

MINUTES
December 9, 2008

The State Board of Registration for Professional Engineers and Land Surveyors met on December 9, 2008, in Conference Room 102 at the office of the Professional Licensing Boards, 237 Coliseum Drive, Macon, Georgia 31217.

BOARD MEMBERS PRESENT

Doris I. Willmer, PE, Chairperson
Guy F. Ritter, PE
Elmo A. Richardson, Jr., PE/LS
James W. Butler, LS
Mark E. Chastain, LS (9:30 -11:00)
William Dean, PE, Vice - Chairman
E. Scott Evans, Public Member

BOARD MEMBERS ABSENT

E. Charles Vickery, PE
Stephen R. Richards, PE

STAFF PRESENT

J. Darren Mickler – Board Executive Director
Charlotte Mason – Board Support Specialist
Vivian Stephens – Licensing Analyst
Annette Wimberly – Administrative Assistant
Sonya Williams – Legal Services

GUEST

Hardwick Butler, SAMSOG
Roger Purcell, SAMSOG and Middle Georgia College
Bill Jorden, BOR Coalition

ATTORNEY GENERAL REPRESENTATIVE

Amelia Baker, Senior Assistant Attorney General

1.0 Call to order

At 9:33 am, Chairperson Willmer called the meeting to order. Chairperson Willmer asked for any additions or deletions to the proposed agenda.

2.0 Adopt Agenda

Mr. Richardson moved to adopt the agenda as presented. Mr. Ritter seconded. The motion carried unanimously.

3.0 Approval of Minutes

Chairperson Willmer presented a draft of the October 9, 2008 minutes and asked for any additions or deletions. Mr. Richardson moved to adopt the minutes as corrected. Mr. Chastain seconded. The motion carried unanimously.

4.0 Professional Societies and Guests

Chairperson Willmer recognized the following as guests of the Board: J H Butler with SAMSOG; Roger Parcell with SAMSOG and Middle GA College; Bill Jorden with the Georgia Engineering Alliance's Board of Registration Coalition (BOR).

5.0 Executive Director's Report

None.

6.0 Old Business

6.1 BOR Coalition Letter

Bill Jorden appeared before the Board to discuss experience requirements for practicing as a Professional Engineer. A discussion of the experience requirements that direct the board's evaluation of applications was led by Chairperson Willmer with board members contributing comments and insights. Mr. Jorden thanked all the board members for their input and commented that he had positive responses to share with the coalition.

Chairperson Willmer thanked Mr. Jorden for the Coalition's interest.

6.2 Toole Surveying

Mr. Butler will draft a letter response to Toole Surveying for Ms. Baker to review prior to sending. This letter will be ready to send by the next board meeting in January 2009.

6.3 Secretary of State Task Force

Chairperson Wilmer reported that in January, Mr. Richardson will present an update regarding the Task Force that will be formed to revise the laws and rules for the legislative session in 2010.

7.0 New Business

7.1 Digital Signature Change

Mr. Mickler presented written correspondence requesting to change board rule 180-12-02, sealing of documents, to allow digital signatures. Mr. Chastain motioned to deny request. Mr. Ritter seconded. The motion carried unanimously.

7.2 Freedom of Information Request

Mr. Mickler presented written correspondence regarding a request to release email addresses of licensees. Per O.C.G.A. 43-1-2(k) personal information from licensees must be treated as confidential information. Mr. Dean motioned to deny the request. Mr. Ritter seconded. The motion carried unanimously.

7.3 Request for Release of Information

Mr. Mickler presented written correspondence requesting a release of information Regarding candidates before testing. Per O.C.G.A. 43-1-2(k) personal information from licensees must be treated as confidential information. Mr. Dean motioned to deny the request. Mr. Ritter seconded. The motion carried unanimously.

7.4 Request to Elect Trustee

By the request of the Georgia Museum of Surveying & Mapping, Chairperson Willmer proposed to elect a member to serve as a trustee to the museum. Mr. Richardson motioned to elect Mr. Chastain as a member of the Board of Trustees for the Georgia Museum of Surveying and Mapping. Mr. Dean seconded. The motion carried unanimously.

7.5 Construction Engineering- Temporary Structures

7.6 Election of Officers

Chairperson Willmer proposed that the board vote to elect Board Officers for 2009. Mr. Dean motioned to elect Mr. Elmo Richardson, Jr. as Chairman. Mr. Ritter seconded. The motion carried unanimously.

Mr. Dean motioned to elect Mr. Guy Ritter as Vice –Chairman. Mr. Richardson seconded. The motion carried unanimously.

8.0 Executive Session

At 10:55 am, Mr. Chastain made a motion to enter into Executive Session in accordance with O.C.G.A. 43-1-2(k) and 43-1-19(h) to deliberate on applications and investigative matters and to receive an investigative report. Mr. Evans seconded the motion. Voting in favor of the motion were those members present who included Board Members Butler, Chastain, Dean, Evans, Richardson, Ritter and Wilmer.

9.0 Open Session

The Board reconvened in Open Session at 1:58 pm with the following Board members present – Chairperson Willmer, Mr. Evans, Mr. Chastain, Mr. Vickery, Mr. Richardson, Mr. Butler and Mr. Ritter.

9.1 Investigations and Complaints

Mr. Evans moved to accept the following recommendations regarding investigative cases:

PELS080007- The Board tabled the matter to the January 13, 2009 meeting pending another investigative interview with respondent.

PELS070007- Close with no action.

PELS070049- Close with LOC.

PELS080064-The Board tabled the matter to the January 13, 2009 meeting.

PELS070005-The Board voted to send to legal services for a consent agreement assessing a \$1000.00 fine and suspending the license for 12 months.

PELS070005- The board voted to send to enforcement to issue a cease and desist order to Richard A. Scruggs/Phoenix Solutions Inc. due to the board is not recognizing their current person in charge and the license is in renewal pending status.

PELS080011- James Patrick Stanton -Accept cease and desist order and close complaint case.

Action Engineering- No complaint open. AG to send letter requesting company remove “Engineering” as part of company name.

PELS070051- AG to schedule investigative interview for 01/13/09 mtg.

PELS070056- AG to schedule investigative interview for 01/13/09 mtg.

PELS080034- Tabled to the January 13, 2009 meeting.

PELS090003- Tabled to the January 13, 2009 meeting.

PELS090004- Tabled to the January 13, 2009 meeting.

PELS080075- Tabled to the January 13, 2009 meeting.

PELS080078- Tabled to the January 13, 2009 meeting.

PELS090013- Schedule investigative interview with complainant and his surveyor for 01/13/09.

PELS090018- Schedule investigative interview with respondent for 01/13/09.

PELS090020- Schedule investigative interview with respondent for 01/12/09.

PELS090023- Schedule investigative interview with respondent for 01/12/09.

PELS080060- Close with no action.

PELS090019- Close with no action.

9.2 Reinstatements:

Mr. Richardson moved to reinstate the following license:

Joseph Shaughnessy, PE012882

Mr. Evans seconded. The motion carried unanimously.

9.3 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:

33528 Robinson, Joshua Lee	33529 Lato, Scott M.	33530 Applegate, Steven Mark
33531 Disher, Christian Robert	33532 Keith, Michelle A.	33533 Morales, Richard
33534 Orozco, Reinaldo	33535 Behling, Patrick J.	33536 Defay, Paul Rock Gregory
33537 Miller, Matt H.	33538 Nielson, Peter James H.	33539 Ponce, Tomas
33540 Ross, Robert Alan	33541 Yates, James Douglas	33542 Bekam, Saeed J.
33543 Coan, Rusty A.	33544 Heckel, Richard D.	33545 Kever, Brian Ernest
33546 Piersall, Randolph S.	33547 Seip, Brian Alexander	33548 Vejdani, Mehrdad
33549 Bump, Jeffrey Alan	33550 Pouliot, Paul Andrew	33551 Seibert, Robin Suzanne
33552 Wood, Todd Douglas	33553 Buchina, James C.	33554 Flanagan, Kelly Patton
33555 Arthur, Robert A.	33556 Kumar, Brij M.	33557 Larson, Jeffrey Todd
33558 Rodriguez, Paul Michael	33559 Formica, Robert F.	33560 Schwartz, Charles B.
33561 Tannery, John Spence Jr.	33562 Ward, Bryan R.	33563 Fogg, Raymon B.
33566 Chamberlin, Jeffrey C.	33567 Fisher, David L.	33568 Doukmak, Khaldoun
33569 Foy, Kari H.	33570 Kellum, Paul Lucas	33571 Bennett, Steven Kenneth
33572 Blissett, John Charles	33573 Busby, Michael R.	33574 Chung, David heebum
33575 Johnston, Corian	33576 Kerly, Garret Samuel	33577 Lumens, Julia Therese
33578 Miller, George R.	33579 Modlin, Brandt L.	

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(h). The motion was seconded by Mr. Richardson. The motion carried unanimously.

Board Memo Applications for Regular Applicants Seeking Certification as an Engineer- In-Training by Exam:

Applicants for certification as Engineers-in-Training by examination whose degrees were earned in engineering or engineering technology programs which attained ABET/CAB accreditation within two years of their having received their degrees, who have filed with the Board five acceptable references, who have had no convictions for moral turpitude or substantive reasons, and who comply in every way with the provisions of the appropriate law(s), are as follows:

Fimian, Erin E.	Jung, Michael Daniel	Nour, Mustafa S.
Wright, Wilbur Louis		

Motion was made by Mr. Dean to approve these applicants for EIT certification @ 43-15-8(1) or 43-15-8(2). Mr. Richardson seconded. The motion carried unanimously.

There being no further business, at 2:06 pm, Chairperson Doris I. Willmer, PE, requested a motion to adjourn. Mr. Evans moved to adjourn. Mr. Ritter seconded. The motion carried unanimously. Some Board members remained to review applications until they were finished.

Recorded By Board Secretary

Executive Director

Board Chairperson

These minutes were approved at the December 9, 2008 meeting.