

RICK SNYDER GOVERNOR

STATE OF MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS LANSING

SHELLY EDGERTON DIRECTOR

MICHIGAN BOARD OF PROFESSIONAL ENGINEERS May 10, 2017 MEETING

APPROVED MINUTES

In accordance with the Open Meetings Act, 1976 PA 267, as amended, the Michigan Board of Professional Engineers met on May 11, 2017, at the Ottawa Building, Conference Room 3, 611 West Ottawa Street, Lansing, Michigan 48933.

CALL TO ORDER

Kelly Fedele, Chairperson, called the meeting to order at 11:01 a.m.

ROLL CALL

Members Present: Kelly Fedele, Chair, Professional Engineer

Lori Fobes, Vice Chair, Professional Engineer

Daniel Acciavatti, Public Member

Michael Drewyor, Professional Surveyor Charles Hookham, Professional Engineer

Cary Junior, Public Member

James Stevens, Professional Engineer

Members Absent: Troy Naperala, Professional Engineer

Staff: Belinda Wright, Manager, Licensing Division

Nakisha Bayes, Board Support, Boards and Committees Section

Ron Hitzler, Analyst, Boards and Committees Section

Kiran Parag, Analyst, Compliance Section

APPROVAL OF AGENDA

MOTION by Drewyor, seconded by Acciavatti, to add Item 8D, NCEES Report to the agenda.

A voice vote was taken.

MOTION PREVAILED

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APPROVAL OF MINUTES

MOTION by Acciavatti, seconded by Hookham, to approve the minutes from January 12, 2017 with the following change:

On page 3, under Committee Reports, the second paragraph of the Minimum Sanctions report is to be written as, "Hitzler requested that the Board vote on the suggested sanctions that were presented to the Board today; the sanctions for licensees who are deficient in their continuing education requirements can be addressed at the next Board meeting. This will ensure consistency for sanctions until the next meeting."

A voice vote was taken.

MOTION PREVAILED

REGULATORY CONSIDERATIONS

Peter K. Theodorakakos – Petition for Relicensure

MOTION by Stevens, seconded by Junior, to untable the Petition for Relicensure.

MOTION by Junior, seconded by Acciavatti, to discuss.

A voice vote was taken.

MOTION PREVAILED

Discussion was held.

MOTION by Hookham, seconded by Acciavatti, to grant relicensure and place the Petitioner on probation for two years. During the probationary period, Petitioner's employer shall file annual employer reports concerning the Petitioner's practice as a professional engineer. In addition, Petitioner shall file an affidavit annually attesting to his compliance with his criminal sentencing, supervision and other conditions imposed by the United States District Court, Eastern District of Michigan under case number: 12CR20295-4. Petitioner shall also attest to any other convictions incurred during the probationary period. Failure to comply with terms of the Order shall result in license suspension.

A roll call vote was taken: Yeas: Acciavatti, Drewyor, Hookham, Junior, Stevens,

Fobes, Fedele

Nays: None

MOTION PREVAILED

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Douglas A. Link – Consent Order and Stipulation

MOTION by Stevens, seconded by Fobes, to accept the Consent Order and Stipulation.

Discussion was held.

A roll call vote was taken: Yeas: Acciavatti, Drewyor, Hookham, Junior, Stevens,

Fobes, Fedele

Nays: None

MOTION PREVAILED

OLD BUSINESS

Licensed Professional Engineers Update

Wright provided licensing statistic information as follows:

There are 19,525 active Professional Engineer licenses in the State. Of those, 9,224 will be up for renewal in October 2017. This a drop in licenses from August of 2016 where there were 20,604 active licenses. Between 40%-45% of the licensees are Michigan residents.

COMMITTEE REPORTS

Minimum Sanctions

None

Rules Subcommittee

Hitzler reported that the Rules are open, the committee has not met. Hitzler has reviewed the draft rules and will forward his notes to the committee.

NEW BUSINESS

Continuing Education Resolution

Hitzler summarized the proposed Continuing Education Resolution for the Board, and requested that the Board review the Resolution.

MOTION by Stevens, seconded by Junior, to approve the Continuing Education Resolution as written.

Discussion was held.

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A roll call vote was taken: Yeas: Acciavatti, Drewyor, Hookham, Junior, Stevens,

Fobes, Fedele

Nays: None

MOTION PREVAILED

Chairperson's Report

Fedele reported that NCEES has had discussions about segmenting licenses. The Department has received individual inquiries about adding a plumbing classification to the mechanical engineering license. Fedele wants the Board to be aware that inquiries have been made and in order to make such a change, an amendment would have to be made to the Occupational Code.

Fedele thanked Hitzler, Hookham, and Fobes for drafting the Continuing Education Resolution.

Department Update

Hitzler notified the Board of two staffing changes. Cheryl Pezon, JD, is no longer the manager of the Boards and Committees Section. Pezon is now the Deputy Director of the Bureau of Professional Licensing. Kerry Przybylo, JD, is now the Manager of the Boards and Committees Section.

Addition of an Associate Member

MOTION by Acciavatti, seconded by Stevens, to add Ron Hitzler as an associate member of the Board of Professional Engineers.

A voice vote was taken.

MOTION PREVAILED

NCEES Discussion

Hookham reported that the Technology Task Force for NCEES has three subjects of focus.

The first subject they are looking into is the signing and sealing of records. The Technology Task Force is working on the model rules to allow for both electronic and traditional signatures.

The second subject pertains to the use of new technology. Experienced professionals understand the data that is entered into the computer programs but have difficulty with

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the technology. Newer professionals do not understand the data entered into the programs but utilize the programs very well.

The third subject pertains to Building Information Modeling (BIM). Hookham explained that a report on BIM will be presented at the upcoming NCEES Annual meeting on August 23, 2017 through August 26, 2017, in Miami, Florida.

Fedele notified the Board that Fedele will be attending the Central Zone meeting in Denver, Colorado from May 18, 2017 through May 20, 2017.

PUBLIC COMMENT

None

ANNOUNCEMENTS

The next regularly scheduled meeting will be held September 21, 2017 at 9:00 a.m., in the Ottawa Building, 611 W. Ottawa Street, Upper Level Conference Center, Conference Room 4, Lansing, Michigan.

ADJOURNMENT

MOTION by Acciavatti, seconded by Drewyor, to adjourn the meeting at 12:15 p.m.

A voice vote was held.

MOTION PREVAILED

Minutes approved by the Board on: September 21, 2017.

Prepared by: Nakisha Bayes, Board Support Bureau of Professional Licensing

May 12, 2017