

**ALABAMA BOARD OF LICENSURE FOR
PROFESSIONAL ENGINEERS AND LAND SURVEYORS
MINUTES – DECEMBER 10, 2024
Montgomery, Alabama**

The Alabama Board of Licensure for Professional Engineers and Land Surveyors was established by legislative action in 1935. Its charter is to protect the public by helping to safeguard life, health, and property, and to promote the public welfare by providing for the licensing and regulation of persons in the practices of engineering and land surveying. This purpose is achieved through the establishment of minimum qualifications for entry into the professions of engineering and land surveying, through the adoption of rules defining and delineating unlawful or unethical conduct, and through swift and effective discipline for those individuals or entities who violate the applicable laws or rules.

Board meeting notices are posted on the Open Meetings area of the website of the Secretary of State, and the Board’s website under Dates and Deadlines. The public can also attend the meeting virtually via the “Board Meeting” link on the website.

Vice Chair Robinson called the meeting to order at 8:00 A.M., Tuesday December 10, 2024, at the Board Office in Montgomery, Alabama. He noted there was a quorum of Members present, and Ms. Walton and Ms. Baldwin would arrive later. The following Members and Staff were in attendance.

Officers and Members Present:

Nanette T. Baldwin	Chair	Arrived at 8:45 AM
Gregory O. Robinson	Vice Chair	
James C. Pegues	Secretary	
Joseph F. Breighner Jr.	Member	
Fred R. DeLeon Jr.	Member	
Elaine B. Walton	Member	Arrived at 8:05 AM
Randall D. Whorton	Member	
Nathan G. Johnson	Member	
John E. Averrett	Member	

Staff Present:

William R. Huett	Executive Director
Bonnie L. Kelly	Executive Assistant
Robert Herbert	Chief Special Investigator

Legal Counsel:

Benjamin Albritton	Assistant Attorney General
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The proposed meeting agenda was reviewed.

25-033. IT WAS MOVED by Mr. Breighner and seconded by Mr. Pegues to adopt the agenda as proposed. MOTION CARRIED 7-0.

Minutes of the meeting of the 2024-2025 Board held on October 8, 2024, were reviewed.

25-034. IT WAS MOVED by Mr. Breighner and seconded by Mr. Pegues that the minutes of the meeting held October 8, 2024, be approved. MOTION CARRIED 7-0.

Ms. Walton arrived at 8:05 AM and began participating in the meeting.

APPLICATIONS – Mr. Nathan G. Johnson, Advisor

The Board previously authorized the 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 since October 8, 2024, as provided by Section 34-11-4(1)a.1 and a.2, of the Licensure Law having previously passed the FE and PE Examination in Alabama or in another jurisdiction, were considered.

Applications of those applying for Professional Engineer licensure by comity since October 8, 2024, as provided by Section 34-11-4(1)(b) of the Licensure Law, were considered.

Applications of those applying for Intern certification since October 8, 2024, as provided by Section 34-11-4(2) of the Licensure Law, were considered.

Applications of those applying for Professional Land Surveyor licensure since October 8, 2024, as provided by Section 34-11-4(3)a and b of the Licensure Law, were considered.

25-035. IT WAS MOVED by Mr. Johnson and seconded by Mr. Breighner to approve for licensure the professional engineer application of Stephen Mark Bakin. MOTION FAILED 4-4 with Mr. Johnson, Mr. Breighner, Mr. Pegues, and Mr. DeLeon voting for the motion and Ms. Walton, Mr. Whorton, Mr. Robinson and Mr. Averrett voting against the motion.

25-036. IT WAS MOVED by Mr. Johnson and seconded by Mr. Breighner to defer for licensure the professional engineer application of Stephen Mark Bakin. MOTION CARRIED 8-0.

25-037. IT WAS MOVED by Mr. Pegues and seconded by Mr. Breighner to defer for licensure the professional engineer application of Jonah Holt Stevens. MOTION CARRIED 7-0 with Mr. Averrett recused.

25-038. IT WAS MOVED by Mr. Breighner and seconded by Mr. Averrett to defer for licensure the professional engineer application of Alexander Tate Rogers. MOTION CARRIED 8-0.

25-039. IT WAS MOVED by Mr. Whorton and seconded by Mr. Breighner to approve for licensure the professional engineer application of Matthew Linwood Hinton. MOTION CARRIED 7-0 with Mr. Averrett recused.

Ms. Baldwin arrived at 8:45 am and began participating in the meeting.

- 25-040. IT WAS MOVED by Mr. Breighner and seconded by Mr. Pegues that the Board ratify the approval of licenses issued since the October 8, 2024, meeting and the list of those be included in the minutes on **Attachment #1**. MOTION CARRIED 9-0.
- 25-041. IT WAS MOVED by Mr. Breighner and seconded by Ms. Walton to deny for licensure the professional engineer application of Dean Stuart Kenyon, James Anthony Green Jr., Westin Branning Graves, Bradley Randall Thompson, Jacob Reid Bailey, and Preston Dean Merrell. MOTION CARRIED 9-0.
- 25-042. IT WAS MOVED by Ms. Walton and seconded by Mr. Breighner that the Board ratify the approval of exam applicants since the October 8, 2024, Board Meeting and approve for examination the applicants listed on **Attachment #2**. MOTION CARRIED 9-0.
- 25-043. IT WAS MOVED by Ms. Walton and seconded by Mr. Breighner that the Board ratify the approval of Intern Certifications issued since the October 8, 2024, Board Meeting and that the list of those be included in the minutes on **Attachment #3**. MOTION CARRIED 9-0.

CERTIFICATES OF AUTHORIZATION – Mr. James C. Pegues, Advisor

The Board authorizes the 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 October 8, 2024, Board Meeting was reviewed.

- 25-044. IT WAS MOVED by Mr. DeLeon and seconded by Mr. Pegues that the Board ratify the approval of the Engineering and Land Surveying Certificates of Authorization issued since the October 8, 2024, Board Meeting and the list of those issued be included in the minutes on **Attachment #4**. MOTION CARRIED 9-0.

LAW ENFORCEMENT – Ms. Elaine B. Walton, Advisor

The Board was briefed on the 2024-2025 enforcement statistics and reviewed the status of the files pending with the Investigators, and the Investigative Committee. The cases were discussed in a sanitized format to avoid compromising due process for the Respondent in the event the Board determined another course of action.

- 25-045. IT WAS MOVED by Mr. Breighner and seconded by Mr. Robinson that the Board accept the recommendations of the Investigative Committee and issue a Final Order thereby closing Complaint 2024-34. MOTION CARRIED 8-0 with Mr. Johnson recused.
- 25-046. IT WAS MOVED by Mr. Johnson and seconded by Ms. Walton that the Board accept the recommendations of the Investigative Committee and issue a Final Order thereby closing Complaint 2024-49. MOTION CARRIED 8-0 with Mr. Whorton recused.
- 25-047. IT WAS MOVED by Mr. Pegues and seconded by Mr. Johnson that the Board accept the recommendations of the Investigative Committee and issue a Final Order thereby closing Complaint 2024-51. MOTION CARRIED 8-0 with Ms. Baldwin recused.

25-048. IT WAS MOVED by Mr. Robinson and seconded by Mr. Breighner that the Board accept the recommendations of the Investigative Committee and issue a Final Order thereby closing Complaint 2025-02. MOTION CARRIED 8-0 with Mr. DeLeon recused.

25-049. IT WAS MOVED by Mr. Whorton and seconded by Mr. Breighner that the Board accept the recommendations of the Investigative Committee and close Complaint 2025-05 with no action. MOTION CARRIED 8-0 with Ms. Walton recused.

DISCIPLINARY HEARING

At 9:50 am, a scheduled disciplinary hearing regarding O. Guthrie Jeffcoat, P.E., P.L.S., began with Mr. Jeffcoat represented by Attorney Matthew Ellis. Assistant Attorney General Ben Albritton represented the Board, and Administrative Law Judge Randy Salle presided over the hearing and will provide recommendations to the Board for consideration. The hearing concluded at 2:30 PM.

APPLICATION HEARING

Joseph Vincent Bellini whose professional engineer licensure application was denied at the October 8, 2024, meeting, met with the Board at 2:50 PM. Mr. Bellini was represented by Attorney Kevin Garrison who virtually participated in the hearing. Mr. Bellini and Mr. Garrison provided information regarding his application and answered all Board Member questions. The Board advised Mr. Garrison and Mr. Bellini that it would make its decision on the appeal later in the meeting.

Matthew Jay Mendenhall whose professional engineer licensure application was denied at the October 8, 2024, meeting, met virtually with the Board at 3:12 PM. Mr. Mendenhall provided information regarding the application and answered all Board Member questions. The Board advised Mr. Mendenhall that it would make its decision after its discussion.

Joseph William Charles whose professional engineer licensure application was denied at the October 8, 2024, meeting, had requested to meet with the Board virtually regarding his application. Due to the length of the disciplinary hearing Mr. Charles scheduled time was delayed and attempts to contact him were unsuccessful. The Board considered the new information Mr. Charles had provided and determined it would make its decision after its discussion.

EXECUTIVE SESSION

At 3:42 pm, the Board determined that it wished to enter Executive Session to discuss the licensure application of Joseph Charles, Matthew Mendenhall, and Joseph Bellini. Attorney Benjamin Albritton confirmed that it was permissible for the Board to enter Executive Session for this matter.

25-050. IT WAS MOVED by Mr. DeLeon and seconded by Mr. Averrett that the Board go into executive session for thirty minutes to discuss the application of Joseph Charles, Matthew Mendenhall, and Joseph Bellini. MOTION CARRIED 9-0 with Ms. Baldwin, Mr. Averrett, Mr. Robinson, Mr. Breighner, Mr. Pegues, Ms. Walton, Mr. Whorton, Mr. Johnson and Mr. DeLeon voting for the executive session.

At 3:52 pm the Board exited Executive Session and made the following motions:

25-051. IT WAS MOVED by Mr. Pegues and seconded by Ms. Walton to deny the appeal for licensure of the professional engineer application of Joseph Charles. MOTION CARRIED 9-0.

25-052. IT WAS MOVED by Mr. Pegues and seconded by Mr. Breighner to deny the appeal for licensure of the professional engineer application of Matthew Mendenhall. MOTION CARRIED 9-0.

25-053. IT WAS MOVED by Ms. Walton and seconded by Mr. Robinson to deny the appeal for licensure of the professional engineer application of Joseph Bellini. MOTION CARRIED 9-0.

COMMUNICATIONS & PUBLICATIONS – Ms. Nanette Baldwin, Advisor

The Board was briefed on outreach events Board staff attended and plans to attend. Mr. Whorton and Mr. Robinson indicated they would attend the ACEC meeting on January 15, 2025, to provide an update on Board issues.

LEGISLATIVE, LAW AND RULES – Mr. Randy Whorton, Advisor

In accordance with Governor Ivey’s “Red Tape” Reduction Executive Order the Board reviewed the rules in its Administrative Code endeavoring to reduce by 25% the number of **discretionary regulatory restrictions**, that are not directly mandated by state or federal statute on citizens and businesses.

The Board held a public hearing regarding the proposed rule changes previously submitted to the Legislative Services Agency and advertised in Volume XLIII Issue No 2 of the Administrative Monthly. The Board received no comments or requests to speak at the public hearing.

The Board made the following motion after this review:

25-054. IT WAS MOVED by Mr. Pegues and seconded by Mr. DeLeon that the Executive Director submit the proposed changes to its Administrative Code to the Legislative Services Agency for certification. MOTION CARRIED 9-0.

Proposed Rule Change – Administrative Code Sections

- 330-X-2-.01
- 330-X-3-.03
- 330-X-4 Appendix A
- 330-X-4-.01
- 330-X-4-.07
- 330-X-5-.01
- 330-X-6-.01
- 330-X-8-.05
- 330-X-8-.08
- 330-X-8-.10
- 330-X-10-.04
- 330-X-10-.05

330-X-14-.06
330-X-15-.03
330-X-15-.04
330-X-16-.01
330-X-16-.05

FINANCE – Mr. John E. Averrett, Advisor

The monthly financial reports for September 2024, and October 2024 were briefed. The Board was also briefed that the office would be replacing desktop and tablet computers in 2025.

LAND SURVEYING – EDUCATION & EXAMINATION – Mr. Joseph F. Breighner, Jr.

Mr. Breighner attended the ASPLS Troy Advisory Board meeting and briefed the Board on the issues discussed. They included current enrollment levels, the plan to have the entire program online soon, equipment needs, and Geo Day: scheduled for March 13, 2025.

EXECUTIVE DIRECTOR’S REPORT

The Board determined Mr. Robinson, Mr. Breighner and Mr. Averrett would serve as the NCEES funded delegates to the NCEES Southern Zone Meeting scheduled for April 24-26, 2025. The Board approved the Annual Report to be submitted to the Governor. The Board approved R. Blake Batchelor, PLS38794 to serve as a Board Technical Advisor.

CORRESPONDENCE

The Board reviewed a list of individuals requesting to use the title "Professional Engineer, Retired" or "Professional Land Surveyor, Retired."

25-055. IT WAS MOVED by Mr. Breighner and seconded by Mr. Averrett that the Board ratify the approval of the individuals requesting to use the title "Professional Engineer, Retired" or Professional Land Surveyor, Retired". MOTION CARRIED 9-0.

RECONSIDERATION

At its October 8, 2024, meeting the Board denied the request of the firm "Eastern Engineered Wood Products, Inc," to be allowed to use the term "Engineered" in its name without meeting the certificate of authorization requirements.

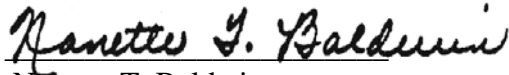
Raymond Bell, Attorney for the firm and two firm representatives met with the Board to request that it reconsider its denial of the previous request. Mr. Bell and Firm representatives provided additional information outlining the firm's business operations.

After review of the information provided and its discussion the Board made the following motion:

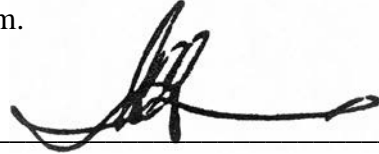
25-056. IT WAS MOVED by Mr. Pegues and seconded by Mr. Robinson that if "Eastern Engineered Wood Products, Inc" wished to use the term "Engineered" in its name it must meet the Board's certificate of authorization requirements. MOTION CARRIED 9-0.

ADJOURN TIME

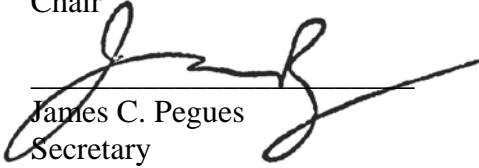
The Board adjourned at 4:26 PM. The next scheduled meeting of the Board is February 11, 2025, at the Board office in Montgomery beginning at 8:00 am.



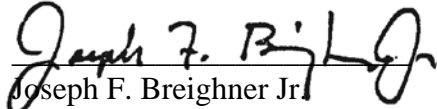
Nanette T. Baldwin
Chair



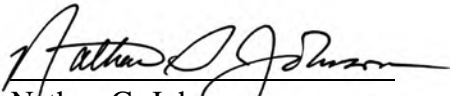
Gregory O. Robinson
Vice Chair



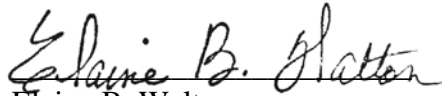
James C. Pegues
Secretary



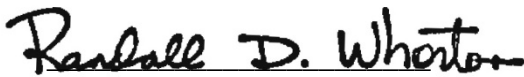
Joseph F. Breighner Jr.
Member



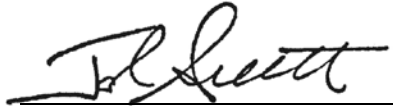
Nathan G. Johnson
Member



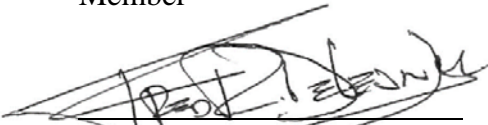
Elaine B. Walton
Member



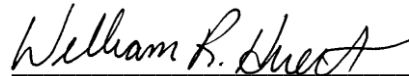
Randall D. Whorton
Member



John E. Averrett
Member



Fred R. DeLeon Jr.
Member



Submitted by: William R. Huett
Executive Director

Attachment #1, December 10, 2024.

25-040. IT WAS MOVED by Mr. Breighner and seconded by Mr. Pegues that the Board ratify the approval of licenses issued since the October 8, 2024, meeting and the list of those be included in the minutes on **Attachment #1**. MOTION CARRIED 9-0.

Attachment #2, December 10, 2024.

25-042. IT WAS MOVED by Ms. Walton and seconded by Mr. Breighner that the Board ratify the approval of exam applicants since the October 8, 2024, Board Meeting and approve for examination the applicants listed on **Attachment #2**. MOTION CARRIED 9-0.

Attachment #3, December 10, 2024.

25-043. IT WAS MOVED by Ms. Walton and seconded by Mr. Breighner that the Board ratify the approval of Intern Certifications issued since the October 8, 2024, Board Meeting and that the list of those be included in the minutes on **Attachment #3**. MOTION CARRIED 9-0.

Attachment #4, December 10, 2024.

25-044. IT WAS MOVED by Mr. DeLeon and seconded by Mr. Pegues that the Board ratify the approval of the Engineering and Land Surveying Certificates of Authorization issued since the October 8, 2024, Board Meeting and the list of those issued be included in the minutes on **Attachment #4**. MOTION CARRIED 9-0.