STATE OF MAINE
BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS
MEETING MINUTES

Thursday, June 19, 2014

July 1, 2014

Present: Board members present were: Mandy Holway Olver, PE, Chair; Clifton W. Greim, PE, Vice Chair; George W. Ames, PE; Lawrence E. Bartlett, PE; John Guimond, Public Member; and Knud Hermansen, PE, PS, Esq., PhD. Also present were: Judith Peters, Assistant Attorney General, and David Jackson, Executive Director. Members of the public were also present.

Call to Order: The meeting was called to order at 9:00 a.m. by Chair Mandy Holway Olver in the First Floor Conference Room at 295 Water Street in Augusta.

1. Call to Order, Minutes of prior meetings and other preliminaries

The minutes of the board meeting held on March 20, 2014 were approved as distributed on motion by Mr. Hermansen, second by Mr. Ames, with a unanimous 5-0 vote.

2. Committee Reports

A. Executive Committee (Chair)

   2. NCEES Annual Meeting, August 20-23, Seattle, Washington. On motion by Mr. Hermansen and second by Mr. Ames, the Board voted 5-0 to send George Ames, David Jackson and John Guimond to the annual meeting to represent the Board.

B. Finance Committee (Greim)
   1. Book balance on June 10, 2014 was $517,695 compared to a balance of $511,305 on June 4, 2012.

   2. The number of active licensees on June 10, 2014 was 5843, compared to 5721 on June 4, 2012.

C. Rules Committee (Ames)
   1. Adoption of new Rule 02-322.
      On motion by Mr. Hermansen and second by Mr. Ames, the Board
voted 5-0 to adopt the new Rule as proposed.

2. On motion to revise the statute, after discussion of the proposed language, and on motion of Mr. Hermansen and second by Mr. Bartlett, the Board voted 6-0 to move forward with drafting appropriate statutory language. The Chair appointed Mr. Greim and Mr. Hermansen as additional members of the Rules Committee.

D. Examinations Committee (Hermansen)

1. Results of the computer-based Fundamentals of Engineering (FE) examinations given between January 1, 2014 and June 19, 2014. 39 results with 66.66% pass rate. 62 people have either signed up or are currently signed up to sit for the FE.

2. Results of April PE exam, with 49 results and slightly over 70% overall pass rate.

3. SE results have not been released as of June 13, 2014.

E. Information Committee (Olver)

1. Spring Newsletter

2. The Board has proposed the following articles for the Newsletter:
   a. Thoughts While Driving (Olver)
   b. Renewals/Audits (Exec Dir)
   c. Rulemaking (Exec Dir)
   d. Report on the CBT process
   e. PDH courses – sources of inexpensive or free PDHs
   f. How to set up lunch and learn programs for PDH credit
   g. Results of October 2013 exams
   h. Areas of competence (Ames)
   i. Sealing drawings (Ames)
   j. Notes from Engineers Week at UMaine, Orono
   k. Report on MBA Meeting in Scottsdale (Exec Dir)
   l. Introduction of new board members
   m. Links to professional organizations

F. Complaint Committee (Ames)

1. Licensee
   a. E13-001
      On motion by Mr. Hermansen and second by Mr. Greim, the Board voted 5-0-1 to reject the licensee’s proposed amendments to the consent agreement.

   b. E14-001
      On motion by Mr. Greim and second by Mr. Hermansen to dismiss the complaint with Letter of Guidance the Board voted
5-0-1 in favor of dismissal with a letter of Guidance, with Mr. Ames recused. The Letter will be drafted by the AAG and instruct the Licensee that misuse of the PE credentials can lead to misinterpretation of the Licensee’s intention, with the Letter to stay in the Licensee’s file for ten years.

c. E14-002
On motion to dismiss with a finding of no violation by Mr. Hermansen, and a second by Mr. Bartlett, the Board voted 5-0-1 to dismiss with no violation, with Mr. Ames recused.

2. Unlicensed
   a. None

3. Complaints filed by other jurisdictions against Maine PE’s
   a. None

G. Continuing Education Committee (Bartlett)
   1. First audit and audit review – Nine PEs have not responded.
      The Executive Director was instructed to send out a second letter.
   
   2. Second Audit concern. The Executive Director will work to resolve issue with audit.
   
   3. PDH course development. Mr. Bartlett and the Executive Director will work to supply questions to provider.

H. Special Committees
   1. Retired Status Committee
      Chair thanked the committee members for their service and discontinued this special committee.

3. Communications

A. Email from licensee about fitness to practice.
   On motion by Mr. Hermansen and second by Mr. Ames, the Board voted 6-0 in favor of having the AAG respond.

B. Email from licensee about Programmable Logic Controller (PLC) and Supervisory Control and Data Acquisition (SCADA) programming.
   The Board discussed a possible newsletter article for the Fall newsletter and requested that if there is a specific complaint it should be submitted in writing.

C. Email from licensee regarding PDH requirements and documentation.
   On motion by Mr. Hermansen and second by Mr. Ames, the Board voted 6-0 to thank the Licensee for the suggestion, and indicate that the Board just
completed rulemaking and the rules were out for public comment, which would have been an opportune time to raise this issue. The suggestion was made that while there is no provision for self-study in the PDH rules, an individual could offer a workshop in a topic area they have studied extensively and receive PDH credit as well as provide a service to other PEs.

D. Email regarding traffic signal timing.
   On motion by Mr. Greim and second by Mr. Hermansen, the Board voted 6-0 to instruct the individual that the question should be directed to their department’s legal counsel.

4. Applications

A. Review and concurrence of Chair/Executive Director actions
   1. Temporary certificates issued.
   2. Comity licenses authorized for NCEES Model Law Engineers.
   3. Comity licenses authorized by the Executive Director and Chair.
   4. Licenses by written examination.
   5. Re-examinations authorized by the Executive Director.

B. New Engineer Intern (EI) Applications
   1. None

C. Recently certified Engineer Interns
   Move KH, Second GA 6-0

D. New PE Applications (Exec Dir)
   1. James Hebert – exam application
      On motion by Mr. Hermansen and second by Mr. Ames, the Board voted 6-0 that the current statute does not permit an exception to the four years of experience as requested by the applicant.
   2. Don A. Skomsky – renewal application
      On motion by Mr. Hermansen with second by Mr. Ames, the Board voted 5-1 against approval of the renewal application.
      On motion by Mr. Hermansen and second by Mr. Bartlett, the Board voted 6-0 to put off a decision and request additional information.
   3. List of applicants approved to sit for PE exam. On motion by Mr. Hermansen and second by Mr. Bartlett, the Board voted 6-0 to ratify the approved applicants.

E. Tabled and previously considered
F. Reexamination Requests
   1. Jared Davis
   2. Jamie L. Garland
      On motion by Mr. Hermansen and second by Mr. Greim, the Board voted 6-0 to deny the reexamination request and instruct the applicants that in accordance with current statute Section 1354, applicants must reapply and submit three new references in order to qualify for the examination.

H. Other applications or requests

5. Pending Business

6. New Business
   A. None.

7. Adjournment
   A. Next scheduled meetings are August 14, 2014 and November 20, 2014
   B. Meeting adjourned by the Chair at 12:08PM.