

**Minutes for
The Florida Board of Professional Engineers
June 8, 2022 beginning at 1:00 p.m. or soon thereafter and
June 9, 2022 beginning at 8:30 a.m., or soon thereafter
Orlando, FL**

Part I – Wednesday, June 8, 2022

A. Call to Order, Invocation and Pledge of Allegiance

Mr. Drury called the meeting to order. Ms. Sammons called roll.

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

Board Members Present:

Scott Drury, P.E., Chair
Dylan Albergo, P.E., Vice Chair
Kevin Fleming, P.E.
Jeb Mulock, P.E.
Yassi Myers, P.E.
John Pistorino, P.E.
Denise Ramsey, P.E.
Pankaj (PJ) Shah, P.E.
Babu Varghese, P.E., S.I.



Attorney General's Office:

Lawrence Harris, Sr. Assistant Attorney General, Counsel to the Board

Staff Members Present:

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

Angelina Fairchild, P.E., FES
Art Nordlinger, P.E.
Satya Lory, P.E.
Bill Lampkin, FBPE Public Information Officer
Andrew Lovenstein, P.E., FSEA

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 Mr. Pistorino, seconded by Ms. Myers, to approve the agenda, the motion passed.

F. Approval of Consent Agenda

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

#1. Minutes from April 13-14, 2022 FBPE Board Meeting

Approved under consent agenda.

#2. Minutes from May 5, 2022 FBPE SI Rules Committee Meeting

Approved under consent agenda.

#3. Minutes from May 10, 2022 FBPE Civil Rules Committee Meeting

Approved under consent agenda.

#4. Minutes from May 11, 2022 FBPE Probable Cause Panel Meeting

Approved under consent agenda.

#5. Minutes from May 11, 2022 FBPE Board Meeting

Approved under consent agenda.

#6. Minutes from May 11, 2022 FBPE Rules Committee Meeting

Approved under consent agenda.

#7. 21-22 3rd Qtr FEMC Report

Approved under consent agenda.

#8. Application for Retired Status

Approved under consent agenda.

G. Committee Reports

#1. Probable Cause Panel **(Next Meeting: July 13, 2022, at 8:30 am via video conference – Panel B)**

(Panel A: Robert Matthews, P.E., Chair; John Pistorino, P.E., S.I.; Warren Hahn, P.E.) and
(Panel B: Robert Matthews, P.E., Chair; Denise Ramsey, P.E.; John Pepper, P.E., S.I.)
(Kevin Fleming – alternate for both panels)

(a) Committee Chair's Report.

#2. Applications Review **(Next Meeting: September 14, 2022, at 1 pm via video conference)**

(Babu Varghese, P.E., S.I., Chair; Dylan Albergo, P.E.; Scott Drury, P.E.; Kevin Fleming, P.E.; Jeb Mulock, P.E.; Yassi Myers, P.E.; John Pistorino, P.E., S.I.; Denise Ramsey, P.E.; PJ Shah, P.E.)

(a) Committee Chair's Report.

(b) Application Review – Education and Experience will be done at one time and ratified the following day (Thursday morning)

#3. Rules Committee **(Next Meeting: July 13, 2022, at 1pm via video conference)**

(Kevin Fleming, P.E., Chair; Scott Drury, P.E.; Denise Ramsey, P.E.)

(a) Committee Chair's Report.

#4. Special Inspector Rules Committee **(Next Meeting: TBD)**

(Dylan Albergo, P.E., Chair; John Pistorino, P.E., S.I.; Babu Varghese, P.E., S.I.)

(a) Committee Chair's Report.

#5. Civil Rules Committee **(Next Meeting: July 15, 2022 at 10am)**

(Jeb Mulock, P.E., Chair; Yassi Myers, P.E.; PJ Shah, P.E.)

(a) Committee Chair's Report.

Cases from legal that would benefit from more responsibility rules.

H. NCEES

(Scott Drury, P.E., FBPE Liaison)

#1. 2022 NCEES Annual Meeting – Carlsbad, CA – August 23-26

Provided for informational purposes.

I. Advisory Attorney's Report

#1. Rules Report

Mr. Harris presented the Rules report for the board's review and consideration.

#2. Public Hearing on Rule 61G15-20.0017

Provided for informational purposes.

#3. Public Hearing on Rule language to implement HB 375

- Proposed language from board counsel
- Proposed language from FSEA
- Proposed language from board member Fleming
- Letter from Jim Schock, P.E., S.I.

Mr. Harris discussed the bill and the various proposed language in the meeting book.

Mr. Rimes discussed the grandfather clause and having an end date for someone to submit an application for this recognition.

Discussion followed on this topic.

Upon by Mr. Fleming, seconded by Mr. Pistorino, to adopt the proposed language of Mr. Fleming. Motion withdrawn

Upon motion by Mr. Pistorino, seconded by Mr. Shah, to approve the following language:

61G15-20.0011 Structural Engineering Recognition Program for Professional Engineers.

Pursuant to Section 471.055, F.S., the Board establishes the following minimum requirements for Florida licensed professional engineers who specialize in structural engineering and who have exceeded required minimum professional engineer licensing standards in that specialty area to receive recognition through the Structural Engineering Recognition Program for Professional Engineers.

- (1) Any professional engineer currently licensed in good standing in the state of Florida who desires Recognition as a Structural Engineer in Florida shall submit an online form to the Board. The form is located on the board's website at www.FBPE.org/FBRSE. The Board shall Recognize only those

applicants who have completed the online form, including submission of required documentation, and who have demonstrated to the Board that they have:

- a. Passed the NCEES Structural I and Structural II exams taken prior to January 1, 2011, OR
 - b. Passed an equivalent 16-hour state-written examination prior to January 1, 2004, OR
 - c. Passed the NCEES Structural II exam plus an equivalent 8-hour state-written structural examination prior to January 1, 2011, OR
 - d. Passed the NCEES 16-hour S.E. examination (vertical and lateral) taken after January 1, 2011, OR
 - e. Held an active license or registration (as applicable) in any US Jurisdiction and:
 1. has at least fifteen (15) years of experience working on significant structural engineering projects.
 2. For purposes of this paragraph, "significant structural engineering projects" is defined as the design of structural components and systems of any of the following:
 - a) Buildings over three stories.
 - b) Buildings with an occupancy greater than 250 persons
 - c) Risk Category III or IV buildings, as defined by Table 1604.5 RISK CATEGORY OF BUILDINGS AND OTHER STRUCTURES in the current Florida Building Code or equivalent classification in another jurisdiction.
 - d) Vehicular Bridges
 3. The license and/or registration must have been awarded at least 15 years prior to the application date, and must remain valid continuously through the application process.
 4. The license and/or registration must not have been disciplined or otherwise acted against for a violation related to the field of structural engineering.
- (2) Any Florida Licensed PE recognized by the Florida Board may so indicated by using the designation "Florida Board Recognized Structural Engineer" or "FBRSE." A professional engineer who is recognized by the program may identify such recognition in her or his professional practice, including marketing and advertising materials.
- (3) Recognition by the program is not required for a professional engineer to practice structural engineering.
- (4) Upon submission of the online form, the Board will timely notify an applicant of any information that is required to complete the request. If an applicant fails to supply any requested information within one (1) year of notification, the request will be presented to the Board for review and decision on the request as submitted.
- (5) No later than December 31, 2026, the Board shall review and consider amendment, modification, or repeal of this rule if review determines this rule creates barriers to entry for private business competition, is duplicative, outdated, obsolete, overly burdensome, or imposes excessive costs. Failure by the Board at act in accordance with this provision will result in the expiration of this rule on December 31, 2026.

The motion passed.

Upon motion by Mr. Albergo, seconded by Ms. Ramsey, that the proposed rule amendments will have no adverse impact on small business and will not increase regulatory costs or have a net increase of regulatory costs in excess of \$200,000 in one (1) year or one (1) million dollars within five (5) years after the implementation of the

final part of the rule, a violation of any part of the rule cannot be resolved through issuance of a notice of noncompliance does not apply to this rule, and to use the standard sunset language for this rule, the motion passed.

Mr. Harris stated that the board should hold a public hearing in August to address any comments received and allow interested parties to address the board with their concerns.

Upon motion by Mr. Fleming, seconded by Ms. Myers, to hold a public hearing on the proposed rule language at the August 10, 2022, board meeting and any written comments should be sent to the board office 21days in advance, the motion passed.

#4. SB 4D – from special session

Mr. Harris discussed the email from Mr. Schock email. Further discussion followed.

The board took no action as they are not required to act on this bill.

#5. Public Hearing on Rule 61G15-19.0071

#6. Public Hearing on Rule 61G15-26.001

#7. Public Hearing on Rule 61G15-34.003

#8. Public Hearing on Rules 61G15-20.0015/20.0018/20.0019/20.002

J. Executive Director's Report

#1. Renewal Update

Ms. Sammons reported that staff met with DBPR to discuss plans for renewal, including changes to the attestations and when renewal will open.

Mr. Drury request that staff to investigate adding an attestation regarding the ABC course.

#2. 2022 FBPE/FEMC Meeting Calendar

Provided for informational purposes.

#3. 2023 FBPE/FEMC Meeting Calendar

Provided for informational purposes.

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.

L. Engineering Association and Society Reports

#1. FSEA

#2. FES

#3. IEEE

#4. ASCE

M. Chair's Report

Mr. Drury would like the SI Rules committee to look at 40-year certification and inspections in general to see if our rules need to be amended.

N. Action Items from Previous Board Meetings

#1. Email from Mr. Kenny Lock, BCA – Re: Plumbing Design – 250 fixture units

#2. Email from Mr. Del Schwalls, P.E. – Re: Elevation Data Certification in Florida

- O. Correspondence to the Board
- P. Public Forum
- Q. Community Involvement
- R. Review of Applications – Education and Experience will be done at one time and ratified at the Thursday morning board meeting on June 9, 2022 – in separate meeting book

Part II
Informal Hearing Agenda
(Thursday, June 9, 2022)

- S. Ratification of Actions from Application Review, June 8, 2022

Upon motion by Ms. Ramsey, seconded by Ms. Myers, to approve the ratification list, the motion passed.

- T. Informal Hearing on Denial of Application for Certification as Engineer Intern

#1. Jacqueline Parkinson

Ms. Parkinson was present and sworn in prior to addressing the board. Mr. Harris explained the basis for the denial. The denial of the application is based on education. The applicant lacks 15 hours of engineering science and design. A letter from FAU was submitted on behalf of Ms. Parkinson which states that she took EML 3701 Fluid Mechanics and MAP 3305 Engineering Math 1 but all other courses were waived.

Ms. Parkinson addressed the board. Discussion followed.

Ms. Parkinson withdrew her application.

Upon motion by Mr. Fleming, seconded by Mr. Mulock, to reconsider and vacate the notice of intent to deny and allow the withdrawal of the application, the motion passed.

- U. Informal Hearing on Denial of Application for Licensure as Professional Engineer

#1. Aman Dhuwe

Mr. Dhuwe was present and sworn in prior to addressing the board. Mr. Harris explained that Mr. Dhuwe did not receive the notice of the meeting in April and staff realized the error and noticed him for the June meeting. Mr. Harris stated that the board needs to reconsider and vacate the notice of intent to deny and then proceed with the informal hearing.

Upon motion by Mr. Albergo, seconded by Mr. Shah, to reconsider and vacate NOID and reconvene the informal hearing, the motion passed

Mr. Harris explained the basis for the denial. Mr. Dhuwe lacks 48 mos. Experience and lacks 3.9 hrs. general ed. per NCEES evaluation. Mr. Dhuwe is requesting his MS transcripts be reviewed by the Board for the general ed. deficiencies even though the MS degree was included as part of evaluation.

Mr. Dhuwe addressed the board.

Upon motion by Ms. Ramsey, seconded by Mr. Shah, to continue the hearing until the December 2022 board meeting, to allow the applicant time to have NCEES review all his degrees and update his evaluation, delegate to staff to review and approved the application if it meets our requirements, and if not then the hearing will reconvene at the December 2022 board meeting, the motion passed,

#2. Patrick Cooper

Mr. Harris went over the basis for denial. Mr. Cooper lacks 48 mos. experience.

Discussion followed.

Upon motion by Mr. Albergo, seconded by Ms. Ramsey, that Mr. Cooper was properly served with the Notice of Intent to Deny and filed an Election of Rights or other responsive pleadings within the time period required by law, to convene a 120.57(2) hearing not involving disputed issues of fact, to accept the complete application files, including any supplemental materials provided by Mr. Cooper, into the record, to adopt the factual allegations contained within the Notice of Intent to Deny as the Board's findings of facts, to adopt the legal conclusions contained in the Notice of Intent to Deny as the Board's conclusions of law, and find the facts adequately support the denial of the application for Florida licensure, and to deny the application for Florida licensure and to stay this decision for 10 days, to direct staff to contact the applicant and to offer the option to withdraw the application in writing, the motion passed.

#3. Ariel Czemerinski

Mr. Harris explained the basis for denial. Mr. Czemerinski has a non-ABET degree and has not had an evaluation done from an approved evaluator. The education might be able to be waived if the applicant has been licensed in another state for 15 years and has 20 years of professional level engineering experience. Mr. Czemerinski is completing client verifications for this waiver but only has 18 years verified by client with incomplete experience descriptions.

Upon motion by Mr. Fleming, seconded by Mr. Albergo, that Mr. Czemerinski was properly served with the Notice of Intent to Deny and filed an Election of Rights or other responsive pleadings within the time period required by law, to convene a 120.57(2) hearing not involving disputed issues of fact, to accept the complete application files, including any supplemental materials provided by Mr. Czemerinski, into the record, to adopt the factual allegations contained within the Notice of Intent to Deny as the Board's findings of facts, to adopt the legal conclusions contained in the Notice of Intent to Deny as the Board's conclusions of law, and find the facts adequately support the denial of the application for Florida licensure, and to deny the application for Florida licensure and to stay this decision for 10 days, to direct staff to contact the applicant and to offer the option to withdraw the application in writing, the motion passed.

#4. Rawee Ratana

Mr. Harris explained the basis for denial. The denial is based on education. Mr. Ratana is lacking one of the four required sciences as he has physics.

Upon motion by Mr. Albergo, seconded by Mr. Mulock, that Mr. Ratana was properly served with the Notice of Intent to Deny and filed an Election of Rights or other responsive pleadings within the time period required by law to convene a 120.57(2) hearing not involving disputed issues of fact, to accept the complete application files, including any supplemental materials provided by Mr. Ratana, into the record, to adopt the factual allegations contained within the Notice of Intent to Deny as the Board's findings of facts, to adopt the legal conclusions contained in the Notice of Intent to Deny as the Board's conclusions of law, and find the facts adequately support the denial of the application for Florida licensure, and to deny the application for Florida licensure and to stay this decision for 10 days, to direct staff to contact the applicant and to offer the option to withdraw the application in writing, the motion passed.

V. Petition for Wavier/Variance of Rule 61G15-20.002(1)(b)(3)

#1. Stephanie Moronta

Ms. Moronta was present and sworn in prior to addressing the board.

Mr. Harris went over the petition.

Ms. Moronta addressed the board. Discussion followed.

Upon motion by Mr. Albergo, seconded by Mr. Fleming, to grant the petition and approve her application, the motion passed.

W. Petition for Waiver/Variance of Rule 61G15-20.007(2)

#1. Jason Charalambides

Mr. Harris went over the petition and the reason for it. Discussion followed.

Upon motion by Mr. Pistorino, seconded by Mr. Fleming, to deny the petition because the applicant has not demonstrated a hardship, the motion passed.

Part III
Disciplinary Hearings
(Thursday, June 9, 2022)

X. Settlement Stipulation

NOTE: Cases 1 – 7 and 9 - 15 (which are CE cases) may be taken up as one single item unless any board member wishes to pull any case for individual consideration, or a Respondent wishes to address the board. It is understood that any member participating in PCP would be recused from the vote on that item – this agenda indicates the PCP member for each item.

Mr. Rimes outlined the facts of the CE cases as noted on the list below. 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.

Mr. Rimes suggested that: Cases 1 – 7 and 9 - 15 be taken up as one item, with any individual cases a member had questions about being pulled for separate action. Mr. Rimes further suggested that the materials provided indicated which member(s) would be recused from the vote due to participation in a Probable Cause Panel.

Upon motion by Mr. Fleming, seconded by Ms. Myers, to accept Cases 1 – 7 and 9 - 15 settlement stipulations as presented with one vote, the appropriate board members serving on PCP being recused, and NO cases being pulled out for individual consideration; and that acceptance of the settlement stipulations in these cases does NOT constitute discipline on the licensee's Florida PE license as noted on the agenda and in the meeting materials, the motion passed.

#1. Aira, Frank, P.E. (CE Case)

P.E. Number: 56756
FEMC Case Number: 2021040190
Probable Cause Panel Date: March 16, 2022
Probable Cause Panel: Matthews, Albergo & Pepper

Mr. Albergo was recused from vote on this case.

#2. Andrasik, Bryan, P.E. (CE Case)

P.E. Number: 89883
FEMC Case Number: 2021040237
Probable Cause Panel Date: March 16, 2022
Probable Cause Panel: Matthews, Albergo & Pepper

Mr. Albergo was recused from vote on this case.

#3. Armstrong, Samuel, P.E. (CE Case)

P.E. Number: 86413
FEMC Case Number: 2021053813
Probable Cause Panel Date: March 16, 2022
Probable Cause Panel: Matthews, Albergo & Pepper

Mr. Albergo was recused from vote on this case.

#4. Brace, David, P.E. (CE Case)

P.E. Number: 62895
FEMC Case Number: 2021054928
Probable Cause Panel Date: March 16, 2022
Probable Cause Panel: Matthews, Albergo & Pepper

Mr. Albergo was recused from vote on this case.

#5. Eryou, N. Dennis, P.E. (CE Case)

P.E. Number: 46888
FEMC Case Number: 2021045421
Probable Cause Panel Date: March 16, 2022
Probable Cause Panel: Matthews, Albergo & Pepper
Represented by: Jeff Peters, Esq.

Mr. Albergo was recused from vote on this case.

#6. Martinez, Felipe, P.E. (CE Case-required appearance)

P.E. Number: 68402

FEMC Case Number: 2021055901
Probable Cause Panel Date: March 16, 2022
Probable Cause Panel: Matthews, Albergo & Pepper

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

Mr. Rimes outlined the facts of the case. The charges relate to a violation of Section 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.

Probable Cause was found on March 16, 2022, on the issue of Respondent. An Administrative Complaint was authorized and filed on March 29, 2022. A settlement Stipulation has been signed and returned on or about May 11, 2022.

The Probable Cause Panel recommendation was Administrative Costs of \$58.50; Auburn P&E Course; and Successful completion of the Board's Study Guide.

The Settlement Stipulation is the same as the PCP recommendation.

Upon motion by Ms. Ramsey, seconded by Ms. Myers, to accept the settlement stipulation, the motion passed. This is not discipline.

#7. Patrick, Julia, P.E. (CE Case)

P.E. Number: 75721
FEMC Case Number: 2022003871
Probable Cause Panel Date: March 16, 2022
Probable Cause Panel: Matthews, Albergo & Pepper

Mr. Albergo was recused from vote on this case.

#8. Perez, Luis, P.E. (Require appearance)

P.E. Number: 69529
FEMC Case Number: 2021007881
Probable Cause Panel Date: January 12, 2022
Probable Cause Panel: Matthews, Varghese & Hahn
Represented by: Jeff Peters, Esq.

Mr. Perez was present along with his counsel. Mr. Perez was sworn in prior to addressing the board.

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.

Probable Cause was found on January 12, 2022 on the issue of Respondent. An Administrative Complaint was authorized and filed on January 24, 2022. A settlement Stipulation has been signed and returned on or about May 04, 2022.

The Probable Cause Panel recommendation was an administrative complaint: administrative fine of \$4,000.00(\$1,000.00 per count); administrative costs of \$9,550.45; 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, 2 years' probation; successful completion of the Board Approved Basic Engineering Professionalism and Ethics course; Project/Plan Reviews on Structural, Mechanical and Electrical at 6 and 18 month intervals; and successful completion of the Board's Study Guide.

The Settlement Stipulation is an administrative complaint; administrative fine of \$1,000.00; administrative costs of \$9,550.45; 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; 2 years' probation; successful completion of the Board Approved Basic Engineering Professionalism and Ethics course; Project/Plan Reviews on Structural, Mechanical and Electrical at 6 and 18 month intervals; and successful completion of the Board's Study Guide.

Upon motion by Mr. Albergo, seconded by Mr. Mulock, to accept the settlement stipulation, the motion passed. This is not discipline.

#9. Reyes, Jose G., P.E. (CE Case)

P.E. Number: 65506
FEMC Case Number: 2022001494
Probable Cause Panel Date: March 16, 2022
Probable Cause Panel: Matthews, Albergo & Pepper

Mr. Albergo was recused from vote on this case.

#10. Tadros, Maher P.E. (CE Case)

P.E. Number: 69544
FEMC Case Number: 2022008377
Probable Cause Panel Date: March 16, 2022
Probable Cause Panel: Matthews, Albergo & Pepper

Mr. Albergo was recused from vote on this case.

#11. Tohid, Usama, P.E. (CE Case)

P.E. Number: 89707
FEMC Case Number: 2022003244

Probable Cause Panel Date: March 16, 2022
Probable Cause Panel: Matthews, Albergo & Pepper

Mr. Albergo was recused from vote on this case.

#12. Varghese, Arun, P.E. (CE Case)

P.E. Number: 76315
FEMC Case Number: 2022005035
Probable Cause Panel Date: March 16, 2022
Probable Cause Panel: Matthews, Albergo & Pepper

Mr. Albergo was recused from vote on this case.

#13. Wadsworth, Benjamin, P.E. (CE Case)

P.E. Number: 85997
FEMC Case Number: 2022003223
Probable Cause Panel Date: March 16, 2022
Probable Cause Panel: Matthews, Albergo & Pepper

Mr. Albergo was recused from vote on this case.

#14. Wassman, Sr., David, P.E. (CE Case)

P.E. Number: 55237
FEMC Case Number: 2022005558
Probable Cause Panel Date: March 16, 2022
Probable Cause Panel: Matthews, Albergo & Pepper

Mr. Albergo was recused from vote on this case.

#15. Williamson, Stuart, P.E. (CE Case)

P.E. Number: 75284
FEMC Case Number: 2022001284
Probable Cause Panel Date: March 16, 2022
Probable Cause Panel: Matthews, Albergo & Pepper

Mr. Albergo was recused from vote on this case.

Y. Default

#16. Nolan, Terry

P.E. Number: N/A
FEMC Case Number: 2019050155
Probable Cause Panel Date: September 08, 2021
Probable Cause Panel: Matthews, Varghese & Hahn

Mr. Rimes outlined the facts of the case. The charges relate to a violation of Section 471.023, FS: Offering engineering services without being qualified by a licensed Professional Engineer and being placed on the Board's Registry.

Probable Cause was found on September 08, 2021, and an Administrative Complaint was authorized. The Administrative Complaint was filed with the Department of Business and Professional Regulation ("DBPR") on September 27, 2021.

The Probable Cause Panel recommendation was an administrative fine of \$ 5,000.00; and administrative costs of \$297.50.

Upon motion by Mr. Albergo, seconded by Ms. Ramsey, to accept the entire investigative file of the case including the supplemental materials 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, the motion passed.

Upon motion by Mr. Fleming, seconded by Ms. Ramsey, to accept the recommendation of PCP for penalty and is payable within 30 days, the motion passed.

Z. Waiver of Hearing

#17. Martinez, Juan, P.E (CE Case)

P.E. Number: 33562
FEMC Case Number: 2021056562
Probable Cause Panel Date: March 16, 2022
Probable Cause Panel: Matthews, Albergo & Pepper

Mr. Rimes outlined the facts of the case. The charges relate to a violation of Section 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.

Probable Cause was found on March 16, 2022, and an Administrative Complaint was authorized. The Administrative Complaint was filed with the Department of Business and Professional Regulation ("DBPR") on March 29, 2022.

The Probable Cause Panel recommendation was an administrative fine of \$1,000.00; administrative costs of \$68.25; reprimand; suspension of license until all requirements have been met; 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; Auburn P&E Course; and successful completion of the Board's Study Guide.

Upon motion by Mr. Fleming, seconded by Mr. Shah, to accept the entire investigative file of the case including the supplemental materials 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, the motion passed.

Upon motion by Mr. Shah, seconded by Ms. Ramsey, to accept the recommendation of PCP for penalty and require appearance before board before the suspension is lifted, the motion passed.

AA. Old Business

BB. New Business

CC. Adjourn

Next Board Meeting: August 10-11, 2022
Hyatt Place Orlando Airport



FBPE
FLORIDA BOARD OF
PROFESSIONAL ENGINEERS