

KENTUCKY STATE BOARD OF LICENSURE FOR
PROFESSIONAL ENGINEERS AND LAND SURVEYORS

MINUTES OF THE JANUARY 26, 2024, BOARD MEETING

KENTUCKY ENGINEERING CENTER
FRANKFORT, KENTUCKY

MEMBERS PRESENT: Don Pedigo, PLS, Chair
Joseph C. Pyles, PE, Vice Chair
Nicole Galavotti, PE, Secretary/Treasurer
Doug Klein
Greg Meredith, PE
Joshua Calico, PLS
Michael McGhee, PE
Kyle Chism, PE
James Knoth, PLS

MEMBERS ABSENT: Rudolph Buchheit, Ph.D.
Emmanuel Collins, Ph.D.

STAFF PRESENT: Kyle Elliott, PLS, Executive Director
Heather Baldwin, PE, PLS, Director of Enforcement
Jake Miller, J.D., General Counsel
Wanda Jordan, Executive Assistant
Sarah Uzzle, Assistant to the Director
Shane Beaubien, Board Investigator

GUESTS PRESENT: Russ Romine
Bob Smith, PLS
J. Steven Gardner, PE

- 1. Opening of Meeting** – Chair Pedigo called the meeting to order at 8:30 A.M.
 - 1.1 Approval of Agenda** – Greg Meredith moved to approve the agenda. The motion carried.
 - 1.2 Disclosure of Conflict of Interest** – Mr. Pedigo asked if any member had a conflict with any agenda item. No members indicated a conflict.
 - 1.3 Approval of Minutes** – Joshua Calico moved to approve the minutes of the October 27, 2023, meeting. The motion carried.

2. Information – Enforcement

2.1 Franklin Circuit Court

2.1.1 18-CI-00353, Joseph B. Curd, PLS vs. Kentucky State Board of Licensure for Professional Engineers and Land Surveyors

Nicole Galavotti made a motion for the Board to go into closed session pursuant to KRS 61.810(1)(c) to discuss matters relating to strategy, tactics, possible settlement, and other matters pertaining to current litigation in which the Board is involved, Franklin Circuit Court case 18-CI-0353, *Joseph B. Curd, Jr. v. KYBOELS*.

Kyle Chism seconded the motion. The motion carried. All non-members of the Board, with the exception of the Board's Executive Director, Director of Enforcement and General Counsel exited the Board room while the Board moved into closed session.

Ms. Galavotti made a motion to go back into general session. J.C. Pyles seconded the motion. The motion carried. No action was taken.

2.2 Actions of the Executive Director

2.2.1 Closed Cases – Heather Baldwin presented a tabulation of cases closed during the fourth calendar quarter of 2023 with actions other than disciplinary actions. Mr. Meredith moved to accept the closed cases report. The motion carried.

2.2.2 Suspension – Timothy Futch – Ms. Baldwin presented the suspension of Timothy Futch's professional land surveying license for his failure to meet the terms of a Consent Decree he entered into with the Board on October 27, 2023. James Knoth moved to accept the suspension. The motion carried.

2.3 Year End Enforcement Report

Ms. Baldwin presented the 2023 Year End Enforcement Report. Mr. Chism moved to accept the report. The motion carried.

3. Action Items - Enforcement

3.1 Board Actions – None

3.2 Settlement Agreements/Consent Decrees

3.2.1 Allen Engineering Corporation – Ms. Baldwin presented the terms of the Settlement Agreement with Allen Engineering Corporation and asked for the Board’s approval.

Mr. Pyles moved to approve the terms of the agreement. The motion carried.

4. Action Items – Other

4.1 Financial Report – Kyle Elliott presented the Financial Report for the second fiscal quarter of 2024. Ms. Galavotti moved to accept the financial report. The motion carried.

4.2 Ad Interim Actions of the Executive Director – Mr. Elliott presented the Ad Interim actions for the fourth quarter of calendar year 2023. Mr. Pyles moved to accept the Ad Interim report. The motion carried.

4.3 Applications

4.3.1 Denied/Rejected applications – Mr. Elliott presented a list of denied and rejected applications for the fourth calendar quarter of 2023. Mr. Meredith moved to accept the list. The motion carried.

4.4 Executive Committee – Mr. Pedigo updated the Board on the Executive committee activities from the previous day.

4.4.1 October 26, 2023 committee minutes - Mr. Pedigo asked the Board to accept the committee’s meeting minutes from October 26, 2023. The motion carried.

4.4.2 Proposed revisions to 201 KAR 18:115 – Mr. Pedigo presented the proposed revisions to 201 KAR 18:115 Reinstatement regulation. He made a motion from the committee to approve the proposed changes. The motion carried.

4.5 CPD Committee – Joshua Calico updated the Board on the CPD committee activities from the previous day.

4.5.1 October 26, 2023, committee minutes - Mr. Calico asked the Board to approve the committee’s minutes from their October 26, 2023, meeting. The motion carried.

4.6 Surveying Committee – Mr. Calico updated the Board on the surveying committee activities from the previous day.

4.6.1 October 26, 2023, committee minutes - Mr. Calico asked the Board to accept the minutes of the committee from their October 26, 2023, meeting. The motion carried.

4.6.2 Reinstatement Application of Beckham B. Barnes – Ms. Galavotti moved to go into closed session pursuant to:

1. KRS 61.810(1)(c) to discuss the Reinstatement Application of Mr. Barnes; and
2. KRS 61.810(1)(m) to discuss the references and employment verifications in the Reinstatement Application of Mr. Barnes, which are deemed confidential and exempt from disclosure pursuant to KRS 322.070.

Mr. Pyles seconded to motion to go into closed session. The motion carried. All non-members of the Board, with the exception of the Board’s Executive Director, Director of Enforcement, and General Counsel, exited the Board room while the Board moved into closed session.

Ms. Galavotti made a motion to go back into general session. Mr. Calico seconded the motion. The motion carried.

Mr. Calico made a motion from the committee for the board to deny the reinstatement application of Beckham B. Barnes. Mr. Pyles seconded. The motion carried.

5. Information Items – Other

5.1 General Update by the Executive Director – Mr. Elliott provided the Board with general updates of the Board of Licensure and NCEES.

5.2 National Society of Professional Engineers – Kentucky – Russ Romine provided an update to the Board on the National Society of Professional Engineers – Kentucky.

5.3 Kentucky Association of Professional Surveyors – Bob Smith provided the Board with an update from the Kentucky Association of Professional Surveyors.

5.4 J. Steven Gardner, PE – J. Steven Gardner addressed the Board.

5.5 Election of Officers – Mr. Knoth made a motion for a slate of officers of the Board for 2024 be:

Chair – Gregory Meredith, PE

Vice Chair – Joshua Calico, PLS

Secretary/Treasurer – J.C. Pyles, PE

The motion carried.

- 6. Adjournment** – There being no further business Ms. Galavotti moved to adjourn. Motion carried. The meeting was adjourned at 11:18 A.M.

Gregory Meredith, PE, Chair