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 1 pm 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. 22.003
   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)

   (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

#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

#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

#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

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

#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

#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)