

**AMENDED Agenda for**  
**The Florida Board of Professional Engineers**  
**October 7, 2020 beginning at 1:00 p.m. or soon thereafter and**  
**October 8, 2020 beginning at 8:30 a.m., or soon thereafter**  
**Via video conference**

**Part I – Wednesday, October 7, 2020**  
**(October 2020 FBPE Business Book)**

- A. Call to Order
- B. Roll Call, Determination of Quorum, and Address Absences.
- C. Introduction of guests and announcements as to presentations at a time certain
- 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 August 4-5, 2020 FBPE Board Meeting  
(Exhibit F#1)
  - #2. Minutes of the August 4, 2020 FBPE Rules Committee Meeting  
(Exhibit F#2)
  - #3. Minutes from August 12, 2020 FBPE Board Meeting  
(Exhibit F#3)
  - #4. Minutes from August 26, 2020 FBPE Mechanical Rules Committee Meeting  
(Exhibit F#4)
  - #5. Minutes from September 9, 2020 FBPE Probable Cause Panel Meeting  
(Exhibit F#5)

#6. Minutes from September 9, 2020 FBPE Board Meeting  
(Exhibit F#6)

#7. 2019-2020 FEMC Annual Report  
(Exhibit F#7)

#8. Application for Retired Status  
(Exhibit F#8)

#### G. Committee Reports

#1. Probable Cause Panel **(Next Meeting: November 10, 2020 at 8:30am)**  
(Robert Matthews, P.E., Chair; Kevin Fleming, 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.

#2. Applications Review – Experience Committee **(Next Meeting: November 10, 2020 at 1pm via conference call)**  
(PJ Shah, P.E., Chair; Dylan Albergo, P.E.; Scott Drury, P.E.; Kevin Fleming, P.E.; Babu Varghese, P.E., S.I.)

(a) Committee Chair's Report.

#3. Applications Review – Education Committee **(Next Meeting: November 10, 2020 at 1pm via conference call)**  
(Dylan Albergo, P.E., Chair; Scott Drury, P.E.; PJ Shah, P.E.; Babu Varghese, P.E., S.I.)

(a) Committee Chair's Report.

#4. Rules Committee **(Next Meeting: TBD)**  
(Kevin Fleming, P.E., Chair; Dylan Albergo, P.E.; Babu Varghese, P.E., S.I.)

(a) Committee Chair's Report.

#5. Mechanical Rules Committee **(Next Meeting: TBD)**  
(Scott Drury, P.E., Chair; Kevin Fleming, P.E.; Babu Varghese, P.E., S.I.)  
(Public Advisors: Warren Hahn, P.E.; Joe Limpert, P.E.)

(a) Committee Chair's Report

- #6. Multidimensional Electronic Model Task Force **(Next Meeting: TBD)**  
(FBPE Board Members: Dylan Albergo, P.E.; Scott Drury, P.E.; PJ Shah, P.E.)  
(Public Advisors: Vern Danforth; Will Sharp; Mo Harmon; Anath Prasad;  
William Bracken, P.E., S.I.; Steve Stanfill; Mark Lemieux; Dylan Richard; Casey Sveiven;  
Nick Benedico)

- (a) Committee Chair's Report.

- #7. 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)

- H. NCEES  
(Babu Varghese, P.E., S.I., FBPE Liaison)

- I. Advisory Attorney's Report

- #1. Rules Report  
(Exhibit I#1)

- #2. Results from DBPR Comprehensive Rule Review for Discussion and Board Action  
(Exhibit I#2a & b)**

- a. Rules Identified by DBPR for Repeal

- i. 18.020
      - ii. 19.002
      - iii. 20.001
      - iv. 20.100
      - v. 22.002
      - vi. 22.0003
      - vii. 22.008
      - viii. 30.007

- b. Rules with Substantive Comments from DBPR

- i. 20.0010
      - ii. 20.0017
      - iii. 22.012
      - iv. 22.013
      - v. 22.014
      - vi. 23.003
      - vii. 24.001
      - viii. 27.001
      - ix. 34.003
      - x. 34.004

- xi. 34.005
- xii. 34.006
- xiii. 34.009
- xiv. 36.003

#3. Public Hearing on Rule 61G15 – Chapter 34  
(Exhibit I#3)

#4. Public Hearing on 61G15-18.011- update rule with latest editions of FBC and FFPC  
(Exhibit I#4)

#5. Public Hearing on 61G15-23.004 and 61G15-23.005 (as requested at the Aug. 2020  
FBPE Bd Mtg)  
(Exhibit I#5)

#6. Public Hearing on Rule 61G15-Chapter 35  
(Exhibit I#6)

- a. Proposed Rule Language and application
- b. Comments from JAPC
- c. Comments from FES President Allen Douglas
- d. Discussion on scheduling “Joint Meeting” with FBPE/Architecture/BCAIB – re:  
restoration SI issue

#7. SmileDirectClub Court Opinion  
(Exhibit I#7)

J. Executive Director’s Report

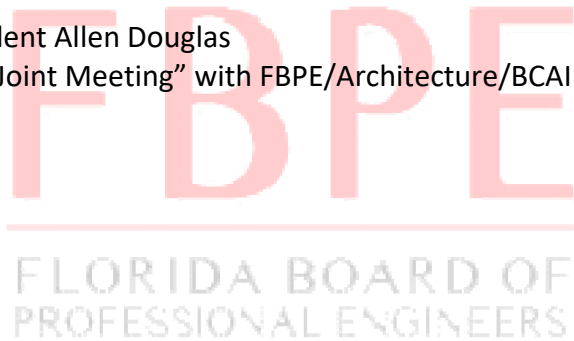
#1. Renewal Update

#2. Renew Central Update  
(Exhibit J#2)

#3. 2020 FBPE/FEMC Meeting Calendar  
(Exhibit J#3)

#4. 2021 FBPE/FEMC Meeting Calendar  
(Exhibit J#4)

- Discuss the possibility of moving FBPE Board meetings to Wednesday only  
(Licensure and Disciplinary cases at 8:30am, followed by application review, and  
then Business Session at 1 pm)



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
- #4. ASCE



M. Chair's Report

- #1. Appoint Nominations Committee

N. Action Items from Previous Board Meetings

O. Correspondence to the Board

- #1. Email from Mr. Roeder, PE – Re: Digital Engineer Seals  
(Exhibit O#1)
- #2. Email from Craig Baker, PE – Re: 61G15-32.008  
(Exhibit O#2)

P. Public Forum

Q. Community Involvement

**Part II**  
**Informal Hearing Agenda**  
**(Thursday, October 8, 2020)**  
**(October 2020 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 Babu Varghese, P.E.**

R. Ratification of Actions from Application Review, October 7, 2020

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

#1. Mayur Patel  
(Exhibit S#1)

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

#1. Bernardo Coiffman  
(Exhibit T#1)

#2. Timothy Moore  
(Exhibit T#2)

#3. John Ellis  
(Exhibit T#3)

U. Petition for Waiver and Variance of Rule 61G15-20.002(1)(b)2 and 61G15-20.002(2)

#1. Karl Lamm  
(Exhibit U#1)

**Part III**  
**Disciplinary Hearings**  
**(Thursday, October 8, 2020)**  
**(October 2020 FBPE Disciplinary Book)**

**Description of Disciplinary Process by Babu Varghese, P.E., S.I.**

V. Informal Hearing (All CE Cases)

#1. Bolchoz, Mark D., P.E.

P.E. Number: 58231  
FEMC Case Number: 2020004927  
Probable Cause Panel Date: May 13, 2020  
Probable Cause Panel: Matthews, Fleming & Drury

CE Case

#2. Brown, Charles P.E.

P.E. Number: 76720  
FEMC Case Number: 2020004935  
Probable Cause Panel Date: May 13, 2020  
Probable Cause Panel: Matthews, Fleming & Drury

CE Case

#3. Liu, Xuegang P.E.

P.E. Number: 67626  
FEMC Case Number: 2020006247  
Probable Cause Panel Date: July 08, 2020  
Probable Cause Panel: Matthews, Fleming & Drury  
Represented by: James L. White, Esq.

CE Case

#4. Nirider, Henry, P.E.

P.E. Number: 85499  
FEMC Case Number: 2020006489  
Probable Cause Panel Date: May 13, 2020  
Probable Cause Panel: Matthews, Fleming & Drury  
Represented by: Amanda Buffington, Esq

CE Case

#5. Schultheiss, William P.E.

P.E. Number: 78078  
FEMC Case Number: 2020007446  
Probable Cause Panel Date: July 08, 2020  
Probable Cause Panel: Matthews, Fleming & Drury  
CE Case

W. Settlement Stipulation (All are CE Cases except #17)

#6. Alderson, Howard, P.E.

P.E. Number: 42997  
FEMC Case Number: 2020002732  
Probable Cause Panel Date: May 13, 2020  
Probable Cause Panel: Matthews, Fleming & Drury  
Represented by: Jeff Peters, Esq.  
CE Case

#7. Bigbie, Mark P.E.

P.E. Number: 61991  
FEMC Case Number: 2020004760  
Probable Cause Panel Date: July 08, 2020  
Probable Cause Panel: Matthews, Fleming & Drury  
CE Case

#8. Cale, Matthew P.E. (confirmed attendance)

P.E. Number: 69764  
FEMC Case Number: 2020005313  
Probable Cause Panel Date: July 08, 2020  
Probable Cause Panel: Matthews, Fleming & Drury  
CE Case

#9. Chiglo, Jay P.E.

P.E. Number: 67633  
FEMC Case Number: 2020005485  
Probable Cause Panel Date: July 08, 2020  
Probable Cause Panel: Matthews, Fleming & Drury  
CE Case

#10. Daffinrud, Thomas, P.E. (Required attendance)

P.E. Number: 75286  
FEMC Case Number: 2020004994  
Probable Cause Panel Date: May 13, 2020  
Probable Cause Panel: Matthews, Fleming & Drury  
CE Case



#11. Dinges, Jeffery P.E.

P.E. Number: 77603  
FEMC Case Number: 2020006055  
Probable Cause Panel Date: July 08, 2020  
Probable Cause Panel: Matthews, Fleming & Drury  
CE Case

#12. Elayer, David P.E. (Required attendance)

P.E. Number: 72713  
FEMC Case Number: 2020010167  
Probable Cause Panel Date: July 08, 2020  
Probable Cause Panel: Matthews, Fleming & Drury  
CE Case

#13. Gabriel, Joseph P.E.

P.E. Number: 51595  
FEMC Case Number: 2020002153  
Probable Cause Panel Date: July 08, 2020  
Probable Cause Panel: Matthews, Fleming & Drury  
CE Case

#14. Gottlieb, Eli P.E.

P.E. Number: 80208  
FEMC Case Number: 2020010124  
Probable Cause Panel Date: July 08, 2020  
Probable Cause Panel: Matthews, Fleming & Drury  
CE Case

#15. Howerton, Richard P.E.

P.E. Number: 77940  
FEMC Case Number: 2020005265  
Probable Cause Panel Date: July 08, 2020  
Probable Cause Panel: Matthews, Fleming & Drury  
Represented by: John Samaan, Esq.  
CE Case

#16. Isbell, Bradley P.E.

P.E. Number: 77252  
FEMC Case Number: 2020006086  
Probable Cause Panel Date: July 08, 2020  
Probable Cause Panel: Matthews, Fleming & Drury  
CE Case



#17. Knauer, Clifford P.E. (confirmed attendance)

P.E. Number: 53930  
FEMC Case Number: 2017021048  
Probable Cause Panel Date: July 08, 2020  
Probable Cause Panel: Matthews, Fleming & Drury

#18. Kuntz, Mark P.E.

P.E. Number: 57515  
FEMC Case Number: 2020006602  
Probable Cause Panel Date: July 08, 2020  
Probable Cause Panel: Matthews, Fleming & Drury  
CE Case

#19. Mikuski, Amanda P.E. (Required attendance)

P.E. Number: 65118  
FEMC Case Number: 2020010231  
Probable Cause Panel Date: July 08, 2020  
Probable Cause Panel: Matthews, Fleming & Drury  
CE Case

#20. Noyes, William P.E. (confirmed attendance)

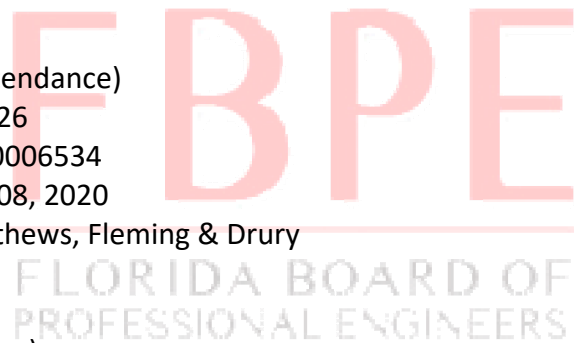
P.E. Number: 68526  
FEMC Case Number: 2020006534  
Probable Cause Panel Date: July 08, 2020  
Probable Cause Panel: Matthews, Fleming & Drury  
CE Case

#21. Orr, Mark P.E. (Required attendance)

P.E. Number: 80828  
FEMC Case Number: 2020011096  
Probable Cause Panel Date: July 08, 2020  
Probable Cause Panel: Matthews, Fleming & Drury  
CE Case

#22. Parsley, Ronald P.E.

P.E. Number: 49260  
FEMC Case Number: 2020007331  
Probable Cause Panel Date: July 08, 2020  
Probable Cause Panel: Matthews, Fleming & Drury  
CE Case



#23. Reyes, Jaime P.E.

P.E. Number: 45593  
FEMC Case Number: 2020007363  
Probable Cause Panel Date: July 08, 2020  
Probable Cause Panel: Matthews, Fleming & Drury  
CE Case

#24. Whitman, David P.E.

P.E. Number: 85170  
FEMC Case Number: 2020005886  
Probable Cause Panel Date: May 13, 2020  
Probable Cause Panel: Matthews, Fleming & Drury  
CE Case

X. CE Cases from August 2020 FBPE Board Meeting for Reconsideration

#25. Bryant, Steven M., P.E.

P.E. Number: 59682  
FEMC Case Number: 2020004936  
Probable Cause Panel Date: March 11, 2020  
Probable Cause Panel: Matthews, Fleming & Drury

#26. Eichinger, Steven K., P.E.

P.E. Number: 52868  
FEMC Case Number: 2020005185  
Probable Cause Panel Date: March 11, 2020  
Probable Cause Panel: Matthews, Fleming & Drury

#27. Grindell, Stephanie, P.E.

P.E. Number: 48136  
FEMC Case Number: 2020005241  
Probable Cause Panel Date: May 13, 2020  
Probable Cause Panel: Matthews, Fleming & Drury

#28. Holliday, Lisa, P.E.

P.E. Number: 85582  
FEMC Case Number: 2020006073  
Probable Cause Panel Date: May 13, 2020  
Probable Cause Panel: Matthews, Fleming & Drury

#29. Martinez, Edgardo P.E.

P.E. Number: 80100  
FEMC Case Number: 2020006271  
Probable Cause Panel Date: May 13, 2020  
Probable Cause Panel: Matthews, Fleming & Drury

#29. Wiker, David A., P.E.

P.E. Number: 54280  
FEMC Case Number: 2020009157  
Probable Cause Panel Date: May 13, 2020  
Probable Cause Panel: Matthews, Fleming & Drury

#30. Worley, Russell, P.E.

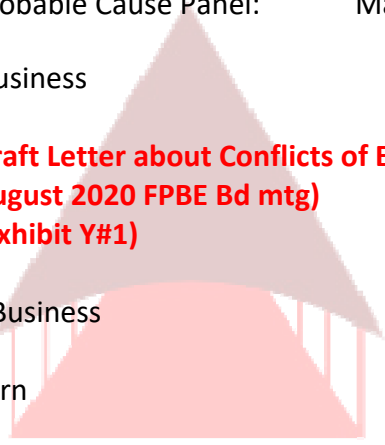
P.E. Number: 75653  
FEMC Case Number: 2020002313  
Probable Cause Panel Date: March 11, 2020  
Probable Cause Panel: Matthews, Fleming & Drury

Y. Old Business

#1. **Draft Letter about Conflicts of Energy Gauge Summit Software with FBPE Rules (from August 2020 FPBE Bd mtg) (Exhibit Y#1)**

Z. New Business

AA. Adjourn



**Next Board Meeting: December 10, 2020 at 8:30 am (via video conference)**