

**MINUTES OF SIXTH MEETING  
2016-2017 BOARD OF LICENSURE  
FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS  
Montgomery, Alabama  
May 9-10, 2017**

Chair Christy called the sixth meeting of the 2016-2017 Board to order at 12:10 P.M., Tuesday, May 9, 2017 at the Board Office, Montgomery, Alabama. The following were in attendance:

**Officers and Members Present:**

A. Frazier Christy	Chair
M. Elisabeth Hyde	Vice Chair
Marc S. Barter	Member
Randall D. Whorton	Member

**Staff Present:**

William R. Huett	Interim Executive Director
Bonnie Kelly	Executive Assistant
Ben Albritton	Board Attorney

It was determined that a quorum was present. The meeting was opened with the Pledge of Allegiance and a prayer.

The proposed meeting agenda was reviewed.

17-087. IT WAS MOVED by Ms. Hyde and seconded by Mr. Barter to adopt the agenda as proposed. MOTION CARRIED 4-0.

Minutes of the fifth meeting of the 2016-2017 Board were received for approval.

17-088. IT WAS MOVED by Ms. Hyde and seconded by Mr. Barter that the minutes of the fifth meeting of the 2016-2017 Board held March 23, 2017 be approved. MOTION CARRIED 4-0.

Board Secretary Nathan G. Johnson arrived at 12:25 P.M. and began participating in the meeting:

Action items from previous meetings were reviewed.

Regarding Action Item 2017-03 Attorney Benjamin Albritton had been tasked to review the current language in the Board's Administrative Code to determine if additional language should be added regarding the standards of practice for land surveying. Attorney Albritton advised he felt the existing language was sufficient and no change was needed.

**APPLICATIONS** – Mr. Nathan G. Johnson, Advisor

The Board previously authorized the Interim Executive Director to approve applications for licensure, intern certification, and examinations if the application is in order and all requirements have been met.

Applications of those applying for Professional Engineer licensure by comity since March 23, 2017, as provided by Section 34-11-4(1)(b) of the Licensure Law, were considered.

Applications of those applying for Professional Engineer licensure by examination since March 23, 2017, as provided by Section 34-11-4(1)a. and b. of the Licensure Law having previously passed the FE Examination in Alabama or in another jurisdiction, were considered.

Applications of those applying for Engineer Intern certification since March 23, 2017, as provided by Section 34-11-4(2) of the Licensure Law, were considered.

Applications of those applying for Professional Land Surveyor licensure since March 23, 2017, as provided by Section 34-11-4(3)a and b of the Licensure Law, were considered.

Applications of those applying for Professional Land Surveyor licensure since the March 23, 2017, having previously passed the Fundamentals of Land Surveying Examination and the Principles and Practice of Land Surveying Examination in Alabama or in another jurisdiction were considered and were approved to take the Alabama Land Surveying Standards, History, and Law Examination.

17-089. IT WAS MOVED by Mr. Johnson and seconded by Mr. Whorton that the Board ratify the approval of licenses issued since the March 23, 2017, Board Meeting and the list of those issued be included in the minutes on **Attachment #1**. MOTION CARRIED 5-0.

17.090. IT WAS MOVED by Mr. Johnson and seconded by Mr. Whorton that the Board ratify the approval of Intern Certifications issued since the March 23, 2017, Board Meeting and that the list of those be included in the minutes on **Attachment #2**. MOTION CARRIED 5-0.

17.091. IT WAS MOVED by Mr. Johnson and seconded by Mr. Whorton that the Board ratify the approval for examination those applicants approved since the March 23, 2017, meeting and that the list of those be included in the minutes on **Attachment #3**. MOTION CARRIED 5-0.

17-092. IT WAS MOVED by Mr. Barter and seconded by Ms. Hyde that the Board accept for licensure by comity John M. Thomas and his name be included on the list of applicants listed on **Attachment #1**. MOTION CARRIED 5-0.

17-093. IT WAS MOVED by Ms. Hyde and seconded by Mr. Barter that the Board accept for licensure by comity Peyman Dadkhah and his name be included on the list of applicants listed on **Attachment #1**. MOTION CARRIED 5-0.

17-094. IT WAS MOVED by Mr. Barter and seconded by Ms. Hyde that the Board accept for licensure by comity Shervin Shokouh Ahmady and his name be included on the list of applicants listed on **Attachment #1**. MOTION CARRIED 5-0.

17-095. IT WAS MOVED by Mr. Barter and seconded by Mr. Johnson that the Board deny for licensure Van Floyd Chatraw. MOTION CARRIED 5-0.

The Board considered a Transcript Evaluation Report from Hardikkumar Shah, a prospective engineer intern applicant, concerning a BS Mechanical Engineering Degree obtained from Maharaja Sayajirao

University - Baroda. The Board determined to accept the applicant as a graduate of an unaccredited engineering curriculum.

17-096. IT WAS MOVED by Mr. Johnson and seconded by Mr. Barter that the Board accept Hardikkumar Shah's BS Mechanical Engineering Degree as a graduate of an unaccredited engineering curriculum and he be certified as an Engineer Intern and that his name be included in the minutes on **Attachment #2**. MOTION CARRIED 5-0.

#### **LAW ENFORCEMENT – Ms. M. Elisabeth Hyde, Advisor**

The Board reviewed the status of the files pending with the Board, the Investigator, and/or the Investigative Committee. The Board was briefed on the 2016-2017 statistics.

The Board reviewed pending cases that the investigative committees had completed to accept, modify, or reject the suggested courses of action. The cases were discussed in a sanitized format so that in the event the Board suggests another course of action that the due process of the investigation has not been compromised. Respondent's information is not divulged until after the proposed consent order is accepted and a final order was approved.

17-097. IT WAS MOVED by Mr. Barter and seconded by Ms. Hyde that the Board close Case 2017-05-B with no action. MOTION CARRIED 4-0 with Mr. Johnson recused.

17-098. IT WAS MOVED by Mr. Johnson and seconded by Mr. Whorton that the Board accept the Consent Order and issue a Final Order in reference to Case 2017-06-C. MOTION CARRIED 4-0 with Mr. Barter recused.

17-099. IT WAS MOVED by Ms. Hyde and seconded by Mr. Whorton that the Board accept the Consent Order and issue a Final Order in reference to Case 2017-08-A. MOTION CARRIED 5-0.

17-100. IT WAS MOVED by Mr. Johnson and seconded by Mr. Whorton that the Board accept the Consent Order and issue a Final Order in reference to Case 2016-19-B. MOTION CARRIED 4-0 with Ms. Hyde recused.

17-101. IT WAS MOVED by Ms. Hyde and seconded by Mr. Johnson that the Board accept the Consent Order and issue a Final Order in reference to Case 2017-10-B. MOTION CARRIED 4-0 with Mr. Whorton recused.

#### **CERTIFICATES OF AUTHORIZATION – Mr. Randall D. Whorton, Advisor**

The Board previously authorized the Interim Executive Director to issue certificates of authorization to applying firms if the application is in order and all requirements have been met. A list of the certificate of authorizations issued since the March 23, 2017, Board Meeting were reviewed.

17-102. IT WAS MOVED by Ms. Hyde and seconded by Mr. Whorton that the Board ratify the approval of the Engineering and Land Surveying Certificates of Authorization issued since the March 23, 2017, Board Meeting and that the list of those issued be included in the minutes on **Attachment #4**. MOTION CARRIED 5-0.

The Board discussed the Certificate of Authorization applications that had exceptions.

17-103. IT WAS MOVED by Mr. Johnson and seconded by Mr. Barter to approve the application for Isaiah Engineering Inc. MOTION CARRIED 4-1. Mr. Christy voted no.

17-104. IT WAS MOVED by Mr. Johnson and seconded by Mr. Barter to approve the application for Boyd Engineering Inc. MOTION CARRIED 4-1. Mr. Christy voted no.

17-105. IT WAS MOVED by Ms. Hyde and seconded by Mr. Whorton to deny the renewal application for AFS Foundations and Waterproofing Inc. MOTION CARRIED 4-1. Mr. Johnson voted no.

17-106. IT WAS MOVED by Mr. Johnson and seconded by Mr. Barter to defer the application for Titan Quality Power Services LLC until the principal provides a proof of employment document. MOTION CARRIED 5-0.

**FINANCE – Mr. Richard Grace, Advisor**

The FY2017 financial report and the monthly financial reports for March and April 2017 were briefed.

The Board was also briefed on the significant financial impact of the update to the existing database. Micropact Inc, the database provider, was unable to provide a statement of work that could be discussed at the meeting and the matter will be further discussed at the next meeting.

**PERSONNEL – Mr. Marc Barter, Advisor**

Darby Forrester, of State Personnel briefed the Board on the options available for filling the vacant Executive Director position.

17-107. IT WAS MOVED by Mr. Barter and seconded by Ms. Hyde to name William R. Huett as the Executive Director and to request State Personnel place him in Pay Range 86. MOTION CARRIED 5-0.

**LEGISLATIVE – Mr. Randall Whorton, Advisor**

The efforts for introducing legislation during the 2017 Legislative Session were discussed.

The Board also discussed forming sub-committees for land surveying and engineering. It was determined that each Board Member would research the issue separately and bring their recommendations for language to formalize the sub-committee process to the next Board Meeting.

The Board recessed at 4:55 PM.

The Board re-convened at 8:00 AM May 10, 2017.

## **CHAIR'S REPORT**

Mr. Christy organized and chaired a Future of Surveying Task Force Committee which met on April 20, 2017, in Birmingham. The Task Force discussed some possible recommendations to change the law and rules regarding the education and experience requirements for licensure as a professional land surveyor.

## **EXECUTIVE DIRECTOR'S REPORT**

The Board discussed a previously proposed change to the continuing professional competency audit process and determined to continue the existing audit method for the 2017-2018 license renewal period.

The Board discussed the NCEES annual meeting and authorized Board Staff Members Bonnie Kelly and Griffin Pritchard to attend the annual meeting, and Robert Herbert to attend only the Law Enforcement portion of the meeting. The Board additionally discussed the Board Members who would be the NCEES funded delegates to the meeting.

17-108. IT WAS MOVED by Mr. Johnson and seconded by Ms. Hyde that Mr. Barter, Mr. Whorton and Mr. Grace be identified as the NCEES funded delegates to the annual meeting in Miami, FL. MOTION CARRIED 5-0.

The Board discussed Action Item 2017-02 which concerns the continuing professional competency requirement for the first license renewal of newly licensed individuals.

17-109. IT WAS MOVED by Mr. Johnson and seconded by Ms. Hyde that notice be submitted to the Legislative Reference Services to add a rule that would exempt new licensees from the continuing professional competency requirements for their first license renewal. MOTION CARRIED 5-0.

The Board was briefed on outreach materials available from NCEES that could be ordered from the NCEES website.

## **NEW BUSINESS**

The Board discussed if it was possible to donate surplus money to state universities. The Board's Legal Counsel advised that a law change would be necessary for the Board to be able to donate its surplus funds.

The Board discussed the possibility of inviting an NCEES representative to attend a Board Meeting and determined that it currently did not wish to offer an invitation.

The Board reviewed an advertising proposal submitted by AL.com that would allow the Board to advertise via the AL.com website. The Board discussed possible story topics that included, Metal Buildings, Engineering in general, Land Surveying in general and How to file a complaint.

The Board discussed Product Suppliers offering to provide engineering services and determined that if it learned of a non-certificated firm offering engineering services that appeared to be a violation of the Code of Alabama that a complaint investigation would be initiated.

**Attachment #1, March 23, 2017**

- 17-089. IT WAS MOVED by Mr. Johnson and seconded by Mr. Whorton that the Board ratify the approval of licenses issued since the March 23, 2017, Board Meeting and that the list of those issued be included in the minutes on **Attachment #1**. MOTION CARRIED 5-0.
- 17-092. IT WAS MOVED by Mr. Barter and seconded by Ms. Hyde that the Board accept for licensure by comity John M. Thomas and his name be included on the list of applicants listed on **Attachment #1**. MOTION CARRIED 5-0.
- 17-093. IT WAS MOVED by Ms. Hyde and seconded by Mr. Barter that the Board accept for licensure by comity Peyman Dadkhah and his name be included on the list of applicants listed on **Attachment #1**. MOTION CARRIED 5-0.
- 17-094. IT WAS MOVED by Mr. Barter and seconded by Ms. Hyde that the Board accept for licensure by comity Shervin Shokouh Ahmady and his name be included on the list of applicants listed on **Attachment #1**. MOTION CARRIED 5-0.

**Attachment #2, March 23, 2017**

17.090. IT WAS MOVED by Mr. Johnson and seconded by Mr. Whorton that the Board ratify the approval of Intern Certifications issued since the March 23, 2017, Board Meeting and that the list of those be included in the minutes on **Attachment #2**. MOTION CARRIED 5-0.

17-096. IT WAS MOVED by Mr. Johnson and seconded by Mr. Barter that the Board accept Hardikkumar Shah's BS Mechanical Engineering Degree as a graduate of an unaccredited engineering curriculum and he be certified as an Engineer Intern and that his name be included in the minutes on **Attachment #2**. MOTION CARRIED 5-0.

**Attachment #3, March 23, 2017**

17.091. IT WAS MOVED by Mr. Johnson and seconded by Mr. Whorton that the Board ratify the approval for examination those applicants approved since the March 23, 2017, meeting and that the list of those be included in the minutes on **Attachment #3**.  
MOTION CARRIED 5-0.



**Attachment #4, March 23, 2017**

17-102. IT WAS MOVED by Ms. Hyde and seconded by Mr. Whorton that the Board ratify the approval of the Engineering and Land Surveying Certificates of Authorization issued since the March 23, 2017, Board Meeting and that the list of those issued be included in the minutes on **Attachment #4**. MOTION CARRIED 5-0.

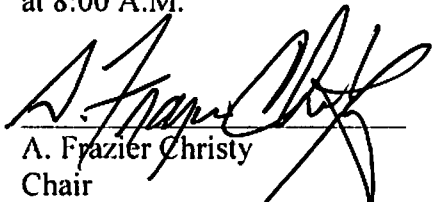
**OPEN FORUM**

No comments were made during the open forum.

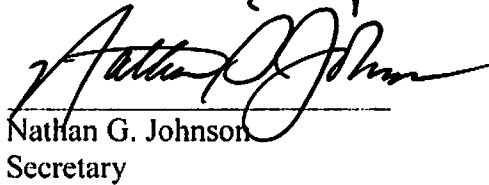
**CLOSING REMARKS**

The meeting adjourned at 11:25 A.M.

The next scheduled meeting of the Board is July 18, 2017, at the board office in Montgomery beginning at 8:00 A.M.

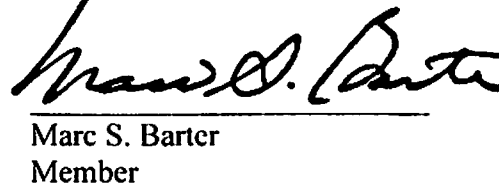
  
A. Frazier Christy  
Chair

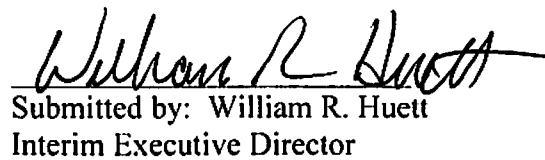
  
M. Elisabeth Hyde  
Vice Chair

  
Nathan G. Johnson  
Secretary

DID NOT ATTEND  
Richard G. Grace  
Member

  
Randall Whorton  
Member

  
Marc S. Barter  
Member

  
Submitted by: William R. Huett  
Interim Executive Director

*M. S. ...*

DID NOT ATTEND

*W. ...*

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