

**STATE OF ALABAMA BOARD OF LICENSURE  
FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS**

**IN THE MATTER OF:**

Dana D Tennill, PE 18585  
796 Merus Court  
St. Louis, Missouri 63026

**Respondent**

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**Case No. 2017-10-B**

**CONSENT ORDER**

Dana D. Tennill, a licensed professional engineer (hereinafter referred to as Respondent) hereby stipulates and agrees, subject to approval of the Alabama Board of Licensure for Professional Engineers and Land Surveyors (hereinafter referred to as the Board) as follows:

**STIPULATED FACTS**

Respondent stipulates on September 13, 1991, the Board issued him certificate of licensure (number 18585) authorizing him to practice as a professional engineer in the State of Alabama.

Respondent stipulates on February 13, 2017, the Board initiated a complaint that alleged he was disciplined by the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects, and subsequently voluntarily surrendered his professional engineer license in the States of Kentucky and Colorado.

Respondent stipulates on January 26, 2016, he was disciplined by the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects. Respondent further stipulates he voluntarily surrendered his Kentucky professional engineer license on January 13, 2017, via consent order to the Kentucky State Board of Licensure for Professional Engineers and Land Surveyors and surrendered his Colorado

professional engineer license on November 4, 2016, via a settlement agreement with the Colorado State Board of Licensure for Architects, Professional Engineers and Professional Land Surveyors.

### **STIPULATED CONCLUSIONS OF LAW**

Respondent admits he is subject to the provisions of Title 34, Chapter 11, Code of Alabama 1975, § 34-11-11 and the jurisdiction of the Board.

Respondent stipulates his conduct as set forth in the foregoing “Stipulated Facts” constitutes violations of Title 34, Chapter 11, Code of Alabama 1975, § 34-11-11(a)(5) and the Rules and Regulations of the Board’s Administrative Code § 330-X-14-.06(a)(1).

Respondent stipulates his conduct as set forth in the “Stipulated Facts” is a violation of those statutes set forth above, and it is subject to disciplinary action under Title 34, Chapter 11, Code of Alabama 1975, § 34-11-11.

### **STIPULATED DISPOSITION**

Respondent agrees he will not in the future violate the provisions of Title 34, Chapter 11, Code of Alabama, or the Rules and Regulations of the Administrative Code of the Board and the Rules of Professional Conduct promulgated together.

Respondent understands this Consent Order and subsequent Final Order will become a matter of public record. Respondent further understands this information will be placed on the Board's website, in its newsletter, and posted to the National Council of Examiners for Engineers and Surveyors (NCEES) Enforcement Exchange.

Respondent agrees to voluntarily surrender is State of Alabama professional engineer license, and that he will not seek reissuance of the license for a period of two years from the date of the Final Order. Respondent understands that during this two year period he cannot offer to practice, or practice engineering in the State of Alabama.

Respondent understands that failure to comply with any term of this consent order shall cause his professional engineer license to be **revoked** pending ratification by the Board.

Respondent further understands this matter would be presented to the Board at a regularly scheduled meeting at which he could attend and present evidence on his behalf.

Respondent understands this Consent Order is subject to the approval of the Board and has no force and effect until a Final Order based upon it is rendered by the Board.

Respondent agrees to comply with the terms of this Consent Order and understands failure to comply with the terms of the Consent Order may result in additional charges or discipline.

Respondent understands in order to make a decision relative to approving this Consent Order discussions must take place between Board Members, Board Staff and Board Counsel. Respondent understands that this discussion will take place at a regularly scheduled meeting of the Board.

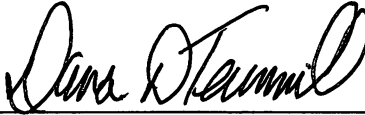
Respondent understands he has the right to seek the advice of legal counsel. Respondent also understands he has the right to a formal fact finding hearing before the Board, to compel the testimony of witnesses, to cross-examine witnesses against him, and to obtain judicial review of the Board's decision in said formal hearing but expressly waives these rights with execution of this Consent Order and Final Order of the Board.

Respondent expressly waives all further procedural steps, and expressly waives all rights to seek judicial review or to otherwise challenge or contest the validity of the Consent Order, the stipulated facts, conclusions of law and imposition of administrative action contained herein, and the Final Order of the Board incorporating said Consent Order.

Respondent, for the purpose of avoiding further administrative action with respect to this cause executes this Consent Order. It is agreed that presentation to and consideration of the Consent Order by the Board requires certain factual information related to this matter be disclosed to the Board members. Should the Consent Order not be accepted by the Board, it is therefore expressly agreed that the reviewing, and consideration of this Consent Order, and the information provided to the Board for their review, shall not unfairly prejudice the Board and shall in no way act to disqualify any Board member from any further participation in this matter

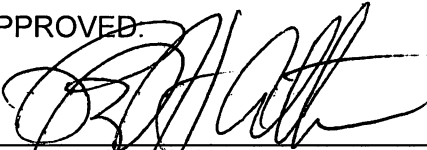
through its resolution, including, but not limited to, any contested hearing on this matter should one be necessary. Likewise, if this Consent Order is not accepted, the Board shall not take into consideration the contents of this Order as evidence of an admission.

SIGNED this the 1<sup>ST</sup> day of MAY, 2017

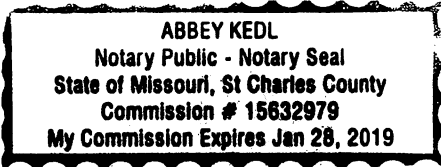


Dana D. Tennill, PE

APPROVED:



Benjamin H. Albritton  
Assistant Attorney General



Abbey Kedl

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**Case No. 2017-10-B**

**FINAL ORDER**

The Alabama Board of Licensure for Professional Engineers and Land Surveyors having considered the consent order signed by Dana D. Tennill, Professional Engineer, license number 18585, in which he stipulated he violated the Code of Alabama 1975, § 34-11-11(a)5, and the Rules and Regulations of the Board's Administrative Code § 330-X-14-.06(a)(1), hereby adopts the Consent Order and issues this Final Order.

The Consent Order and Final Order take immediate effect upon the signing of this Final Order and the Respondent is **ORDERED** to abide by the Consent Order and Final Order as approved by the Alabama Board of Licensure for Professional Engineers and Land Surveyors.

**ENTERED** this the 9th day of May 2017.

*(Handwritten Signature)*  
\_\_\_\_\_  
A. Frazier Christy

*(Handwritten Signature)*  
\_\_\_\_\_  
Nathan G. Johnson

**RECUSED**

\_\_\_\_\_  
Randall D. Whorton

*(Handwritten Signature)*  
\_\_\_\_\_  
M. Elisabeth Hyde

**DID NOT ATTEND**

\_\_\_\_\_  
Richard G. Grace

*(Handwritten Signature)*  
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Marc S. Barter