

**MINUTES**  
**ENFORCEMENT COMMITTEE MEETING**  
**TEXAS BOARD OF PROFESSIONAL ENGINEERS**  
**1917 IH-35 SOUTH, BOARD ROOM, AUSTIN, TEXAS**  
**February 16, 2017— 9:30 am**

**CALL TO ORDER.** Lamberto “Bobby” Ballí, P.E., Chair, called the Enforcement Committee of the Texas Board of Professional Engineers to order at 9:30 am on February 16, 2017, at the Texas Board of Professional Engineers, 1917 S. Interstate 35 in Austin, Texas. A quorum was present. (Note: all votes are unanimous unless noted)

**1. Roll call and welcome visitors.**

Lamberto “Bobby” Ballí, P.E.	Chair
Catherine Norwood, P.E.	Member
Kyle Womack, P.E.	Member
Edward Summers, Ph.D.	Member (absent)

Ms. Veena Mohan, Assistant Attorney General, was present to provide legal counsel to the Board. Mr. Edmundo Gonzalez, Jr. P.E., Advisory Member for the Board, was present.

The following staff members were present:

Lance Kinney, Ph.D., P.E.	Executive Director
David Howell, P.E.	Deputy Executive Director
Dave Daigle	Director of Compliance & Enforcement
Morgen Cuming, JD	Staff Attorney
Dorothy Gonzales	Executive Assistant

**Visitors.** Terry Bilderback, P.E., Texas Society of Professional Engineers (TSPE); Kent O’Brien, P.E., Texas Department of Transportation (TxDOT); Peyton McKnight, American Council for Engineering Companies; Dr. Daniel Wong, P.E., Board Member.

**2. Public comment.** None.

**DISCUSS AND POSSIBLY ACT ON THE FOLLOWING ITEMS (AGENDA ITEMS 3-8):**

**3. Discuss and possibly approve the November 17, 2016, Enforcement Committee Meeting minutes.**

It was MOVED/SECONDED (Norwood/Womack) to approve the November 17, 2016, Enforcement Committee minutes as submitted. A vote was taken and the MOTION PASSED.

**4. Discuss and possibly approve the following rule proposals to be posted in the Texas Register for comment.**

- **137.19, Engineers to be qualified Windstorm Inspectors-Repeal.**
- **139.35(b), Sanctions and Penalties.**

Mr. Howell reported that §§ 137.19, Engineers to be qualified Windstorm Inspectors-Repeal is being repealed in accordance with legislation passed during the 2015 Legislative Session which repealed the Windstorm roster, and 139.35(b), Sanctions and Penalties is to remove the wording regarding rule violations regarding the Windstorm roster. The rule proposals will be posted in the Texas Register for comment.

It was MOVED/SECONDED (Womack/Norwood) to recommend to the Board at its February 16, 2017, Regular Quarterly Board meeting to post that §§ 137.19, Engineers to be qualified Windstorm Inspectors-Repeal and 139.35(b), Sanctions and Penalties revisions in the Texas Register for comment. A vote was taken and the MOTION PASSED.

5. **Review of the Sanction Table and Worksheet.**

Mr. Daigle reported that he worked closely with Dr. Summers on the revised Sanction Table and Worksheet. He added that the fines have not changed; the only change is the calculation methods and format. He reported that Dr. Summers agrees with staff recommendations and changes.

It was MOVED/SECONDED (Norwood/Womack) to recommend to the Board at its Regular Quarterly Board meeting on February 16, 2017, to approve the changes to the Sanction and Table Worksheet as submitted by staff. A vote was taken and the MOTION PASSED.

6. **Compliance & Enforcement Report.**

- **Update on process improvements**
- **Status on Compliance & Enforcement case load**
- **Status of Continuing Education Audit(s)**

Mr. Daigle reported that this report is included to update Board members on process improvements within the Compliance & Enforcement division. He stated he would entertain questions from the Committee members as needed. No action taken.

7. **Issues for consideration and schedule next meeting.** None.

8. **ADJOURN.**

Chair adjourned the meeting at 9:42 a.m.

Date Committee approved minutes as edited: May 25, 2017

Date Board accepted minutes: May 25, 2017