

The Board of Licensure Report
July 2021
Kyle Elliott, Executive Director

James Ed Manning – Retirement

James Ed Manning, PE, PLS has retired from the Board of Licensure after twenty years. He began his service as a Board Investigator, then moved into the Director of Enforcement position, and finally served as the Executive Director of the Board of Licensure for the past three years. Ed has provided valuable insight to Board staff and many Board members over the years. His intellect and wit will be missed, but we all wish him a happy and active retirement.

Board Member Updates

On December 10, 2020, Governor Beshear appointed Mr. Don Pedigo, PLS to a new term on the Kentucky State Board of Licensure for Professional Engineers and Land Surveyors to replace Bill Bowie, PE, PLS whose term had expired. Mr. Pedigo has been a licensed land surveyor since 1988 and is licensed in three states. He has been employed at American Engineers, Inc. for more than thirty-five years. He is the Program Manager for AEI's Surveying/Geospatial IDIQ Contracts with USACE Huntington, Louisville, and Memphis Districts. Mr. Pedigo's new term will expire on January 1, 2024.

On December 10, 2020, Governor Beshear appointed Mr. Joseph C. Pyles, PE to the Kentucky State Board of Licensure for Professional Engineers and Land Surveyors to replace Herb Goff, PE whose term had expired. Mr. Pyles graduated with a BS in Civil Engineering in 1973 and an MSCE in 1975 from the University of Kentucky. Mr. Pyles' 45 year career in Civil / Structural Engineering includes stints at the Kentucky Transportation Cabinet, Haworth, Meyer, & Boleyn Inc. Professional Engineers, and WMB Inc. Consulting Engineers. Mr. Pyles is currently retired and living in Frankfort. Mr. Pyles' term on the Board will expire January 1, 2024.

On January 19, 2021, Governor Beshear appointed Gregory Dean Meredith, PE to the Board of Licensure to replace Daniel Clay Kelly, PE whose term had expired. Mr. Meredith is a graduate of the University of Kentucky where he earned his Bachelor of Science in Civil Engineering. He is currently the Public Works Director for the City of Bowling Green. He has been employed in the past by the Kentucky Transportation Cabinet, where he most recently served as the Chief District Engineer for District 3. He has also been employed in private consulting. Mr. Meredith has been licensed as professional engineer since 1994. His new term on the Board will expire on January 1, 2025.

Also on January 19, 2021, Governor Beshear reappointed Douglas J. Klein as the Board's public member. Mr. Klein earned a Bachelor of Science in Technology Education from Morehead State University and a Masters in Career and Technical Administration from Eastern Kentucky University. He is currently employed by the University of Kentucky, College of Engineering, where he is a Lecturer in the First Year Engineering Program and Director of the Innovation Center. He has been a high school teacher in the past and has been affiliated with engineering

education for the past fifteen years. Mr. Klein's new term on the Board will expire on January 1, 2025.

The Board welcomes Mr. Meredith and Mr. Pyles to these new appointments and welcomes Mr. Pedigo and Mr. Klein back. We thank departing members Mr. Bowie, Mr. Kelly, and Mr. Goff for their service and dedication to the public and their professions.

Board Staff Changes

The Board of Licensure has named me as its new Executive Director. I have been with the Board for twenty-two years, serving nineteen of those years as a Board Investigator, and the past three years as the Director of Enforcement. After Ed's retirement, Heather Baldwin, PE, PLS was named the new Director of Enforcement. Heather has been the Board's investigator for the past three years.

In the near future, the Board will begin searching for a full-time investigator to take over Heather's vacated spot.

Board Offices

Currently, the Board of Licensure offices, along with all state government offices, are under a mask mandate. Any visitors to the Board offices, if granted entry, will be required to wear a mask. We currently still have our front entry locked and are not open to walk-in customers. Everyone is encouraged to use our online services and to attempt to have any problems they may have resolved via email or telephone.

Late Renewals - Reminder

The renewal deadline for all individuals whose last name begins with a letter from A – K, was June 30, 2021. If you fall into this category and have not renewed yet, your license is now expired. Offering or providing of professional services on an expired license is a violation of KRS 322.

Any person that missed the deadline may still renew their license online for up to a year from the date of expiration. Online Renewal only takes a few minutes and you can pay the renewal fee with a credit card. Our online renewal system will automatically calculate the 10% per month late renewal penalty. Anyone who renews after September 1 of their renewal cycle year will be automatically audited for compliance with the continuing professional development regulations.

Access the online renewal system at:

<https://secure.kentucky.gov/formservices/KBOELS/LicenseRenewal>.

If you are uncertain of your individual license status, you can check your status using our online roster at: <http://elsweb.kyboels.ky.gov/kboels-web/SearchableRoster.aspx>. If you have any questions, contact the Board offices for assistance.

Firm Renewals

All Firm Permits expire on December 31, 2021. The online firm renewal system will open later this calendar year around mid-November. Please set yourself a reminder to renew your permit(s) prior to December 31.

Email Reminders

Beginning in early August of 2021, the Board has begun using an email broadcast service, through GovDelivery, to provide email reminders of upcoming and late renewal notices. We will still provide Renewal Notices by US mail, but the email notices will be an additional reminder for everyone.

Random CPD Audits

By regulation, 5% of our licensees are randomly selected annually for a compliance audit of their continuing professional development hours. This occurs every year on September 1. If you are selected, you will be notified at the mailing address you have provided to the Board. If this address has changed for you recently, please update your contact information with us by using the Board's "Address Change" feature on our website, here: <https://elsweb.kyboels.ky.gov/kweb/AddressChange>.

The CPD Audit will be for the two year calendar cycle prior to your renewal year. In other words, if you renewal was in 2021 (last name beginning with A – K), your audit will cover calendar years 2019 and 2020. Once an audit notice is mailed, the licensee has thirty days to provide evidence of compliance with the CPD regulations. Late responses may be subject to a disciplinary action.

Computer Based Testing - Update

NCEES is still in the process of converting all licensing exams from a paper and pencil format to the computer based format.

For surveyors, the national FS and the PS have already been converted to the computer based format. Those exams are now completely computer based and available year round.

For engineers, the transition to computer based format has been accelerated by NCEES in response to the COVID 19 Pandemic. Currently, the following engineering exams are computer based and offered year round:

- FE (all disciplines)
- PE Chemical
- PE Environmental
- PE Mechanical (all disciplines)
- PE Electrical and Computer: Power

Currently, the following engineering exams are computer based, but due to the small number of exam requests, are offered only once each year:

- PE Nuclear
- PE Petroleum
- PE Fire Protection
- PE Industrial and Systems
- PE Agricultural and Biological Engineering
- PE Electrical and Computer: Computer Engineering
- PE Electrical and Computer: Electronics, Controls and Communications
- PE Mining and Mineral Processing
- PE Architectural Engineering
- PE Naval Architecture and Marine
- PE Control Systems
- PE Metallurgical and Materials

All other exams are scheduled to be converted to computer based format by 2022 with the exception of Structural Engineering which is scheduled for 2024.

For up to date information on the conversion to computer based testing, visit <https://ncees.org/exams/cbt/>.

Calendar of Events 2021

August 18-21	NCEES Annual Meeting	Cancelled
September 15	NCEES Virtual Annual Meeting	Virtual
October 21	Paper and Pencil PE & STR Vertical Exams	Louisville
October 22	Paper and Pencil PE & STR Lateral Exams	Louisville
October 28	Board Committee Meetings	Frankfort
October 29	Board Meeting	Frankfort

For up to date information on the NCEES schedule for both paper based and computer based exams, visit <https://ncees.org/exams/schedule/>.

**BOARD OF LICENSURE
ENFORCEMENT ACTIONS SUMMARY**

For The Period

April 1, 2021 – June 30, 2021

**Heather L. Baldwin, PE, PLS
Director of Enforcement**

STEVEN W. HALL

In late 2019, the Board received an inquiry regarding the offering of land surveying services, via an online platform, through an unlicensed individual. An online search by the Board confirmed that Steve Hall of Cadiz, KY, who is not a licensed land surveyor, was offering land surveying services, in violation of KRS 322.020. A brief investigation also found that Hall had engaged in the practice of land surveying, in violation of KRS 322.020, when he provided a client with a plat appearing to precisely locate and show detailed boundaries of a tract of land. To resolve the Board's investigation, Mr. Hall entered into an Agreed Injunction with the Board in Franklin Circuit Court, which injunction enjoins him from engaging in the unlicensed practice of land surveying in Kentucky. No penalty was assessed for the current violations; however, the injunction calls a \$1,000 fine and seven days in jail for any future violations. The Agreed Injunction was entered into Franklin Circuit Court on April 14, 2021.

MICHAEL A. MILLIGAN, PE

In 2020, Michael Milligan, PE, was randomly selected for an audit of his compliance with the Continuing Professional Development (CPD) regulation for professional engineers, 201 KAR 18:196. Milligan failed to respond to numerous attempts by Board staff concerning the audit, which eventually led to the Board filing administrative charges against him. To resolve the violation of failing to respond to the CPD audit, and to end the administrative hearing process, Milligan entered into a Consent Decree with the Board wherein he acknowledged the violation of the regulation and agreed to: (1) receive a written reprimand; (2) pay a \$1,000 fine; (3) submit proof of 30 professional development hours for calendar years 2018 and 2019 by October 1, 2021; and (4) submit proof of 30 professional development hours for calendar years 2020 and 2021 by January 10, 2022. The Board approved this Consent Decree on July 30, 2021.

JEFFREY H. TWADDLE

In 2020, the Board received a written complaint regarding Jeffrey H. Twaddle, who is licensed as a professional engineer in Ohio and Tennessee, but is not licensed in Kentucky. The investigation found that Mr. Twaddle engaged in the unlicensed practice of engineering in Kentucky on two separate projects and represented himself as a licensed professional engineer, using the post-nominal letters "P.E." after his name on reports prepared for the Kentucky Division for Air Quality. During the investigation, Mr. Twaddle indicated his desire to become licensed in Kentucky and submitted an endorsement application. As part of his application for

licensure, Mr. Twaddle offered a Consent Decree which calls for him to: (1) receive a written reprimand; (2) take and successfully complete the 60 pdh Texas Tech University Engineering Ethics class within six months; and (3) have his Kentucky professional engineering license placed on probation for two years with quarterly project reviews. The Board approved this Consent Decree on July 30, 2021.

MATTHEW J. GRANBERRY, PE

In 2007, Civil and Structural Engineers, Inc. (CASE) obtained a Kentucky engineering business entity permit. This permit was made inactive in 2011 at the request of the professional engineer in responsible charge, who also put his individual professional engineering license in inactive status. Mr. Granberry received his professional engineering license on January 5, 2016. From January 5, 2016 to the present, CASE continued to offer engineering services in Kentucky without the required engineering business entity permit, in violation of KRS 322.060, with the aid, direction, and assistance of Mr. Granberry. His participation in the unlicensed practice of engineering by CASE constitutes a violation of 201 KAR 18:142, Code of Professional Practice and Conduct. To resolve this violation, Mr. Granberry entered into a Consent Decree with the Board wherein he agreed to: (1) pay a \$1,000 fine and (2) receive a written reprimand. The Board approved this Consent Decree on July 30, 2021.

CIVIL AND STRUCTURAL ENGINEERS, INC.

In 2007, Civil and Structural Engineers, Inc. (CASE) obtained a Kentucky engineering business entity permit. This permit was made inactive in 2011 at the request of the professional engineer in responsible charge, who also put his individual professional engineering license in inactive status. From January 5, 2016 to the present, CASE continued to offer engineering services in Kentucky without the required engineering business entity permit, in violation of KRS 322.060. To resolve this violation, the company entered into a Consent Decree with the Board wherein the company, through its President Michael M. Smith, agreed to: (1) pay a \$3,000 fine; (2) maintain a current and valid business entity permit during any time in which it is engaged in providing engineering services in Kentucky; and (3) notify the Board in writing, within 14 calendar days, of any change in the presidency of the company. The Board approved this Consent Decree on July 30, 2021.