

MINUTES
LICENSING COMMITTEE MEETING
TEXAS BOARD OF PROFESSIONAL ENGINEERS
1917 IH35 SOUTH, BOARD ROOM, AUSTIN, TX 78741
August 27, 2014— 1:00 PM

Call to Order. Lamberto “Bobby” Ballí, P.E., Chair, called the Licensing Committee meeting to order at 1:00 pm on May 20, 2014, at the Texas Board of Professional Engineers, 1917 South Interstate 35, Austin, TX. (Note: all motions are unanimous unless noted).

1. Roll call and welcome visitors.

Lamberto “Bobby” Ballí, P.E.	Chair
Carry Ann Baker, J.D.	Member
Jim Greer, P.E.	Member
Sam Kannappan, P.E.	Member (excused absence)

A quorum was present. Ms. Veena Mohan, Assistant Attorney General, was present to provide legal counsel to the Board. Mr. Jose I. Guerra, P.E., Emeritus Board Member, was present.

The following staff members were present:

Lance Kinney, P.E.	Executive Director
David Howell, P.E.	Deputy Executive Director
Robert Opiela, P.E.	Director of Licensing
Dewey Helmcamp, III J.D.	Staff Attorney
Salvador Sanchez	Licensing Specialist
Dorothy Gonzales	Executive Assistant

Visitors. Trish Smith, Executive Director, Texas Society of Professional Engineers (TSPE); Kent O’Brien, P.E., Texas Department of Transportation; Stephanie Stanford, P.E., TSPE;

Personal Interviews: Jamie Rodriguez, Jaime Ozuna, Imelda Diaz, Michael Maurer, Wilson Dwayne Preston, Gregory D. King, Benjamin Reed King, Jason Everette Lee, Derek Clayton Major, Brian Everitt

2. Public comment. None.

Discuss and Possibly Act on the Following (Agenda Items 3-12):

3. Discuss and possibly accept the May 31, 2013, Education Advisory Committee Minutes.

It was MOVED/SECONDED (Greer/Baker) to accept May 31, 2013, Education Advisory Committee Minutes as submitted. A vote was taken and the MOTION PASSED.

4. Discuss and possibly approve the May 20, 2014, Licensing Committee Minutes.

It was MOVED/SECONDED (Baker/Greer) to approve the May 20, 2014, Licensing Committee Minutes as submitted. A vote was taken and the MOTION PASSED.

5. Discuss and possibly act on applications for licensure: Personal Interviews.

Jaime Rodriguez. This applicant applied for licensure. He came before the Committee due to a recent criminal incident. He has completed all terms related to the criminal incident. The Committee and applicant discussed the incident, his experience, and lessons learned.

It was MOVED/SECONDED (Baker/Greer) to recommend to the Board at its Regular Quarterly Meeting on August 28, 2014, to approve the applicant for licensure. A vote was taken and the MOTION PASSED.

Jaime Ozuna. This applicant applied to take the PE exam. He came before the Committee due to multiple criminal incidents. He has completed all terms related to all criminal incidents. The Committee and applicant discussed the incidents, his experience, and lessons learned.

It was MOVED/SECONDED (Greer/Baker) to recommend to the Board at its Regular Quarterly Meeting on August 28, 2014, to deny the application to take the PE exam, reapply with two more years of engineering experience, and provide additional references. A vote was taken and the MOTION PASSED.

Imelda Diaz. This applicant applied to take the PE exam. She came before the Committee due to an unreported criminal incident. She has completed all terms related to all criminal incidents. The Committee and applicant discussed the incidents, her experience, and lessons learned.

It was MOVED/SECONDED (Ballí/Baker) to recommend to the Board at its Regular Quarterly Meeting on August 28, 2014, to approve the applicant to take the PE exam pending completion of the Level I (30 hour) Ethics course from Texas Tech and submittal of documentation to staff. A vote was taken and the MOTION PASSED.

Brian Everitt. This applicant applied to take the PE exam with a waiver of the FE. He came before the Committee due to multiple criminal incidents. He has completed all terms related to all criminal incidents. The Committee and applicant discussed the incidents, his experience, and lessons learned.

It was MOVED/SECONDED (Ballí/Greer) to recommend to the Board at its Regular Quarterly Meeting on August 28, 2014, to place the applicant's application on hold. In addition, the applicant is to submit a PE reference from his current employer after one year of employment. Also, he must submit additional references (non-PEs are acceptable) for past experience. Finally, the applicant shall reappear before the Licensing Committee. A vote was taken and the MOTION PASSED.

Gregory King. This applicant applied for licensure. He came before the Committee due to an unreported criminal incident. He has completed all terms related to the criminal incident. The Committee and applicant discussed the incident, his experience, and lessons learned.

It was MOVED/SECONDED (Ballí/Baker) to recommend to the Board at its Regular Quarterly Meeting on August 28, 2014, to approve the applicant for licensure pending completion of the Level I (30 hour) Ethics course from Texas Tech and submittal of documentation to staff. A vote was taken and the MOTION PASSED.

Michael Maurer. This applicant applied for licensure. He came before the Committee due to multiple criminal incidents on his record. He has completed all terms related to all criminal incidents. The Committee and applicant discussed the incidents, his experience, and lessons learned.

It was MOVED/SECONDED (Greer/Baker) to recommend to the Board at its Regular Quarterly Meeting on August 28, 2014, to deny the current application for licensure. The applicant can reapply after completion of the Level II (60 hour) Ethics course from Texas Tech. The applicant shall provide one additional favorable PE reference from his current employer. Finally, the applicant shall reappear before the Licensing Committee after reapplying. A vote was taken and the MOTION PASSED.

Chair called for a recess @ 3:12 pm.
Chair reconvened at 3:24 pm

Benjamin King. This applicant applied for licensure. He came before the Committee due to unreported criminal incidents. He has completed all terms related to all criminal incidents. The Committee and applicant discussed the incidents, his experience, and lessons learned.

It was MOVED/SECONDED (Ballí/Baker) to recommend to the Board at its Regular Quarterly Meeting on August 28, 2014, to place the applicant's application on hold pending completion of the Level I (30 hour) Ethics course from Texas Tech and submit documentation to staff. Also, the applicant shall submit to staff proof (emails are acceptable) that NCEES and all state boards where he is licensed have been notified of his criminal history. Finally, the applicant shall reappear before the Licensing Committee to consider licensure when all conditions have been met. A vote was taken and the MOTION PASSED (2-1).

Jason Lee. This applicant applied to take the PE exam. He came before the Committee due to an unreported criminal incident. He has completed all terms related to all criminal incidents. The Committee and applicant discussed the incident, his experience, and lessons learned.

It was MOVED/SECONDED (Greer/Baker) to recommend to the Board at its Regular Quarterly Meeting on August 28, 2014, to approve the applicant to take the PE exam. A vote was taken and the MOTION PASSED.

Derek Major. This applicant applied to take the PE exam. He came before the Committee due to an unreported criminal incident. He has completed all terms related to all criminal incidents. The Committee and applicant discussed the incident, his experience, and lessons learned.

It was MOVED/SECONDED (Greer/Baker) to recommend to the Board at its Regular Quarterly Meeting on August 28, 2014, to approve the applicant to take the PE exam. A vote was taken and the MOTION PASSED.

Wilson Preston. This applicant applied for licensure as a former Texas license holder. He came before the Committee due to a criminal incident on his record. The terms related to the criminal incident are incomplete at this time. The Committee and applicant discussed the incident, his experience, and lessons learned. The committee recognized that the terms of his parole have not been completed.

It was MOVED/SECONDED (Greer/Baker) to recommend to the Board at its Regular Quarterly Meeting on August 28, 2014, to deny the application for licensure. . The applicant can reapply when the terms of his court supervision have been completed. A vote was taken and the MOTION PASSED.

6. **Licensure Advisory Task Force Meeting.**

Mr. Kinney reported that the Licensure Advisory Task Force met in July 2014 in College Station. The Board attended the meeting as a resource for the Task Force. The Task Force drafted language regarding faculty licensure that could be considered during the 84th Legislative Session. Dr. Jim Nelson, P.E., leads the Task Force, and will be communicating with TSPE & ACEC.

7. **Criminal History Record Check.**

- Process report

Mr. Howell reviewed the exhibit provided to the Committee members.

8. **International Agreements.**

- South Korea.
- Mexico.
- Engineers Australia.

Mr. Kinney reported that discussions with South Korea are still in progress. He added that contact has been made with representatives from Mexico to possibly open communications regarding the NAFTA agreement between the Board and Mexico. Mr. Kinney commented that the Mutual Recognition Agreement (MRA) with Engineers Australia has been revised and included as an exhibit for Board approval.

It was MOVED/SECONDED (Baker/Greer) to recommend to the Board at its Regular Quarterly Board meeting on August 28, 2014, to reauthorize the MRA with Engineers Australia. A vote was taken and the MOTION PASSED.

9. Software Engineering Update and IEEE Request.

Mr. Kinney reported that in a previous agreement with IEEE, The Board agreed to fund the Software Engineer exam for three years. IEEE also requested future funding from the Board. Staff is requesting approval from the Board to submit the third payment to continue the project.

After further discussion, the Committee agreed to fund the third and final payment as agreed. IEEE would have to seek other types of funds for continuation of developing the exam.

It was MOVED/SECONDED (Greer/Baker) to recommend to the Board at its Regular Quarterly Board meeting on August 28, 2014, to make the third and final payment to IEEE from the Board. A vote was taken and the MOTION PASSED.

10. Licensing Director's Report.

- Results and statistics: Application and Examination Report.

Mr. Opiela reviewed the exhibits included in the materials with the Committee members.

11. Issues for consideration and schedule next meeting.

The Committee would like a report on how changes to the NCEES Model Law may affect applicants including decoupling of the PE exam experience and whether there be a rule revision or policy statement.

12. Adjourn.

It was MOVED/SECONDED (Greer/Baker) to adjourn the meeting at 6:12pm. A vote was taken and the MOTION PASSED.

Date approved by Committee as submitted:

November 19, 2014

Date accepted by Board:

November 20, 2014