

MINUTES

STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS

Meeting held
Thursday, May 20, 2010

Indiana Government Center South
402 West Washington Street, Rm W064
Indianapolis, Indiana

I CALL TO ORDER

Mr. Harold Snead called the meeting to order at 9:07 a.m. in 402 West Washington Street, Room W064, Indianapolis, Indiana and declared a quorum in accordance with IC § 25-31.

Members Present

Harold Snead
Mark Downey
Vincent Drnevich
Ken Spaulding
John Sauer

Members Not Present

Jim Erb
John Beery

Staff Present

Angela Smith Jones, Board Director, Indiana Professional Licensing Agency
Crystal Heard, Assistant Director, Indiana Professional Licensing Agency
James Schmidt, Board Advisor, Office of the Attorney General

II ADOPTION /AMENDMENTS TO THE MINUTES OF MARCH 18, 2010

Board action: A motion was made to adopt the minutes.

Downey/Spaulding
Motion carried 5/0/0

III REPORT REGARDING CONSUMER COMPLAINTS FROM THE OFFICE OF THE ATTORNEY GENERAL By Liaison for the Board

Mr. Sauer reported that there were 2 reports which he reviewed these past 2 months. 1 was based upon discipline in another state and 1 was regarding practicing without a license.

IV PERSONAL APPEARANCES

A E Robert Bouwkamp

Mr. Bouwkamp did not appear as requested for the reinstatement of his license. The board believes that his information is lacking in type of work done since the expiration of his license. The information sent was inadequate based upon the type of information requested.

Board action: A motion was made to deny the reinstatement based upon insufficient information of his work experience during the time his license was lapsed.

Downey/Drnevich

Motion carried 5/0/0

B Patrick Knoll

Mr. Knoll appeared before the board to request the reinstatement of his license. His license expired in 2006. He used his seal in Indiana during the time his license was expired.

Board Action: A motion was made to reinstate the license on indefinite probation with terms and conditions similar to SBRPE 09-05.

Drnevich/Downey
Motion carried 5/0/0

C Joseph Alford

Mr. Alford appeared before the board to request the reinstatement of his license. His license expired in 2006. He has not placed his seal on any documents in the State of Indiana.

Board action: A motion was made to reinstate the license.

Sauer/Drnevich
Motion carried 5/0/0

V CONTINUING EDUCATION

Discussion by the Board

No specific discussion was held outside of the possible adoption of the rule.

VI PETITIONS FOR REVIEW

None

VII ADMINISTRATIVE RULES

TITLE 864 STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS

LSA Document #09-788

Re: Continuing Education Rules – Possible Adoption

The Board considered the OMB Fiscal analysis and the proposed rule as published in the Register.

Board action: A motion was made to adopt the rules as published in the Register and to order the Executive Director to proceed in processing the rules.

Downey/Drnevich
Motion carried 5/0/0

James Wertz addressed the board regarding a letter he sent in 2009 at the time of the last rules hearing expressing his opinion on the rules.

VIII ADMINISTRATIVE HEARINGS

A In the Matter of Keith Corban

Administrative Cause No. 09-10

Re: Final Hearing

Parties Present

Mr. Corban was not present nor was counsel present on his behalf
The State of Indiana was represented by Natalie Stidd

Witnesses

Philip Turner

Board Members Present

Harold Snead, is the hearing officer
Mark Downey
John Sauer
Ken Spaulding
Vince Drnevich

Board action A motion was made to issue a notice of proposed default

Sauer/Downey
Motion carried 5/0/0

B In the Matter of the License Application of Divya Mamidala

Administrative Cause No. 10-02
Re: Final Hearing – Denial of Application for Licensure

Parties Present

Ms. Mamidala present without counsel
The State of Indiana was not present as this is an application matter

Board Members Present

Harold Snead, is the hearing officer
Mark Downey
John Sauer
Ken Spaulding
Vince Drnevich

Case Summary Ms. Mamidala was denied admission to the exam and thus licensure as an EIT based upon deficiency in course work hours

Board action A motion was made to grant her permission to sit for the FE exam based upon the courses she took in Florida

Drnevich/Spaulding
Motion carried 5/0/0

C In the Matter of the License Application of Dongzhan Zhou

Administrative Cause No. 10-03
Re: Final Hearing – Denial of Application for Licensure

Parties Present

Ms. Zhou was present without counsel
The State of Indiana was not present as this is an application matter

Board Members Present

Harold Snead, is the hearing officer
Mark Downey
John Sauer
Ken Spaulding
Vince Drnevich

Case Summary Ms Zhou was denied licensure as a professional engineer based upon a deficiency in course work hours. She will have a transcript from IUPUI to present to the board addressing the deficient course work issue.

Board action A motion was made to deny the license as she is still deficient 3 hours in chemistry and the board does not have proof of the most recent course from IUPUI.

Downey/Sauer
Motion carried 5/0/0

D In the Matter of the License Application of Sarah Browning

Administrative Cause No. 10-04

Re: Final Hearing – Denial of Application for Licensure

Parties Present

Ms. Browning was present without counsel.

The State of Indiana was not present as this is an application matter.

Witnesses

Nancy Denton

Board Members Present

Harold Snead, is the hearing officer.

Mark Downey

John Sauer (recused himself)

Ken Spaulding

Vince Drnevich

Case Summary Ms. Browning was denied licensure as a professional engineer based upon a deficiency in course work hours.

Petitioner's Exhibit A Course work description and supporting information.

Petitioner's Exhibit B Supplemental worksheet of courses taken.

Board action A motion was made to grant licensure in that she has provided enough additional information to the board for the board to determine that these 5 courses [MET 317, MET 334, MET 382, MET 451, TECH 535] taken as whole, satisfy the 12 hours of design course work.

Drnevich/Downey
Motion failed 3/1/0 (Spaulding opposed)

Board action A motion was made to table the matter and reset the deliberation and a supplemental hearing for the next board meeting (After having the other board members read the transcripts and exhibits.)

Board action The motion was renewed to grant her licensure.

Drnevich/Downey
Motion carried 4/0/0

E In the Matter of William Daniel Keller

Administrative Cause No. 08-06

Re: Final Hearing (**CONTINUED**)

IX CONSIDERATION OF ADMINISTRATIVE LAW JUDGE ORDERS

None

X DELIBERATIONS AND POSSIBLE ISSUANCE OF FINAL ORDER

None

XI PROPOSED DISMISSAL

None

XII DISCUSSION ITEMS

**A Statute and Rules
Re Possible Modifications**

The 90-day requirement for reinstatements needs to be modified (Downey)

B Structural Engineering Licensure – NCEES

ASJ Announced the upcoming change with the Structural Exam being implemented April 2011

C NCEES Engineering Education Standard

D Anthony Thomas (SBPRE 10-05)

Board action A motion was made to correct the reason for denial to reflect the correct reason which was lack of having a bachelor's degree not what was placed in the denial letter and thus hearing notice

Drnevich/Downey
Motion carried 4/0/0

E Vince Drnevich

Vince is concerned that statements went out on behalf of the board without the board's knowledge No action was taken by the board on this matter

XIII CORRESPONDENCE

XIV PERMIT/LICENSURE APPLICATIONS

A motion was made and seconded to approve all recommendations and decisions made by the Board members on applications for licensure that were reviewed throughout the Board meeting

Drnevich/Sauer/
Motion carried 4/0/0

XV BOARD DIRECTOR'S REPORT

A NCEES Meeting –

Angela attended the meeting on behalf of the board and as the Central Zone Representative The Zone meeting was excellent and the NCEES is constantly considering options on what can

be done to better serve the member boards and provide additional services to licensees to assist with reciprocity issues

B NCEES Central Zone Representative

Angela was elected the Central Zone Representative for a full term (2 years 2010 – 2012)

C CBT Exams

Computer Based Testing Exams, are coming soon The NCEES has been working with vendors to get the frame work created and is asking member boards to begin to look at their laws to determine what if any changes need to be made to the laws to allow candidates who pass the CBT exams to obtain licensure Some laws are very specific about 8-hour written exam and will need to be modified in order to accommodate the CBT examinees

D BS +30

It was discussed that this should not be a state initiative but rather an association or university initiative The concept is too complex and involves too many issues for the state boards to push this

XVI ADJOURNMENT

There being no further business and having completed its duties, the meeting of the State Board of Registration for Professional Engineers adjourned at 2 45 p m



John Beery – Chairperson
State Board of Registration for Professional Engineers

4/5/11
Date