

AGENDA
REGULAR QUARTERLY BOARD MEETING
TEXAS BOARD OF PROFESSIONAL ENGINEERS
SOUTH INTERSTATE 35
AUSTIN, TX 78741
August 17, 2017 – 10:30 AM

Call to Order. (Daniel O. Wong, Ph.D., P.E., Presiding Officer)

1. Roll Call and Welcome Visitors
2. Public Comment
3. Consent Agenda

(The following items may be acted upon under Consent Agenda and are marked with an asterisk* on the Regular Quarterly Board Meeting Agenda)

(Motion Required)

- May 24, 2017, Licensing Committee Minutes **(See agenda item #7)**
- May 24, 2017, Texas Board of Professional Engineers, National Council of Examination for Engineering & Surveying Training Minutes **(See agenda item #4)**
- May 25, 2017, Enforcement Committee Minutes **(See agenda item #5)**
- May 25, 2017, Legislative Committee Minutes **(See agenda item #8)**
- May 25, 2017, Regular Quarterly Board Meeting Minutes **(See agenda item #6)**
- Administrative Reports, Outstanding Administrative Penalties, Dismissed Cases, Violation Terminated Cases, Voluntary Compliance Cases **(See agenda item #17)**
- Licensing Applications. **(See agenda item #22)**

Discuss and Possibly Approve Board Minutes:

4. ***(Consent Agenda)** May 24, 2017, Texas Board of Professional Engineers, National Council of Examination for Engineering & Surveying Training Minutes
5. ***(Consent Agenda)** May 25, 2017, Enforcement Committee Minutes
6. ***(Consent Agenda)** Discuss and possibly approve minutes of the May 25, 2017, Regular Quarterly Board Meeting

Discuss and Possibly Accept Committee Minutes:

7. ***(Consent Agenda)** May 24, 2017, Licensing Committee Minutes
8. ***(Consent Agenda)** May 25, 2017, Legislative Committee Minutes

Discuss and Possibly Act on the following agenda items (10-24):

9. Board Members' Activity Reports

(Report – submitted in accordance with §131.11 (g))

- | | |
|-------------|-----------|
| • Ballí | • Reyna |
| • Kannappan | • Summers |
| • Nejad | • Womack |
| • Norwood | • Wong |

10. Advisory Members' Activity Reports

(Report)

- | | |
|------------|------------|
| • Gonzalez | • Nadkarni |
| • Guerra | |

11. Finance and Budget..... presented by Jeff Mutscher

- FY17 3rd Quarter Budget *(Report)*
- FY18 Budget and Fees *(Motion Required)*

Discuss and Possibly Act on Issues Regarding Committee Reports or Items on the Committee Agendas:

- 12. Licensing Committee meeting summary (August 16, 2017)..... presented by Dr. Sina Nejad, P.E., Chair
 - Personal Appearances from Licensing Applicants: *(Motion required on all personal interviews)*
 - Arthur Godwin
 - Saul Balcazar Jr.
 - Zachary Neil Grosel
 - Robert G. Hermosillo
 - LaTonya Sharie Johnson
 - Daniel Nathan Karpen
 - Matthew Raymond Kelly
 - Robert Joseph Ontko
 - Timothy, Mayberry
 - Discuss and possibly approve the Policy regarding Personal Appearance process *(Motion Required)* presented by David Howell, P.E.
- 13. Policy Advisory Opinion (August 17, 2017)..... presented by Kyle Womack, P.E., Chair
 - Discuss and possibly approve the request for an advisory opinion EAOR 43 Policy Advisory Request Regarding a Texas Real Estate Commission (TREC) licensed inspector providing an opinion on a residential foundation and its relation to the practice of engineering *(Motion Required)* presented by Dave Daigle, P.E.
- 14. Legislative Committee Meeting summary (August 17, 2017) presented by Elvira Reyna, Chair
 - Summary of Legislative and Special sessions presented by David Howell, P.E. *(Report)*
- 15. Nominating Committee Meeting (August 17, 2017) presented by Daniel O. Wong, Ph.D., P.E., Chair
 - 2018 Officer Slate *(Motion Required)*
 - Renew Advisory Members Contract for Fiscal Year 2018 *(Motion Required)*
 - Edmundo Gonzalez Jr., P.E., R.L.P.S.
 - Jose Guerra, P.E.
 - Govind Nadkarni, P.E.

Discuss and Possibly Act on Reports or Items reported by the Executive Director:

- 16. Executive Director’s Report.....presented by Lance Kinney, Ph.D., P.E.
 - Daily Activity Report *(Report)*
 - IH 35 Expansion *(Update)*
 - Strategic Plan/Journey Towards Excellence (JTE)*(Update)*
 - National Council of Examiners for Engineering and Surveying Annual Meeting-August 22-26, 2017 (NCEES)
 - Outreach *(Report)*
 - Draft Plan for Regional Advisory Meetings (Update)
 - Beaumont
 - Midland
 - Kudos

Discuss and Possibly Act on Enforcement/Disciplinary Matters:

- 17. ***(Consent Agenda)** Administrative Reports, Outstanding Administrative Penalties, Case Pending Status Report, Dismissed Cases, Violation Terminated Cases, Voluntary Compliance Cases presented by Dave Daigle, P.E. *Report to full Board pursuant to Board rule §139.21*
- 18. Agreed Board Order presented by Dave Daigle, P.E. *(Motion Required)*
 - Practice Violations
 1. AARC Environmental, Inc. (Norwood-recused)
 2. Stephen Paul Blake, P.E. (Kannappan-recused)
 3. Civil Engineering Consultants, Inc. (Norwood-recused)
 4. Ludi Design (Kannappan-recused)

19. Consent Orders presented by Dave Daigle, P.E.

(Motion Required)

Informal Reprimands (In accordance with Board Rule 139.31(b) individual names are not listed)

- 1. D-37169
- 2. D-37093
- 3. D-37150
- 4. D-37023

Non-Practice Violations

- 5. Wei Xiang Fung, P.E. – D-36930
- 6. Kenneth H. Lloyd, Jr., P.E. (Inactive) – D-37016
- 7. James David Peel, P.E. – D-37015
- 8. Street Hamilton Schellhase, P.E. – D-36983

Practice Violations

- 9. Phillip John Barnett, P.E. – D-36513
- 10. Gordon Lynn Duncan, P.E. – D-37055
- 11. Eric Gerard Russek, P.E. – D-36677

Firm Registration

- 12. GPM Engineering – B-37208

20. SOAH Final Board Orderpresented by Morgen Cuming, J.D.

(Motion Required)

- Intex Builders, Inc. – Case B-35836 [SOAH Docket No. 460-17-3288]
- Thai Huynh, P.E. – Case D-36898 [SOAH Docket No. 460-17-4404]

21. Consideration of appropriate sanction for *Texas Board of Professional Engineers v. Raghunath Dass, P.E.*, License No. 90119, SOAH Docket No. 460-12-3264, on remand by trial court

This agenda item may be considered under Executive Session in accordance to the Open Meeting Act, Gov't. Code A. Chapter 551.071, Consultation with Attorney.

(Possible Motion)

Discuss and Possibly Act on Licensing Applications requiring board ruling:

22. *(Consent Agenda) Licensing Applications.....presented by Rick Strong, P.E.

Vote or Reconfirm Votes Pursuant to Board Rule §133.87:


- Approved for Exams
- Approved for Licensure
- Firms Approved
- Waivers – FE
- Waivers---PE
- Not Approved for Licensure

Discuss and Possibly Act on Other Matters

23. Issues from the Board member to consider for next scheduled Board Meeting

24. Adjourn.

The Board may meet in closed session on any agenda item listed above as authorized by the Texas Open Meetings Act, Tex. Gov't. Code Ann. Chapter 551.

 Individuals needing auxiliary aids or services should contact the Texas Board of professional Engineers at (512) 440-7723, in a timely manner.