

**AGENDA**  
**REGULAR QUARTERLY BOARD MEETING**  
**TEXAS BOARD OF PROFESSIONAL ENGINEERS**  
**SOUTH INTERSTATE 35**  
**AUSTIN, TX 78741**  
**February 11, 2016 – 10:00 AM**

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

1. Roll Call and Welcome Visitors..... Daniel O. Wong, Ph.D., P.E.
2. Public Comment..... Daniel O. Wong, Ph.D., P.E.
3. Consent Agenda ..... Daniel O. Wong, Ph.D., P.E.

**(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)*

- November 18, 2015, Licensing Committee Minutes (**See agenda item #5**)
- November 19, 2015, Policy Advisory Opinion Committee Minutes (**See agenda item #6**)
- November 19, 2015, Enforcement Committee Minutes (**See agenda item #7**)
- November 19, 2015, General Issues Committee Minutes (**See agenda item #8**)
- November 19, 2015, Nominating Committee Minutes (**See agenda item #9**)
- November 19, 2015, Regular Quarterly Board Meeting Minutes (**See agenda item #4**)
- Administrative Reports, Outstanding Administrative Penalties Dismissed Cases, Cease and Desist Order, Agreements, Injunctions/Default Judgments (**See agenda item #17**)
- Licensing Applications. (**See agenda item #21**)

**Discuss and Possibly Approve Board Minutes:**

4. **\*(Consent Agenda)** Discuss and possibly approve minutes of the November 19, 2015, Regular Quarterly Board Meeting ..... Daniel O. Wong, Ph.D., P.E.

**Discuss and Possibly Accept Committee Minutes:** ..... Daniel O. Wong, Ph.D., P.E.

5. **\*(Consent Agenda)** November 18, 2015, Licensing Committee Minutes
6. **\*(Consent Agenda)** November 19, 2015, Policy Advisory Opinion Committee Minutes
7. **\*(Consent Agenda)** November 19, 2015, Enforcement Committee Minutes
8. **\*(Consent Agenda)** November 19, 2015, General Issues Committee Minutes
9. **\*(Consent Agenda)** November 19, 2015, Nominating Committee Minutes

**Discuss and Possibly Act on the following agenda items (8-22):**

10. Board Members' Activity Reports..... Daniel O. Wong, Ph.D., P.E.

*(Report)*

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

11. Emeritus Members' Activity Reports..... Daniel O. Wong, Ph.D., P.E.

*(Report)*

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

12. Finance and Budget..... Jeff Mutscher

*(Report)*

- FY16 1st Quarter Budget

13. 4 Year Rule Review..... David Howell, P.E.

*(Motion Required)*

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

14. Licensing Committee ..... Jim Greer, P.E., Chair

- Personal Appearances from Licensing Applicants

*(Motion required on all personal interviews)*

- Discuss and possibly adopt the following rule proposals regarding PE Exam Decoupling as posted in Texas Register for comment

*(Motion Required)*

- PE Decoupling
  - §133.3 Engineer-in-Training Application and Certification
  - §133.61 Engineering Examinations Required for a License to Practice as a Professional Engineer
  - §133.65 Examination on the Fundamentals of Engineering
  - §133.67 Examination on the Principles and Practice of Engineering
  - §133.71 Examination for Record Purposes
  - §133.87 Final Action on Applications

- International Licensure ..... Lance Kinney, Ph.D., P.E.  
*(Report)*

- S. Korea
- Spain
- Mexico

- Criminal History Record Check policy regarding re-applications ..... David Howell, P.E.  
*(Report / Possible Motion)*

15. Policy Advisory Opinion Committee ..... Kyle Womack, P.E., Chair

- Discuss and possibly approve the opinion regarding EAOR#39 – On-Farm Energy Audits ..... C.W. Clark, P.E.  
*(Motion Required)*

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

16. Executive Director’s Report.....Lance Kinney, Ph.D., P.E.

- Activity Report *(Report)*
- Strategic Plan/JTE *(Update)*
- Future Engineer Advisory Committee *(Report)*
- Survey of Employee Engagement *(Report)*
- NCEES Southern Zone & Annual Meeting *(Report)*
- Staff Attorney Report..... Morgen Cuming, J.D.
  - SOAH Cases
  - Suits Against the Board
  - Status of Court Cases (Injunctions)
- Outreach *(Report)*
  - Kudos

**Discuss and Possibly Act on Enforcement/Disciplinary Matters:**

17. **\*(Consent Agenda)** Administrative Reports, Outstanding Administrative Penalties Dismissed Cases, Cease and Desist Order, Agreements, Injunctions/Default Judgments.....C.W. Clark, P.E.

Injunctions/Default Judgments

*Report to full Board pursuant to Board rule §139.21*

- Gary Garza

18. Agreed Board Order ..... C.W. Clark, P.E.

*(Motion Required)*

Practice Violations

1. Rodney A. Ekern, P.E. – D-35672 (Womack)

19. Consent Orders ..... C.W. Clark, P.E.

*(Motion Required)*

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

1. D-36127
2. D-33737
3. D-35440

Non-Practice Violations

4. Roy Alexander Hunt, P.E. – D-36208

Practice Violations

5. Tracy Alan Martin, P.E. – D-36092

- 6. Jason Robert Milligan, P.E. – D-36132
- 7. Harish Navinchandra Shah, P.E. – D-36069

Sanctions Against Non-License Holders

- 8. Devcol Engineering, L.L.C. – B-36213
- 9. Juan Guzman – B-35949

Firm Registration/Sole Proprietorship

- 10. AGS Consultants, LLC – B-36126
- 11. Anchor Equipment Sales, Inc. dba Anchor Autoclave Systems – B-35904
- 12. Ardoin Engineering – B-36167
- 13. Continental Production Services, Inc. – B-36166
- 14. E W McAllister PE – B-36201
- 15. Floresca Associates, Inc. – B-36251
- 16. Jett Engineering, Inc. – B-36189
- 17. James H Suchma PE Inc. – B-36190

20. Discuss and possibly act on Compliance with Approved Board Order.  
(Motion Required)

- Mr. Kent Tompkins, P.E. – D-35103

**Discuss and Possibly Act on Licensing Applications requiring board ruling:**

21. **\*(Consent Agenda)** Licensing Applications..... Robert Opiela, P.E.

*Vote or Reconfirm Votes Pursuant to Board Rule §133.87:*

- Approved for Exams
- Approved for Licensure
- Firms Approved
- Not Approved for Licensure
- Not approved for Exams
- Waivers – FE
- Waivers—Both

**Discuss and Possibly Act on Other Matters**

22. Issues to consider for future meeting..... Daniel O. Wong, Ph.D., P.E.

**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 special accommodation should contact the Texas Board of Professional Engineers at (512) 440-7723, in a timely manner.