**MINUTES**

**BOARD FOR PROFESSIONAL ENGINEERS**

**Date:**  February 10, 2022

**Time:** 9:30 a.m.

**Place:** Access Using Video Conferencing

Meet.google.com/ipm-pxny-hej

Phone: 1-484-416-2276

PIN: 201 307 165#

**Present:** David G. Mongan, P.E, Chairman

Karl Rickert, P.E, Vice Chairman

Sallye Perrin, P.E., Secretary

Howard (Skip) Harclerode, P.E.

Pastor Farinas, P.E

Edward Hubner, P.E.

**Others Present:** Zevi Thomas, Executive Director

Raquel Meyers, Assistant Executive Director

Milena Trust, AAG, Counsel to the Board

Ruby Courtney, Board Administrator

Aidan Archer, Applicant

Chengyi Lee, Applicant

Harsh Patel, Applicant

Daniel A. Dalgo Reyes

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**CALL TO ORDER**

Vice Chairman Rickert called the meeting to order at 9:35 a.m., virtually.

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**ACTION ON MINUTES**

Motion (I) was made by Mr. Harclerode, seconded by Mr. Farinas, and unanimously carried by the Board to approve the minutes of the January 13, 2022 Board meeting as submitted. Ms. Trust asked that the agenda for this meeting be corrected. Approval of the January 13, 2021 minutes needs to be changed to Approval of the January 13, 2022 minutes.

**APPLICATIONS APPROVED BY THE BOARD**

Motion (II) was made by Mr. Farinas, seconded by Mr. Harclerode, and unanimously carried to approve 23 applications for reciprocity, one application for PE Licensure by Transfer Grades and 22 applications for the Principles and Practice of Engineering examination and to deny five applications for the Principles and Practice of Engineering exam for an insufficient amount of engineering work experience.

Approvals are as follows:

**Applications for PE Licensure by Reciprocity are as follows:**

Ahmad, Azwar (58893) Kaviani, Babak (58902)

Archer, Aidan B. (58892) Khanna, Anuradha (58903)

Beadle, Philip G. (58894) Kifle, Theodrose G. (58904)

Bullock, Tucker G. (58895) Lockett, Delise R. (43639)

Campbell, Daniel J. (58924) Maya, Leonard (58905)

Flory, Jason V. (58896) Mengstu, Leley (58906)

Garrison, Kyle (49021) Murphy, Matthew (58939)

Gilmore, Andrew (58897) Ottes, Keith S. (58907)

Hickey, Edward (58898) Paoletti, Gabriel (58908)

Houghton, Nester J. (58899) Smith, David C. (58909)

Johns, James K. (58900) Sun, Jianfeng (58910)

Karadeniz, Deniz (58901) Venable, Joe E. (58911)

**Applications for PE Licensure by Transfer Grades are as follows:**

Yerra, Udaykiran (58891)

**Applications for the Principles and Practice of Engineering Examination are as follows:**

Banks, Amanda E Patel, Harsh

Brown, Megan E. Rodriguez, Stuart B.

Chalmers, Carmen C. Savvy, Maahedi

Cleary, Ryan C. Schrading, Casey P.

Dunkley, Rayan J. Shrawder, Nicholas E.

Gleusner, Jake A. Spence, Dennis

Heinzel, William C. Tran, Ryan M.

Hirt, Daniel T. Wilson, Colleen, E.

Martin, Christopher H. Woldemariam, Zerihun T.

Neel, Srini Youngwood, Taylor M.

Ondos, Cody J.

**APPEARANCE OF A PE LICENSURE BY RECIPROCITY APPLICANT - Archer**

Mr. Archer attended the Board meeting to discuss the denial of his application for PE

Licensure by Reciprocity which was denied at the November 2021 Board meeting. Mr. Archer has a BS in Civil Engineering form the Swinburne University of Technology in Australia which required him to be reviewed under 14-305 (c) of the Engineer’s law. Under this section of the law, eight years of engineering work experience is required but Mr. Archer’s NCEES record only reflected five years of experience. Mr. Archer informed the Board that he was initially denied licensure in NC for the same reason but appealed and was granted licensure. He was also informed by NCEES that the Board does have the discretion to make the judgment on the missing three semester credit hours in Biology or Chemistry. Mr. Archer explained these courses are covered in Australia in the final two years of High School. Ms. Perrin agreed to review the application again. After her review, Ms. Perrin approved his application for licensure.

**NEW BUSINESS**

**Separate NCEES Plumbing Exam**

Mr. Farinas inquired if supervision received a survey from NCEES regarding a separate exam for plumbing engineers because he was told by the EPE Committee of NCEES that Maryland had not responded to the survey. The Board members were polled three Board members were in favor of a separate exam for plumbing engineers, one Board member was the separate exam and one Board member abstained.

**Requirement of Fundamentals of Engineering Exam**

Ms. Perrin mentioned she is on the Licensing Committee with NCEES and they discussed the requirement of all licensees to pass the Fundamentals of Engineering exam. Ms. Trust mentioned the Land Surveyors’ Board has already passed regulations that require passing of the Fundamentals of Surveying exam beginning with the year 2025. Mr. Hubner mentioned MSPE had put together legislation a few years ago to require passing of the Fundamentals of Engineering exam which passed in the House but no vote was ever taken in the Senate. Ms. Trust stated there would possibly need to be a legislative change to require passing of the Fundamentals of Engineering exam. It was suggested a committee be formed to include two Board members and two industry members. The Board members were polled for their opinion on this issue. One Board member was against this requirement but the others were in favor. Mr. Harclerode mentioned the Fundamentals of Engineering exam is offered in seven disciplines. Ms. Trust asked that this item be on the February 2022 Board meeting agenda to discuss the pros and cons of this requirement.

**Irregularities with NCEES Exam**

Mr. Ricket is on the Law Enforcement Committee with NCEES and mentioned there is a current proposal that NCEES be responsible for all disciplinary actions taken regarding exam irregularities and that any appeals from examinees would go before NCEES. NCEES would then determine if the appeal is valid and there would be an arbitration process. Ms. Trust stated that NCEES has a contract with Pearson Vue to administer the exams and the staff that used to be there to represent the Board no longer goes to the exam. The testing contractor has proctors there to observe if devices that are not allowed are being used and to ensure there is no cheating on the exam. Mr. Harclerode stated since the exams are now computer based, the likelihood of cheating is virtually impossible. The Executive Director, Mr. Thomas mentioned if NCEES is the sole provider of the exam and NCEES bans an applicant to sit for the exam, the applicant has no recourse. Mr. Ricket felt there should be some level of reporting these irregularities to the Board. Mr. Hubner also felt that NCEES should not be denying MD applicants to sit for the exam and this would take away the Board authority to approve applicants. The Board is fine with NCEES recording the irregularity but the Board’s main concern is the penalty that NCEES may place on the applicant.

Ms. Perrin mentioned that soon the Board may not be approving applicants for the exam, only for licensure with the decoupling of the exam requirements.

**OLD BUSINESS - None**

**CPC COMMITTEE REPORT**

Motion (III) was made by Mr. Farinas, seconded by Mr. Harclerode, and unanimously carried to approve the CPC provider application of Rummel, Klepper & Kahl (RK&K).

**REPORT FROM EDUCATION COMMITTEE – None**

**REPORT FROM ETHICS COMMITTEE**

Ms. Meyers reported that the voice over for the MD free Ethics online course has been uploaded along with the case studies. Ms. Meyers asked for a volunteer on the Board to replace Dr. Arndt on the Ethics Committee and Mr. Harclerode volunteered.

**REPORT FROM EXECUTIVE DIRECTOR**

Mr. Thomas stated that he met for lunch with Tim O’Farrell, Mr. Thaler, the Commissioner and Ms. Meyers at the Engineers Club on January 7, 2022 to discuss the Board sponsored Ethics course. There was also a discussion on plans to have the newly licensed engineers’ ceremony in April or May of 2022. The date will be finalized with MSPE. Mr. Thomas also mentioned the deadline for submitting any nominations for NCEES service awards was near but the Board decided not to nominate anyone. Mr. Harclerode mentioned that Mr. Thaler has nominated him for an NSPE award. Mr. Farinas asked about the February 2022 Board meeting and if it would be virtual or in person. Mr. Thomas informed the Board members that the February meeting would be virtual and the March 2022 Board meeting and every meeting thereafter is expected to be in person for the Board members at 1100 N. Eutaw Street, 5th Floor Conference room, Baltimore, MD 21201 but still virtual for anyone else who wants to attend.

**REPORT FROM BOARD COUNSEL**

Ms. Trust stated stated the General Assembly started yesterday and there is pending legislation that effects professionalism but not the the Board. She also mentioned that there is an early bill requiring Architects, Professional Engineers and Land Surveyors which already has a hearing date. This bill is being sponsored by ACEC and the department has not been asked to write a fiscal note.

**CORRESPONDENCE**

**Memo from NCEES – Future Changes to NCEES Exams and Supporting Materials**

The Board found this email to be informational.

**Email from Hinman Engineering**

An email was received on December 9, 2021 from P. Anthony Hinman inquiring if a engineering firm permit is required for his business. His company, Hinman Engineering, LLC, provides consulting services. He states he is a Aerospace Materials and Process Engineer with experience developing materials and processes for commercial and defense aerospace companies. Ms. Meyers spoke with this person and conducted a search of our licensing records and found this person was not licensed. Mr. Rickert asked if the work being done fell under an industrial exemption. It is the opinion of the Board that this company is offering engineering services. The Board also asked why this issue did not come before the Complaint Committee. The Board asked Mr. Thomas to respond to the inquiry and to inform Mr. Hinman that an engineering firm permit is required if engineering services are being offered and if no engineering services are being offered the word “Engineering” must be removed from his company name so the public will not be confused as to what type of services his company is offering.

**Requirements for Applicants for Reexamination**

The Board received an email from an exam applicant inquiring if the Board can force an applicant to pay for an exam review course. The Board’s response was no. The Board members reviewed the requirements in the law and regulations to ensure they do not need to be updated.

**Memo regarding Mileage Rates for 2022**

The Board found this memo to be informational.

**APPLICATIONS APPROVED ADMINISTRATIVELY FOR RECIPROCITY**

There were 52 applications, supported by NCEES Model Law Engineer records that were administratively approved for licensure.

**EXECUTIVE SESSION**

Motion (IV) was made by Mr. Harclerode, seconded by Mr. Hubner and unanimously carried to go into Executive Session at 11:03 a.m. at Meet google.com/zhj-nupp-csk or by phone 1-442-245-7263 (PIN 235 132 259#). This session was permitted to be closed pursuant to General Provisions Article, Annotated Code of Maryland, §3-305(b) (7). Upon completion of the session, the Board reconvened its public meeting at 11:14 a.m.

**COMPLAINT COMMITTEE**

Mr. Rickert reported on the status of complaints discussed by the Complaint Committee January 13, 2022.

18-PE-20 Resolved

13-PE-19 Recommend Close

01-PE-21 Referred to OAG. Pre-charge

01-PE-22 Recommend Close

03-PE-22 No follow up documentation received. Recommend Close

04-PE-22 Letter to be sent to respondent

05-PE-22 Awaiting response. Due January 17, 2022

06-PE-22 New Complaint. Investigating

The Complaint Committee reviewed four applications for renewal/reciprocity in which the applicant self-reported a conduct issue.

Motion (IV) was made by Ms. Perrin, seconded by Mr. Harclerode, and unanimously carried

to accept the recommendations of the Complaint Committee

**OTHER BUSINESS**

The next Board meeting is scheduled for Thursday, February 10, 2022 and is to be held virtually.

Ms. Trust informed the Board that the proper people were not notified that the Board no longer has a consumer Board member and she asked that that notification be made.

The Board asked that M. Archer’s appeal be tabled until the February 10, 2022 Board meeting.

**ADJOURNMENT**

Motion (IV) was made by Mr. Harclerode, seconded by Mr. Hubner, and unanimously carried to adjourn the meeting at 11:22 a.m.

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Signed by: David Mongan Date: March 18, 2022

Board Chairman