

**MINUTES**  
**POLICY ADVISORY OPINION COMMITTEE MEETING**  
**TEXAS BOARD OF PROFESSIONAL ENGINEERS**  
**1917 IH-35 SOUTH, BOARD ROOM, AUSTIN, TEXAS**  
**February 11, 2016— 9:30 am**

**CALL TO ORDER.** Kyle Womack, P.E., Committee Chair, called the Policy Advisory Opinion Committee meeting of Texas Board of Professional Engineers to order at 9:30 am on February 11, 2016, at 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.**

Kyle Womack, P.E.,	Chair
Sina Nejad, D.Eng., P.E.,	Member
Edward Summers, Ph.D.	Member

Ms. Veena Mohan, Assistant Attorney General, was present to provide legal counsel to the Board. Mr. Edmundo Gonzalez, P.E., and Jose Guerra, P.E., Emeritus Board Members, were present.

The following staff members were present:

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

**Visitors:** Terry Bilderback, P.E., Texas Society of Professional Engineers (TSPE); Yailin Ramirez, Texas Department of Transportation (TxDOT); Marc Young, P.E.

- 2. Public comment.** Mr. Marc Young, P.E., addressed the Committee members requesting that the Board consider enforcement against Texas PEs who provide engineering services outside of the state of Texas. It is his opinion that they can jepordize the health, safety, and welfare of the public. He requested a Policy Advisory Opinion regarding the jurisdiction of the Texas Board of Professional Engineers on projects outside the state of Texas performed by Texas PEs located in Texas. He thanked the Committee for listening and taking into consideration his concern.

**DISCUSS AND POSSIBLY ACT ON THE FOLLOWING ITEMS (AGENDA ITEMS 3-6):**

- 3. Discuss and possibly approve the November 19, 2015, Policy Advisory Opinion Committee Minutes.**

It was MOVED/SECONDED (Summers/Nejad) to approve the November 19, 2015, Policy Advisory Opinion Committee minutes as submitted. A vote was taken and the MOTION PASSED.

- 4. Discuss and possibly approve the opinion regarding EAOR#39 – On-Farm Energy Audits**

Mr. Clark presented the response to EAOR#39 which had been posted in the Texas Register. He asked the Committee to approve the policy advisory as proposed and which was submitted as an exhibit.

It was MOVED/SECONDED (Summers/Nejad) to recommend to the Board at its Regular Quarterly Board meeting on February 11, 2016, to approve Policy Advisory Opinion to EAOR#39 as submitted. A vote was taken and the MOTION PASSED.

- 5. Issues for consideration and schedule next meeting.**

The Board will address Mr. Young's policy advisory request at the next scheduled Policy Advisory Opinion Committee meeting.

- 6. ADJOURN.**

It was MOVED/SECONDED (Summers/Nejad) to adjourn the meeting at 9:41am. A vote was taken and the MOTION PASSED.

Date Committee approved the minutes as submitted: May 26, 2016  
Date Board accepted the minutes: May 26, 2016