

AGENDA
 SOUTH INTERSTATE 35
 AUSTIN, TX 78741
 TEXAS BOARD OF PROFESSIONAL ENGINEERS
 REGULAR QUARTERLY BOARD MEETING 1917
 November 19, 2015 – 10:30 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)

- August 26, 2015, Licensing Committee Minutes (**See agenda item #5**)
- August 27, 2015, Policy Advisory Opinion Committee Minutes (**See agenda item #6**)
- August 27, 2015, Nominating Committee Minutes (**See agenda item #7**)
- August 27, 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 #18**)
- Licensing Applications. (**See agenda item #22**)

Discuss and Possibly Approve Board Minutes:

4. ***(Consent Agenda)** Discuss and possibly approve minutes of the August 27, 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)** August 26, 2015, Licensing Committee Minutes
6. ***(Consent Agenda)** August 27, 2015, Policy Advisory Opinion Committee Minutes
7. ***(Consent Agenda)** August 27, 2015, Nominating Committee Minutes

Discuss and Possibly Act on the following agenda items (8-23):

8. Board Members' Activity Reports..... Daniel O. Wong, Ph.D., P.E.
(Report)

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

9. Emeritus Members' Activity Reports..... Daniel O. Wong, Ph.D., P.E.
(Report)

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

10. Finance and Budget..... Jeff Mutscher
(Report)

- | | |
|---------------------------------------|------------------|
| • FY15 4 th Quarter Budget | • Internal Audit |
| • AFR Report | |

11. Bi-annual Performance Measures Report..... David Howell, P.E.
(Report)

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

12. Nominating Committee..... Daniel O. Wong, Ph.D., P.E., Chair
(Motion Required)

- Election of New Officers for Fiscal Year 2016

13. Licensing Committee Bobby Ballí, P.E., Chair

- Personal Appearances from Licensing Applicants
(Motion required on all personal interviews)
- Discuss and possibly adopt the following rule proposals as posted in Texas Register for comment
(Motion Required)
 - Military licensing (SB 807 and SB 1307)–

- §133.21 Application for Standard License
- §133.23 Applications from Former Standard License Holders
- §133.25 Applications from Engineering Educators
- §133.81 Receipt and Processing of Applications by the Board
- §137.9 Renewal for Expired License
- Discuss and possibly approve the following PE exam Decoupling rule proposals.
(*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.
(*Possible Motion*)
 - Discuss and possibly approve Mutual Agreement
 - S. Korea

14. Policy Advisory Opinion Committee Kyle Womack, P.E., Chair
- Current status and draft proposal regarding
EAOR#39 – On-Farm Energy Audits C.W. Clark, P.E.
(*Possible Motion*)

15. Enforcement Committee Sam Kannappan, P.E., Chair
- Staff Attorney Report Morgen Cumming, J.D.
(*Report*)
 - SOAH Cases
 - Suits Against the Board
 - Status of Court Cases (Injunctions)
 - SOAH Final Order Morgen Cumming, J.D.
(*Motion Required*)
 - Rosser B. Melton, Jr. – Case B-35680

16. General Issues Committee Jim Greer, P.E., Acting Chair
- Discuss and possibly adopt the following rule proposals as posted in Texas Register
(*Motion Required*)
 - Professional Fee Repeal (HB 7)–
 - §133.81 Receipt and Processing of Applications by the Board
 - §133.87 Final Action on Applications
 - §133.97 Issuance of License
 - §137.7 License Expiration and Renewal
 - §137.9 Renewal for Expired License
 - §137.11 Expiration and Licensed in Another Jurisdiction
 - §137.13 Inactive Status
 - Windstorm Roster Removal (HB 2439)–
 - §137.19. Engineers Qualified to be Texas Windstorm Inspectors.
 - Contracting (SB 20)–
 - §131.37 State Contract Guidelines
 - Rulemaking Petitions (HB763)
 - §131.85 Board Rules Procedures

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

17. Executive Director’s Report..... Lance Kinney, Ph.D., P.E.
- Activity Report (*Report*)
 - Strategic Plan/JTE (*Update*)
 - NCEES Awards Nomination (*Report*)
 - Outreach (*Report*)

- TML Booth-September 22-25, 2015, San Antonio (*Report*)
- Booth-STEAM Day, Waco (*Report*)
- Kudos

Discuss and Possibly Act on Enforcement/Disciplinary Matters:

18. ***(Consent Agenda)** Administrative Reports, Outstanding Administrative Penalties Dismissed Cases, Cease and Desist Order, Agreements, Injunctions/Default Judgments.....C.W. Clark, P.E.
Report to full Board pursuant to Board rule §139.21
19. Agreed Board Order..... C.W. Clark, P.E.
(Motion Required)
Practice Violations
 1. Jay Victor Hamm, P.E. – D-35778 (Womack)
20. 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-35887
 2. D-36002
 3. D-36090
 4. D-35963
 5. D-36025Non-Practice Violations
 6. Steven W. Crain, P.E. (Inactive) – D-35712Practice Violations
 7. Albert C. Alaniz III, P.E. – D-36015
 8. Dr. Donatus I. Anyanwu, P.E. – D-34879 & D-35298
 9. Gerald Paul Wilson, P.E. – D-36078Sanctions Against Non-License Holders
 10. Brian D. Gaylord - B-35877
 11. Melvin Holloway – E-35918Firm Registration/Sole Proprietorship
 12. H. Carlos Smith Engineers & Surveyors, Inc. – B-35797
 13. Michael Sandone Productions, Inc. – B-35876
 14. Norville Schroeder Smith and Associates, P.L.L.C. – B-35879
 15. Sandwell Engineers Corp. DBA Ausenco – B-35931
21. Discuss and possibly act on request for reconsideration of Approved Consent Order.
(Motion Required)
 - Mr. Kent Tompkins, P.E. – D-35103

Discuss and Possibly Act on Licensing Applications requiring board ruling:

22. ***(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
 - Waivers – FE
 - Waivers—PE
 - Waivers—Both

Discuss and Possibly Act on Other Matters

23. 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.