

RICK SNYDER GOVERNOR

# STATE OF MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS LANSING

SHELLY EDGERTON DIRECTOR

# MICHIGAN BOARD OF PROFESSIONAL ENGINEERS September 21, 2017 MEETING

## APPROVED MINUTES

In accordance with the Open Meetings Act, 1976 PA 267, as amended, the Michigan Board of Professional Engineers met on September 21, 2017, at the Ottawa Building, Conference Room 4, 611 West Ottawa Street, Lansing, Michigan 48933.

#### **CALL TO ORDER**

Kelly Fedele, Chairperson, called the meeting to order at 9:00 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 Troy Naperala, Professional Engineer James Stevens, Professional Engineer

**Members Absent:** Patrick Barry, Architect

Cary Junior, Public Member

**Staff:** Nakisha Bayes, Board Support, Boards and Committees Section

Kimmy Catlin, Board Support, Boards and Committees Section

Kiran Parag, Analyst, Compliance Section

Rick Roselle, Analyst, Boards and Committees Section

Belinda Wright, Manager, Licensing Division

# **APPROVAL OF AGENDA**

MOTION by Acciavatti, seconded by Fobes, to approve the agenda with the following change: Remove item 6A, Licensed Professional Engineers Update.

A voice vote followed.

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## **APPROVAL OF MINUTES**

MOTION by Acciavatti, seconded by Drewyor, to approve the minutes from May 10, 2017 as written.

A voice vote followed.

MOTION PREVAILED

#### REGULATORY CONSIDERATIONS

#### **HEARING REPORTS**

MOTION by Acciavatti, seconded by Fobes, to receive the Hearing Reports.

A voice vote followed.

**MOTION PREVAILED** 

# Jacek K. Kaczmarek

MOTION by Drewyor, seconded by Fobes, to discuss.

A voice vote followed.

**MOTION PREVAILED** 

Discussion was held.

MOTION by Acciavatti, seconded by Stevens, to place Respondent on probation for a minimum of 1 day not to exceed 1 year. During the probationary period Respondent shall earn 14.5 hours of Department-accepted continuing education. This continuing education shall not apply in computing Respondent's current continuing education requirements for license renewal. In addition, Respondent is fined \$975.00 to be paid within 60 days. Failure to comply with the terms of the Order shall result in license suspension.

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

Stevens, Fobes, Fedele

Nays: None

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## Rashila Kerai

MOTION by Acciavatti, seconded by Drewyor, to discuss.

A voice vote followed.

MOTION PREVAILED

Discussion was held.

MOTION by Stevens, seconded by Drewyor, to place Respondent on probation for a minimum of 1 day not to exceed 1 year. During the probationary period Respondent shall earn 30 hours of Department-accepted continuing education. This continuing education shall not apply in computing Respondent's current continuing education requirements for license renewal. In addition, Respondent is fined \$1,750.00 to be paid within 60 days. Failure to comply with the terms of the Order shall result in license suspension.

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

Stevens, Fobes, Fedele

Nays: None

MOTION PREVAILED

#### **STIPULATIONS**

# Timothy B. Athy

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

Discussion was held.

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

Stevens, Fobes, Fedele

Nays: None

# MOTION PREVAILED

## Richard D. Cox

MOTION by Hookham, seconded by Naperala, to accept the Consent Order and Stipulation.

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

Stevens, Fobes, Fedele

Nays: None

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## **MOTION PREVAILED**

#### Paul E. Geck

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

Discussion was held.

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

Stevens, Fobes, Fedele

Nays: None

#### MOTION PREVAILED

#### David R. Gerber

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

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

Stevens, Fobes, Fedele

Nays: None

#### MOTION PREVAILED

## John R. Gockel

MOTION by Naperala, seconded by Drewyor, to accept the Consent Order and Stipulation.

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

Stevens, Fobes, Fedele

Nays: None

#### MOTION PREVAILED

#### Joseph P. Kozma

MOTION by Drewyor, seconded by Hookham, to accept the Consent Order and Stipulation.

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

Fobes, Fedele

Nays: None Recuse: Stevens

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# **Nicholas Paul Nagrant**

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

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

Stevens, Fobes, Fedele

Nays: None

#### MOTION PREVAILED

# Marc Kerby Sargent

MOTION by Drewyor, seconded by Hookham, to accept the Consent Order and Stipulation.

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

Stevens, Fobes, Fedele

Nays: None

#### MOTION PREVAILED

# Lavern Daryl Schmidt, II

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

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

Stevens, Fobes, Fedele

Nays: None

#### MOTION PREVAILED

## Siamak Sedghi

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

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

Stevens, Fobes, Fedele

Nays: None

# MOTION PREVAILED

#### **Robert Michael Seeley**

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

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

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Stevens, Fobes, Fedele

Nays: None

#### MOTION PREVAILED

## **Steven Jack Wuthrich**

MOTION by Acciavatti, seconded by Drewyor, to accept the Consent Order and Stipulation.

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

Stevens, Fobes, Fedele

Nays: None

MOTION PREVAILED

## **OLD BUSINESS**

None

#### **COMMITTEE REPORTS**

# **Minimum Sanctions**

None.

#### **Rules Subcommittee**

The Rules Committee will be meeting immediately following the conclusion of the Board meeting.

#### **NEW BUSINESS**

# 2018 Meeting Schedule

The Board discussed the 2018 meeting dates.

#### **Elections**

Roselle ran the election for Chair.

MOTION by Acciavatti, seconded by Fobes, to re-elect Kelly Fedele as Chair.

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

Stevens, Fobes, Fedele

Nays: None

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Fedele was re-elected Chair by unanimous decision.

Roselle ran the election for Vice Chair.

MOTION by Hookham, seconded by Acciavatti, to re-elect Lori Fobes as Vice Chair.

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

Stevens, Fobes, Fedele

Nays: None

Fobes was re-elected Vice Chair by unanimous decision.

# **Committee Assignments**

The committees remain as follows:

# Minimum Sanctions Committee:

Fobes Hookham Naperala

# Rules Committee:

Fedele Fobes Hookham Stevens

# **Continuing Education Discussion**

Roselle read the current rule requirements for continuing education.

The Board discussed common issues in obtaining verification for continuing education course attendance.

The Rules Committee will discuss the issue at its meeting.

# **2017 NCEES Annual Meeting**

Fedele reported that she, Drewyor and Hookham attended the annual meeting.

Fedele reported the following highlights from the meeting:

 The term of treasurer was changed from 2 years to 3 years. The treasurer can only serve 1 term. Michigan Board of Professional Engineers Meeting Minutes September 21, 2017 Page 8 of 9

- Discussion was held and a motion was made to place active members in the committee seats and remove retired members that currently hold the committee seats.
- Hookham made a presentation at the meeting on Building Information Modeling (BIM).
- Patrick Tami is the new NCEES President.
- Discussion was held to allow each state 2 votes. Many state boards are combined design boards and are given only 1 vote, Michigan, has separate boards and has 2 votes.

# **Rules Update**

Roselle reported that the rules are open. The Board of Architects is completing its changes, Roselle expects to provide an update to the Board once the rules are done.

The Rules Committee will be meeting immediately following the conclusion of the Board meeting.

# **Chair Report**

Fedele stated that the Board is moving in the right direction as they address continuing education.

#### **Department Update**

Wright summarized the information on "MICHIGAN – Licensure Statistics." (See Addendum #1).

The Board discussed the statistics presented.

Roselle introduced himself to the Board.

#### PUBLIC COMMENT

Rick Horbla introduced himself to the Board. Mr. Horbla stated that there is confusion among licensees regarding continuing education. He communicated appreciation that the Board is aware of the issue and is working to resolve it.

Nathan Balcirak introduced himself to the Board. Mr. Balcirak explained that he is seeking clarification on which exam to take for his license. He is looking to become a Structural Engineer (SE), however, the State of Michigan does not recognize the SE qualification.

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Robert Wagner introduced himself to the Board. Mr. Wagner stated that he enjoyed hearing the Board's continuing education discussion. He thanked the Board for their work.

# **ANNOUNCEMENTS**

The next regularly scheduled meeting will be held January 11, 2018 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 Fobes,	to adjourn the	meeting at 10:22 a.m.
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A voice vote was held.

Minutes approved by the Board on1/11/18	<u></u>
Prepared by:	
Nakisha Bayes, Board Support	September 25, 2017
Bureau of Professional Licensing	