

# The Oregon Examiner

PUBLISHED BY THE OREGON STATE BOARD OF EXAMINERS FOR ENGINEERING & LAND SURVEYING

Fall 2019

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## Board Selects Jason Barbee to be New Administrator

At its September meeting, the members of the Oregon State Board of Examiners for Engineering & Land Surveying (OSBEELS) selected Jason Barbee to be the Board's next Administrator. Barbee joined the agency after serving as the Unemployment Insurance Division Deputy Director for Policy and Operations with the State of Oregon's Employment Department. He started with the Board on October 1.

Barbee brings over 11 years of management experience with the State of Oregon, and has a track record of successfully leading programs and departments.

"It is an absolute honor to lead this agency, which has such an important role to play in the safety and wellbeing of the public," Barbee said in regards to his selection as the Board Administrator. "I'm looking forward to learning from the Board, the staff and the stakeholders to make sure we provide the best possible services and resources to our state registrants and members of the public."

In his new role with the OSBEELS, Barbee will oversee the day-to-day operations of the agency and serve as

a Board representative to external state departments and professional organizations, among other responsibilities.

"The Board is very excited to have Jason step into the Administrator position. Jason's skill set in leadership, management, and policy development are well suited for the OSBEELS in achieving its mission to protect life, health, and property." stated Board President, Daren Cone, the hiring of Barbee.

Barbee earned his Bachelor's Degree in Accounting from the University of Oregon before joining the state as an Income Tax Auditor with the Oregon Department of Revenue. Barbee remained with the Department of Revenue until 2013, gaining management experience and expanding his role within various tax programs, before transitioning to the Oregon Employment Department. He has been the Unemployment Insurance Division Deputy Director since 2015.

In his capacity as the Deputy Director, Barbee developed program policies, participated in strategic planning, assisted with the Division's \$124 million biennial budget preparations, and oversaw a section comprised of 40 professionals.



Barbee's professionalism, ability to lead a successful team, and legislative experience stood out to the Board during the recruitment process, which drew applications from across the country. The Board is excited to have Barbee join the OSBEELS as its Administrator and lead the agency in accomplishing its mission of regulating the practices of engineering, land surveying, photogrammetric mapping, and water right examination in the State as they relate to the welfare of the public in safeguarding life, health and property.

Barbee and his wife and two children live in Millersburg, OR. When he is not working, Barbee enjoys spending time with his family and watching their two high school children play sports. Barbee also loves barbequing on his traeger and cheering on his alma mater, the University of Oregon Ducks.

The mission of the Oregon State Board of Examiners for Engineering & Land Surveying (OSBEELS) is to regulate the practice of engineering, land surveying, photogrammetric mapping, and water right certification in the state as they relate to the welfare of the public in safeguarding life, health and property.

### BOARD MEMBERS

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Rob Sobotka  
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# Law Enforcement Cases

## **3131 – William Galli**

The Board issued a Final Order against William Galli for violations of professional conduct under Oregon Administrative Rule (OAR) 820-020-0015(3). Within the case, the Board found Galli disclosed client information he obtained in his professional capacity to opposing counsel without his client's consent, on three separate occasions, and without being legally compelled to do so. The Final Order assessed Galli a \$1,500 civil penalty for three (3) violations of OAR 820-020-0015(3).

## **2927 – Chris Fischborn**

The Board issued a Final Order against Chris Fischborn for gross negligence in the practice of land surveying, and violations of the Board's rule of professional conduct, OAR 820-020-0015(2). While performing a survey for a client, Fischborn failed to conduct a fresh and thorough search for all pertinent records or new monuments set in the field, and he did not find or prorate each lot in order to make the best informed decision when determining property boundary locations, which disrupted the equal balance to all neighboring lots of the subdivision, all of which were also outside the prescribed standard and practices. The Board determined these actions demonstrated gross negligence by Fischborn. In addition to these grossly negligent practices, by signing and sealing a survey that was errant in its methods, the Board determined Fischborn failed to conform to the requirements of acceptable surveying standards, violating OAR 820-020-0015(2). The Final Order assessed Fischborn a \$1,500 civil penalty and 180-day license suspension for gross negligence and a violation of the Board's rule of professional conduct, OAR 820-020-0015(2).

## **3056 – Kenneth Delano**

The Board issued a Final Order against Kenneth Delano for failing to file two separate surveys within the 45-day filing requirements outlined in Oregon Revised Statute (ORS) 209.250(1) and OAR 820-030-0060. In one instance, Delano set

monuments for a survey performed in Morrow County, Oregon, in August 2015, but did not file that survey until October 5, 2017. In a separate instance, he set monuments for a survey performed in Umatilla County, Oregon, in August 2015, but did not file that survey until October 10, 2017. For the reasons above, the Board issued a Final Order assessing a civil penalty in the amount of \$1,500 against Delano for two (2) instances of violating both OAR 820-030-0060 and ORS 209.250(1).

## **3083 – Douglas Getman**

The Board issued a Final Order against Douglas Getman for failing to respond to a Board audit. Getman failed to respond to Board staff's attempts to contact him in order to request supporting documentation verifying his completed PDHs, violating OAR 820-010-0635(1)(e) and 820-010-0635(7). Because Getman failed to demonstrate that he had obtained any of the 30 CPD hours he claimed for the 2013-2015 biennium, Getman violated OAR 820-010-0635(1)(a), and also failed to continue his professional development throughout that biennium of his career, thereby also violating OAR 820-020-0015(7). Because Getman failed to respond to audit notices sent by the Board on July 27, 2016, September 26, 2016, and January 27, 2017, and because he failed to respond to the law enforcement letter sent by the Board on December 4, 2017, Getman failed on four (4) occasions to cooperate with the Board on matters subject to the Board's jurisdiction and thereby, violated OAR 820-020-0015(8) four (4) times. The Final Order assessed a civil penalty of \$1,500 and 60-day license suspension for his violations of OAR 820-010-0635, 820-020-0015(7), and OAR 820-020-0015(8).

## **3110 – Harold Russell**

The Board issued a Final Order against Harold Russell for engaging in the unlicensed practice of land surveying, violating ORS 672.025. Previously registered in Oregon as a PLS, Russell retired his professional license in 2008. In 2013, while he was not actively registered in the

state of Oregon, Russell performed a land survey for an individual in Washington County, Oregon. Per the survey narrative, he found a 5/8" iron rod with a yellow cap from record of survey No. 29862 and held it for control. Additionally, Russell set a wooden stake for the approximate property corner. During their review of the case, the Law Enforcement Committee determined that these acts constituted the practice of professional land surveying, per ORS 672.005(2), which requires a professional license. The Final Order assessed a \$1,000 civil penalty against Russell for violating ORS 672.025(1), engaging in the unlicensed practice of land surveying.

## **3112 – Geffory Adair**

The Board issued a Final Order against Geffory Adair for failing to submit a completed survey, or file for an extension, within 45 days and for providing untruthful statements to the Board. In performing Survey SN2015-225 in Clackamas County, Oregon, Adair set boundary monuments on or about April 7, 2015, but he did not prepare and submit a notification of extension or record of survey until June 17, 2015. In his extension notification, Adair wrote that monuments had been in place for nearly 45 days. However, by June 17, 2015, when the notification was filed, the monuments had actually been set for 71 days. Additionally, on June 4, 2018, in response to the Board informing him of allegations of untimely filing of survey, Adair claimed to the Board that he had provided Clackamas County with extension notification prior to 45 days after he set the first boundary monument, which was an untrue statement according to the survey. Following its review, the Board issued a Final Order assessing Adair a \$1,000 civil penalty for violating OAR 820-020-0025(1)—providing untruthful statements—and a \$500 civil penalty for one violation of ORS 209.250(1) & OAR 820-030-0060, 45-day filing requirement—for a total civil penalty in the amount of \$1,500.

# Professional Organization news and Upcoming Events



## American Society of Civil Engineers

To help members statewide stay connected not only with ASCE, but with other local members, ASCE developed several member sub-branches within the state of Oregon. These branches include the Capital, Southern Oregon, and SW Washington Branches.

### Capital Branch

The Capital Branch of ASCE hosts an annual Future Engineers Day every February during National Engineers Week to help inspire the next generation of engineers by meeting with professionals. Interested in participating at the 13th annual Future Engineers Day event in February 2020? Visit the ASCE Oregon website to learn more!

### Younger Member Forum

The Younger Member Forum (YMF) of ASCE-Oregon has an active membership that coordinates volunteer opportunities, hosts social events, and provides members with professional development opportunities. Meetings take place each month in the Portland area. The sub-group is open to ASCE-Oregon members that are 35 years or younger. Interested in joining, or becoming more involved with YMF? Connect YMF today on the ASCE-Oregon website at [asceor.org/younger-members](http://asceor.org/younger-members).

Know of a future industry event or PDH program that should be included in future Examiner issues? Send us an email at [osbeels.info@oregon.gov](mailto:osbeels.info@oregon.gov) to let us know.



## Professional Land Surveyors of Oregon

PLSO is excited to announce that its 2020 Annual Conference will be held on January 22nd to the 24th in Portland, Oregon, at the Sheraton Portland Airport Hotel. Attendees can look forward to three days of networking, educational sessions, and the opportunity to support PLSO's scholarship programs. Earn up to 18 PDHs for full event attendance.

Registration for attendees and speakers is now available at [plso.org/conference](http://plso.org/conference).



## American Council of Engineering Companies of Oregon

ACEC Oregon is excited to kick off its Leadership Development Series this fall. The series features seven monthly programs that will help to develop your firm's future leaders! The seminars utilize a small group setting to maximize learning, interaction and exchange of ideas. Attending each session allows professionals to earn up to 4 PDHs per session. The first program will kick-off at ACEC Oregon's fall conference at Salishan Resort, in Lincoln City, OR, on September 20 and run through May, 2020.

To learn more and register today, visit ACEC Oregon website at [ACECoregon.org](http://ACECoregon.org).

Per OAR 820-010-0635(1)(a), every registrant is required to obtain 30 professional development hours (PDH) each biennium in order to qualify for registration renewal. The purpose of professional development requirements is to demonstrate a continuing level of competency of professional engineers, land surveyors, and photogrammetrists.

The OSBEELS received feedback from state registrants that they are interested in being informed about PDH and continuing education opportunities within the state. The above professional organizations, and other community programs, provide registrants many opportunities to become more involved within their professional and local communities, while earning PDH units. The OSBEELS encourages all registrants to review the above rule to become more familiar with acceptable sources of PDHs and any quantity restrictions.

# Board Welcomes New Member

## Tim Fassbender

Tim Fassbender, PLS, CWRE, was appointed by Governor Kate Brown to the OSBEEELS as of August 2019.

Fassbender joins the Board with more than 30 years of land surveying and water rights examination experience. He earned his associate degree in Land Surveying from the Oregon Institute of Technology (OIT). Fassbender became registered as a professional land surveyor in Oregon in 1986 and later became registered as a Certified Water Right Examiner in 1987.

Fassbender is currently the City Surveyor for the City of Eugene. As the City Surveyor, he is responsible for the review and approval of all land divisions (partitions & subdivisions). Additional duties include determining boundary and right-of-way locations for city owned properties and roads, and providing support to all city departments concerning easements, land conveyances, construction projects, and other related projects.

After graduating from OIT, Fassbender initially gained employment with Orville Caswell in Eugene, OR, as a crew member before transitioning to a position with the Lane County Surveyor's office. After serving 10 years with the Surveyor's office, Fassbender returned to the private sector to form the firm of Ford-Ness-Fassbender. Following his partnership with Ford-Ness-Fassbender, Fassbender was hired by the City of Eugene as the City Surveyor, a position he has held for over 17 years.

He's been a member of the Professional Land Surveyors of Oregon (PLSO) since 1974, serving as the Midwest Chapter President five (5) different times, as well as PLSO's Board of Directors Chair three (3) times. Additional duties within PLSO include chairing the Legislation



Committee, Welfare & Ethics Committee and the Budget Committee. Fassbender is also a member of the local Rotary club.

Born and raised in Junction City, OR, later moving to Eugene, Fassbender enjoys skiing, golfing, and woodworking outside of work.

"I'm excited about the opportunity to work alongside the other Board members and provide my experience and knowledge in both the private and public sectors." Fassbender said about his recent appointment to the Board.

The OSBEEELS is looking forward to having Fassbender participate on the Board and share his vast professional land surveying and water right examination experience in both the private and public sectors.

*The Oregon State Board of Examiners for Engineering & Land Surveying is seeking to fill a vacant Board member position.*

*Interested? For more information on the application process or the role of State Board members, visit [oregon.gov/gov/admin/Pages/Boards-and-Commissions.aspx](http://oregon.gov/gov/admin/Pages/Boards-and-Commissions.aspx) and follow the instructions provided. Contact the Board office with any questions.*

# OSBEELS Symposium Celebrates Industry Excellence and 100-Year Anniversary



The OSBEELS hosted the ninth annual professional Symposium on September 13 in Salem, OR and welcomed over 240 attendees from across the Northwest. Held at the Salem Convention Center, this year's program featured educational presentations on notable projects and research that is helping to upgrade our state. Full-day attendees were eligible to earn eight (8) PDHs for the one-day conference.

In his opening remarks, Board President, Daren Cone, PLS, PE, welcomed attendees and shared that 2019 marked the 100-year anniversary of the Board's formation and inaugural meeting. Since that time, he stated, "the foundation set by past registrants and Board members has been monumental in shaping today's industries and the state of Oregon."

The Symposium welcomed college students from various state universities back for the third annual College Student

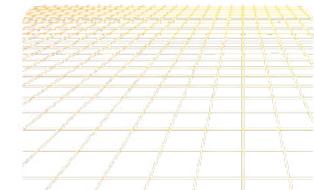
Showcase. The program provided college students the opportunity to meet professionals, share news about their clubs, and learn about the work being done in their perspective industries.

The day's program kicked off with a presentation from the engineering team behind the Vancouver Waterfront's renovation project, and specifically, the Grant Street Pier foundation design.

The team behind the innovative project includes individuals from WSP Global, PBS Engineering & Environment, and Geotechnical Resources, Inc. (GRI).

Experts from the private and public sectors presented on projects ranging from bridge replacements, 3D scanning, the Bend Whitewater Park, Dam Safety Engineering, surveying Oregon State Parks, and more!

The afternoon portion of the event was launched with a presentation from the Oregon Department of Transportation's



## UPGRADE

2019 OSBEELS Symposium

State Surveyor, Joe Thomas, on the technology being used to help facilitate the development of the State Transportation Improvement Project.

*Photos of this year's event span the following four pages.*



Steve Schneider, PE, SE  
Keynote: Vancouver Waterfront Park - Grant Street Pier Foundation Design



Chris Pucci, PLS  
Keynote: Statewide Transportation Improvement Plan



Keith Mills, PE  
What Does a Dam Safety Engineer Do?



Chad Maxwell, PE  
Nehalem River Bridge Replacement







Brett Murphy, PE  
Keynote: Statewide Transportation Improvement Plan



Hod Wells, PE  
Keynote: Vancouver Waterfront Park - Grant Street Pier Foundation Design





**Sarah Ferguson, EIT**  
Planning to Performance: Lake Oswego's New Stormwater Management Manual



**Arijit Sinha**  
The New Mass Timber Revolution in Oregon



**Keith Chapman**  
Building America's Infrastructure



**Scott Nettleton, PE**  
Nehalem River Bridge Replacement



## Oregon Tech Geomatics Program Receives NCEES Award for Fourth Consecutive Year

In July, the National Council of Examiners for Engineering and Surveying (NCEES) announced the recipients of the 2019 Surveying Education Award. For the fourth year in a row, Oregon Tech's Geomatics program was among the recipients.

Oregon Tech was one of seven college programs from across the country to receive the annual award, and one of two programs in the Northwest, the other being Idaho State University's Surveying and Geomatics Engineering Technology program.

In addition to the award, the NCEES also donated \$10,000 to Oregon Tech to assist with the program's continued efforts to promote the value of licensure in the land surveying profession. The award committee selected New Mexico State University's Geomatics/Surveying Engineering program to receive this year's grand prize.

The NCEES's annual award recognized programs that best reflect the organization's mission to advance licensure for surveyors in order to safeguard the health, safety, and welfare of the public.

Located in Klamath Falls, Oregon Tech's Geomatics program offers students four-year degrees in Surveying and Geographic Information Systems. While completing their coursework, students in the Geomatics program are able to gain valuable land surveying experience through hands-on fieldwork that prepares them for employment and licensure as professional land surveyors.

### Upcoming OSBEELS Dates

November 12 - Board Meeting

December 12 - Law Enforcement Committee Meeting

December 13 - Committee Meetings

**December 31 - Last name A-F renewals due**

## The Oregon Examiner Available Online



Are you interested in receiving the Oregon Examiner electronically? OSBEELS's quarterly newsletter is now available both in print and online. We are encouraging those who receive the print copy of the newsletter to consider switching to a digital version instead.

Less printing can help reduce our carbon footprint and eliminate costs associated with the printing process. If you would like to begin receiving the Oregon Examiner electronically, simply send us a note at [osbeels.info@oregon.gov](mailto:osbeels.info@oregon.gov) with the email address you would like us to use when sending the newsletter.

This notification will not change your email address for Board correspondence. To update your email address for Board correspondence, please submit your request to the Board via the OSBEELS website at [oregon.gov/osbeels/maintaining/AddressChange](http://oregon.gov/osbeels/maintaining/AddressChange)



## Planning for Retirement?

Are you or a colleague considering retiring soon from your profession? If so, OSBEELS would like to remind you about the steps to take in order to officially retire your state of Oregon license. We're sharing this information to help prevent any issues regarding your status as a licensed professional in the state of Oregon once you decide to make the transition. To change your status from "current" to "retired" you need to complete and sign the Request for Retirement Status form on the OSBEELS website within the License Status Changes section. More information can be found at [oregon.gov/osbeels/maintaining/Pages/Status-Changes.aspx](http://oregon.gov/osbeels/maintaining/Pages/Status-Changes.aspx)



### Renewal Reminder Notice

If your **last name begins with A-F**, your license expires on December 31, 2019 and it's time to renew your Registration!

Download and print the Renewal Form and CPD Organizational Form on the OSBEELS website at [oregon.gov/osbeels/maintaining/Pages/Renew-a-License.aspx](http://oregon.gov/osbeels/maintaining/Pages/Renew-a-License.aspx)

The renewal application must be submitted to the Board office by **5:00 p.m. on December 31, 2019**.

If you have any questions, contact the Board office as soon as possible.

### Biennial Renewal Schedule

Last name begins with A-F: December, of odd years

Last name begins with L-R: December, of even years

Last name begins with G-K: June, of odd years

Last name begins with S-Z: June, of even years

### Renewal Fees

\$190	Professional Engineer Biennial Registration Renewal
\$190	Professional Land Surveyor Biennial Registration Renewal
\$190	Professional Photogrammetrist Biennial Registration Renewal
\$40	Certified Water Right Examiner Biennial Registration Renewal



670 Hawthorne Avenue, SE  
Suite 220  
Salem, Oregon 97301

503-362-2666  
osbeels.info@oregon.gov  
oregon.gov/osbeels



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You may return this form by email to [osbeels.info@oregon.gov](mailto:osbeels.info@oregon.gov), by fax to 503-362-5454 or by mail to the address listed above. Please note, the contact information in which Board correspondence is sent will not be changed by submitting this form. Please utilize the Name/Address Change form (<https://goo.gl/9uTvyC>) to comply with Oregon Administrative Rule (OAR) 820-020-0050.

#### Registrant Information

First name (personal name)	Middle name or initial	Last name (family name)
Email Address	Registration or certificate number, if applicable	

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