

**Minutes for
The Florida Board of Professional Engineers
April 7, 2021 beginning at 1:00 p.m. or soon thereafter and
April 8, 2021 beginning at 8:30 a.m., or soon thereafter
Via video conference**

Part I – Wednesday, April 7, 2021

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

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

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

Board Members Present:

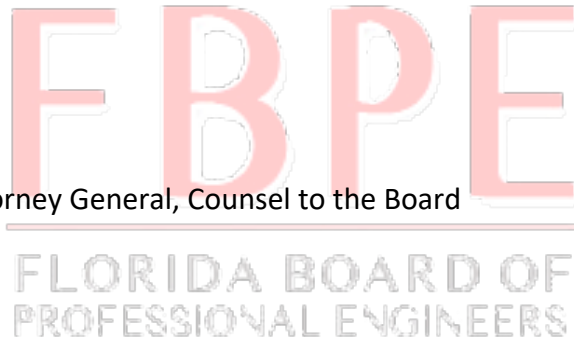
Kevin Fleming, P.E., Chair
Scott Drury, P.E., Vice Chair
Dylan Albergo, P.E.
Pankaj (PJ) Shah, P.E.
Babu Varghese, P.E., S.I.

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

William Lampkin, FBPE Public Information Officer
Art Nordlinger, P.E., FEMC Board member
Angelina Fairchild, P.E., FES
Harold Barrineau, P.E.
Robert Sheppard, P.E.

- 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. Drury, seconded by Mr. Albergo, to approve the agenda, the motion passed.

F. Approval of Consent Agenda

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

#1. Minutes from February 17-18, 2021 FBPE Board Meeting

Approved under consent agenda.

#2. Minutes from March 10, 2021 FBPE Probable Cause Panel Meeting

Approved under consent agenda.

#3. Minutes from March 10, 2021 FBPE Rules Committee Meeting

Approved under consent agenda.

#4. Application for Retired Status

Approved under consent agenda.

G. Committee Reports

#1. Probable Cause Panel **(Next Meeting: May 12, 2021 at 8:30am via video conference)**
(Panel A: Robert Matthews, P.E., Chair; Babu Varghese, P.E., S.I.; Warren Hahn, P.E.) and (Panel B: Robert Matthews, P.E., Chair; Dylan Albergo, P.E.; John Pepper, P.E., S.I.)

(a) Committee Chair's Report.

#2. Applications Review **(Next Meeting: if needed, May 12, 2021 at 1pm via video conference)**

(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.

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

#3. Rules Committee **(Next Meeting: TBD)**

(Kevin Fleming, P.E., Chair; Scott Drury, P.E., PJ Shah, P.E.)

(a) Committee Chair's Report.

#4. 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.

#5. 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.

#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)

H. NCEES

(Kevin Fleming, P.E., FBPE Liaison)

#1. 2021 NCEES Southern Zone Meeting – April 15, 2021 at 10am to 1pm- being held virtually

- Welcome Event will be held on April 14
- Appoint Voting Delegate
- Discuss zone elections and decide on candidate(s) to vote for

Mr. Fleming discussed the candidates for Zone Vice President and Zone Assistant Vice President. Discussion followed. The board decided on the following candidates:

ZVP: Andy Zoutewelle, P.L.S.

ZAVP: Bobbi Balli, P.E.

#2. Discussion on NCEES Annual Meeting- New Orleans. Only two representatives can attend the in-person meeting. The board needs to decide which two representatives will attend.

Mr. Fleming discussed the upcoming NCEES Annual Meeting and further discussion by the board followed.

Upon motion by Mr. Albergo, seconded by Mr. Drury, to appoint Mr. Fleming and Ms. Raybon to attend for FBPE and to authorize Mr. Fleming to cast votes on behalf of FBPE, the motion passed.

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 61G15-19.004; 19.0051, 19.0071 – Disciplinary Guidelines

Mr. Harris explained the proposed language. Discussion followed.

Upon motion by Mr. Varghese, seconded by Mr. Shah, to reopen the rule for development and propose rule language as presented in the meeting materials, the motion passed.

Mr. Harris asked if the proposed rule language will have an adverse impact on small business or if the proposed rule amendments would be likely to directly or indirectly increase regulatory costs to any entity (including government) in excess of \$200,000 in the aggregate in Florida within one (1) year after the implementation of the rule or if the proposed rule language will have a net increase of regulatory costs in excess of one (1) million dollars within five (5) years after the implementation of the final part of the rule or if a violation of any part of the rule could be resolved through issuance of a Notice of Noncompliance and should language be added about the rule sun setting at a certain time.

Upon motion by Mr. Drury, seconded by Mr. Varghese, 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.

#3. Public Hearing on Rule 61G15-23.001 (to conform 23.001 to revised language in 61G15-30.003

Mr. Harris explained the proposed language. Discussion followed on the proposed changes.

This rule is being referred to the Rules Committee for further review.

#4. Public Hearing on Rules 61G15-18.011 and 61G15-34.002, F.A.C. (JAPC letter and Board Counsel Suggested Revisions to resolve)

Mr. Harris explained the proposed changes. Discussion followed.

Upon motion by Mr. Drury, seconded by Mr. Albergo, to reopen the rule for development and adopt the proposed changes as presented in the meeting materials, the motion passed.

Mr. Harris asked if the proposed rule language will have an adverse impact on small business or if the proposed rule amendments would be likely to directly or indirectly increase regulatory costs to any entity (including government) in excess of \$200,000 in the aggregate in Florida within one (1) year after the implementation of the rule or if the proposed rule language will have a net increase of regulatory costs in excess of one (1) million dollars within five (5) years after the implementation of the final part of the rule or if a violation of any part of the rule could be resolved through issuance of a Notice of Noncompliance and should language be added about the rule sun setting at a certain time.

Upon motion by Mr. Drury, seconded by Mr. Albergo, 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.

#5. Public Hearing on Rule 61G15-31.006

Mr. Harris explained the proposed rule changes. Discussion followed.

Upon motion by Mr. Albergo, seconded by Mr. Varghese, to reopen the rule for development and adopt the proposed changes as presented in the meeting materials, the motion passed.

Mr. Harris asked if the proposed rule language will have an adverse impact on small business or if the proposed rule amendments would be likely to directly or indirectly increase regulatory costs to any entity (including government) in excess of \$200,000 in the aggregate in Florida within one (1) year after the implementation of the rule or if the proposed rule language will have a net increase of regulatory costs in excess of one (1) million dollars within five (5) years after the implementation of the final part of the rule or if a violation of any part of the rule could be resolved through issuance of a Notice of Noncompliance and should language be added about the rule sun setting at a certain time.

Upon motion by Mr. Drury, seconded by Mr. Albergo, 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 the standard sunset language is not needed for this rule, the motion passed.

J. Executive Director's Report

#1. Renewal Update

Ms. Raybon provided an update on renewal.

#2. Email from J Silny about evaluations of engineering technology degrees

Ms. Raybon discussed the email from Mr. Silny and the criteria for engineering technology degrees and having calculus-based physics as a requirement. Discussion followed. The board asked staff to have Mr. Silny monitor the situation to see if it becomes a problem. If so, the board will address it.

#3. 2021 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

L. Engineering Association and Society Reports

#1. FSEA

#2. FES

#3. IEEE

#4. ASCE

M. Chair's Report

N. Action Items from Previous Board Meetings

#1. Email from Dr. Stuart Walesh, P.E – Re: Question about NTSB Recommendation

#2. Email from Mr. John Simko, P.E. – Re: Building Departments

#3. Email from Mr. John Simko, P.E. – Re: engineers doing work outside of their expertise

O. Correspondence to the Board

#1. Request for Declaratory Statement by Harold Barrineau

Mr. Harris discussed the request for Declaratory Statement.

Mr. Barrineau was present and addressed the board. Discussion followed.

This item was referred to the Rules Committee.

The board cannot act on the request because there are no PE numbers on the examples. Mr. Harris provided Mr. Barrineau with options and Mr. Barrineau withdrew the request for a Declaratory Statement.

Staff was asked to send Mr. Barrineau and Ms. Fairchild the information for the Rules Committee meeting.

- #2. Letter from Ranger Engineering Group – Re: Interpretation of policies regarding services performed in preparation of machine control models in Florida (possible request for declaratory statement)

Mr. Harris discussed the letter. Discussion followed. Mr. Harris will respond by referring them to the definition of engineering in the rules.

- #3. Email from Mr. Mark LeBlanc, P.E. – Re: Determining Competency to Provide a Residential Plumbing Inspection

Mr. Fleming discussed the email. Discussion followed. Staff will respond to the email.

- #4. Email from Mr. Robert Sheppard, P.E. – Re: Truss drawings by others

Mr. Fleming discussed the email. Discussion followed. Mr. Rimes stated that the board in unable to respond to them.

- #5. Email from Mr. Brian Chandler, P.E. – Re: Problems with municipalities accepting documents

Mr. Fleming discussed the email. Discussion followed. Mr. Fleming will respond.

P. Public Forum

Q. Community Involvement

R. Application Review – in separate meeting book

Part II
Informal Hearing Agenda
(Thursday, April 8, 2021)

- S. Ratification of Actions from Application Review, April 7, 2021

Upon motion by Mr. Shah, seconded by Mr. Albergo, to approve the list, the motion passed.

T. Informal Hearing on Application for Licensure as Professional Engineer

#1. Brett Sanicola

Mr. Sanicola was present and sworn in prior to addressing the board. Mr. Harris explained the basis for denial. Mr. Sanicola's application was denied based on education. Mr. Sanicola has a non-ABET degree and is lacking nine hours of engineering science and design coursework per the Silny evaluation. Mr. Harris stated that this is not an informal hearing.

Mr. Sanicola addressed the board.

Mr. Harris provided Mr. Sanicola with his options.

Mr. Sanicola withdrew his application.

Upon motion by Mr. Shah, seconded by Mr. Albergo, to vacate the notice of intent to deny and accept the withdrawal, the motion passed.

#2. Raik Huster

Mr. Harris explained the basis for denial. Mr. Huster holds a BS and MS in Electrical Engineering from Technical University of Ilmenau in Germany. The denial is based on education. Mr. Huster lacks 2.7 hours of general education coursework.

Upon motion by Mr. Drury, seconded by Mr. Shah, that Mr. Huster 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, requested a section 120.57(2), F.S. hearing not involving disputed issues of material fact, to convene such hearing, to accept the complete application file, including any supplemental materials provided by Mr. Huster into the record, to adopt the factual allegations contained within the Notice of Intent to Deny as the Board's findings of facts, and to adopt the legal conclusions contained in the Notice of Intent to Deny as the Board's conclusions of law, and to allow Mr. Huster 60 days to take the required course by CLEP and submit proof of passing the course to staff, the motion passed. If the Applicant complies, the application is approved without further action. If documentation of compliance is not provided within the time period, the application is denied.

U. Continuation of Informal Hearing Application for Licensure as Professional Engineer

#1. Emerson Silva Dos Santos

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

Mr. Harris explained the reason of the continuation.

Mr. Dos Santos addressed the board. Discussion followed.

Upon motion by Mr. Drury, seconded by Mr. Varghese, to amend the final order to allow the applicant 30 additional days to correct the deficiencies or withdraw the application, the motion passed.

V. Informal Hearing Application for Special Inspector Certification

#1. Renato Silva

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

Mr. Harris explained the basis for denial. Mr. Silva's application was denied because of the following reasons: For design experience 1 and 2, the verifier must make the selection; excessive time was claimed for design; overlapping months for both design and experience as shown in the experience calculator; and lacks required months of design and inspection experience.

Mr. Silva addressed the board. Discussion followed.

Mr. Silva withdrew his application.

Upon motion by Mr. Drury, seconded by Mr. Shah, to vacate the notice of intent to deny and accept the withdrawal, the motion passed.

W. Board Appearance on Application for Engineer Intern Certification

#1. Ryan Fallin

Mr. Fallin was present along with counsel, Mr. David Rankin. Mr. Fallin was sworn in prior to addressing the board. Mr. Harris explained the reason for the board appearance. Ryan Fallin holds a BS in Civil Engineering from University of South Florida. The board appearance was requested to discuss the applicant's past criminal history.

Mr. Rankin addressed the board.

Mr. Fallin addressed the board. Discussion followed.

Upon motion by Mr. Varghese, seconded by Mr. Shah, to approve the fundamental application of Mr. Fallin and, having reviewed his past criminal history, clears him to apply for his PE once he has the required experience, the motion passed.

X. Board Appearance on Application for Licensure as Professional Engineer

#1. Michael Russo

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

Mr. Harris explained the reason for appearance. The board appearance was requested to discuss his experience as he lacks the required 48 months of experience.

Mr. Russo addressed the board. Discussion followed.

Mr. Russo withdrew his application.

Y. Hearing on Petition on Wavier and Variance of Rule 61G15-22.0002 – Licensure Change of Status, Reactivation, Reinstatement of Void Licenses

#1. Dung-Ning Yu

Dr. Yu was present and sworn in prior to addressing the board.

Mr. Harris explained the basis for the petition.

Dr. Yu addressed the board. Discussion followed.

Upon motion by Mr. Drury, seconded by Mr. Albergo, to approve the application of Dr. Yu based the testimony and materials provided and find the Petition moot, the motion passed. Dr. Yu withdrew his Petition for Variance/Waiver.

#2. Donald Spencer

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

Mr. Harris explained the basis for the petition.

Upon motion by Mr. Varghese, seconded by Mr. Shah, to approve the petition of Mr. Spencer and allow non-live CE's, the motion passed.

#3. Lawrence McNally

Mr. Harris explained the basis for the petition.

Upon motion by Mr. Albergo, seconded by Mr. Varghese, to approve the petition of Mr. McNally, the motion passed.

#4. Douglas Seaman

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

Mr. Harris explained the basis for the petition.

Upon motion by Mr. Varghese, seconded by Mr. Shah, to approve the petition of Mr. Seaman and allow online ethics to be accepted, the motion passed.

#5. James Schnelle

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

Mr. Harris explained the basis for the petition.

Mr. Schnelle addressed the board.

Upon motion by Mr. Varghese, seconded by Mr. Shah, to approve the petition of Mr. Schnelle, the motion passed.

Z. Settlement Stipulation

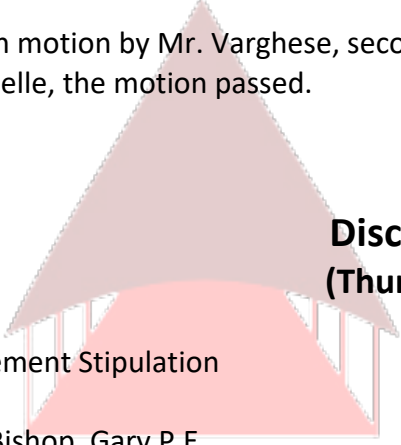
#1. Bishop, Gary P.E.

P.E. Number: 25357
FEMC Case Number: 2019027732
Probable Cause Panel Date: November 10, 2020, January 20, 2021
Probable Cause Panel: Matthews, Fleming, Drury & Hahn

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

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

The Probable Cause Panel recommendation was an administrative complaint, administrative fine of \$ 20,000.00 (\$5,000.00 per count), administrative costs of \$11,399.75, 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, restriction from MEP until he



Part III
Disciplinary Hearings
(Thursday, April 8, 2021)

FBPE
FLORIDA BOARD OF
PROFESSIONAL ENGINEERS

passes the NCEES 8-hr electrical power and 8-hr mechanical (HVAC) exam, 6-month and 18-month project review, 2 years' probation, successful completion of the Board Approved Advanced Engineering Professionalism and Ethics course; project/plan reviews on structural at 6-month and 18-month intervals, and successful completion of the Board's Study Guide.

The Settlement Stipulation is the same as the PCP recommendation.

Discussion followed.

Upon motion by Mr. Albergo, seconded by Mr. Shah, to accept the settlement stipulation and allow Mr. Bishop three months to pay costs, the motion passed.

#2. Philmon, Timothy P.E. (CE case & confirmed attendance)

P.E. Number: 82785
FEMC Case Number: 2020007347
Probable Cause Panel Date: November 10, 2020
Probable Cause Panel: Matthews, Fleming, & Drury

Mr. Philmon 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.

The Probable Cause Panel recommendation was an administrative complaint, administrative fine of \$ 2,000.00, administrative costs of \$46.80, reprimand, suspension of license until in compliance, appearance before the board to discuss how this situation occurred, successful completion of the Board's Study Guide, and an 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.

The Settlement Stipulation is the same as the PCP recommendation.

Discussion followed.

Upon motion by Mr. Albergo, seconded by Mr. Shah, to accept the settlement stipulation, the motion passed.

#3. Spensieri, Michael P.E. (CE Case & confirmed attendance)

P.E. Number: 71093
FEMC Case Number: 2020002299
Probable Cause Panel Date: November 10, 2020

Probable Cause Panel: Matthews, Fleming, & Drury

Mr. Spensieri was present and sworn in prior 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 September 9, 2020 on the issue of Respondent. An Administrative Complaint was authorized and filed on September 22, 2022. An Amended Administrative Complaint was authorized and filed on February 2, 2021. A settlement Stipulation has been signed and returned on or about March 2, 2021.

The Probable Cause Panel Recommendation was an amended administrative complaint, administrative fine of \$ 500.00, administrative costs of \$33.15, completion of the Auburn P&E Course, and successful completion of the Board's Study Guide.

The Settlement Stipulation is the same as the PCP recommendation.

Mr. Spensieri addressed the board. Discussion followed.

Upon motion by Mr. Albergo, seconded by Mr. Shah, to amend the settlement stipulation to remove the fine and keep the costs, study guide and Auburn P&E course, the motion passed.

#4. Vanegas, Ernesto P.E.

P.E. Number:

FEMC Case Number: 2019019430

Probable Cause Panel Date: January 20, 2021

Probable Cause Panel: Matthews, Fleming & Hahn

Represented by: Frank J. Gaviria, Esq.

Mr. Rimes outlined the facts the case. The charges relate to a violation of Section 471.031(1), F.S.: Practicing engineering without a license; utilizing the protected title of P.E.

The Probable Cause Panel recommendation was an administrative complaint, administrative fine of \$ 5,000.00, sign and comply with the Notice to Cease and Desist.

The Settlement Stipulation was the same as the PCP recommendation.

Discussion followed.

Upon motion by Mr. Albergo, seconded by Mr. Shah, to accept the settlement stipulation, the motion passed.

AA. Informal Hearing

#5. Hoang, Tuan, P.E. (CE Case)

P.E. Number: 71666
FEMC Case Number: 2020005264
Probable Cause Panel Date: May 13, 2020
Probable Cause Panel: Matthews, Fleming & Drury

Mr. Rimes outlined the facts. 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 May 13, 2020 on the issue of Respondent. Administrative complaint was authorized and filed on May 26, 2020. A signed Election of Rights was returned to the FBPE office on June 18, 2020.

A Statement of Undisputed Material Facts went out to Respondent on June 19, 2020. No response to the Statement of Undisputed Material Facts was received. A Request for Admission went out to Respondent on February 02, 2021. No response to the Request for Admissions has been received to date.

The Probable Cause Panel Recommendation was an administrative complaint, administrative fine of \$ 1,000.00, administrative costs of \$58.50, reprimand, and successful completion of the Board's Study Guide.

Upon motion by Mr. Shah, seconded by Mr. Albergo, that 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 convene such hearing, to accept the Statement of Undisputed Material Facts presented as the Board's findings of fact, to accept the entire investigative file of the case including the supplemental materials into evidence, to adopt the allegations in the administrative complaint as the Board's conclusions of law, and to find a violation of the practice act upon which discipline may be imposed, the motion passed.

Upon motion by Mr. Albergo, seconded by Mr. Shah, to reduce the penalty to an administrative complaint, fine of \$500, complete the Auburn University Professionalism and Ethics course, costs, and successful completion of the board's study guide, the motion passed. All items are to be completed within 90 days.

#6. Perret, Victor, P.E. (CE Case)

P.E. Number: 65760
FEMC Case Number: 2020007344
Probable Cause Panel Date: July 08, 2020, November 10, 2020
Probable Cause Panel: Matthews, Fleming & Drury

Mr. Rimes outlined the facts. 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 November 10, 2020 on the issue of Respondent. An Administrative Complaint was authorized and filed on November 20, 2020. A signed Election of Rights requesting an Informal hearing was returned to the FBPE office on December 18, 2020

The Probable Cause Panel recommendation was an administrative complaint, administrative fine of \$500.00; administrative costs of \$154.05, completion of the Auburn P&E Course, and successful completion of the Board's Study Guide.

Upon motion by Mr. Albergo, seconded by Mr. Shah, that 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 convene such hearing, to accept the Statement of Undisputed Material Facts presented as the Board's findings of fact, to accept the entire investigative file of the case including the supplemental materials into evidence, to adopt the allegations in the administrative complaint as the Board's conclusions of law, and to find a violation of the practice act upon which discipline may be imposed, the motion passed.

Upon motion by Mr. Albergo, seconded by Mr. Shah, to accept the PCP recommendation, the motion passed. All items are to be completed within 90 days.

BB. Default

#7. Blouin, Bruce, P.E. (CE Case)

P.E. Number: 78862
FEMC Case Number: 2020002318
Probable Cause Panel Date: September 09, 2020
Probable Cause Panel: Matthews, Fleming & Drury

Mr. Blouin 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.

The Probable Cause Panel recommendation was administrative complaint, administrative fine of \$ 2,000.00, administrative costs of \$68.25, reprimand, suspension of license until in compliance and then appearance before the Board, successful completion of the Board's Study Guide, and an 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.

Mr. Blouin addressed the board. Discussion followed.

Upon motion by Mr. Shah, seconded by Mr. Albergo, to continue this case until the June 2021 FBPE Board meeting, the motion passed.

CC. Voluntary Relinquishment

#8. Goddard, Bruce P.E.

P.E. Number: 14676
FEMC Case Number: 2018064132
Probable Cause Panel Date: November 10, 2020
Probable Cause Panel: Matthews, Fleming, & Drury

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

Mr. Rimes outlined the facts. 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 Probable Cause Panel recommendation was an administrative complaint, administrative fine of \$ 1,000.00, administrative costs of \$2,811.21, 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 at 6-month and 18-month intervals, and successful completion of the Board's Study Guide.

The Settlement Stipulation is Voluntarily Relinquishment.

Mr. Goddard addressed the board.

Upon motion by Mr. Albergo, seconded by Mr. Shah, to accept the settlement stipulation, the motion passed.

DD. Change of Status Request

#9. John Fowler, P.E.

P.E. Number: 44672
FEMC Case Number: 2017045676
Probable Cause Panel Date: March 14, 2018
Probable Cause Panel: Fleming, Bracken, & Matthews

Mr. Harris discussed the request.

Upon motion by Mr. Shah, seconded by Mr. Shah, to continue this case until the June 2021 board meeting and have him appear on the first day of the meeting, the motion passed.

EE. Mandatory Board Meeting

#10. Barnett, Winthrop, P.E. (confirmed attendance)

P.E. Number: 25576
FEMC Case Number: 2019012309
Probable Cause Panel Date: May 07, 2019
Probable Cause Panel: Matthews, Drury & Albergo
Final Order Date: February 27, 2020

Mr. Barnett was present as required by the final order.

Mr. Barnett addressed the board. Discussion followed.

FF. Old Business

GG. New Business

HH. Adjourn

Next Board Meeting: June 9-10, 2021 via video conference