

The State Board of Registration for Professional Engineers and Land Surveyors met on Tuesday, January 7, 2014 in Conference Room 104 at the Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia.

**The following Board members were present:**

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

**Board members absent:**

L.H. (Dan) Davis, PE  
Matthew W. Baxter, Consumer Member

**Staff present:**

Darren Mickler, Executive Director  
Tonya Richardson, Board Support Specialist  
Charlotte Mason, Licensing Supervisor  
Annette Wimberly, Complaint Compliance Analyst

**Attorney General Representative:**

Amelia Baker, Senior Assistant Attorney General

**Guests present:**

None

**Call to Order**

At 9:37 a.m., Chairman Chastain established that a quorum was present and called the meeting to order.

**Adopt Agenda**

Chairman Chastain asked members for any additions or deletions to the proposed agenda. The agenda was adopted with changes. Mr. Richardson made a motion to adopt the agenda. Mr. Fletcher seconded. The motion carried unanimously.

**Approval of Minutes**

Chairman Chastain presented a draft of the December 10, 2013 Open Session minutes and asked for any additions or deletions. Mr. Womack moved to approve the minutes as presented. Mr. Howroyd seconded. The motion carried unanimously.

## **Executive Director Report**

Mr. Mickler announced Ms. Charlotte Mason's promotion as the new licensing Supervisor and mentioned that her position was open for interviews at this time.

## **New Business**

The Board discussed to remove the military language on the rules that define related science. The board voted to post the following information. Mr. Howroyd made a motion. Mr. Richardson seconded. The motion carried unanimously.

### **180-3-.01 Education. Amended.**

As used in O.C.G.A. 43-15-8 and 43-15-9, the following terms have the meanings indicated:

- (a) "Engineering curriculum of not less than four years from a school or college approved by the Board," as used in O.C.G.A. 43-15-8(1)(A), means the engineering curricula of schools, colleges, and universities in the United States and its territories which at the time of the applicant's graduation are curricula accredited by the Accreditation Board for Engineering and Technology (A.B.E.T.). Unless the Board determines otherwise, in a case where the curriculum in question was dropped from the accreditation list but was reaccredited within a period of five years, the Board may approve the curriculum as though there was no lapse in accreditation.
- (b) "Engineering curriculum of not less than four years" as used in O.C.G.A. 43-15-8(2)(A), includes engineering curricula in schools or colleges which are not accredited by the Accreditation Board for Engineering and Technology (A.B.E.T.) but which may be approved by the Board in individual cases upon review of the applicant's educational transcript.
- (c) "In a curriculum of four or more years in engineering technology . . . from a school or college approved by the Board," as used in O.C.G.A. 43-15-8(2)(A), means engineering technology curricula in schools or colleges in the United States and its territories which, at the time of the applicant's graduation, are curricula accredited by the Accreditation Board for Engineering and Technology (A.B.E.T.). Those curricula may be accepted by the Board, in individual cases, upon review of the applicant's educational transcript.
- (d) "In a curriculum of four or more years in engineering technology or . . . related science curriculum from a school or college approved by the Board" as used in O.C.G.A. 43-15-8(2)(A), means a four-year curriculum leading to a bachelor of science degree in chemistry, physics, mathematics, biology and or similar related science curriculum, ~~of the military service academies of the United States.~~ Those curricula may, in individual cases, be accepted by the Board upon review of the applicant's educational transcript.

Authority O.C.G.A. Secs. 43-15-4, 43-15-8, 43-15-9.

At its meeting on January 8<sup>th</sup>, 2013 the Georgia State Board of Registration for Professional Engineers and land Surveyors voted that the formulation and adoption of this rule does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.G.C.A. §§ 43-15-4(a) (Adoption of rules and regulations), and O.C.G.A. §§ 15-6-67, 43-15-1, 43-15-2, 43-15-4, 43-15-6, 43-15-19, 43-15-22.

Additionally, at the meeting, the Board voted that it was legal and feasible to meet the objectives of O.C.G.A. §§ 15-6-67, 43-15-4, 43-15-6, 43-15-19, 43-15-22 to adopt or implement differing actions for businesses as listed in O.C.G.A. § 50-13-4(a)(3)(A), (B), (C) and (D). The formulation and adoption of these rules will impact every licensee in the same manner and each licensee is independently licensed in the fields of engineering and land surveying.

Use this authority in the paragraph above instead of what is there. Authority O.C.G.A. Secs. 45-15-4, 43-15-8, 43-15-9.

Chairman Chastain made a recommendation to appoint members to represent an Investigative Committee. Chairman Chastain suggested that the Investigative Committee should consist of 3 members to meet via conference call 2 weeks prior to Board meetings. The idea is to produce recommendations for full board action. Chairman Chastain suggested that the committee would consist of the following members; Elmo Richardson, Michael Fletcher and Mark Chastain. Mr. Fletcher made a motion. Mr. Richardson seconded. The vote carried unanimously.

### **Executive Session**

At 11:07 a.m., Mr. Richardson 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. Fletcher seconded. Voting in favor of the motion were those members present who included Board Chairman Mark Chastain, Michael Fletcher, George Howroyd, Elmo Richardson, Bill Womack, James Butler and Brian Upson.

The Executive Session of the Georgia State Board of Registration for Professional Engineers and Land Surveyors meeting was closed at 12:00 p.m. and Chairman Chastain declared the Georgia State Board of Registration for Professional Engineers and Land Surveyors to be “open” pursuant to the Open Meetings Act, O.C.G.A. §§ 50-14-1 et seq. The following Board Members were present – Board Chairman Mark Chastain, Michael Fletcher, George Howroyd, Elmo Richardson, Bill Womack, James Butler and Brian Upson. No votes were taken in Executive Session.

### **Approval of Executive Session Minutes**

Chairman Chastain presented a draft of the December 10, 2013 Executive Session meeting minutes and asked for any additions or deletions. Mr. Upson moved to approve the minutes as presented. Mr. Howroyd seconded. The motion carried unanimously.

### **Licenses Issued Since Last Meeting**

The Board reviewed a list of applicants that have been previously reviewed and approved. Mr. Richardson made a motion to ratify licenses issued from December 10, 2013- January 6, 2014. Mr. Womack seconded. The motion carried unanimously.

### **Board Office/Investigations:**

**PELS130018-** Refer to legal for consent order for renewal of PE license placing the license on probation concurrent with his criminal probation.

**PELS140019-** Close with no action due to respondent/licensee has complied with all terms of Arkansas sanctions and is in good standing with their Board.

**PELS140020-** Close with no action due to respondent/licensee has complied with all terms of Oklahoma sanctions and is in good standing with their Board.

**PELS140021-** Close with no action due to respondent/licensee has complied with all terms of Alabama sanctions and is in good standing with their Board.

**PELS130035-** Refer to AG for public reprimand and \$1000.00 fine for unethical practices. Case has also been referred to investigations.

### **Legal Services:**

No report

### **Assistant Attorney General:**

**PELS130030 Wesley L Browne-** Accept Voluntary Dismissal without Prejudice order. Mr. Womack made a motion to accept. Mr. Richardson seconded. The motion carried unanimously.

**PELS120026 Roof 911-** Accept Voluntary Dismissal without Prejudice order. Mr. Richardson made a motion to accept. Mr. Howroyd seconded. The motion carried unanimously.

**PELS140015 Charles Newman, LS, Chattanooga, TN-** Accept consent order assessing a \$500.00 fine for violations of Board rule 180-7-.07 and public reprimand and close. Mr. Womack made a motion to accept. Mr. Richardson seconded. The motion carried unanimously.

**PELS140014 James D. Weeks, LS , Fitzgerald-** Accept consent order assessing a \$3000.00 fine for violations of Board rule 180-7-.07 and public reprimand and close. Mr. Richardson made a motion to accept. Mr. Fletcher seconded this motion. The motion carried unanimously.

**PELS130037 Princeton P. Pirkle, Jr. LS. Glennville-** Accept consent order assessing a \$2500.00 fine for violations of Board rule 180-7-.07 and public reprimand and close. Mr. Richardson made a motion. Mr. Upson seconded. The vote carried unanimously.

## **Reinstatements**

Charlotte Mason presented the following reinstatement of licensure:

Mr. Richardson made a motion to deny the applicant for fee waiver for late reinstatement. Mr. Howroyd seconded this motion. The motion carried unanimously.

- J.C.

With no other business to discuss, Mr. Womack moved to adjourn. Mr. Richardson seconded. The meeting adjourned at 12:14 p.m.

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Mark Chastain, Board Chairman

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Darren Mickler, Executive Director