

**Minutes for
The Florida Board of Professional Engineers
February 20, 2019 beginning at 1:00 p.m. or soon thereafter and
February 21, 2019 beginning at 8:30 a.m., or soon thereafter
The Shores Resort & Spa
Daytona Beach, Florida**

Part I – Wednesday, February 20, 2019

- A. Call to Order, Invocation, and Pledge of Allegiance to the Flag

Mr. Todd called the meeting to order. Ms. Raybon called roll.

- B. Roll Call, Determination of Quorum, and Address Absences.

Board Members Present:

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



Attorney General's Office:

Lawrence Harris, Senior Assistant Attorney General, Counsel to the Board

Staff Members Present:

Zana Raybon, Executive Director
John J. Rimes, III, Chief Prosecuting Attorney
Rebecca Sammons, Assistant Executive Director

- C. Introduction of guests and announcements as to presentations at a time certain

Fraser Howe, P.E.
Andrew Lovenstein, P.E., FSEA
Brenden Blair, Renew Central
Art Nordlinger, P.E., FEMC Board Member

- 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

Upon motion by Ms. Boza, seconded by Mr. Fleming, to approve the agenda, the motion passed.

F. Approval of Consent Agenda

(Items denoted with an asterisk are included in the Consent Agenda*)

Upon motion by Mr. Varghese, seconded by Mr. Drury, to approve the consent agenda, the motion passed.

#1. Minutes from the October 17, 2018 FBPE Fire Protection Rules Committee Meeting Conference Call*

Approved under consent agenda.

#2. Minutes from the December 6, 2018 FBPE Board Meeting*

Approved under consent agenda.

#3. Minutes from January 16, 2019 FBPE Probable Cause Panel Meeting*

Approved under consent agenda.

#4. Minutes from January 25, 2019 FBPE Ratification Conference Call*

Approved under consent agenda.

#5. Minutes from January 28, 2019 FBPE Application Review Conference Call*

Approved under consent agenda.

#6. Application for Retired Status*

Approved under consent agenda.

G. Committee Reports

#1. Probable Cause Panel **(Next Meeting: March 13, 2018 at 8:30am)**

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

(a) Committee Chair's Report.

Mr. Drury stated that some of the complaints have been filed from a civil perspective and involve several jurisdictions not requiring engineers employed by that jurisdiction to sign and seal plans that involve construction projects such as bridges, roadways, and things like that. Discussion followed. The board asked Mr. Harris to write a letter to the jurisdictions involved and have an article about this issue in the next newsletter.

#2. Applications Review – Experience Committee **(Next Meeting: March 13, 2019 at 1:00pm via conference call)**

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

(a) Committee Chair's Report.

No report.

#3. Applications Review – Education Committee **(Next Meeting: March 13, 2019 at 3:00pm via conference call)**

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

(a) Committee Chair's Report.

No report.

#4. Rules Committee **(Next Meeting: March 19, 2019 at 1:00pm via conference call)**

(Kevin Fleming, P.E., Chair; Dylan Albergo, P.E.; PJ Shah, P.E.; Walid Sobh, P.E.)

(a) Committee Chair's Report.

Ms. Sammons stated that Mr. Albergo has a conflict with the scheduled time of 1:00pm on March 19th and would like to see about moving the call to 10:00am on March 19th. The committee members agreed to move the conference call to 10:00am on March 19th.

- (b) Discussion on how to handle Advanced Building Code Course certificates being turned in after the December 31, 2018 deadline.

Mr. Fleming stated that the certificates being turned in late is a violation of our rule and that we could give a notice of non-compliance for this issue. Mr. Rimes mentioned that we have over 200 engineers who have submitted the certificate late and the legal section wanted to know if cases should be opened for all of these individuals. Mr. Varghese mentioned that the NCEES portal doesn't have anything about the building course requirement. Discussion followed on this issue. This issue was referred to the Rules Committee. The board decided to have legal to open cases on the engineers who submitted the advanced building code course certificates late.

#5. Fire Protection Rules Committee **(Next Meeting: March 20, 2019 at 10am)**

(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

Mr. Drury stated that the next meeting would be March 20th at 10am.

#6. 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)

No report.

H. NCEES

(Kenneth Todd, P.E., FBPE Liaison)

#1. 2019 NCEES Southern Zone Joint Interim Meeting Information

Provided for informational purposes.

Mr. Todd reported on the Board President's Assembly meeting that was held earlier in the month in Atlanta.

I. Advisory Attorney's Report

#1. Rules Report

Mr. Harris presented the rules report for the board's review and consideration. Mr. Harris mentioned updating the mechanical rules and that the board may want to look at that project next.

J. Executive Director's Report

#1. Renewal Update

Ms. Raybon reported that as of February 19th at 11:30am, 26,311 PEs had renewed compared to 20,608 in the same period in 2016 and 3,706 CAs had renewed, which was about 875 higher than the same period in 2016. Ms. Raybon discussed some of the issues that have come up and how staff has dealt with them. Discussion followed.

#2. 2019 FBPE/FEMC Meeting Calendar

Provided for informational purposes.

#3. Discussion on appointing Dr. Roddenberry as Emeritus Board Member

Ms. Raybon discussed the appointment of Dr. Roddenberry as an emeritus board member and all the committees that Dr. Roddenberry serves on for NCEES.

Upon motion by Mr. Drury, seconded by Ms. Boza, to appoint Dr. Roddenberry as an emeritus board member, the motion passed.

K. Chief Prosecutor's Report

#1. 300 day report

Provided for informational purposes.

#2. Profile of legal cases by year

(a) Cases open for 1 year plus

Provided for informational purposes.

(b) Total open cases by year

Provided for informational purposes.

#3. Non-Compliance Report

Provided for informational purposes.

#4. Open case report

Provided for informational purposes.

#5. Discussion on the need for new FEMC Consultants

Mr. Rimes mentioned that FEMC is need of an aluminum consultant and asked that if board members knew of anyone to please pass their information along to Ms. Anderson at the office.

Mr. Harris mentioned his past practice of reaching out to applicants requesting a formal hearing and explaining the process to see if the issue could be resolved as a reconsideration by the board. Mr. Harris stated that having a formal hearing is costly and timely for the applicant and the board. Mr. Harris would like to know if the board would like him to continue this process and the board stated they would like him to continue this process.

L. Engineering Association and Society Reports

#1. FSEA

#2. FES

Ms. Raybon reported on the FES bill that has been filed (SB616). She stated that it would provide for decoupling, would allow for board approved technology degrees with six years of experience, and would change the requirements for certificates of authorization. Mr. Harris stated that other boards will sometimes review proposed legislation and then take a position on the proposed legislation. Discussion followed.

#3. IEEE

#4. ASCE

Mr. Howe addressed the board about various legislative bills that might be of interest to the board.

M. Chair's Report

#1. Update on Deregathon Meeting held on January 31, 2019

Mr. Todd discussed the meeting and what items the board presented at that meeting. Discussion followed.

Upon motion by Mr. Drury, seconded by Mr. Albergo, to approve the minutes with the correction to page 92, section D, third line (change the word “nut” to “but”), the motion passed.

#2. Appoint Committees

Mr. Todd made the following committee appointments:

Experience Committee: Appoint Mr. Shah as chair

Education Committee: Appoint Mr. Varghese as chair and add Mr. Shah

Rules Committee: Appoint Mr. Albergo as chair, keep Mr. Fleming and add Mr. Sobh

Mechanical Rules: Appoint Mr. Drury as chair, keep Mr. Fleming

Certificate of Authorization Committee: Appoint Mr. Sobh as Chair, keep Mr. Todd and Mr. Shah

Fire Protection Committee: Remains the same

PCP: Mr. Sobh will replace Mr. Drury in May

N. Action Items from Previous Board Meetings

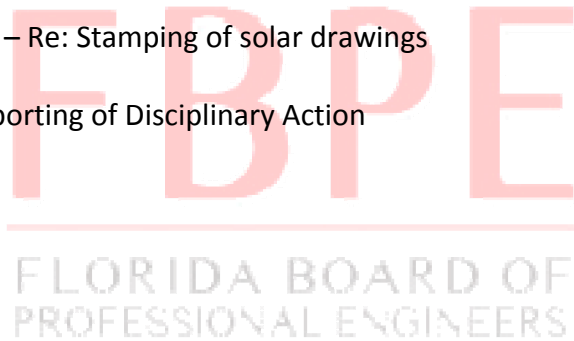
#1. Email from Mr. Tom Brantley, P.E. – Re: Stamping of solar drawings

#2. Letter from Mr. Ed Bayo – Re: Reporting of Disciplinary Action

O. Correspondence to the Board

P. Public Forum

Q. Community Involvement



Part II Informal Hearing Agenda (Thursday, February 21, 2019)

R. Ratification of Actions from Application Review, February 20, 2019

Upon motion by Ms. Boza, seconded by Mr. Fleming, to waive the one hour of general education for #7 Mariam Fransis and approve the application, the motion passed.

Upon motion by Mr. Fleming, seconded by Mr. Drury, to approve the ratification list as amended, the motion passed.

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

#1. Philip Hipol

Mr. Hipol was present and sworn in prior to addressing the board. Mr. Harris explained the basis of the denial of Mr. Hipol's application. Mr. Hipol holds a BS in Mechanical Engineering from General Motors Institute (now Kettering University), an MS in Theoretical and Applied Mechanics from University of Illinois and an MS in Engineering Management from Tufts University. The denial is based on Mr. Hipol lacking three current professional references.

Mr. Hipol addressed the board

Discussion followed. Mr. Fleming stated that the rule requires three licensed professional references.

Mr. Harris discussed the options for Mr. Hipol.

Upon motion by Mr. Shah, seconded by Mr. Albergo, to continue the hearing for 60 days to allow Mr. Hipol to provide the professional references and if he does then he will be approved to sit for the exam and if not then reconvene hearing, the motion passed. Staff were delegated the authority to approve the application if the above condition is met within the specified timeframe.

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

#1. Evan Argiloff

Mr. Argiloff was present and sworn in prior to addressing the board. Mr. Harris explained the basis of the denial of Mr. Argiloff's application. The basis of the denial is exams. Mr. Argiloff has not taken and passed the NCEES FE exam or the NCEES PE exam. Mr. Argiloff does not qualify for the 25/30 waiver of the rule. Mr. Argiloff's application has been incomplete for over a year.

Mr. Argiloff addressed the board.

Discussion followed.

Mr. Argiloff asked to withdraw his application.

Upon motion by Mr. Albergo, seconded by Ms. Boza, to allow Mr. Argiloff to withdraw his application, the motion passed.

#2. Gabriel Salazar

Mr. Harris explained the basis for denial. Mr. Salazar holds BS in Electrical Engineering from Universidad Autonoma de Nuevo Leon. The basis of the denial is education. Mr. Salazar is lacking 4.1 hours of general education. Mr. Salazar's application was previously reviewed by the Board, and he was granted 90 days to take two CLEP courses. That time period has passed, and he requested additional time that was denied.

Upon motion by Mr. Fleming, seconded by Ms. Boza, that Mr. Salazar was properly served with the notice of intent to deny and he requested a section 120.57(2), F.S. hearing not involving disputed issues of material facts, the motion passed.

Upon motion by Mr. Fleming, seconded by Ms. Boza, to accept into evidence the complete application file contained in the meeting materials including any supplemental materials provided by Mr. Salazar, the motion passed.

Upon motion by Mr. Fleming, seconded by Ms. Boza, that the board adopt the factual allegations in the notice of intent to deny as the board's findings of fact, the motion passed.

Upon motion by Mr. Shah, seconded by Mr. Sobh, to uphold the denial of the application of Mr. Salazar, the motion passed.

Upon motion by Mr. Fleming, seconded by Ms. Boza, to allow the applicant to withdraw within 10 calendar days and if the applicant does then the final order will be stayed, the motion passed.

#3. William Toney

Mr. Harris explained the basis for denial. Mr. Toney holds BS in Civil Engineering from WV University Institute of Technology. The basis of the denial is prior discipline and failure to control his stamp.

Upon motion by Ms. Boza, seconded by Mr. Albergo, that Mr. Toney was properly served with the notice of intent to deny and he requested a section 120.57(2), F.S. hearing not involving disputed issues of material facts, the motion passed.

Upon motion by Ms. Boza, seconded by Mr. Albergo, to accept into evidence the complete application file contained in the meeting materials including any supplemental materials provided by Mr. Toney, the motion passed.

Upon motion by Ms. Boza, seconded by Mr. Drury, that the board adopt the factual allegations in the notice of intent to deny as the board's findings of fact, the motion passed.

Upon motion by Mr. Shah, seconded by Ms. Boza, to uphold the denial of the application of Mr. Toney, the motion passed.

Upon motion by Mr. Fleming, seconded by Ms. Boza, to allow the applicant to withdraw within 10 calendar days and if the applicant does then the final order will be stayed, the motion passed.

U. Informal Hearing on Denial of Application for Special Inspector

#1. Guillermo Chacon

Mr. Harris explained the basis for denial. Mr. Chacon's application was denied based on the fact that he lacks the required months of design experience and the design experience is overlapping with inspection experience. Time claimed appears to be excessive on some projects.

Upon motion by Mr. Drury, seconded by Mr. Sobh, that Mr. Chacon was properly served with the notice of intent to deny and he requested a section 120.57(2), F.S. hearing not involving disputed issues of material facts, the motion passed.

Upon motion by Mr. Albergo, seconded by Mr. Drury, to accept into evidence the complete application file contained in the meeting materials including any supplemental materials provided by Mr. Toney, the motion passed.

Upon motion by Mr. Drury, seconded by Mr. Albergo, that the board adopt the factual allegations in the notice of intent to deny as the board's findings of fact, the motion passed.

Mr. Varghese discussed the application and mentioned that the applicant should complete the new application and that may help with the issues that causing a denial.

Upon motion by Mr. Varghese, seconded by Mr. Fleming, to continue the hearing until the April 2019 board meeting to allow Mr. Harris to contact Mr. Chacon about this application, the motion passed.

#2. Federico Balestrazzi

Mr. Balestrazzi was present and sworn in prior to addressing the board. Mr. Harris explained the basis for denial. Mr. Balestrazzi's application was denied based on the fact that he lacks the required months of design experience. Experience #1 and # 3 are for design. The description of the design part is unacceptable. The rule does not allow inspections to be reported on the design form. Also the descriptions are just cut and paste. Experience #2 is a three story building, not a threshold building. Experience #4 is

restoration work. Experience #5 is stone-cladding inspections. Experience #6 is curtain wall inspection.

Mr. Balestrazzi addressed the board.

Mr. Varghese discussed his application and the issues with the application and how he could correct them.

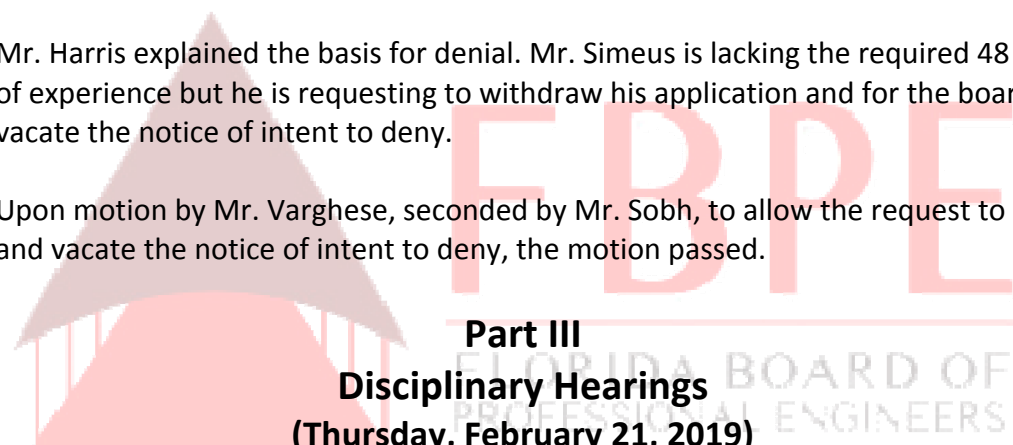
Upon motion by Mr. Varghese, seconded by Mr. Drury, to continue the hearing until the April 2019 FBPE board meeting or the March 2019 Application review to allow the applicant time to resubmit the required forms to clear deficiencies with the application, the motion passed.

V. Request to Vacate Notice of Intent to Deny and allow to withdraw Application

#1. Dominique Simeus

Mr. Harris explained the basis for denial. Mr. Simeus is lacking the required 48 months of experience but he is requesting to withdraw his application and for the board to vacate the notice of intent to deny.

Upon motion by Mr. Varghese, seconded by Mr. Sobh, to allow the request to withdraw and vacate the notice of intent to deny, the motion passed.



Part III
Disciplinary Hearings
(Thursday, February 21, 2019)

W. SETTLEMENT STIPULATION

#1. Schror, Carl, P.E.

P.E. Number: 56564
FEMC Case Number: 2017021082
Probable Cause Panel Date: July 18, 2018
Probable Cause Panel: Matthews, Drury & Albergo
Represented by: Andrew M. Tobin, Esquire

Mr. Schror was present and sworn in prior to addressing the board. Mr. Schror waived the appearance of counsel.

Mr. Rimes outlined the facts of the case. The charges relate to a violation of Section 471.033(1)(g), F.S., & Rule 61G15-19.001(4) by engaging in negligence in the practice of engineering.

The PCP Recommendation was administrative complaint, administrative fine of \$1,000.00, administrative costs of \$7,607.00, reprimand, appearance before the board to discuss how this situation occurred, what improvements and quality control measures will be implemented to prevent this circumstance from occurring in the future, two year probation, successful completion of the board-approved Basic Engineering Professionalism and Ethics course, project/plan reviews at 6 and 18 month intervals, and successful completion of the board's study guide.

The Settlement Stipulation is an administrative fine of \$500.00, administrative costs of \$2,500.00, appearance before the board to discuss how this situation occurred, what improvements and quality control measures will be implemented to prevent this circumstance from occurring in the future, successful completion of the board-approved Basic Engineering Professionalism and Ethics course, and successful completion of the board's study guide.

Mr. Schror addressed the board.

Discussion followed.

Mr. Schror waived any claim for fees and costs against the board if the case were to be dismissed.

Upon motion by Mr. Shah, seconded by Mr. Varghese, to dismiss the case as long as Mr. Schror waives all fees against FBPE/FEMC. Discussion followed. The motion passed.

X. DISCUSSION

#2. Julio Banks P.E.

P.E. Number: 46544
FEMC Case Number: 2015032603 & 2015036080
Probable Cause Panel Date: March 08, 2016
Probable Cause Panel: Fiorillo, Fleming, & Matthews

Mr. Banks was present and sworn in prior to addressing the board.

Mr. Rimes outlined the facts. This case is being presented to the board for information and to show that Mr. Banks has completed all the requirements set forth in the signed Settlement Stipulation agreement. As part of the Settlement Stipulation, Mr. Banks was on suspension for two years, with requirement to appear after suspension is up.

Mr. Banks addressed the board.

Discussion followed.

Upon motion by Mr. Fleming, seconded by Mr. Shah, to reinstate the license of Mr. Banks without restrictions, the motion passed.

Y. INFORMAL HEARING

#3. AA Masters Mechanical Air Moving & Engineering Systems Corp.

C.A. Number: 31669
FEMC Case Number: 2018011223
Probable Cause Panel Date: September 12, 2018
Probable Cause Panel: Matthews, Drury & Albergo
Represented by: Ricardo Torres Jr., Esquire

Mr. Rimes outlined the facts of the case. The charges relate to a violation of §471.033(k), F.S.: Violating any order of the board or department previously entered in a disciplinary hearing.

Probable Cause was found on September 12, 2018 on the issue of Respondent. An Administrative Complaint was authorized and filed on September 25, 2018. A signed Election of Rights requesting an Informal hearing was returned to the FBPE office October 18, 2018.

The PCP Recommendation was an administrative complaint, ~~administrative complaint~~, administrative fine of \$1,000, administrative costs of \$136.50, suspension of certificate of authorization until compliance with final order in case no: 2016050175, appearance before the board to discuss how this situation occurred, what improvements and quality control measures will be implemented to prevent this circumstance from occurring in the future.

Upon motion by Mr. Sobh, seconded by Mr. Varghese, the respondent was properly served with the Administrative Complaint and filed an election of rights electing a Chapter 120.57(2) hearing not involving disputed issue of material facts, to accept the Statement of Undisputed Material Facts presented as the Board's findings of fact, and the entire investigative file of the case including the supplemental materials was accepted into evidence, the motion passed.

Upon motion by Mr. Varghese, seconded by Mr. Sobh, to adopt the allegations in the Administrative Complaint as the Board's conclusions of law, the motion passed.

Upon motion by Mr. Fleming, seconded by Mr. Sobh, to find a violation of the practice act upon which discipline may be imposed, the motion passed.

Upon motion by Mr. Fleming, seconded by Mr. Varghese, the penalty imposed will be a \$1,000 fine; costs; suspension; and board appearance, the motion passed.

Z. SETTLEMENT STIPULATION CE FILES

#4. Bradley D. Heilwagen, P.E.

P.E. Number: 70891
FEMC Case Number: 2017058989
Probable Cause Panel Date: March 14, 2018
Probable Cause Panel: Fleming, Bracken, & Matthews
Probable Cause Panel Date: November 07, 2018
Probable Cause Panel: Matthews, Drury & Albergo

Mr. Rimes outlined the facts of the case. The charges relate to a violation of §471.033(1)(a), F.S.: Violating ... any other provision of this chapter or rule of the board or department. Rule 61G15-19.001(6)(s), F.A.C.: Renewing or reactivating a license without completion of Continuing Education (CE) hours.

The PCP Recommendation was an administrative complaint, administrative costs of \$58.50, and administrative fine of \$500.

The Settlement Stipulation is the same as PCP Recommendation.

Upon motion by Ms. Boza, seconded by Mr. Varghese, to accept the settlement stipulation, the motion passed.

#5. Carlos R. Llera, P.E.

P.E. Number: 52014
FEMC Case Number: 2017058768
Probable Cause Panel Date: May 07, 2018
Probable Cause Panel: Fleming, Bracken, & Matthews
Probable Cause Panel Date: January 16, 2019
Probable Cause Panel: Matthews, Drury & Albergo

Mr. Rimes outlined the facts of the case. The charges relate to a violation of §471.033(1)(a), F.S.: Violating ... any other provision of this chapter or rule of the board or department. Rule 61G15-19.001(6)(s), F.A.C.: Renewing or reactivating a license without completion of Continuing Education (CE) hours.

The PCP Recommendation was an administrative complaint, administrative costs of \$169.50, and administrative fine of \$500.

The Settlement Stipulation is the same as PCP Recommendation.

Upon motion by Ms. Boza, seconded by Mr. Varghese, to accept the settlement stipulation, the motion passed.

AA. DEFAULT

#6. Cardona, Alberto

P.E. Number: 17138
FEMC Case Number: 2017034742
Probable Cause Panel Date: September 12, 2018
Probable Cause Panel: Matthews, Drury & Albergo

Mr. Rimes outlined the facts of the case. The charges relate to a violation of Section 471.033(1)(g), F.S., & Rule 61G15-19.001(4) by engaging in negligence in the practice of engineering §471.033(k), F.S.: Violating an order of the board or department previously entered in a disciplinary hearing.

Probable Cause was found on September 12, 2018, and an Administrative Complaint was authorized. The Administrative Complaint was filed with the Department of Business and Professional Regulation (“DBPR”) on September 25, 2018.

The PCP Recommendation was an administrative complaint, administrative costs of \$11,529.00, and revocation of license or voluntary relinquishment.

Upon motion by Mr. Fleming, seconded by Mr. Varghese, that the respondent was properly served with the complaint and failed to file an election of rights required by law within the required time and that by failing to respond in writing as required by law the respondent has waived his right to request a hearing and to grant the motion that the respondent has forfeited his right to select an administrative hearing under section 120.569 and 120.57(1) and convene a hearing under section 120.57(2), F.S., the motion passed.

Upon motion by Mr. Fleming, seconded by Mr. Varghese, the entire investigative file of the case including the supplemental materials was accepted into evidence; that the Board adopt the findings of facts contained within the administrative complaint as the board’s findings of facts and to adopt the conclusions of law contained in the administrative complaint as the Board’s conclusions of law and to accept the Statement of Undisputed Material Facts presented as the Board’s findings of fact, the motion passed.

Upon motion by Mr. Fleming, seconded by Ms. Boza, a violation has occurred, the motion passed.

Upon motion by Mr. Fleming, seconded by Mr. Varghese, to accept the PCP recommendation of cost and revocation, the motion passed.

#7. Bolivar, Santiago

P.E. Number: 53326
FEMC Case Number: 2018013938
Probable Cause Panel Date: November 07, 2018
Probable Cause Panel: Matthews, Drury & Albergo

Mr. Bolivar was present and sworn in prior to addressing the board.

Mr. Rimes outlined the case of the case. The charges relate to a violation of Section 471.033(1)(g), Florida Statutes, provides that an engineer is subject to discipline for engaging in negligence in the practice of engineering; §471.033(k), F.S.: Violating any order of the board or department previously entered in a disciplinary hearing.

Mr. Bolivar stated that he is represented by counsel and is unsure why his attorney is not present at the board meeting. Mr. Bolivar stated that he felt that he needed his counsel at the meeting. Mr. Harris explained what a default case is and what options the board has now.

The case was continued until the April 2019 board meeting.

BB. VOLUNTARY RELINQUISHMENT

#8. Blair, Roger L.

P.E. Number: 75936
FEMC Case Number: 2018010652
Probable Cause Panel Date: November 07, 2018
Probable Cause Panel: Matthews, Drury & Albergo

Mr. Rimes outlined the facts of the case. The charges relate to a violation §471.033(1)(c) Having a license to practice engineering acted against by another jurisdiction.

The PCP Recommendation was an administrative complaint, administrative costs of \$1,002.80, reprimand, and license to be placed into voluntary inactive status until he decides to perform engineering work in Florida. Upon such determination, Respondent must notify the board and request an appearance before the board at the next available board meeting. After the appearance, licensee must have project/plan reviews at 6 and 18 month intervals.

The Settlement Stipulation is an administrative complaint and voluntary relinquishment.

Upon motion by Mr. Shah, seconded by Mr. Sobh, to allow Mr. Blair to relinquish his license as requested, the motion passed.

#9. Benson, John B.

P.E. Number: 20638
FEMC Case Number: 2017028609
Probable Cause Panel Date: November 07, 2018
Probable Cause Panel: Matthews, Drury & Albergo

Mr. Rimes outlined the facts of the case. The charges relate to a violation of §471.033(1)(g), F.S., provides that an engineer is subject to discipline for engaging in negligence in the practice of engineering.

The PCP Recommendation was an administrative complaint, administrative fine of \$1,000.00, administrative costs of \$2,117.85, reprimand, successful completion of the board-approved Basic Engineering Professionalism and Ethics course, and successful completion of the board's study guide.

The Settlement Stipulation is an administrative complaint and voluntarily relinquishment.

Upon motion by Ms. Boza, seconded by Mr. Varghese, to allow Mr. Benson to relinquish his license as requested, the motion passed.

CC. Old Business

DD. New Business

EE. Adjourn

Next Board Meeting: April 10-11, 2019

The Shores Resort & Spa

2637 S. Atlantic Ave.

Daytona Beach Shores, FL

