

MINUTES
LICENSING COMMITTEE MEETING
TEXAS BOARD OF PROFESSIONAL ENGINEERS
1917 IH35 SOUTH, BOARD ROOM, AUSTIN, TX 78741
August 26, 2015—1:00 PM

Call to Order. Lamberto “Bobby” Ballí, P.E., Chair called the Texas Board of Professional Engineers Licensing Committee meeting to order at 1:00 pm on August 26, 2015, 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.

Lamberto “Bobby” Ballí, P.E.	Chair
Carry Ann Baker	Member
James “Jim” Greer, P.E.	Member
Sockalingam “Sam” Kannappan, P.E.	Member

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

The following staff members were present:

Lance Kinney, Ph.D., P.E.	Executive Director
David Howell, P.E.	Deputy Executive Director
Robert Opiela, P.E.	Director of Licensing
Dewey Helmcamp, III JD	Staff Attorney
Morgen Cuming, JD	Staff Attorney
Debbie Trevino	Continuing Education Coordinator

Personal Appearances: Cliff Abernathy, Andrew Adams, Nicholas Francis, John Jacobi, Patrick Kearns, Eric Nielsen, Noah Poe, Travis Rau, Matthew Rivera, Jesus Salgado, James Wilson.

Visitors. Kent O’Brien, P.E., Texas Department of Transportation (TxDOT); Bill Tucker, P.E., TxDOT.

2. Public comment. None.

Discuss and Possibly Act on the Following (Agenda Items 3-13):

3. Discuss and possibly accept the June 6, 2014, Education Advisory Committee Minutes.

It was MOVED/SECONDED (Greer/Baker) to accept the June 6, 2014, Education Advisory Committee Minutes as submitted. A vote was taken and the MOTION PASSED.

4. Discuss and possibly approve the May 20, 2015, Licensing Committee Minutes.

It was MOVED/SECONDED (Kannappan/Greer) to approve the May 20, 2015, Licensing Committee Minutes as submitted. A vote was taken and the MOTION PASSED.

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

Andrew Adams. This applicant applied to take the PE exam. He came before the Committee due to completion of conditions from a previous Board action. The Committee and applicant discussed his experience and lessons learned.

It was MOVED/SECONDED (Baker/Kannappan) to recommend to the Board at its Regular Quarterly Meeting on August 27, 2015, to approve the applicant to take the PE exam. A vote was taken and the MOTION PASSED.

Matthew Rivera. This applicant applied to take the PE exam. He came before the Committee due to a recent criminal incident. He has completed the terms related to the criminal incident. 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 27, 2015, to approve the applicant to take the PE exam. A vote was taken and the MOTION PASSED.

Nicholas Francis. This applicant applied for licensure. He came before the Committee due to recent criminal incidents. He has completed the terms related to the criminal incidents. The Committee and applicant discussed the incidents, his experience, and lessons learned.

It was MOVED/SECONDED (Baker/Kannappan) to recommend to the Board at its Regular Quarterly Meeting on August 27, 2015, to approve the applicant for licensure. A vote was taken and the MOTION PASSED.

Jesus Salgado. 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 27, 2015, to deny the application to take the PE exam, allow him to reapply no sooner than 10/12/2017 (4 years from last incident) with two additional years of creditable experience, completion of the Level I (30 hour) Ethics course from Texas Tech by 1/1/2016 and have no further criminal judgements against him. When he reapplies, he will reappear before the Licensing Committee for consideration. A vote was taken and the MOTION PASSED.

John Jacobi. 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 27, 2015, to deny the application to take the PE exam, allow him to reapply with two additional years of creditable experience and three additional PE references, completion of the Level I (30 hour) Ethics course from Texas Tech by 1/1/2016 and have no further criminal judgements against him. When he reapplies, he will reappear before the Licensing Committee for consideration. A vote was taken and the MOTION PASSED.

Cliff Abernathy. This applicant applied for licensure. He came before the Committee due to an unreported criminal incident. He has completed the terms related to the criminal incident. 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 27, 2015, to approve the applicant for licensure pending completion of the Level II (60 hour) Ethics course from Texas Tech and submittal of documentation to staff. A vote was taken and the MOTION PASSED.

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

It was MOVED/SECONDED (Balli/Greer) to recommend to the Board at its Regular Quarterly Meeting on August 27, 2015, 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.

Eric Nielsen. This applicant applied for licensure. He came before the Committee due to an unreported criminal incident. He has completed the terms related to the criminal incident. 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 27, 2015, 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.

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

It was MOVED/SECONDED (Baker/Kannappan) to recommend to the Board at its Regular Quarterly Meeting on August 27, 2015, 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.

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

It was MOVED (Greer) to recommend to approve the applicant for licensure. There was no second for the motion, so the motion failed. It was MOVED/SECONDED (Baker/Kannappan) to the Board at its Regular Quarterly Meeting on August 27, 2015, 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.

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

It was MOVED (Kannappan) to recommend 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. There was no second for the motion, so the motion failed. It was MOVED/SECONDED (Baker/Greer) to the Board at its Regular Quarterly Meeting on August 27, 2015, to approve the applicant for licensure. A vote was taken and the MOTION PASSED.

6. Discuss and possibly approve the following rule proposal to be posted in the Texas Register for comment.

Mr. Howell reported on the following rules that were included in the board materials.

- **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**

It was MOVED/SECONDED (Baker/Kannappan) to recommend to the Board to publish in the Texas Register for comment the following rules as submitted: Professional Fee Repeal rules §§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. A vote was taken and the MOTION PASSED.

- **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**

It was MOVED/SECONDED (Greer/Baker) to recommend to the Board to publish in the Texas Register for comment the following rules as submitted: Military licensing rules §§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, and 137.9 Renewal for Expired License. A vote was taken and the MOTION PASSED.

- **Windstorm Roster Removal (HB 2439)–**
- **§137.19. Engineers Qualified to be Texas Windstorm Inspectors.**

It was MOVED/SECONDED (Kannappan/ Greer) to recommend to the Board to publish in the Texas Register for comment the following rules as submitted: Windstorm Roster Removal rule §137.19. Engineers Qualified to be Texas Windstorm Inspectors. A vote was taken and the MOTION PASSED.

Mr. Ballí added that staff should perform public outreach to the engineering community.

7. **Discuss and possibly approve the following PE exam Decoupling Report.**
 - **PE exam Decoupling**
 - **PE exam Decoupling Report**

After discussion with staff regarding IT changes, rule proposals, and the overall concept, committee members agreed with staff that it is a good idea for Texas move forward with decoupling of the PE exam and engineering experience.

It was MOVED/SECONDED (Greer/Kannappan) to recommend to the Board to approve staff continue the process and next steps for the decoupling of the PE exam. A vote was taken and the MOTION PASSED.

8. **International Licensure.**
 - **Mutual Recognition Agreement (MRA) with S. Korea.**
 - **Mutual Recognition Agreement (MRA) with Spain.**

Dr. Kinney reported that a draft from over a year ago of the MRA with S. Korea was included. Texas was originally ready to sign the MRA, and issues occurred in S. Korea that stalled the signing of the MRA. Texas has since received revised draft MRA language and staff, two board members, and one emeritus member met with S. Korean delegates at the recent NCEES Annual Meeting to discuss changes. He added that the goal is for staff to discuss further with S. Korean delegates and present revisions to the Committee for recommendation for Board approval in November. No motion required.

Dr. Kinney reported that communication with CICCIP in Spain towards a possible MRA with Texas have been great. The goal is to a possible face to face meeting with Spain in Texas sometime later in the year.

9. **Update on Education Advisory Committee Meeting.**

Mr. Opiela reported that the Education Advisory Committee members were informed about the 84th Legislative Session, decoupling, TBPE's Strategic Planning, the FE exam numbers, and the Criminal History Record Check. Committee members also discussed the possibility of having advisory committee meetings in different cities in Texas.

Dr. Kinney added that he discussed with Dr. Wong about the possible regional advisory meetings.

10. **Discuss Enhancing Engagement of Engineers-In-Training (EIT).**

Mr. Ballí reported that he discussed with staff different ideas on getting the Engineers-in-Training more involved. Mr. Ballí would like to consider this item continue to be on the Committee's agenda. Dr. Kinney added that NCEES has an Emerging Leaders' group that consists of younger engineers to discuss the future of engineering. Dr. Kinney would like to pursue a similar group for Texas.

11. **Licensing Director's Report.**

• **Results and statistics: Application and Examination Report.**

Mr. Opiela discussed with Committee members the application and examination report which was submitted as an exhibit.

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

13. **Adjourn.**

It was MOVED/SECONDED (Kannappan/Baker) to adjourn the meeting at 4:42 pm. A vote was taken and the MOTION PASSED.

Date Committee approved minutes as submitted: November 18, 2015

Date Board accepted minutes: November 19, 2015