

**Agenda for
The Florida Board of Professional Engineers
June 17, 2009 beginning at 1:00 p.m. and
June 18, 2009 beginning at 8:30 a.m., or soon thereafter
Tampa, Florida
Part I**

- A. Call to Order, Invocation, and Pledge of Allegiance to the Flag
- B. Roll Call, Determination of Quorum, and Address Absences.
- C. Introduction of guests and announcements as to presentations at a time certain
- D. Approval of the Agenda
 - #1. Approval of the Consent Agenda
(Items denoted with an asterisk are included in the Consent Agenda*)
- E. Review and Approval of previous Board meeting minutes
 - #1. Minutes from the April 8-9, 2009 Board Meeting*
(Exhibit E#1)
 - #2. Minutes from the May 19, 2009 Rules Committee Meeting*
(Exhibit E#2)
- F. Committee Reports
 - #1. Applications Committee (**Next Meeting July 15, 2009**)
(John Burke, P.E., Chair; David Charland, P.E.; Nola Garcia; Paul Tomasino, P.E.; Paul Halyard, P.E.; Mary Young; H. Dann Wallis, P.E.)
 - a. Committee Chair's Report.
 - #2. Educational Advisory Committee (**Next Meeting July 15, 2009**)
(Christian Bauer, Ph.D., P.E., Chair; Dr. Jonathan Earle, Ph.D., P.E.; Zafar Hyder, Ph.D., P.E.; Bijay Panigrahi, Ph.D., P.E., Melvin Anderson, Ph.D., P.E. [Consultant]; R. Gerry Miller, Ph.D., P.E. [Consultant])
 - a. Committee Chair's Report.

#3. Probable Cause Panel (**Next Meeting July 14, 2009**)
(David O. Charland, P.E, Chair, Henn Rebane, P.E., Paul Halyard, P.E.) (Alternate: John Burke, P.E.)

a. PCP Memo from May 19, 2009 Meeting*
(Exhibit F#3a)

#4. FBPE Rules Committee (**September 15, 2009**)
(John Burke, P.E., Chair; David Charland, P.E.; Paul Tomasino, P.E.; Jonathan F. K. Earle, Ph.D., P.E., H. Dann Wallis, P.E.)

a. Committee Chair's Report.

#5. FBPE Legislative Committee (**Next Meeting July 14, 2009**)
(Paul Tomasino, P.E., Chair; Christian Bauer, Ph.D., P.E.; Mary Young)

a. Committee Chair's Report.

#6. Joint Engineer/Architect Committee
(John Burke, P.E., Chair; Zafar Hyder, Ph.D., P.E., Nola Garcia)

a. Letter and Emails from Frank Rudd regarding Proviso language Establishing a Task Force to develop Legislative Recommendations relating to Stormwater Management System design in the State
(Exhibit F#6a)

#7. Structural Rules Committee
(David O. Charland, P.E., Chair)

G. NCEES
(John Burke, P.E., FBPE Liaison)

#1. Email from Jerry Carter regarding NCEES Annual Meeting Workshop
(Exhibit G#1)

#2. Letter from Edward L. Robinson, P.E., P.S. endorsing Leonard "Joe" Timms, Jr., P.E., as the Northeast Zone candidate for the position of President-Elect of NCEES
(Exhibit G#2)

#3. Memorandum from Jerry Carter regarding Funded Delegate for NCEES Annual Meeting – Paperwork for John Burke, P.E., completed
(Exhibit G#3)

- #4. Resolution from the Southern Zone NCEES that the NCEES Engineering Education Task Force further study alternative solutions to the concept of additional education
(Exhibit G#4)

H. Advisory Attorney's Report

- #1. Memo from Melinda Wood, Paralegal, regarding Notice of Proposed Rulemaking of Rule 61G15-37.001
(Exhibit H#1)
- #2. Comment from Charles Hargraves regarding Rule 61G15-22.010, F.A.C.
(Exhibit H#2)

I. Executive Director's Report

- #1. List of Applicants Requesting Retired Status*
(Exhibit I#1)
- #2. Exam Administration Agreement Between Florida Board of Professional Engineers and National Council of Examiners for Engineering and Surveying
(Exhibit I#2)
- #3. April 2009 Candidate Survey Results & Florida Summary of April 2009 Exam Activities
(Exhibit I#3)
- #4. Discussion regarding scheduling Board Meetings for 2010 in conjunction with planning for the 2010 Southern Zone Meeting
- #5. Discussion regarding remaining 2009 Calendar of Meetings
(Exhibit I#5)
- #6. Report on April Examination Sites
(Exhibit I#6)
- #7. Email regarding Trust Fund
(Exhibit I#7)

J. Chief Prosecutor's Report

- #1. Non-Compliance Report
(Exhibit J#1)
- #2. May Open Case Report
(Exhibit J#2)

- #3. Profile of legal cases by year
 - a. Cases open for 1 year plus
(Exhibit J#3a)
 - b. Total open cases by year
(Exhibit J#3b)

#4. Miscellaneous Issues

K. Chair's Report

L. Correspondence to the Board

- #1. Email with attached proposal for Engineering Educators to provide a new Study Guide for the Florida Board of Professional Engineers
(Exhibit L#1)
- #2. Letter from Sean VanDerGracht requesting that "...my attempt of the October 2008 FE Exam not be counted among one of my three attempts to receive a passing grade."
(Exhibit L#2)
- #3. Email from Carlos Ruiz de Quevedo, AIA regarding Certificate of Authorization clarification
(Exhibit L#3)
- #4. Email from David Charland, P.E., regarding FBC Meeting; Hometown Democracy Still Hot Topic - **PROVIDED FOR INFORMATIONAL PURPOSES**
(Exhibit L#4)
- #5. Letter from Carlos A. Muller requesting an Extension of Time for the 18 Month Review required by the Final Order
(Exhibit L#5)
- #6. Letter from John Hutton, P.E., S.E., requesting Exempt Provider Status for Continuing Education
(Exhibit L#6)
- #7. Email from Frank Rudd regarding FSEA Licensure Forum
(Exhibit L#7)
- #8. Letter from John B. Benson, III, P.E. regarding interpretation of practice for engineering services
(Exhibit L#8)

- #9. Emails, etc., regarding Informed giving one hour of continuing education credit for Area of Practice (**FOR INFORMATION**)
(Exhibit L#9)
- #10. Email from Joseph L. Sussman, Ph.D., regarding new Executive Director of ABET
(Exhibit L#10)
- M. Rules Report - Michael Flury, Esquire, Board Counsel
(Exhibit #M)

**Part II
Informal Hearing Agenda**

Description of Educational Committee Process by Christian Bauer, Ph.D., P.E.

- N. Petition for Variance & Waiver
 - #1. Danielly Orozco
(Exhibit N#1)
 - #2. Daniel E. McKay, III
(Exhibit N#2)
- O. Informal Hearings on Denial of Application for Fundamentals Examination
 - #1. Khaled Ramadan
(Exhibit O#1)
- P. Informal Hearings on Denial of Application for Licensure by Endorsement
 - #1. Billy Staton
(Exhibit P#1)
 - #2. Jason P. White
(Exhibit P#2)
 - #3. Charles B. Kensky
(Exhibit P#3)
- Q. Informal Hearings on Denial of Continuing Educational Provider Application
 - #1. Simpson Strong-Tie Co., Inc.
(Exhibit Q#1)

R. Informal Hearings on Denial of Application for Principles and Practice Examination

#1. Ronald W. Rogers
(Exhibit R#1)

#2. Brooke E. Ramage
(Exhibit R#2)

Part III
Disciplinary Hearings

Description of Disciplinary Process by John C. Burke, P.E.

S. Settlement Stipulations

#1. Kimes, James, P.E.
PE 33678
FEMC Case Number: 2007061504, 2007064629
Represented by: William Christopher, Esquire
Probable Cause Panel: Rebane, Charland (11/18/2008)
Probable Cause Panel: Rebane, Charland, Halyard (3/17/2009)
(See Red Book 1)

#2. Lopez, Luis, P.E.
PE 59805
FEMC Case Number: 2008012615
Probable Cause Panel: Rebane, Seckinger
(See Red Book 1)

#3. Bombassaro, Joseph, P.E.
PE 50702
FEMC Case Number: 2008054175
Probable Cause Panel: Waived Probable Cause
(See Red Book 2)

#4. Lucia, Antonio, P.E.
PE 60160
FEMC Case Number: 2008015794
Probable Cause Panel: Rebane, Burke
(See Red Book 2)

- #5. Landers, Edward, P.E.
PE 39398
FEMC Case Number: 2004048755
Represented by: Kevin Opolka, Esquire
Probable Cause Panel: Matthews, Seckinger, Hogenkamp (3/13/2007)
Probable Cause Panel: Rebane, Charland (11/18/2008)
(See Red Book 3)
- #6. Zaleski, James, P.E.
PE 51544
FEMC Case Number: 2008045140
Probable Cause Panel: Rebane, Charland, Halyard
(See Red Book 3)
- #7. Gilberti, Joseph, P.E.
PE 56079
FEMC Case Number: 2006066772
Probable Cause Panel: Rebane, Seckinger
(See Red Book 4)
- #8. Norris, David, P.E.
PE 32186
FEMC Case Number: 2007020513
Probable Cause Panel: Rebane, Charland, Halyard
(See Red Book 4)

T. Informal Hearing

- #9. Cadavid, Rodrigo, P.E.
PE 39415
FEMC Case Numbers: 2004033481, 2004006472, 2004006473,
2005011460, 2005031755
(See Red Book 5)

U. Required Appearance (Per final order 4/29/03)

- #10. Hoyos, Rodolfo, P.E.
PE 47056
FEMC Case Number: 20020014
(See Red Book 5)

V. Old Business

W. New Business

X. Public Forum

Y. Community Involvement

#1. Email from Zafar Hyder regarding Mr. Burke's discussion about Post PE professional and ethical responsibilities
(Exhibit W#1)

Z. Adjourn