp, Jonathan R	Structural	Tilbury, Clifford	Mechanical
Kohlman, Justin D	Electrical	Van Patten, Matthew R	Civil
Kohut, Matthew	Civil	Walker, Jesica	Structural
Krahn, Tyler	Civil	Weichel, Corey	Civil

RECONSIDERATION

MOTION by Vogt to approve the following comity application, second by Fairfax. Motion passed unanimously.	
Bassi, Ravinder Singh	Civil

MOTION by Vogt to approve the following comity application, second by Sievers. Motion passed unanimously.	
Nohr, Ronald W	Civil

COMMITTEE REVIEW

MOTION by Vogt to approve the following comity application, second by Sievers. Motion passed unanimously.		
Jalla, Maharaj	Civil	Approve

MOTION by Vogt to approve the following comity application, second by Fairfax. Motion passed unanimously.		
Penescu, Horatiu	Electrical	Approve

MOTION by Vogt to defer the following comity application, second by Fairfax. Motion passed unanimously.		
Robinson, Jonathan	Structural	Defer

FLS EXAM APPLICANTS

MOTION by Vogt to approve the following FLS exam application, second by Green. Motion passed unanimously.	
Schneider, Joshua E	Approved

PLS COMITY APPLICANTS

MOTION by Vogt to defer the following PLS comity application, second by Fairfax. Motion passed unanimously.	
VanDrese, Sheldon	Defer

MOTION by Vogt to defer the following PLS comity application, second by Green. Motion passed unanimously.	
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Murphy, Jonathan	Defer
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MOTION by Vogt to defer the following PLS comity application, second by Green. Motion passed unanimously.

Sloan, Rhett	Defer
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LEGISLATION/RULES COMMITTEE

Vogt stated the rule revision committee is going well and highlighted on the accomplishments from last week's meeting. Discussion was held on changes to the new law pertaining to surveying, Chapter 4 regarding the FE exam requirements, Chapter 4 regarding changes to reflect the upcoming computer-based testing, updating the experience requirement for the exemption from taking the FE exam. Vogt and Lampe are to check on the model rules prior to making changes to the FE exam requirements.

Vogt requested Barloon review Code concerning the window for comity applications prior to 1998.

Vogt stated the SLSI board met regarding the proposed rule changes. SLSI had no objections on the changes. However, the changes will be reviewed again for comments.

Discussion was held on changes that may require legislative changes before the rules could be amended. Board members are to provide Vogt with comments on the changes so that a final proposal can be presented.

Vogt stated the Board will start looking at Chapter 7. Barloon was given the task of determining if Board members or peer reviewers could be awarded with PDH credit for their work either in addition to or in lieu of a monetary award.

Discussion was held on whether or not changes to the rules is needed to specifically state Board Member PDH audits are to be done or if current practice is enough.

The next Rules Committee is to be held on August 12, 2016.

OLD BUSINESS

Waiver #16-02

Lampe reported that the waiver denial has been sent to the applicant.

NEW BUSINESS

NCEES Exam Report

Lampe reviewed the NCEES Exam report printed on June 1, 2016.

NCEES Annual Meeting Motions Review

Lampe stated Board needs to know how they wish to vote at the meeting prior to attendance as Board business cannot be discussed during the conference. Discussion was held pertaining to the vote, options the Board has on becoming a discipline specific state, and criteria for structural engineers to practice in Iowa.

Motion by Vogt to authorize the voting delegate to carry the Board's position on the resolutions with the freedom to participate in the dialogue at the NCEES Annual Meeting and take into

consideration the discussions and any amendments to the resolution before casting the vote on behalf of the Board.

Seconded by Sievers.

VOTE: Aye: all Nay: None Abstaining: None

Motion passed unanimously.

NCEES Annual Meeting Advisory to Attendees

Dawson advised the Board that there will be a quorum of the Board present at the NCEES Annual Meeting and that the Board must refrain from communicating on Board business or engage in anything that may appear to be Board business.

ADJOURN

Meeting adjourned at 11:52 a.m.

These minutes accurately reflect the minutes approved by the Board at the meeting on July 13, 2016.

Pita Peria
Chair
September 8, 2016
Date