

**Agenda for
The Florida Board of Professional Engineers
August 5, 2009 beginning at 1:00 p.m. and
August 6, 2009 beginning at 8:30 a.m., or soon thereafter
West Palm Beach, Florida
Part I**

- A. Call to Order, Invocation, and Pledge of Allegiance to the Flag
- B. Roll Call, Determination of Quorum, and Address Absences.
- C. Introduction of guests and announcements as to presentations at a time certain
- D. Approval of the Agenda
 - #1. Approval of the Consent Agenda
(Items denoted with an asterisk are included in the Consent Agenda*)
- E. Review and Approval of previous Board meeting minutes
 - #1. Minutes from the June 17-18, 2009 Board Meeting*
(Exhibit E#1)

- F. Committee Reports
 - #1. Applications Committee (**Next Meeting September 16, 2009**)
(John Burke, P.E., Chair; David Charland, P.E.; Nola Garcia; Paul Tomasino, P.E.; Paul Halyard, P.E.; H. Dann Wallis, P.E.)
 - a. Committee Chair's Report.
 - #2. Educational Advisory Committee (**Next Meeting September 16, 2009**)
(Christian Bauer, Ph.D., P.E., Chair; Dr. Jonathan Earle, Ph.D., P.E.; Zafar Hyder, Ph.D., P.E.; Bijay Panigrahi, Ph.D., P.E., Mary Young; Melvin Anderson, Ph.D., P.E. [Consultant]; R. Gerry Miller, Ph.D., P.E. [Consultant])
 - a. Committee Chair's Report.
 - #3. Probable Cause Panel (**Next Meeting September 15, 2009**)
(David O. Charland, P.E, Chair, Henn Rebane, P.E., Paul Halyard, P.E.) (Alternate: John Burke, P.E.)
 - a. PCP Memo from July 14, 2009 Meeting*
(Exhibit F#3a)

#4. FBPE Rules Committee (**September 15, 2009**)
(John Burke, P.E., Chair; David Charland, P.E.; Paul Tomasino, P.E.; Jonathan F. K. Earle, Ph.D., P.E., H. Dann Wallis, P.E.)

a. Committee Chair's Report.

#5. FBPE Legislative Committee (**Next Meeting to Be Determined**)
(Paul Tomasino, P.E., Chair; Christian Bauer, Ph.D., P.E.; Mary Young)

a. Committee Chair's Report.

#6. Joint Engineer/Architect Committee
(John Burke, P.E., Chair; Zafar Hyder, Ph.D., P.E., Nola Garcia)

a. Committee Chair's Report.

#7. Structural Rules Committee
(David O. Charland, P.E., Chair)

a. Committee Chair's Report.

G. NCEES
(John Burke, P.E., FBPE Liaison)

#1. News Release – **Puerto Rican court awards damages to NCEES in exam theft case**
(Exhibit G#1 – **PROVIDED FOR INFORMATIONAL PURPOSES**)

#2. Letter from Steven Arndt, P.E., nominating Howard C. "Skip" Harclerode, II, P.E., for Treasurer of NCEES
(Exhibit G#2 – **PROVIDED FOR INFORMATIONAL PURPOSES**)

#3. Memo from Henn Rebane dated June 17, 2009 regarding actions by NCEES Board of Directors (See also contract with NCEES, attached as Exhibit G#4)
(Exhibit G#3)

#4. Exam Administration Agreement between Florida Board of Professional Engineers and National Council of Examiners for Engineering and Surveying
(Exhibit G#4)

#5. Letter from Robert Whorton, IV, P.E., regarding failure of candidate to stop writing on the answer sheet during examination, letter to candidate along with the candidate's response
(Exhibit G#5)

- #6. Letter from Robert Whorton, IV, P.E., regarding exam irregularity along with the results of the investigation
(Exhibit G#6)

H. Advisory Attorney's Report

- #1. Letter from Marjorie Holladay regarding Rule 61G15-19.004, F.A.C. requesting an update on the status of the rule
(Exhibit H#1)
- #2. Letter to Marjorie Holladay regarding Rule 61G15-19.004 responding to request for status update
(Exhibit H#2)
- #3. Letter from Marjorie Holladay regarding Rule 61G15-19.004, F.A.C. requesting additional information
(Exhibit H#3)
- #4. Letter to Marjorie Holladay's requested change to Rule 61G15-37.001, F.A.C.
(Exhibit H#4)
- #5. Memos from Melinda J. Wood, Paralegal Specialist regarding Rules 61G15-22.010 and 61G15-22.011 F.A.C., and Petitions for Variance & Waiver
(Exhibit H#5 – **PROVIDED FOR INFORMATIONAL PURPOSES**)
- #6. Rules Report
(Exhibit H#6)

I. Executive Director's Report

- #1. List of Applicants Requesting Retired Status*
(Exhibit I#1)
- #2. Confirmation of contract with DBPR for fiscal year 09-10
- #3. Discussion on time set for PCP panel meetings
- #4. August 2010 FBPE Board Meeting

J. Assistant Executive Director's Report

- #1. Update on Disaster Recovery Plan
- #2. Update on Records Administration

K. Chief Prosecutor's Report

- #1. Non-Compliance Report
(Exhibit K#1)
- #2. July Open Case Report
(Exhibit K#2)
- #3. 300 day report
(Exhibit to be provided by email prior to meeting)
- #4. Legal Update
- #5. Final Order Adopting Settlement Stipulation; **FEMC v. Bombassaro**; Update on language placed in the Final Order accepting the stipulation
(Exhibit K#5)

L. Chair's Report

- #1. Email from Bill Coulbourne regarding request for Board Member to observe Florida Gulf Coast University
(Exhibit L#1)
- #2. Report on Consumer Complaint
- #3. Discussion of Application & Educational Review Meetings
- #4. Email with draft letter regarding Rule 62-341.417, F.A.C.
(Exhibit L#4)

M. Correspondence to the Board

- #1. Letter from Peggy M. White, Director, Department of Information Resources, St. Johns River Water Management District requesting review of methodologies for implementation of the use of PKI signatures using Adobe's Certified Document Signing service
(Exhibit M#1)
- #2. Emails between staff and Jeremy Fletcher regarding application deadlines
(Exhibit M#2)
- #3. Email from George D., Delaney regarding potential changes to the Stormwater Quality Applicant's Handbook
(Exhibit M#3)

**Part II
Informal Hearing Agenda**

Description of Educational Committee Process by Christian Bauer, Ph.D., P.E.

- N. Informal Hearings on Denial of Application for Fundamentals Examination
- #1. Eduardo Marrero
(Exhibit N#1)
- O. Informal Hearings on Denial of Application for Licensure by Endorsement
- #1. Bhanuvally Vasappa
(Exhibit O#1)
 - #2. Jason White
(Exhibit O#2)
- P. Informal Hearings on Denial of Application for Principles and Practice Examination
- #1. Brooke E. Ramage
(Exhibit P#1)
 - #2. Ronald W. Rogers
(Exhibit P#2)
- Q. Formal Hearings on Denial of Application for Licensure by Endorsement
- #1. Richard DiCesare
(Exhibit Q#1)

**Part III
Disciplinary Hearings**

Description of Disciplinary Process by John C. Burke, P.E.

- R. Settlement Stipulations
- #1. Gildart, David, P.E.
PE 57456
FEMC Case Number: 2006058732
Represented by: Robert Simon, Esquire
Probable Cause Panel: Rebane, Seckinger
(See Red Book 1)

- #2. Malone, Roger, P.E.
PE 56496
FEMC Case Number: 2005014415
Represented by: Edwin Bayo, Esquire
Probable Cause Panel: Rebane, Seckinger
(See Red Book 1)

- #3. Tan, Seng-Chai, P.E.
PE 32930
FEMC Case Number: 2007056560
Represented by: Edwin Bayo, Esquire
Probable Cause Panel: Rebane, Charland, Halyard
(See Red Book 2)

- #4. Zaleski, James, P.E.
PE 51544
FEMC Case Number: 2008045140
Probable Cause Panel: Rebane, Charland, Halyard
(See Red Book 2)

- #5. Jones, Fred, P.E.
PE 54476
FEMC Case Numbers: 2004006324, 2004006421, 2004044076,
2005030423, 2005031032, 2005045832, 2005026133, 2005062011,
2006008843, 2006067086, 200407048
Represented by: Dominic MacKenzie, Esquire
Probable Cause Panel: Matthews, Tomasino, Seckinger, Hogenkamp,
Burke
(See Red Book 3,4,5)

S. Default

- #6. SCA Engineering & Consulting Inc.
CA 6693
FEMC Case Number: 2004036818
Probable Cause Panel: Rebane, Charland, Halyard, (Original
panel) Matthews, Burke, Seckinger
(See Red Book 6)

T. Old Business

U. New Business

V. Public Forum

W. Community Involvement

X. Adjourn