

MINUTES
March 14, 2006

The State Board of Registration for Professional Engineers and Land Surveyors met on March 14, 2006 in Conference Room 102 at the office of the Professional Licensing Boards, 237 Coliseum Drive, Macon, Georgia 31217.

BOARD MEMBERS PRESENT:

E. Charles Vickery, PE - Chairman
Doris I. Willmer, PE
John H. Sweitzer, PE
Guy F. Ritter, PE
William W. Dean, PE

BOARD MEMBERS ABSENT:

Gloria B. Ransom, Ph.D., Public Member
Mark E. Chastain, LS
Richard K. Little, PE

STAFF PRESENT:

J. Darren Mickler – Board Executive Director
Julie Busbee – Board Secretary
Vivian Stephens – Board Application Specialist
Colithia Cox

ATTORNEY GENERAL REPRESENTATIVE:

Not present

GUESTS PRESENT:

Hardwick Butler, representing Surveying and Mapping Society of Georgia (SAMSOG)

Call to order:

Chairman Vickery called the meeting to order at 9:35 am. Mr. Vickery asked for any additions or deletions to the proposed agenda. Mr. Dean asked to add item 6.4, Board Policy 04-02 Regarding Out-of-State Applicants to Old Business and item 7.5, Inactive Status to New Business. Mr. Dean moved to adopt the agenda as amended. Mr. Ritter seconded. Motion carried.

Approval of Minutes:

Chairman Vickery presented a draft of the February 7, 2006 minutes and asked for any additions or deletions. Ms. Willmer moved to adopt the minutes as written. Mr. Ritter seconded. Motion carried.

Professional Societies and Guests

Chairman Vickery recognized the guest present – Hardwick Butler representing the Surveying and Mapping Society of Georgia (SAMSOG).

Executive Director's Report

Mr. Mickler reported that the exam applications have been completed for the April exam and all eligible applicants had been notified. Staff is continuing to review comity applications.

Mr. Mickler reported that he had received notice from the Governor's office of three new appointments to the Board: Steven R. Richards, a Civil Professional Engineer from Chatsworth, Georgia will be replacing Richard K. Little, who has served on the Board since 1990; Elmo A. Richardson, Jr., a Civil Professional Engineer and Land Surveyor from Macon, Georgia will be replacing John H. Sweitzer, who has served on the Board from 1987 – 1992 and 2000 - 2006; and E. Scott Evans, new Public Member from Jasper, Georgia will be replacing Gloria B. Ransom, Ph.D., who has served on the Board since 1990. All of the new Board members will begin their terms on March 15, 2006.

Old Business:

2006 NCEES Southern Zone Meeting:

Mr. Mickler reported on plans for the upcoming 2006 NCEES Southern Zone Meeting to be held in Savannah April 27 – 29, 2006. There was general discussion regarding final preparations for each of the events. Mr. Sweitzer moved to ask the Mayor of Savannah and Senator Eric Johnson to be keynote speakers at the first session of the meeting. Mr. Dean seconded. Motion carried.

Executive Session:

At 11:00 am, Mr. Ritter moved for the Board to enter into Executive Session to deliberate on enforcement matters and to receive information on complaints and investigative reports. Ms. Willmer seconded. Motion carried.

The following Board members were present during Executive Session – Chairman Vickery, Mr. Dean, Ms. Willmer, Mr. Ritter, and Mr. Sweitzer.

Reconvened Open Session at 11:20 am with the following Board members present - Chairman Vickery, Mr. Dean, Ms. Willmer, Mr. Ritter, and Mr. Sweitzer.

Coalition Report:

Ms. Willmer presented recommendations of the Coalition for Improving Performance of the Board. The coalition recommends that funding, procedural and structural changes be made in the operation of the Board. Ms. Willmer commented that this report had been distributed to the professional societies for endorsement and support. No Board action was taken.

Full-Time Professional Engineers for Branch Offices:

This item was postponed to the May 9, 2006 meeting.

Board Policy 04-02 Regarding Out-of-State Applicants:

There was general discussion regarding current Board Policy 04-02, Out-of-State Applicants. The consensus of the Board was to continue to adhere to the current policy of allowing out-of-state applicants to only apply for comity registration.

New Business:**Renewal and Late Renewal Fees for Firms:**

Mr. Sweitzer moved to increase the on-time renewal fees for firms to \$10.00, set a late fee of \$100.00 during a one-month period, and then require reinstatement of the certificate after a month with a fee of \$500.00. Mr. Ritter seconded. Motion carried. A list of all delinquent firms will be listed on the website.

Letter of Request to Use Term “Engineer” in Firm Name:

Mr. Mickler presented a letter from Walter Koroluk, president of W K Engineering Co., who requested to use “Engineering” in the name of his firm that has recently relocated to St. Mary’s, Georgia. Mr. Ritter moved to deny the request. Mr. Sweitzer seconded. Motion carried.

Notice of Borrower Default on Repayment of Student Loan:

Mr. Ritter moved to suspend Edgar W. Matthews’ certificate to practice as an Engineer-in-Training, Certificate No. EIT022180, for failure to repay a student loan, and further moved that this suspension will cease upon receipt by the Division Director of a “Notice of Release” from the Georgia Higher Education Assistance Corporation.

Article on Ethically Understanding the Role of Computer Software in Engineering Calculation:

Mr. Ritter presented an article from the *Civil Engineering* magazine, February 2006 edition, regarding ethically understanding the role of computer software in engineering calculation. No Board action was taken.

Inactive Status:

Mr. Dean commented that he had been posed a question from a retired professional engineer whose license had lapsed, as to whether he could convert his status to Inactive without having to bring his license back into Active status first. After general discussion, the consensus of the Board was that a license must be in Active status to be eligible for Inactive status. No Board action was taken.

At 2:00 pm, Mr. Ritter moved for the Board to enter into Executive Session to deliberate on applications and enforcement matters and to receive information on complaints and investigative reports. Ms. Willmerseconded. Motion carried.

The following Board members were present during Executive Session – Chairman Vickery, Mr. Dean, Ms. Willmer, Mr. Ritter, and Mr. Sweitzer.

Reconvened Open Session at 3:45 pm with the following Board members present - Chairman Vickery, Mr. Dean, Ms. Willmer, Mr. Ritter, and Mr. Sweitzer.

Investigations and Complaints:

Mr. Dean moved to accept the recommendations for the following complaint cases. Mr. Ritter seconded. Motion carried.

A Cease and Desist Order signed by Wayne Melton for American Engineering Services, Inc. for unlicensed practice of land surveying. A copy of this order will be sent to the South Carolina Board.

A Consent Agreement for Renewal with 24 months probation signed by Grady H. Gilbert, PE for Board action taken by the Tennessee Board.

A Public Consent Agreement for Reinstatement with \$5000 penalty signed by John T. Caudill, PE015230 for practicing on an expired license.

PELS01100118 – This case involved allegations of substandard practice of land surveying. Case closed with no violations found.

PELS050073 – This case involved allegations of substandard practice of land surveying. Case closed with no violations found.

PELS060038 – This case involved allegations of the use of a seal of a deceased professional engineer. Case closed with no violations found.

PELS060007 – This case involved allegations of fraud by a professional engineer. Case closed with no violations found.

PELS060054 – This case involved an engineer exam candidate suspected of cheating on the exam. Case closed by invalidating the score and requesting the candidate to retake the exam.

PELS060027 – This case involved a professional engineer with allegations of plan-stamping (stamping plans that he did not prepare.) Recommendations of a Consent Order with Public Reprimand, \$500 penalty and one year probation for the Professional Engineer and a Cease and Desist Order for the Contractor involved.

PELS040055 – This case involved unlicensed practice of professional engineering. Recommend to refer to Legal Services for a Cease and Desist Order.

PELS030004 – This case involved allegations of negligence of a professional engineer who stamped plans for civil, mechanical, electrical and structural design. Recommend a Consent Order with Public Reprimand, \$2000 penalty and two years probation. If the licensee refuses to sign the Consent Order, then require exam in all effected disciplines to demonstrate competency.

PELS040033 – This case involved unlicensed practice of an engineering firm with no Certificate of Authorization. Recommend a Cease and Desist Order and send a copy of it to the Indiana Board.

PELS050068 – This case involved unlicensed practice of an construction/engineering firm with no Certificate of Authorization. Recommend a Cease and Desist Order, \$500 penalty and require the firm to obtain a Certificate of Authorization.

PELS050074 – This case involved a licensed geologist practicing engineering without an engineering license. Recommend a Cease and Desist Order.

PELS050076 – This case involved a professional engineer who is assisting unlicensed practice. Recommended a Consent Order with Public Reprimand, \$500 penalty and one year of probation.

PELS030014 – This case involved unlicensed practice of land surveying. The respondent has been offered a Voluntary Cease and Desist Order which he refused to sign. Recommend to forward to the Attorney General's office for prosecution.

A professional engineer was offered a Consent Order for Renewal with one year probation and public reprimand, but refused to sign. Recommend to deny renewal.

Board Memo Comity Model Law Applicants:

Applicants for registration as Professional Engineers by comity, who have an ABET engineering degree, who have taken and passed an 8-hour fundamentals of engineering (EIT/FE) exam, who have a minimum of 48 months post graduation engineering experience as determined by a staff evaluation using the present Board guidelines, who have taken and passed an 8-hour principles and practice of engineering exam (PE Exam-taken at least 4 years after BS degree), and who comply in every way with the provisions of the appropriate law are as follows:

30925 Colandrea, Aldo	30926 Klienfelder, Rick	30927 Riggs, Susan E.
30930 Allen, Michael W.	30931 Bowness, Lawrence J.	30932 Brandao, Edgardo P.
30933 Gidley, Jeffrey S.	30934 Armstrong, Rolf H.	30935 Holmblade, Phillip J.
30936 Standish, Benjamin M.	30938 Pennington, Robert L.	30939 Beverly, Sharon D.
30940 Schmidtlein, Carl T.	30941 Fowler, Stacy A.	30942 Boyer, Karl W.
30943 Hart, John G.	30944 Heintz, Donna A.	30945 Martin, James R. Jr.
30946 Marvig, Lashel R.	30948 Benham, ORvan R.	30949 Bihl, Jennifer T.
30950 Breese, William R.	30951 Dunko, Douglas R.	30952 Griffith, Larry J.
30953 Griggs, William E.	30954 Holten, David S.	30955 Hurt, Andrew A.
30956 Isbell, Bradley J.	30957 Kerr, William D.	30958 Minder, Eric J.
30959 Mohabir, Martin M.	30960 Paulick, Jerome D.	30961 Sinclair, Willie T.
30962 Tyndall, Prentice A. Jr.	30963 Cervone, David	30964 Bergman, Elmer W.
30965 Darnell, Jesse C.	30966 Ekedahl, James D.	30967 Griffin, James C.
30968 Hernandez, Arturo A.	30969 Holt, Richard R.	30970 Harris, Tracy K.
30971 Hines, John Clinton	30972 Kent, Williama E.	30973 Moorefield, Jerry W.
30974 Gill, Gary J.	30975 Lombardo, Philip A. Jr.	30976 Maxey, Everett N Jr.
30977 McGregor, Josh A.	30978 O'Connor, Jeffrey H.	30979 Schock, William O.
30980 Stephenson, Jeffrey D.	30981 Storck, Thomas E.	30982 Tate, Mark S.
30983 Chewning, Ryan L.	30984 Fuqua, David A.	30985 Hoppas, Barbara L.
30986 Kapuranis, Jim J.	30987 Smith, Eugene F. Jr.	

Motion was made by Mr. Dean to approve these applicants for PE registration by comity @ 43-15-16(a), via 43-15-8(1) and 43-15-9(1). The motion was seconded by Mr. Sweitzer. The motion carried.

Reinstatements:

Mr. Ritter moved to reinstate the license of Wilbur T. Yaxley, PE007040. Mr. Dean seconded. Motion carried.

Ms. Willmer moved to reinstate the licenses of the following:

James S. Carmichael, PE020194
Glen D. Vasquez, PE009596

Mr. Ritter seconded. Motion carried.

Mr. Sweitzer moved to reinstate the licenses of the following:

Mark H. Finley, PE022709
Fred Sunday Jr., PE020476

Mr. Ritter seconded. Motion carried.

Mr. Dean moved to reinstate the licenses of the following:

Don Borden, PE018354
William Durley, PE025736
Ron Lieblein, PE018290
William Wilkie, PE019426
Richard Musgrove, PE012275
Bruce Barton, PE022925
Frances Schork, PE014450

Mr. Ritter seconded. Motion carried.

There being no further business, at 4:10 pm, Mr. Ritter moved to adjourn. Ms. Willmer seconded. Motion carried. Some Board members remained to review applications until they were finished.

Board Chairman

Division Director

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These minutes were approved at the _____ meeting.