

**MINUTES**  
**POLICY ADVISORY OPINION COMMITTEE MEETING**  
**TEXAS BOARD OF PROFESSIONAL ENGINEERS**  
**Thompson Conference Center**  
**2405 Robert Dedman Dr., RM 2.120**  
**Austin, Texas 78712**  
**November 16, 2017—9:00 am**

**CALL TO ORDER.** R. Kyle Womack, P.E., Chair called the Policy Advisory Opinion Committee meeting of the Texas Board of Professional Engineers to order at 9:00 am at the Thompson Conference Center at 2405 Robert Dedman Dr., Rm 2.120, Austin, TX. A quorum was present. (NOTE: all votes are unanimous unless noted.)

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

**The following Committee members were present:**

R. Kyle Womack, P.E.	Chair
Lamberto “Bobby” Ballí, P.E.	Member
Dr. Sina Nejad, P.E.	Member
Albert Cheng	Member

Ms. Veena Mohan, Assistant Attorney General, was present to provide legal counsel to the Board.

**The following staff members were present:**

Lance Kinney, Ph.D., P.E.	Executive Director
David Howell, P.E.	Deputy Executive Director
Rick Strong, P.E.	Director of Licensing
Morgen Cuming, J.D.	Staff Attorney
Dorothy Gonzales	Executive Assistant
Cristabel Bodden	Executive Assistant

**Visitors:** Terry Bilderback, P.E., Texas Society of Professional Engineers (TSPE); Gordon Duncan, P.E., TSPE; Jimmy Alan Hall; Peyton McKnight, American Counsel for Engineering Companies; Kent O’Brien, P.E., Texas Department of Transportation.

**2. Public comment.** None.

**DISCUSS AND POSSIBLY ACT ON THE FOLLOWING ITEMS (AGENDA ITEMS 3-7):**

**3. Discuss and possibly approve the minutes from the August 17, 2017, Policy Advisory Opinion Committee meeting.**

It was MOVED/SECONDED (Ballí/Cheng) to approve the August 16, 2017, Licensing Committee minutes as submitted. A vote was taken and the MOTION PASSED.

**4. Discuss and possibly approve the advisory opinion response for:**

- **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.**

Mr. Howell reviewed the policy advisory opinion response presented to the Committee. The Committee members discussed the plan.

It was MOVED/SECONDED (Ballí/Womack) to recommend to the Board to approve the EAOR 43 Policy Advisory request as submitted. A vote was taken and the MOTION PASSED.

**5. Discuss and possibly act on the policy advisory requests.**

- Reconsideration request EAOR 40 Policy Advisory Request regarding Jurisdiction Outside of Texas
- EAOR 44, Policy Advisory Request regarding Foundation repair methods
- EAOR 45, Policy Advisory Request regarding Electronic signatures and caveats on Preliminary and Final Engineering documents

Mr. Howell presented the policy advisory requests regarding jurisdiction outside of Texas, the foundation repair methods, and the electronic signatures and caveats on preliminary and final engineering documents. The Committee members discussed and carefully considered the requests and determined that the EAOR 40 was sufficient as written and that EAOR 44 and 45 could be addressed under the current laws and rules without a policy advisory.

It was MOVED/SECONDED (Ballí/Nejad) to recommend to the Board to approve staff to send a letter to decline the reconsideration of EAOR 40 and for EAOR 44 and 45 to send letters closing the requests with an explanation. A vote was taken and the MOTION PASSED.

**6. Issues for consideration and schedule next meeting.**

No issues were discussed.

**7. ADJOURN.**

R. Kyle Womack, P.E., Chair adjourned the meeting at 9:39 a.m.

Date minutes were approved by Committee as submitted:

November 16, 2017

Date Board accepted minutes:

November 16, 2017