

**KENTUCKY STATE BOARD OF LICENSURE FOR
PROFESSIONAL ENGINEERS AND LAND SURVEYORS**

MINUTES OF THE JANUARY 11, 2019 BOARD MEETING

**KENTUCKY ENGINEERING CENTER
FRANKFORT, KENTUCKY**

MEMBERS PRESENT: Don Pedigo, PLS, Chair
Herb Goff, PE, Vice Chair
William Bowie, PE, PLS, Secretary/Treasurer
James Bertram, PLS
Rudolph Buchheit, Ph.D.
Clay Kelly, PE
Cole Mitcham, PE
Ryan Griffith, PE
Nicole Galavotti, PE

MEMBERS ABSENT: Emmanuel Collins, Ph.D.
Doug Klein

STAFF PRESENT: Ed Manning, Executive Director
Kyle Elliott, Director of Enforcement
Jonathan Buckley, General Counsel
Heather Baldwin, Investigator
Wanda Jordan, Administrative Assistant
Sandy Whisman, Enforcement Support

GUESTS PRESENT: Kelly Meyer, KSPE
Marcie Fisher, KSPE
Chris Gephart, PLS, KAPS
Dennis Smith, PE, PLS

1. Opening of Meeting

1.1 Approval of Agenda – Mr. Kelly moved to approve the agenda. Motion carried.

1.2 Disclosure of Conflict of Interest – Chair Pedigo asked if any member had a conflict of interest related to any agenda item. Chair Pedigo announced he had a potential conflict with Agenda Item 3.2.4 and would recuse himself from the discussion and vote.

1.3 Approval of Minutes – Mr. Kelly moved to approve the minutes of the December 7, 2019 meeting. Motion carried.

2. Information – Enforcement

2.1 Franklin Circuit Court

2.1.1 C2G Development - Board accepted Mr. Elliott's report of an agreed injunction, which was filed in Franklin Circuit Court.

2.2 Actions of the Executive Director

2.2.1 Enforcement Files Closed – Board accepted the list of enforcement files closed from October 1 through December 31, 2018 as presented by Mr. Elliott.

2.3 2018 Year End Enforcement Report - Board accepted the Year End Report of Enforcement Activities as presented by Mr. Elliott.

3. Action Items – Enforcement

3.1 Board Actions – Enforcement - None

3.2 Settlement Agreements

3.2.1 Daniel Stacy Johnson, PLS - Mr. Elliott presented the terms of the Settlement Agreement and asked for the Board's acceptance. Mr. Bertram moved to accept the terms of the agreement. Motion carried.

- 3.2.2 Heath Dumack, PE** – Mr. Elliott presented the terms of the Settlement Agreement and asked for the Board’s acceptance. Mr. Goff moved to accept the terms of the agreement. Motion carried.
- 3.2.3 Dumack Engineering, P.C.** - Mr. Elliott presented the terms of the Settlement Agreement and asked for the Board’s acceptance. Mr. Goff moved to accept the terms of the agreement. Motion carried.
- 3.2.4 Matthew Dettman, PE** - Chair Pedigo announced he had a potential conflict with Agenda Item 3.2.4 and recused himself from the discussion and vote.
- Mr. Elliott presented the terms of the Settlement Agreement and asked for the Board’s acceptance. Mr. Kelly moved to accept the terms of the agreement. Motion carried.
- 3.2.5 James William Rush, III, PE** - Mr. Elliott presented the terms of the Settlement Agreement and asked for the Board’s acceptance. Mr. Bowie moved to accept the terms of the agreement. Motion carried.

4. Actions Items – Other

- 4.1 Financial Report** – Mr. Manning presented the Financial Report. Mr. Bertram moved to accept. Motion carried.
- 4.2 Ad Interim Actions** – Mr. Manning presented the Ad Interim Actions. Mr. Bertram moved to accept. Motion carried.
- 4.3 CPD Committee** – Chair Bowie updated the Board on the Committee’s activities and moved to have the Board accept the minutes of the October 11, 2018 meeting. Motion carried.
- 4.4 Surveying Committee** – Chair Bowie updated the Board on the Committee’s activities and moved to have the Board accept the minutes of the October 11, 2018 meeting. Motion carried.

4.5 Engineering Committee – Chair Goff updated the Board on the Committee’s activities.

4.6 Proposed Board Reorganization – The Board engaged in a discussion regarding HB-131 recently introduced by Rep. Westrom. Mr. Goff moved that the Board not support HB-131 in its present form. Motion carried.

The Board engaged in a discussion regarding the proposed reorganization of boards and commissions as set forth in proposed legislation, known as BR-160, which has not yet been formally introduced as a bill in the legislature. Chair Pedigo directed staff to monitor the progress of the proposal through the legislature. Specifically, staff is directed to...

- Monitor this legislative session and notify the board when the reorganization bill has been filed.
- Once the bill is filed, obtain a copy of it.
- Review the bill. Identify any changes in the language in the bill from the version of the proposed bill which was released to the public at the December 2018 L&O Committee meeting.
- Distribute copies of the bill and a summary of the changes to board members.
- Monitor and report events as the bill moves through the legislative process.

4.7 Applications

4.7.1 Denied Applications – Board reviewed the list of applications denied from October 1 through December 31, 2018 as presented by Mr. Manning. Mr. Kelly moved to accept. Motion carried

5. Information – Other

5.1 Kentucky Association of Professional Surveyors – Mr. Gephart updated the Board as to the recent KAPS news and events.

5.2 Kentucky Society of Professional Engineers – Mr. Meyer updated the Board on the recent KSPE news and events.

6. Election of Officers – Mr. Mitcham made the following nominations:

Herb Goff, PE - Chair
William Bowie, PE, PLS – Vice Chair
Clay Kelly, PE – Secretary Treasurer

Chair Pedigo asked if there were any further nominations from the floor. Hearing none, Chair Pedigo closed nominations and asked for votes. The board elected each of the nominees to their respective positions by a unanimous vote.

7. Adjournment - Mr. Kelly moved to adjourn. Motion carried.

James Donald Pedigo, PLS, Chair