



IDAHO SOCIETY OF PROFESSIONAL LAND SURVEYORS

**Minutes
Board of Governors' Meeting
February 27, 2024
Shoshone-Bannock Hotel
Chiefs Event Center, Fort Hall, Idaho**

1:00 pm – Board Meeting

- 1. **Call to Order:** (Ballard) Guests: Keith Brooks, Jessica Spoja, Rayce Ruiz, Kenny Roberts, Evan Page, John Russell (High Country), George Yerion

Proxy votes: Eric Stricker for Jerry Hastings

2. Meeting Minutes

December 2 Meeting Minutes have previously been approved by the Board.

- 3. **Conference 2024 – Registration Numbers & Program Update** – 215 total attendees so far

4. Committee Reports

Internal Marketing Committee reports

- **2024 Membership Update** (Morgan) – Details will be provided in Steve Frisbie’s report at the annual meeting. Overall membership is up 32% over this time last year. PLS membership is up 25%.
- **Gem State Surveyor (GSS)-** (Beckstead)
 - a) **Appointment of New GSS Editor – Ballard –** Hagen is stepping down from his position after many years of service. Austin Ishino is interested in taking over this position. MOTION BY JOHN ELLE TO APPOINT AUSTIN ISHINO AS THE NEW EDITOR, SECOND TO THE MOTION BY BRIAN ALLEN, WITH ALL IN FAVOR AUSTIN IS APPROVED.

External Marketing Committee reports

- **Legislative Update** - The issue of monumentation of easements IC 51-1227 and the 2016(?) IPELS board opinion keeps coming up as a

Attendance:

President Aaron Ballard
Vice-President Brian Allen
Treasurer Steve Frisbie
NSPS Stewart Ward
YSN Adam Thayer
WFPS Austin Ishino
Past President Jeremy Fielding
GSS Editor Hagen Beckstead
Section Directors:
Clearwater (vacant)
~~D. Thompson Tyson Glabe~~
Eastern John Elle
High Country (inactive/vacant)
~~Magic Valley Freddie Garcia~~
Big Wood Bruce Smith
~~Northern Kevin McGuire~~
Sawtooth (inactive/vacant)
Southwest ~~Jerry Hastings~~ Eric Stricker

IPELS Glenn Bennett,
Tom Ruby
Darren Leavitt (ISU)
Patty Morgan, Executive Director



IDAHO SOCIETY OF PROFESSIONAL LAND SURVEYORS

major issue for surveyors and plat reviewers, maybe we can get a few suggestions and direction for the legislative committee to start looking at possible solutions. – Brian Allen: Suggest we get the legislative committee active again. We may need to carry this in the future. We do need to reinvigorate our formal legislative committee. There is guidance on the IPELS website for those interested re: how to interpret the laws and rules. Action: Post a link with minutes for members. Kenny Roberts discovered a few plats where this was a concern. Developers come into the city and when there are discrepancies between the city and IPELS, Kenny recommends abiding by the city's position. Even the IPELS board agrees it's almost impossible to follow exactly. It's very vague. It all comes down to being able to find the easement. If you have a monument that is buried, how do you find it versus a power line or a road. Idaho Falls owns its own power, fiber, water and sewer companies which all deal with easements. Only a legislator or judge can relieve code – a city staffer cannot.

In the last legislative session Brian found out there was a change in 50-304 – regarding petroleum easement. Tom Judge: Several county surveyors got together and agreed it's fairly vague. George Yerion compiled a good policy for county surveyors to adopt which would give consistent expectation re: what is needed to satisfy the statute. They are still discussing his recommendations and will forward to the BOG for movement. The City of Idaho Falls has a higher standard than the state. Kenny would like to see this come to fruition with the best common sense solution for the public with the least negative economic impact. He does not want to see this managed by AIC, this should be directed by ISPLS. Is this perhaps an interpretation issue? It comes down to common sense. It may be wise to have the legislative committee look at this even if they decide to defer. Aaron – we will discuss as a board and pose the question to DOPL to address at one of the IPELS Board Meetings. It is imperative that, regardless of where this originates, it becomes a surveying issue and ISPLS does address it. George Y – sometimes it does come down to interpretation. Therefore he leans on the ISPLS Standards of Practice document, that's where he looks first. Jessica S: Anytime the board issues an opinion, it's merely an opinion or interpretation of the law. Is the law explicit enough so that folks know what the requirements are? What is ZBR? It's only rules, this however is law or statute, if there are changes that have to be made it would have to be done through the legislature. Hagen – Just because Idaho Falls brought this up, doesn't mean it's not an issue elsewhere in the state or it couldn't be in the future. Right now we're aware of it in Idaho Falls but that doesn't mean it's just an IF problem. Second, how do we go about legislative matters? If we need a lobbyist and don't just want to kick it to the board. What power do we have to create legislative changes? We need to be looking at this as one example of how we need to have a voice at the legislative level. John E- it's an education issue, to educate surveyors about the law and how to do their work. Through the legislative committee or standards committee we could initiate discussions at the section level to educate



IDAHO SOCIETY OF PROFESSIONAL LAND SURVEYORS

members. We could create some sort of policy statement to distribute to members as an educational tool. Eric- for this to go anywhere we need to secure a lobbyist. Yes, everyone agrees that we do need to secure a lobbyist. Mike Kane has agreed that if we have a need for a lobbyist on a specific project he could work with us. Brian – We as a board need to decide is it a problem, is it worth looking at, what are suggested solutions and then move on. Where do we funnel this to, a legislative committee? Tom R – there's more than one reason ISPLS needs a lobbyist, to have someone watching each legislative session and to notify you when others are carrying legislation that could be harmful to our profession. MOTION BY JEREMY FIELDING FOR THE BOARD TO DIRECT THIS ISSUE TO THE LEGISLATIVE COMMITTEE TO SEE WHETHER FURTHER ACTION NEEDS TO BE TAKEN, THE MOTION WAS SECONDED BY JOHN ELLE, WITH ALL IN FAVOR THE MOTION CARRIES.

- **IDOPL Update** (Bennett) - Still going through ZBR Review, the next one is March 14, all are invited to attend either in person or virtually. They believe that IPELS has too much money, it's being discussed in the legislature to take \$159,000 out of the fund. This is money that has been paid by licensed surveyors. Contact legislators if you think this is wrong, perhaps adjusting renewal fees or licensing fees may be a better option. Yesterday the board had a 2 ½ hour executive session to go over complaints. There were 7 complaints that had lapsed and they are asking complainants to refile. There were half a dozen dismissed as unfounded and a few moved for more information. They discussed State-specific exam questions, the state found they could not test for juris prudence. The part of our exam that dealt with state code is no longer part of the test. DOPL found that because this is what the statute states they will not test for it. The only way to amend this is through legislative action. If the survey community believe it's important for licensees to know state code and statute we need to work with legislators to do so. 67-9409 is the code we need an exception to, subsection 4 Universal Licensure Occupational Licensing Reform Act. We heard about it from licensees taking the exam. DOPL was directed by the former executive officer to remove the questions. Any changes we need or want in state statute need to come through the legislative process, IPELS can't do anything.
- **Standards of Practice** (Allen) - *Attachments – See *Below*
- **Education Committee** (Elle) -
 - a) **Scholarship Committee** (Thayer) – The Auction is Thursday, come and support it. Next round will be due June 1 for the upcoming school year. John Russell – the program has grown, many folks worked diligently to build up that endowment. It's a great success story.



IDAHO SOCIETY OF PROFESSIONAL LAND SURVEYORS

- **Administrative Committee**

- Treasurer's Report (Frisbee) - *Attachments – Steve – we have moved all funds into dedicated accounts at Westmark Credit Union. We have checking, savings, Scholarship fund and CD. We added \$70,000 to that CD in September and have earned \$1,100 in interest. As of today, we have \$356,400 in all accounts. In December we voted to move existing scholarship funds to the new dedicated account. The funds from the 2023 auction and 2024 auction will be transferred to the Scholarship fund after this year's event has cleared, and 2024 scholarships have been funded.
- Policy Document Updates (Elle) –
 - Bylaws Vote by Members – Approved draft has been distributed to members for an approval vote on Wednesday.
 - Regarding a policy update, John Elle will write a policy for how to take care of scholarship monies. At the end of the Conference we should know what the numbers are so we can create our budget for the next year. John will take a stab at creating a policy for this. Brian – yes, John put this together and we can approve in June at the board meeting.
- Approval of the SPSC Guiding Document - *Attachments – The SPSC Guiding Document was sent to the Board for review, the clean copy has been shared for vote approval. MOTION TO APPROVE THE STANDARDS OF PRACTICE COMMITTEE GUIDING DOCUMENTS BY JONE ELLE; THE MOTION WAS SECONDED BY STEWART WARD, WITH ALL IN FAVOR THE MOTION CARRIED.
 - **Approval of Standards Document** – Action Item – THE SPSC has made many updates since the last version two years ago, it's pretty well up to date with the addition later perhaps of the pipeline update. Basis of Bearing is updated, all of the legislative changes two years ago have been made as well as editorial updates. The Board has the authority to approve revisions. The committee is looking for a couple of other members. The document is easier to navigate than before, if you see any needed changes get them to the Standards Committee to review and act on. We want this to be a good quality reference resource. The SPSC is set up on the website to address questions. MOTION TO APPROVE THE CURRENT VERSION OF THE STANDARDS OF PRACTICE WAS MADE BY JEREMY FIELDING, SECOND BY ADAM THAYER, WITH ALL IN FAVOR THE MOTION CARRIES.

5. **ISU Surveying and Geomatics Engineering Technology Program Update** – (Leavitt)
– Enrollment is up, the largest enrollment increase is due to academic certificate.



IDAHO SOCIETY OF PROFESSIONAL LAND SURVEYORS

Whatever number of credits your state of licensure requires, ISU offers a “variable credit” certificate. 160 students enrolled in various stages of the program, about 22 different states are represented. Lots of folks are getting their degree in Idaho, they return to get the 30 credits and get licensed here. They offer in person, online and hybrid options. Every state is different with what they require, ISU has flexed and this has put them on the map as a leader together with University of Maine. 85% of students are full-time employees taking classes part time. They have been able to be creative in how they treat incoming students’ transfer credits. Annual Tech Expo is March 14, there will be 3,000-3,500 students from the region, high school students that spend part of the day at the expo. It’s the largest recruiting event they host. They have a STEM night the night before for elementary school age up and their parents. The line is out the door. They will be taking 7 students to NSPS and the Young Surveyors Network event. Both Programs in Idaho placed in their divisions last year. ISU is also teaching classes at Flathead Valley Community College because they lost their instructor, they service those students online. Students are here at this event to help. They will bring their resumes to share. There’s a donation letter they have put together, if someone donates more than \$500 they put their logo on the back of their shirt. Darren will be retiring, this is his last semester. Last year the program graduated (any type) including certificates and degrees 43; prior to that 5 on a good year. Most are the academic certificates. Jeannie will fill Darren’s role after he retires.

6. **Report on ISU TAC Meeting, February 7** – (Bennett) – Technical Advisory Committee met. Beginning with Fall 2023 semester students will be required to take the FS Exam. They don’t have to pass it they just have to take it. They will be getting broad-based exposure to a variety of professional software programs. Retention rates have begun to decline. May have more to do with the fact that most of the students already have a full-time job. Some students take a semester off now and then, not true numbers. And it’s a small pool. Graduates have 100% job placement, starting wage between \$30-\$35 per hour. Since most students have already been working they are probably already progressing up the pay scale. These are specifically 4-year students. They will be inviting some reps from Federal agencies to be on the committee along with a rep from Future Surveyors. Darren – none of this success would be possible without mentors from ISPLS.
7. **WFPS Report** – (Ishino) – Next meeting is in March in Las Vegas. Arizona, CA, New Mexico, Nevada and Wyoming are all attending. WestFed does have a resolution that they have created in support of continuing education. Colorado is facing the opposite challenge, they don’t have continuing education but they are trying to implement it. John – Does WestFed still sponsor the TWIST program? No. WestFed has the Fundamentals of Surveying where they can offer someone to help pass the FS Exam for \$200 if you are a member state. They will kick back \$50 of that fee to the ISPLS. They also have the Steve Parrish Continuing Education Library, 18 hours of webinars. Members get WestFed pricing. Hagen – if WestFed has any marketing materials for the



IDAHO SOCIETY OF PROFESSIONAL LAND SURVEYORS

above we should include that in GSS.

8. **Young Surveyors Report** – (Thayer) – On Wednesday night along with the Cornhole event the YSN will have a social event. The ISU students will be hosting, everyone is welcome. Adam will attend the NSPS Young Surveyors meeting in DC and be with the ISU students for the competition.
9. **NSPS Report** – (Ward) – Next meeting is the end of April in D.C. ISPLS has been a sustaining member of NSPS for several years, used to be \$250. They recently increased that amount to \$500/year. Because it doubled in cost do we continue that support? It goes towards meetings, meals etc. it's basically a state sponsorship. Not much else because it's in between meetings. Next meeting they will discuss the NCEE Model Law Model Rule language. There was a special meeting in December and they voted to table it until the spring meeting. There were some proposed language changes to model rule and model law at the NCEES level that was initiated by a different group, but brought to NSPS. There will be a final vote on whether NSPS supports that language. **MOTION: IT WAS MOVED BY ADAM THAYER TO CREATE A SUSTAINING BUDGET ITEM OF \$500 AS A SUSTAINING MEMBER OF NSPS BEGINNING WITH THIS YEAR; THE MOTION WAS SECONDED BY JOHN ELLE, WITH ALL IN FAVOR THE MOTION CARRIED.**

Glenn – a lot of the complaints that have been fielded by the IPELS Board have been related to trespass. Go back to your Sections, educate members that when they hang door signs take a photo as proof. Get proof of the letters. They were all complaints that probably started with another complaint topic, trespass is a tool the public has learned they can use. Right of Entry is a valuable asset we have, if they take that away we'll never get it back. Be vigilant. Another problem is setting monuments in conflict with another conflict and not notifying property owners. Tom – It's a business risk decision but you have to understand the penalties. If you haven't notice the property owner, you are in conflict with the trespass law. If you have a shovel in hand, you are now in criminal trespass. Every time you go onto the property you should provide notice. Go back to Sections and tell everyone to tighten up your practice. The fine is \$500-\$1000 and potentially includes jail time.

10. New Business –

- **Address our 5-year goals and assess progress – what has been accomplished, what needs to be addressed in the near future.** – We will revisit in June.
- **Discussion of Nominees for IPELS Position –move to Executive Session for board discussion** – **MOTION: IT WAS MOVED BY JOHN ELLE TO MOVE TO EXECUTIVE SESSION, THE MOTION WAS SECONDED BY STEWART WARD, WITH ALL IN FAVOR THE BOARD MOVED TO EXECUTIVE SESSION.**



IDAHO SOCIETY OF PROFESSIONAL LAND SURVEYORS

MOTION: IT WAS MOVED TO EXIT EXECUTIVE SESSION BY JEREMY FIELDING, THE MOTION WAS SECONDED BY JOHN ELLE, THE BOARD MOVED BACK TO THE MEETING

MOTION: IT WAS MOVED BY JOHN ELLE TO FORWARD THE THREE CHOICES FOR IPELS BOARD MEMBER TO BE DUSTY OBERMEIER, GEORGE YERION AND RODNEY BURCH; THESE NAMES WILL BE FORWARDED TO THE GENERAL MEMBERSHIP FOR ELECTRONIC APPROVAL VOTE. WITH ALL PRESENT IN FAVOR, THE MOTION CARRIES. The votes will be tallied, then our recommendation will go to ACEC and ISPE for information. Then the letter of support will be forwarded to the Governor's Office. Deadline for this membership vote is March 8

Meeting adjourned at 6:20 p.m.

11. Next Meetings:

- Virtual – Saturday, June 1 – 9:00 a.m. –
- September?
- December?
- 2025 Annual Conference February 2-5, 2025, Riverside Hotel, Boise
- 2026 Annual Conference TBD