

The State Board of Registration for Professional Engineers and Land Surveyors met on Tuesday, August 14, 2012, in Conference Room 104 at the Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia.

The following Board members were present:

Elmo A. Richardson, Jr., PE/LS Chairman
Michael S. Fletcher, PE, Vice-Chairman
James W. Butler, LS
Brian K. Upson, PE
William Womack, PE
Mark E. Chastain, LS
George Howroyd, PE

Board members absent:

Daniel Bennett, PE
Matthew W. Baker, Consumer Member

Staff present:

Darren Mickler, Executive Director
Swan LeGrand-Fleming, Board Support Specialist
Julie Busbee, Licensure Supervisor
Annette Wimberly, Complaint Compliance Analyst

Attorney General Representative:

Amelia Baker, Senior Assistant Attorney General

Guests present:

Kelly Farr, Deputy Secretary of State
Lisa Durden, Professional Licensing Boards Division Director
Phillip O. Brown, SAMSOG

Call to Order

At 9:30 a.m., Chairman Richardson established that a quorum was present and called the meeting to order.

Adopt Agenda

Chairman Richardson asked members for any additions or deletions to the proposed agenda. Mr. Chastain moved to adopt the agenda. Mr. Fletcher seconded. The motion carried unanimously.

Approval of Minutes

Chairman Richardson presented a draft of the May 8, 2012 Meeting minutes and Executive Session minutes and asked for any additions or deletions. Mr. Upson moved to approve the minutes as presented. Mr. Fletcher seconded. The motion carried unanimously.

Presentation

Deputy Secretary of State Kelly Farr presented the Board with an overview of the Fiscal Budget for FY2012 and the Zero Based Budget for FY2013.

Professional Societies and Guests

Mr. Brown from SAMSOG informed the Board of upcoming meetings.

Executive Director Report

Mr. Mickler informed the Board that he will be attending the 2012 NCEES Annual Meeting on August 22-25, 2012 in St. Louis.

Mr. Mickler reported to the Board that on January 1, 2012 law was passed requiring all licensees to submit Secure and Verifiable Documentation (SVD) for licensure. This new procedure has had an effect on the processing time of renewals. It was recommended that a letter is sent to the colleges to encourage the graduates to submit this SVD documentation as soon as the renewal period begins.

New Business

The Board had a discussion on PE applicants with both Engineering and Engineering Technology degrees.

The Board received a request for a waiver of the renewal fee. Mr. Howroyd moved to deny the request. Mr. Fletcher seconded. The motion carried unanimously.

The Board received a request for a waiver of Board Policy 4-02. Mr. Upson moved to approve the request. Mr. Howroyd seconded. Mr. Chastain opposed. The motion carried.

The Board discussed Board Policy 12-01. Mr. Upson moved to accept these changes and adopt the Policy. Mr. Fletcher seconded this motion. The motion carried unanimously.

Board Policy 12-01: Applicants who have graduated in a curriculum accredited by ABET as an engineering technology degree and subsequently graduate in a curriculum by ABET as an engineering degree may follow the more expedient of the following two paths to licensure.

Path #1: Experience credit may begin from the first engagement after the accredited engineering degree is obtained. The applicant must gain 48 months of experience acceptable to the Board.

Path #2: Experience credit may begin from the first engagement after the accredited engineering technology degree is obtained. The applicant must gain 84 months of experience acceptable to the Board. The Board may credit up to 12 months of experience for an accredited engineering degree obtained subsequent to an accredited engineering technology degree.

The Board had a discussion on needed changes to Board rules on Technical Standards for property surveys pursuant to HB665. Mr. Chastain will work on changes to code language. Mr. Chastain stated that the website needs to be updated with the new Plat Act.

The Board discussed structural licensing. Mr. Fletcher asked for the Board's support if legislation proposing a PE, SE registration is introduced into the next legislative session.

The Board discussed proposed legislation with respect to Senate Bill 445.

Executive Session

At 11:22 a.m., Mr. Chastain moved 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. Upson seconded. Voting in favor of the motion were those members present who included Board Chairman Elmo Richardson, Michael Fletcher, James Butler, Bill Womack, Mark Chastain, George Howroyd, and Brian Upson.

At 12:02 p.m., open session was declared with the following Board Members present – Chairman Elmo Richardson, Michael Fletcher, James Butler, Bill Womack, George Howroyd, Mark Chastain and Brian Upson.

Licenses Issued Since Last Meeting

Members reviewed the list of licenses issued from May 8, 2012 – August 13, 2012. Mr. Womack moved to ratify the list as presented. Mr. Upson seconded, and the motion carried unanimously.

Reinstatements:

Mr. Fletcher moved to approve the following reinstatements of licensure upon payment of a \$1,000 reinstatement fee. Mr. Howroyd seconded. The motion carried. The approved list is as follows:

Daniel Steinberg, PE014623
Carl Berg, PE029331
Farshid Yarizadeh, PE023601
Thomas Deiters, PE013931

Investigations and Complaints:

Mr. Upson moved to adopt the following recommendations regarding complaint cases considered by the Board during the Executive Session:

PELS120047 - The Board made a recommendation to table this case pending Cognizant contact with complainant.

PELS130005 - The Board made a recommendation to table this case pending Cognizant review.

PELS120045 - The Board made a recommendation to table this case.

PELS130008 - The Board made a recommendation to table this case pending Cognizant review.

PELS130007 - The Board made a recommendation to table this case pending Cognizant review.

PELS130006 - The Board made a recommendation to table this case pending Cognizant review.

PELS120036 – The Board made a recommendation to close with a letter of concern.

PELS130001 - The Board made a recommendation to refer to the Attorney General's Office for a Consent Order assessing a \$500.00 fine for failure to report sanctions in other states.

PELS130002 - The Board made a recommendation to refer to the Attorney General's Office for a consent order assessing a \$500.00 fine for failure to report sanctions in other states.

PELS120056 - The Board made a recommendation to refer to the Attorney General's Office for a consent order assessing a \$1,500.00 fine for violation of O.C.G.A. 15-6-67 (b) (2) (D), O.C.G.A. 43-15-7 (b) and Board Rule 180-7-.02.

PELS120051 – The Board made a recommendation to close as respondent is to sign Cease & Desist upon his return to the states.

PELS120058 – The Board made a recommendation to table this case pending the respondent providing Cognizant with plats.

PELS130004 – The Board made a recommendation to refer to the Attorney General's Office to initiate revocation of license due to criminal arrest and conviction.

PELS120053 – The Board made a recommendation to close with letter of concern regarding business practices.

PELS120059 – The Board made a recommendation to refer to the Georgia Board of Architects and Interior Designers.

PELS120038 – The Board made a recommendation to deny the Open Records Request.

Mr. Womack seconded. Motion carried.

Legal Services:

No report.

Assistant Attorney General Report:

Amelia Baker advised the Board of the changes to Georgia's Open Records and Open Meetings Act.

Mr. Chastain moved to adopt the recommendations of the report of the Senior Assistant Attorney General.

PELS120026 – The Board made a recommendation to close due to respondent has edited all signage and website removing any reference to “engineering”.

PELS120009 – The Board made a recommendation to close due to respondent’s statement that they do no engineering and will change website.

PELS120027 – The Board made voted to accept Consent Order for violation of Board Rules 180-7-.02 (1) (a) and 180-7-07 (d) (8); (d) (9) and (d) (14) assessing a \$1,000.00 fine and 12 months probation. No action on Respondent 2.

PELS120045 – The Board made a recommendation table this case pending Cognizant review of new documents submitted by respondent.

Mr. Upson seconded. Motion carried.

With no other business to discuss, Mr. Howroyd moved to adjourn. Mr. Fletcher seconded. The meeting adjourned at 12:18 p.m.

Elmo Richardson, Board Chairman

Darren Mickler, Executive Director

These minutes were adopted at the Tuesday, August 14, 2012 meeting. The next scheduled meeting is Tuesday, September 11, 2012.