

FILED
Florida Engineers
Management Corporation
4/26/2016 Clerk: Rebecca Valentine

FILED
Department of Business and Professional Regulation
Deputy Agency Clerk
CLERK Brandon Nichols
Date **4/26/2016**
File # **2016-03227**

STATE OF FLORIDA
FLORIDA BOARD OF PROFESSIONAL ENGINEERS

FLORIDA BOARD OF PROFESSIONAL
ENGINEERS,

Petitioner,

v.

FEMC Case No: 2015021498

CHARLES ALEXANDER, P.E.,

Respondent,
_____ /

FINAL ORDER ADOPTING SETTLEMENT STIPULATION


THIS CAUSE came before the FLORIDA BOARD OF PROFESSIONAL ENGINEERS (“Board”), pursuant to Sections 120.569 and 120.57(4), Florida Statutes, on February 11, 2016 in Orlando, Florida, for the purpose of considering a Settlement Stipulation (attached hereto as “Exhibit A to Final Order”) entered into between the parties in this cause. Upon consideration of the stipulation, the documents submitted in support thereof, and the arguments of the parties, it is hereby:

ORDERED AND ADJUDGED that the Settlement Stipulation as submitted be and is hereby adopted *in toto* and incorporated herein by reference. Accordingly, the parties shall adhere to and abide by all the terms and conditions of the stipulation.

This Final Order shall take effect upon being filed with the Clerk of the Department of Business and Professional Regulation.

DONE AND ORDERED this 26 day of April, 2016.


FLORIDA BOARD OF PROFESSIONAL ENGINEERS



Zana Raybon, Executive Director
For WILLIAM C. BRACKEN, P.E., S.I., CHAIRMAN

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing filed *Final Order Adopting Settlement Stipulation* has been furnished by U.S. First Class Mail to Mr. Charles T. Alexander, P.E., at 13237 Penshurt Lane, Windermere, FL 34786, (his address of record with the Department of Business and Professional Regulation) on this 27 day of April, 2016.



Rebecca Valentine,
Paralegal

STATE OF FLORIDA
FLORIDA BOARD OF PROFESSIONAL ENGINEERS

FLORIDA BOARD OF PROFESSIONAL
ENGINEERS,

Petitioner,

v.

FEMC Case No. 2015021498

CHARLES T. ALEXANDER, P.E.

Respondent,
_____ /

SETTLEMENT STIPULATION

CHARLES T. ALEXANDER, P.E. ("Respondent") and the Florida Engineers Board of Professional Engineers ("Board," "FBPE," or "Petitioner") by and through the Florida Engineers Management Corporation ("FEMC") hereby stipulate and agree to the following joint Settlement Stipulation ("Stipulation") and Final Order of the Board Board incorporating this Stipulation in the above-styled matter.

STIPULATED FACTS

1. For all times pertinent hereto, Respondent was a licensed professional engineer in the State of Florida, having been issued license number PE 76422.
2. Respondent was charged by an Administrative Complaint filed by FEMC, and properly served upon Respondent with violations of Chapters 471 and 455, Florida Statutes. A copy of the Administrative Complaint is attached hereto and incorporated by reference as "Exhibit A to Settlement Stipulation".

STIPULATED CONCLUSIONS OF LAW

1. Respondent, in his capacity as a licensed engineer, admits that in such capacity he is subject to provisions of Chapters 455 and 471, Florida Statutes, and the jurisdiction of the Florida Department of Business and Professional Regulations (“the Agency”), FEMC, and the Board.

2. Respondent admits that the facts set forth in the Administrative Complaint, if proven, constitute violations of Chapters 455 and 471, Florida Statutes, as alleged in the Administrative Complaint.

STIPULATED DISPOSITION OF LAW

1. Respondent shall, in the future, comply with Chapters 471 and 455, Florida Statutes, and the Rules promulgated pursuant thereto.

2. Should Respondent fail to comply with the terms of the Final Order in this case, an administrative complaint for failure to comply with said Final Order can automatically be opened against Respondent.

3. Respondent’s license shall be SUSPENDED for one (1) calendar year from the date that the Final Order adopting this Stipulation is filed with the Agency Clerk.

4. Respondent shall pay an ADMINISTRATIVE FINE of \$5,000.00 and ADMINISTRATIVE COSTS of \$255.45 to the Board within thirty (30) days of the date that the Final Order adopting this Stipulation is filed with the Agency Clerk.

5. Respondent’s license to practice engineering shall be REPRIMANDED.

6. Respondent shall APPEAR before the Board when this Stipulation is presented. Respondent must be prepared to discuss: how this situation occurred and how Respondent intends to prevent this circumstance from occurring in the future.

7. Respondent acknowledges that neither his attendance at the Board Meeting when this Stipulation is presented, nor any continuing education or college level courses taken as a requirement of the terms of this Stipulation may be used to comply with the continuing education requirements of Chapter 61G15-22, Florida Administrative Code.

8. Respondent shall successfully complete a Board-approved course in **ADVANCED ENGINEERING PROFESSIONALISM AND ETHICS** within one (1) year of the date the Final Order adopting this Stipulation is filed with the Agency Clerk. Prior to that date, Respondent shall submit to the Board a Certificate of Completion of the course. It is the Respondent's responsibility to notify the Board that Respondent has completed the course in a timely manner. Respondent must complete the following correspondence course offered by:

Murdough Center for Engineering Professionalism
Texas Tech University
PO Box 41023
Lubbock, Texas 79409
Engineering Ethics Advanced
Telephone 806-742-3525
Fax 806-742-0444
E-mail: engineering.ethics@ttu.edu

9. Respondent shall successfully complete the **STUDY GUIDE** which has been prepared by the Board and which will be furnished to Respondent, regarding the Engineering Practice Act, Chapter 471, Florida Statutes, and the Rules of the Board. Respondent is required to provide a personal email address that will be used to access the on-line study guide. The study guide must be completed within thirty (30) days of the date on which the Final Order incorporating this Stipulation is filed with the Agency Clerk.

10. It is expressly understood that this Stipulation is subject to approval of the Board and FEMC and has no force and effect until the Board issues a Final Order adopting this Stipulation.

11. This Stipulation is executed by Respondent for the purpose of avoiding further administrative action with respect to this cause. In this regard, Respondent authorizes the Board to review and examine all investigative file materials concerning Respondent prior to, or in conjunction with, consideration of this Stipulation. Furthermore, should this Stipulation not be accepted by the Board, it is agreed that presentation to and by the Board shall not unfairly or illegally prejudice the Board or any of its members from further participation, consideration, or resolution of these proceedings.

12. Respondent expressly waives all further procedural steps and expressly waives all rights to seek judicial review of or otherwise challenge or contest the validity of the joint Stipulated Facts, Conclusions of Law, imposition of discipline, and the Final Order of the Board incorporating this Stipulation.

13. Respondent waives the right to seek any attorney's fees or costs from the Board in connection with this disciplinary proceeding.

WHEREFORE, the parties hereto request the Board to enter a Final Order accepting and implementing the terms contained herein.



CHARLES THOMAS ALEXANDER, P.E.,
Respondent

Dated: 12/13/15

APPROVED this 28th day of December, 2015.

Zana Raybon, Executive Director
Florida Board of Professional Engineers



BY: John J. Rimes, III
Chief Prosecuting Attorney

FILED
Florida Engineers Management
Corporation

NOV 18 2015

Clerk: *Joshua Key*

FILED	
<small>Department of Business and Professional Regulation Deputy Agency Clerk</small>	
CLERK	Evette Lawson-Proctor
Date	11/18/2015
File #	

**STATE OF FLORIDA
FLORIDA BOARD OF PROFESSIONAL ENGINEERS**

**FLORIDA BOARD OF PROFESSIONAL
ENGINEERS,**

Petitioner,

v.

FEMC Case No. 2015021498

CHARLES T. ALEXANDER, P.E.

Respondent,

_____!

ADMINISTRATIVE COMPLAINT

COMES NOW the Florida Engineers Management Corporation ("FEMC") on behalf of Petitioner, Florida Board of Professional Engineers ("Petitioner," "FBPE," or "Board") and files this Administrative Complaint ("Complaint") against CHARLES T. ALEXANDER, P.E., ("Respondent"). This Complaint is issued pursuant to Sections 120.60 and 471.038, Florida Statutes. Any proceeding concerning this complaint shall be conducted pursuant to Section 120.57, Florida Statutes. In support of this complaint, Petitioner alleges the following:

1. Petitioner, Florida Board of Professional Engineers, is charged with regulating the practice of engineering pursuant to Chapter 455, Florida Statutes. This complaint is filed by the Florida Engineers Management Corporation ("FEMC") on behalf of Petitioner. FEMC is charged with providing administrative, investigative, and prosecutorial services to the Florida Board of Professional Engineers pursuant to Section 471.038, Florida Statutes (1997).

2. Respondent is, and has been at all times material hereto, a licensed professional engineer in the State of Florida, having been issued license number PE 76422. Respondent's last known address is 11706 Winding Woods Way, Lakewood Ranch, Florida 34302, and Respondent's address of record with the Department of Business and Professional Regulation ("Agency") is 13237 Penschurt Lane, Windermere, FL 34786.

3. On March 25, 2015, Respondent was the subject of a Consent Agreement ("Order") entered by the Office of the Maine Attorney General acting on behalf of the Maine Board of Licensure for Professional Engineers in Case U14-001. The Order imposed upon Respondent a Formal Reprimand, a Fine of \$1000.00, and provided that Respondent would never thereafter seek licensure as a Professional Engineer in Maine.

4. The Order reflected the fact that Respondent admitted that Respondent had created and applied a replica of another professional engineer's Maine engineering seal to professional engineering drawings that Respondent, not the other professional engineer, had prepared and that the Maine seal was applied without the other professional engineer's knowledge or authorization and that the action by Respondent constituted the practice of professional engineering in the state of Maine without a valid license.

5. Section 471.033(1)(a), Florida Statutes, provides in material part that an engineer is subject to discipline for "[v]iolating any provision of ... s. 471.031, or any other provision of this chapter or rule of the board or department." Section 471.031(1)(c), Florida Statutes, states in material part that: "A person may not:(c) Present as his or her own the license of another."

6. Respondent's admission in the Order that Respondent had applied a replica of another professional engineer's state of Maine professional engineer seal to professional

engineering drawings that Respondent, not the other state of Maine professional engineer, had prepared and that the state of Maine professional engineer seal was applied without the other professional engineer's knowledge or authorization constitutes a violation of Section 471.031(1)(c), Florida Statutes.

7. Based on the foregoing, Respondent is charged with violating Section 471.033(1)(a), Florida Statutes, by "[v]iolating any provision of ... s. 471.031..."

WHEREFORE, the Petitioner respectfully requests the Board of Professional Engineers to enter an order imposing one or more of the following penalties: permanent revocation or suspension of the Respondent's license; restriction of the Respondent's practice; imposition of an administrative fine; issuance of a reprimand; placement of the Respondent on probation; the assessment of costs related to the investigation and prosecution of this case, other than costs associated with an attorney's time, as provided for in Section 455.227(3), Florida Statutes; and/or any other relief that the Board deems appropriate.

SIGNED this 17th day of November, 2015.

Zana Raybon
Executive Director



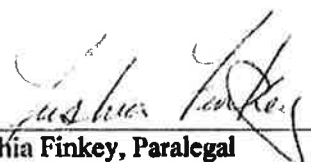
BY: John J. Rimes, III
Prosecuting Attorney

COUNSEL FOR FEMC:
John J. Rimes, III
Prosecuting Attorney
Florida Engineers Management Corporation
2639 North Monroe Street, Suite B-112
Tallahassee, Florida 32303
Florida Bar No. 212008

PCP DATE: November 17, 2015
PCP Members: Fiorillo, Matthews & Pepper

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing filed Administrative Complaint was furnished to Respondent, Charles Thomas Alexander at 11706 Winding Woods Way, Lakewood Ranch, Florida 34302, and Respondent's address of record with the Department of Business and Professional Regulation of 13237 Penshurt Lane, Windermere, FL 34786, by U.S. Certified and U.S. First Class Mail, on the 15 of December, 2015.


Trishia Finkey, Paralegal