

**Agenda for
The Florida Board of Professional Engineers
August 8, 2018 beginning at 8:30am a.m. or soon thereafter and
August 9, 2018 beginning at 8:30 a.m., or soon thereafter
Hyatt Orlando Airport
Orlando, Florida**

**Part I – Wednesday, August 8, 2018
(August 2018 FBPE Business Book)**

- 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

Licensure and Disciplinary cases will start at 1pm on Wednesday, August 8, 2018.

- D. FBPE Mission and Scope
 - #1. FBPE’s Mission: To protect the health and safety of the public by properly regulating the practice of engineering within the State of Florida.
 - #2. FBPE’s Scope: To meet its statutory obligation and exercise its legislative authority by reviewing and approving engineering applications; managing, updating and enforcing the rules that govern the practice of engineering and to guard against the unlicensed practice of engineering within the State of Florida.
- E. Approval of the Agenda
- F. Approval of Consent Agenda
 - #1. Minutes from the June 20-21, 2018 FBPE Board Meeting
(Exhibit F#1)
 - #2. Minutes from July 17, 2018 FBPE Rules Committee Conference Call Meeting
(Exhibit F#2)
 - #3. Minutes from July 18, 2018 FBPE Probable Cause Panel Meeting
(Exhibit F#3)

#4. Minutes from July 27, 2018 FBPE Ratification Conference Call
(Exhibit F#4)

#5. Application for Retired Status
(Exhibit F#5)

G. Committee Reports

#1. Probable Cause Panel **(Next Meeting: September 12, 2018 at 8:30am)**

(Robert Matthews, P.E., Chair; Dylan Albergo, P.E.; Scott Drury, P.E.) (Alternate Current Board Member: Pankaj (PJ) Shah, P.E.; Alternate Past Board Member: Richard Wohlfarth, P.E.)

#2. Applications Review – Experience Committee **(Next Meeting: September 12, 2018 at 1pm via conference call)**

(Babu Varghese, P.E., S.I., Chair; Dylan Albergo, P.E.; Scott Drury, P.E.; Kevin Fleming, P.E.; Pankaj (PJ) Shah, P.E.; Walid Sobh, P.E.; Kenneth Todd, P.E.)

(a) Committee Chair's Report.

#3. Applications Review – Education Committee **(Next Meeting: September 12, 2018 at 3pm via conference call)**

(Elizabeth Ferguson, Public Member, Chair; Kenneth Todd, P.E.; Babu Varghese, P.E., S.I.) (Alternate Members: Vivian Boza, Public Member)

(a) Committee Chair's Report.

#4. Rules Committee **(Next Meeting: July 17, 2018 at 1pm via conference call)**

(Kevin Fleming, P.E., Chair; Dylan Albergo, P.E.; Pankaj (PJ) Shah, P.E.; Walid Sobh, P.E.; Elizabeth Ferguson, Public Member)

(a) Committee Chair's Report.

(b) Rules Report
(Exhibit G#4b)

(c) Discussion on 3D models

#5. Structural Rules Committee

(Kevin Fleming, P.E., Chair; Pankaj (PJ) Shah, P.E.; Babu Varghese, P.E., S.I.)

(Public Advisors to the committee: Doug Barkley, P.E., FES Representative; Ron Milmed, FSEA Representative)

(a) Committee Chair's Report.

#6. CE Rules Committee **(Next Meeting: TBD)**

(Kenneth Todd, P.E., Chair; Babu Varghese, P.E., S.I.)

(Public Advisors to the committee: William Dunn; Art Nordlinger, P.E.; Fred Bloetscher; Patrick Ferland; Gerry Ward; Al Garza; Rick Barber; Brett Cunningham)

(a) Committee Chair's Report

#7. Certificate of Authorization Committee **(Next Meeting: TBD)**

(Kenneth Todd, P.E., Chair; Pankaj (PJ) Shah, P.E.; Elizabeth Ferguson, Public Member)

(Public Advisors to the committee: Andrew Lovenstein, P.E.; Charlie Geer, P.E.)

(a) Committee Chair's Report

#8. Fire Protection Rules Committee **(Next Meeting: TBD)**

(Scott Drury, P.E., Chair; Kevin Fleming, P.E.; Babu Varghese, P.E., S.I.)

(Public Advisors to the committee: Steve Kowkabany, P.E.; Warren Hahn, P.E.; Bruce Tumin, P.E.; Karl Thompson; Clay Whitfield)

(a) Committee Chair's Report

#9. Joint FBPE-FEMC Committee **(Next Meeting: TBD)**

(FBPE Board Members: Kevin Fleming, P.E.; Dylan Albergo, P.E.)

(FEMC Board Members: Barney Bishop, Committee Chair, Public Member; John Stewart, Public Member)

#10. Selection Committee on open positions on FEMC Board

(Babu Varghese, P.E., S.I., Chair; Vivian Boza, Public Member; Elizabeth Ferguson, Public Member)

(a) Committee Chair's Report

(b) Current application and Recommendations of committee for the three FEMC board positions that will be vacated as of 10/31/18

(All applications are in meeting books under this item)

H. NCEES

(Kevin Fleming, P.E., FBPE Liaison)

#1. NCEES Annual Meeting Information (including Proposed changes to NCEES By-Laws)

(Exhibit H#1)

I. Advisory Attorney's Report

#1. Rules Report
(Exhibit I#1)

#2. Public Hearing on Rule 61G15-20.0010
(Exhibit I#2)

#3. Public Hearing on Rule 61G15-20.0015
(Exhibit I#3)

#4. Public Hearing on Rule 61G15-20.002
(Exhibit I#4)

#5. Public Hearing on Rule 61G15-35.003
(Exhibit I#5)

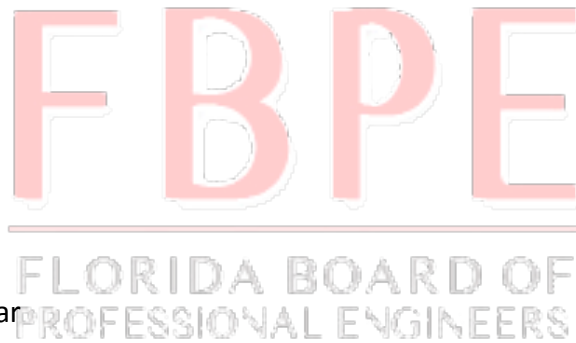
#6. Review and approval of Annual Regulatory Plan to certify compliance with 120.695(2) (c)
3 F.S.
(Exhibit I#6)

J. Executive Director's Report

#1. Certification of DBPR Contract
(Exhibit J#1)

#2. 2018 FBPE/FEMC Meeting Calendar
(Exhibit J#2)

#4. Proposed 2019 FBPE/FEMC Meeting Calendar
(Exhibit J#3)



K. Chief Prosecutor's Report

#1. 300 day report
(Exhibit K#1)

#2. Profile of legal cases by year
(a) Cases open for 1 year plus
(Exhibit K#2a)

(b) Total open cases by year
(Exhibit K#2b)

#3. Non-Compliance Report
(Exhibit K#3)

#4. Open case report
(Exhibit K#4)

L. Engineering Association and Society Reports

#1. FSEA

#2. FES

#3. IEEE

M. Chair's Report

#1. Appoint additional board members to Education & CE Rules Committees

N. Action Items from Previous Board Meetings

#1. Email from Mr. Peter Aquart – re: plans

#2. Email from Mr. Sheldon – Re: Renewal & CE Requirements for PE License

#3. Email from Mr. Cranor – Re: Electronic Signatures

O. Correspondence to the Board

#1. Email from Mr. Tyler Wainright, P.E. – Re: Design of horizontal directional drills for utility pipelines
(Exhibit O#1)

#2. Complaint about CE Provider
(Exhibit O#2)

#3. Complaint about CE Provider Course
(Exhibit O#3)

#4. Review of newsletter article by Mr. Drury, P.E. – Re: Protected titles
(Exhibit O#4)

P. Public Forum

Q. Community Involvement

Part II
Informal Hearing Agenda
(Wednesday, August 8, 2018 at 1pm)
(August 2018 FBPE Licensure Book)

Review of FBPE Mission and Scope:

FBPE's Mission: To protect the health and safety of the public by properly regulating the practice of engineering within the State of Florida.

FBPE's Scope: To meet its statutory obligation and exercise its legislative authority by reviewing and approving engineering applications; managing, updating and enforcing the rules that govern the practice of engineering and to guard against the unlicensed practice of engineering within the State of Florida.

Description of Educational Committee Process by Elizabeth Ferguson, Public Member

R. Informal Hearing on Denial of Application for Licensure by Endorsement

#1. Russell Morris
(Exhibit R#1)

#2. Broderick Attra
(Exhibit R#2)

S. Informal Hearing on Denial of Application for Principles and Practice Examination

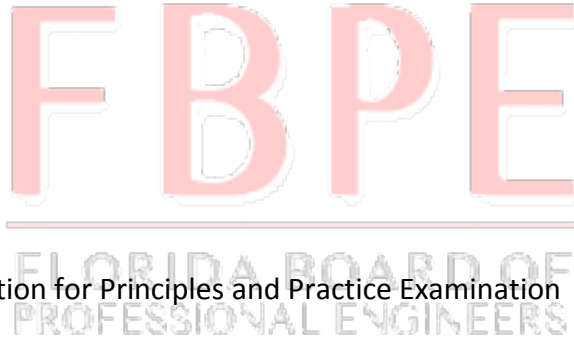
#1. Hany Gerges
(Exhibit S#1)

T. Informal Hearing on Denial of Application for Special Inspector Application

#1. John Gregos
(Exhibit T#1)

U. Reconsideration/Vacate the notice of Intent to deny and accept withdrawal of application

#1. Vincent Fafard
(Exhibit U#1)



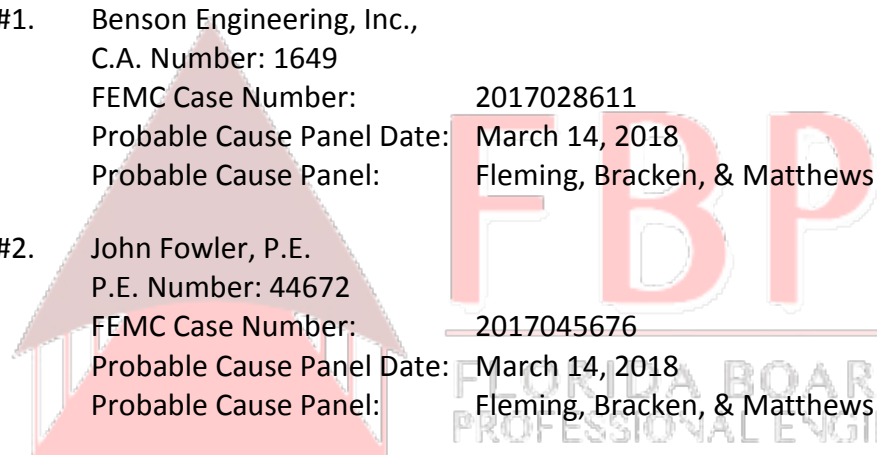
V. Hearing on Petition for Waiver and Variance of Rule 61G15-20.0015(3) and take action on application

#1. Dennis Matthew Stuart
(Exhibit V#1)

Part III
Disciplinary Hearings
(Wednesday, August 8, 2018)
(August 2018 FBPE Disciplinary Books)

Description of Disciplinary Process by Kevin Fleming, P.E.

W. SETTLEMENT STIPULATION

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- #1. Benson Engineering, Inc.,
C.A. Number: 1649
FEMC Case Number: 2017028611
Probable Cause Panel Date: March 14, 2018
Probable Cause Panel: Fleming, Bracken, & Matthews
- #2. John Fowler, P.E.
P.E. Number: 44672
FEMC Case Number: 2017045676
Probable Cause Panel Date: March 14, 2018
Probable Cause Panel: Fleming, Bracken, & Matthews
- #3. Patricia Montecki, P.E
P.E. Number: 54894
FEMC Case Number: 2017048443
Probable Cause Panel Date: May 07, 2017
Probable Cause Panel: Fleming, Bracken, & Matthews
- #4. Daniel J. Moss, P.E
P.E. Number: 56885
FEMC Case Number: 2017016715
Probable Cause Panel Date: May 07, 2017
Probable Cause Panel: Fleming, Bracken, & Matthews
Represented By: Martin R. Dix, Esquire

#5. Stephen Kastner, P.E.
P.E. Number: 39528
FEMC Case Number: 2016013495 & 2016028548
Probable Cause Panel Date: March 14, 2017 & September 12, 2017
Probable Cause Panel: Fleming, Bracken, & Matthews
Probable Cause Panel: Fleming, Roddenberry, & Matthews
Represented By: Edwin Bayó, Esquire

X. APPEARANCE AFTER ISSUANCE OF FINAL ORDER / REQUEST TO LIFT SUSPENSION

#6. Winthrop Barnett, P.E.
P.E. Number: 25576
FEMC Case Number: 2015052732
Probable Cause Panel Date: January 10, 2018
Probable Cause Panel: Fleming, Bracken, & Matthews

Y. CE CASES SETTLEMENT STIPULATION

#7. James Laffey, P.E.
P.E. Number: 80213
FEMC Case Number: 2017058905
Probable Cause Panel Date: May 07, 2018
Probable Cause Panel: Fleming, Bracken, & Matthews
Represented By: Edwin Bayó, Esquire

#8. Christopher J. Porto, P.E.
P.E. Number: 79824
FEMC Case Number: 2017059022
Probable Cause Panel Date: March 14, 2018
Probable Cause Panel: Fleming, Bracken, & Matthews
Represented By: Edwin Bayó, Esquire



Part III – Continued from previous day
Disciplinary Hearings
(Thursday, August 9, 2018)
(August 2018 FBPE Disciplinary Books)

Description of Disciplinary Process by Kevin Fleming, P.E.

Z. Ratification of Actions from Application Review held on August 8, 2018

AA. INFORMAL HEARING

- #9. Jonathan Burdette, P.E.
P.E. Number: 75987
FEMC Case Number: 2017058947
Probable Cause Panel Date: May 07, 2018
Probable Cause Panel: Fleming, Bracken, & Matthews
- #10. Christine W. Fanchi, P.E.
P.E. Number: 80088
FEMC Case Number: 2017058726
Probable Cause Panel Date: March 14, 2018
Probable Cause Panel: Fleming, Bracken, & Matthews
- #11. Ward A. Herlache, P.E.
P.E. Number: 81480
FEMC Case Number: 2017058901
Probable Cause Panel Date: March 14, 2018
Probable Cause Panel: Fleming, Bracken, & Matthews



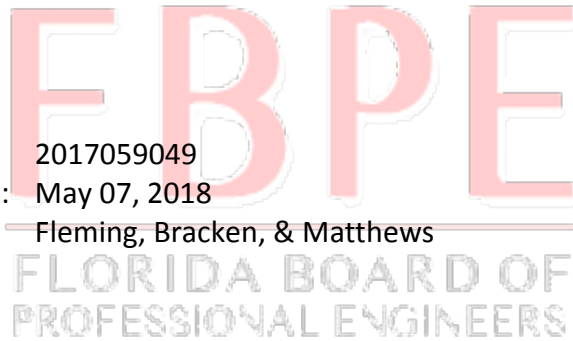
BB. SETTLEMENT STIPULATION CE FILES

- #12. Robert Beccard, P.E.
P.E. Number: 77245
FEMC Case Number: 2017058889
Probable Cause Panel Date: May 07, 2018
Probable Cause Panel: Fleming, Bracken, & Matthews
- #13. Randall Boyd, P.E.
P.E. Number: 81118
FEMC Case Number: 2017058942
Probable Cause Panel Date: March 14, 2018
Probable Cause Panel: Fleming, Bracken, & Matthews
Represented By: Diane S. Perera, Esquire

- #14. Thomas Chastain, P.E.
P.E. Number: 62397
FEMC Case Number: 2017058960
Probable Cause Panel Date: May 07, 2018
Probable Cause Panel: Fleming, Bracken, & Matthews
- #15. Clayton Cowherd, P.E.
P.E. Number: 71429
FEMC Case Number: 201058723
Probable Cause Panel Date: May 07, 2018
Probable Cause Panel: Fleming, Bracken, & Matthews
- #16. Robert D'Onofrio, P.E.
P.E. Number: 81507
FEMC Case Number: 2017058895
Probable Cause Panel Date: March 14, 2018
Probable Cause Panel: Fleming, Bracken, & Matthews
Represented by: Diane Perera, Esquire
- #17. Joshua Howes, P.E.
P.E. Number: 73273
FEMC Case Number: 2017058902
Probable Cause Panel Date: May 07, 2018
Probable Cause Panel: Fleming, Bracken, & Matthews
- #18. Yvette Benitez Jones, P.E.
P.E. Number: 62604
FEMC Case Number: 2017058904
Probable Cause Panel Date: March 14, 2018
Probable Cause Panel: Fleming, Bracken, & Matthews
Represented by: Diane Perera, Esquire
- #19. Daniel LeClair, P.E.
P.E. Number: 80708
FEMC Case Number: 2017059003
Probable Cause Panel Date: May 07, 2018
Probable Cause Panel: Fleming, Bracken, & Matthews



- #20. Sanjay Puranik, P.E.
P.E. Number: 59470
FEMC Case Number: 2017058917
Probable Cause Panel Date: May 07, 2018
Probable Cause Panel: Fleming, Bracken, & Matthews
- #21. Baker Tee, P.E.
P.E. Number: 81480
FEMC Case Number: 2017058901
Probable Cause Panel Date: March 14, 2018
Probable Cause Panel: Fleming, Bracken, & Matthews
- #22. Carlos A. Vargas, P.E.
P.E. Number: 53809
FEMC Case Number: 2017058926
Probable Cause Panel Date: March 14, 2018
Probable Cause Panel: Fleming, Bracken, & Matthews
- #23. George Walton, P.E.
P.E. Number: 75298
FEMC Case Number: 2017059049
Probable Cause Panel Date: May 07, 2018
Probable Cause Panel: Fleming, Bracken, & Matthews
- #24. Jennifer Gemar, P.E.
P.E. Number: 81640
FEMC Case Number: 2017058976
Probable Cause Panel Date: March 14, 2018
Probable Cause Panel: Fleming, Bracken, & Matthews
Represented By: Michael A. Homreich, Jonathan B. Head, Esquire



CC. VOLUNTARY RELINQUISHMENT

- #25. Edward Hutson, P.E.
P.E. Number: 52339
FEMC Case Number: 2017058997
Probable Cause Panel Date: March 14, 2018
Probable Cause Panel: Fleming, Bracken, & Matthews

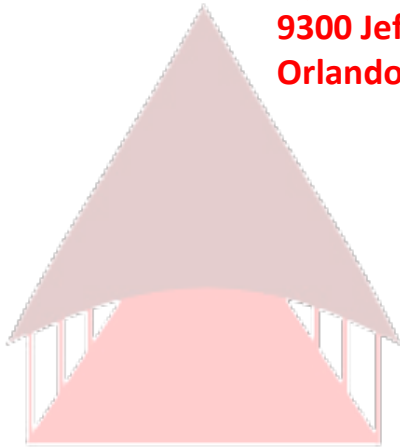
#26. Pedro-Daniel Rodrigues, P.E.
P.E. Number: 74878
FEMC Case Number: 2017058920
Probable Cause Panel Date: May 07, 2018
Probable Cause Panel: Fleming, Bracken, & Matthews

DD. Old Business

EE. New Business

FF. Adjourn

Next Board Meeting: October 10-11, 2018
Hyatt Regency Orlando Airport
9300 Jeff Fuqua Blvd.
Orlando, FL 32827



FBPE
FLORIDA BOARD OF
PROFESSIONAL ENGINEERS