

**MINUTES**  
**LICENSING COMMITTEE MEETING**  
**TEXAS BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS**  
**VIA VIDEOCONFERENCE**  
**May 20, 2020—1:00 PM**

**Discuss and Possibly Act on the Following Agenda Items:**

**1. Preliminary Matters:**

**A. Call to Order.**

Ms. Catherine Norwood, P.E., Chair, called the Licensing Committee meeting of the Texas Board of Professional Engineers and Land Surveyors to order at 1:01 p.m. via Videoconference. (NOTE: all votes are unanimous unless noted.)

**B. Roll Call.**

Ms. Bodden called the roll. It was noted for the record that a quorum was present.

**The following Committee members were present:**

Catherine Norwood, P.E.	Chair
Lamberto Ballí, P.E.	Member
Albert Cheng	Public Member
Coleen Johnson, R.P.L.S.	Member

Veena Mohan, Assistant Attorney General and General Counsel for the Board, was present via Videoconference to provide legal counsel to the Board.

**The following staff members were present:**

Lance Kinney, Ph.D., P.E.	Executive Director
Rick Strong, P.E.	Director of Licensing and Registration
Michael Sims, P.E.	Director of Compliance and Enforcement
Elissa Mazza	Staff Attorney
Janet Sobieski	Director of Operations
Mason Schoolfield	Lead Systems Developer
Cristabel Bodden	Executive Assistant

**C. Excuse absent Committee members.**

None.

**D. Welcome Visitors.**

**Visitors:** Paul Baker, American Society of Plumbing Examiners (ASPE); Yuri Balmaceda; Dr. William Edwards, R.P.L.S., L.S.L.S., Advisory Member; Dr. Sina K. Nejad, P.E., P.Eng., Board Member; Govind Nadkarni, P.E., Advisory Member; Charles Nettleman, Nettleman Institute for Surveying Engineering and Technology and Billy Smith, ASPE were present via Videoconference.

**Personal Appearances:** Joshua Paul Brackett; Thomas Adams Jones; Michael Louis Liszka; Herbert Kent Magleby; Alan DeLynn Moore; Thomas John O'Brien; Milad Sahgebfar; Logan Riles Tucker; and Marc Uribe were present via Videoconference.

**E. Public Comment.** None.

**2. February 19, 2020 Licensing Committee Meeting Minutes.**

It was MOVED/SECONDED (Johnson/Cheng) to approve the February 19, 2020 Licensing Committee minutes as submitted. A vote was taken and the MOTION PASSED.

**3. Applications for Licensure: Personal Interviews Cases.**

Mr. Strong read the Criminal History Record Check question for the Committee members and relayed that the question appears in its entirety on both versions of the application.

• **Joshua Paul Brackett**

This applicant applied for licensure. He came before the Committee due to an unreported incident. The applicant has completed all court requirements. The Committee and applicant discussed his experience and lessons learned.

It was MOVED/SECONDED (Johnson/Ballí) to recommend to the Board at its Regular Quarterly Board meeting on May 21, 2020, to allow licensure in Texas upon the successful completion of the 30-hour Basic Level Ethics course from Texas Tech Murdough Center for Engineering. A vote was taken and the MOTION PASSED.

• **Thomas Adams Jones**

This applicant applied for licensure. He came before the Committee due to an unreported incident. The applicant has completed all court requirements. The Committee and applicant discussed his experience and lessons learned.

It was MOVED/SECONDED (Ballí/Johnson) to recommend to the Board at its Regular Quarterly Board meeting on May 21, 2020, to allow licensure in Texas upon the successful completion of the 30-hour Basic Level Ethics course from Texas Tech Murdough Center for Engineering. A vote was taken and the MOTION PASSED.

• **Michael Louis Liszka**

This applicant applied for licensure. He came before the Committee due to an unreported incident. The applicant has completed all court requirements. The Committee and applicant discussed his experience and lessons learned.

It was MOVED/SECONDED (Ballí/Cheng) to recommend to the Board at its Regular Quarterly Board meeting on May 21, 2020, to allow licensure in Texas upon the successful completion of the 30-hour Basic Level Ethics course from Texas Tech Murdough Center for Engineering. A vote was taken and the MOTION PASSED.

- **Herbert Kent Magleby**

This applicant applied for licensure. He came before the Committee due to an unreported incident. The applicant has completed all court requirements. The Committee and applicant discussed his experience and lessons learned.

It was MOVED/SECONDED (Ballí/Cheng) to recommend to the Board at its Regular Quarterly Board meeting on May 21, 2020, to allow licensure in Texas upon the successful completion of the 30-hour Basic Level Ethics course from Texas Tech Murdough Center for Engineering. A vote was taken and the MOTION PASSED.

- **Thomas John O'Brien**

This applicant applied for licensure. He came before the Committee due to an unreported incident. The applicant has completed all court requirements. The Committee and applicant discussed his experience and lessons learned.

It was MOVED/SECONDED (Ballí/Johnson) to recommend to the Board at its Regular Quarterly Board meeting on May 21, 2020, to allow licensure in Texas upon the successful completion of the 30-hour Basic Level Ethics course from Texas Tech Murdough Center for Engineering. A vote was taken and the MOTION PASSED.

- **Milad Saghebfar**

This applicant applied for licensure. He came before the Committee due to an unreported incident. The applicant has completed all court requirements. The Committee and applicant discussed his experience and lessons learned.

It was MOVED/SECONDED (Ballí/Johnson) to recommend to the Board at its Regular Quarterly Board meeting on May 21, 2020, to allow licensure in Texas upon the successful completion of the 30-hour Basic Level Ethics course from Texas Tech Murdough Center for Engineering. A vote was taken and the MOTION PASSED.

- **Logan Riles Tucker**

This applicant applied for licensure. He came before the Committee due to an unreported incident. The applicant has completed all court requirements. The Committee and applicant discussed his experience and lessons learned.

It was MOVED/SECONDED (Ballí/Cheng) to recommend to the Board at its Regular Quarterly Board meeting on May 21, 2020, to allow licensure in Texas upon the successful completion of the 30-hour Basic Level Ethics course from Texas Tech Murdough Center for Engineering. A vote was taken and the MOTION PASSED.

- **Marc Uribe**

This applicant applied for licensure. He came before the Committee due to a recent reported incident. The applicant has completed all court requirements. The Committee and applicant discussed his experience and lessons learned.

It was MOVED/SECONDED (Ballí/Johnson) to recommend to the Board at its Regular Quarterly Board meeting on May 21, 2020, to allow licensure in Texas. A vote was taken and the MOTION PASSED.

- **Alan DeLynn Moore**

This applicant applied for licensure. He came before the Committee due to recent reported incidents. The applicant has completed all court requirements. The Committee and applicant discussed his experience and lessons learned.

It was MOVED/SECONDED (Ballí/Johnson) to recommend to the Board at its Regular Quarterly Board meeting on May 21, 2020, to allow the applicant to sit for the Professional Engineer Exam one year from today's date and the applicant must obtain 2 additional years of documented (SER) qualifying engineering experience and 2 Professional Engineer references before appearing again before the Licensing Committee in 2 years. A vote was taken and the MOTION PASSED.

#### **4. Request for Acceptance of Nettleman Institute for Surveying Engineering and Technology (NISET) as an Approved Education Provider.**

Mr. Nettleman asked the Committee to approve the request from the Nettleman Institute for Surveying Engineering and Technology (NISET) to become a Board approved that would be accepted toward registration as a Registered Professional Land Surveyor (RPLS), He stated NISET is currently approved by the Texas Workforce Commission to offer a certificate in Land Surveying but that the program has not yet been reviewed and approved by ABET or the Southern Association of Colleges and Schools (SACS). Therefore, the Board would need to recognize the NISET program so that students can become RPLS. Mr. Nettleman stated that a letter, certificate, and catalog were provided as an exhibit.

Mr. Nettleman stated that NISET is on the path to become accredited through SACS which is a Department of Education approved accreditation Board. Unfortunately, SACS cannot provide accreditation to NISET until it has one graduate of its program and he would like the Board's support.

Committee members considered and discussed the NISET request.

Dr. Kinney stated that the Surveying Advisory Committee had reviewed the material provided in the exhibit and did not support the proposal.

It was MOVED/SECONDED (Cheng/Ballí) to recommend to the Board at its Regular Quarterly Board meeting on May 21, 2020, that the Nettleman Institute for Surveying Engineering and Technology request be tabled. A vote was taken and the MOTION PASSED.

#### **5. Request by American Society of Plumbing Engineers (ASPE) to Support Plumbing Engineering Option in NCEES Mechanical Professional Engineering Exam.**

Mr. Smith stated that he submitted a written statement as an exhibit for the Committee's review. Mr. Smith provided history on the American Society of Plumbing Engineers (ASPE). ASPE is dedicated to the advancement of the science of plumbing engineering, to the professional growth and advancement of its members, and the health, welfare and safety of the public at large. It also promotes the profession amongst all segments of the plumbing industry.

Mr. Smith stated that ASPE wholeheartedly understands and supports the protection and advancement of Licensure of the professional engineer as they also support and encourages the PE registration in the applicable processes and promotes professional ethics in the advancement of the roll of the professional engineer.

Mr. Smith stated that ASPE recognizes that the plumbing engineer designer and the professional engineer have a shared interest. Rapid changes in technology and standards in codes create a need amongst its members for increased awareness and education regarding the emerging technical, scientific, legislative and regulatory developments in the world's marketplace.

Mr. Smith stated that plumbing engineering is not currently represented as a separate subset of mechanical engineering in the engineering regulatory and examination space. Mechanical engineering currently has three disciplines: HVAC and refrigeration, machine design and materials, and thermal and fluid systems. Plumbing has a significant impact on the health, safety and welfare of the public.

Mr. Smith stated that ASPE is petitioning the Board to consider a fourth engineering discipline within mechanical engineering, that of the plumbing engineer and show their support to NCEES for the development of a separate plumbing engineering exam in a letter.

Committee members considered and discussed the ASPE request.

The Committee would like further guidance from the General Counsel before any decision is made.

No action was required on this agenda item.

## **6. Texas Board of Professional Engineers and Land Surveyors' Land Surveying Exam Update.**

Mr. Strong provided an update on the professional engineers and land surveyor's exams.

Mr. Strong stated that the National Council of Examiners for Engineering and Surveying (NCEES) had canceled the April engineering exams and moved them to October and will hold the exams over a two-day period. NCEES is also granting additional registration time for the October 2020 exams.

The April RPLS, LSLS, and RCP surveying exams were originally postponed until June but were ultimately canceled altogether and both test dates have been moved to October 2020.

No action was required on this agenda item.

**7. Licensing Director's Report.**

• **Engineer Results and Statistics: Licensing Application and Examination Report.**

Mr. Strong reviewed the report with the Committee members and provided application and exam results.

• **Surveyor Results and Statistics: Registration Application and Examination Report.**

Mr. Strong reviewed the report with the Committee members and provided application and exam results.

**8. Issues for consideration for future board meetings.**

Mr. Ballí asked that Board staff continue to work on and consider the Nettlemen request.

**9. Adjourn.**

Ms. Norwood adjourned the meeting at 3:38 p.m.

Date minutes were approved by Committee as submitted:

August 19, 2020

Date Board accepted minutes:

August 20, 2020