

KENTUCKY STATE BOARD OF LICENSURE FOR
PROFESSIONAL ENGINEERS AND LAND SURVEYORS

**MINUTES OF THE BOARD OF LICENSURE MEETING
OCTOBER 18, 2024**

KENTUCKY ENGINEERING CENTER
FRANKFORT, KENTUCKY

MEMBERS PRESENT: Gregory Meredith, PE, Chair
Joshua Calico, PLS, Vice Chair
Doug Klein
Michael McGhee, PE
Kyle Chism, PE
James Knoth, PLS
Nicole Galavotti, PE
Don Pedigo, PLS
Emmanuel Collins, Ph.D.

MEMBERS ABSENT: J.C. Pyles, PE, Secretary/Treasurer
Rudolph Buchheit, 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:

- 1. Opening of Meeting** – Gregory Meredith called the meeting to order at 8:30 A.M.
 - 1.1 Approval of Agenda** – Michael McGhee moved to approve the agenda. The motion passed by unanimous vote.
 - 1.2 Disclosure of Conflicts of Interest** – Mr. Meredith 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 July 19, 2024, meeting. The motion passed by unanimous vote.
 - 1.4 Announcement** – Kyle Elliott made an announcement about J.C. Pyles. Due to an ongoing illness and medical treatments, Mr. Pyles is

reluctantly resigning his position on the Board of Licensure effective December 31, 2024. Mr. Pyles has told Mr. Elliott his service on the Board, and working with the other Board members and Board staff, has been the highlight of his career.

2. Information – Enforcement

2.1 Franklin Circuit Court - Jake Miller informed the Board of the status of the appeal in *Joseph B. Curd v. Kentucky State Board of Licensure for Professional Engineers and Land Surveyors*, Case No. 2024-CA-0206, in which the Board is a party.

2.2 Actions of the Executive Director

2.2.1 Closed Cases – Heather Baldwin presented a tabulation of cases closed during the third calendar quarter of 2024 with actions other than disciplinary actions. Nicole Galavotti moved to accept the closed cases report. The motion passed by unanimous vote.

3. Action Items - Enforcement

3.1 Board Actions - none

3.2 Settlement Agreements/Consent Decrees

3.2.1 Surinak Engineering, LLC – Ms. Baldwin presented the terms of the Settlement Agreement with Surinak Engineering, LLC and asked for the Board’s approval. Kyle Chism moved to approve the terms of the agreement. The motion passed by unanimous vote.

4. Action Items – Other

4.1 Financial Report – Mr. Elliott presented the Financial Report for the first fiscal quarter of 2025. Ms. Galavotti moved to accept the financial report. The motion passed by unanimous vote.

4.2 Ad Interim Actions of the Executive Director – Mr. Elliott presented the Ad Interim actions for the third quarter of calendar year 2024. Don Pedigo moved to accept the Ad Interim report. The motion passed by unanimous vote.

4.3 Applications

4.3.1 Denied/Rejected applications – Mr. Elliott presented a list of denied and rejected applications for the third calendar quarter of 2024. James Knoth moved to accept the list. The motion passed by unanimous vote.

4.4 Personnel matters – Mr. Elliott discussed the additional tasks and duties individual Board staff have undertaken recently and the exceptional performance of all the Board staff.

Mr. Elliott proposed the following raises for Board staff:

- 4% - Heather Baldwin
- 5% - Wanda Jordan and Melissa Kopp
- 6 or 7% - Madison Hamel and Adriana Ayers
- 4% - Jake Miller, Shane Beaubien, and Elliot Miller

After discussion, Mr. Chism made a motion to give Administrative Assistant, Director of Enforcement, Heather Baldwin, a four percent (4%) pay increase effective January 1, 2025, in recognition of her continuing dedication to keeping the citizens of the Commonwealth safe by exceptional management of the Board’s enforcement program, in improving the Board’s continuing professional development auditing program, and in her efforts in recommending logical amendments and revisions to the existing administrative regulations. He also moved to direct staff to make the necessary arrangements for the pay increase with the Personnel Cabinet. The motion passed by unanimous vote.

Mr. Pedigo made a motion to give Administrative Assistant, Wanda Jordan, a five percent (5%) pay increase effective January 1, 2025, in recognition of her willingness to take on the additional duty of utilizing our new electronic document management storage system in our licensing database for filing existing permit application files, and for her efforts in learning the complex and ever-changing state systems needed to run an effective small state agency. He also moved to direct staff to make the necessary arrangements for the pay increase with the Personnel Cabinet. The motion passed by unanimous vote.

Ms. Galavotti made a motion to give Administrative Assistant, Melissa Kopp, a five percent (5%) pay increase effective January 1, 2025, in recognition of her willingness to take on the additional duty of communicating with endorsement applicants of the steps they need to take to make their applications approvable for licensing as a professional engineer in Kentucky, and for her efforts in performing preliminary reviews of an ever-increasing number of licensure applications. She also moved to direct staff to make the necessary arrangements for the pay increase with the Personnel Cabinet. The motion passed by unanimous vote.

Dr. Emmanuel Collins made a motion to give Administrative Assistant, Madison Hamel, a seven percent (7%) pay increase effective January 1, 2025, in recognition of her willingness to take on the additional duty of utilizing the new electronic document management storage system in our licensing database for filing new and existing permit application

files, and for her willingness to learn new tasks and provide support in the engineering licensing review and business entity permitting process. He also moved to direct staff to make the necessary arrangements for the pay increase with the Personnel Cabinet. The motion passed by unanimous vote.

Mr. Meredith made a motion to give Administrative Assistant, Adriana Ayers, a seven percent (7%) pay increase effective January 1, 2025, in recognition of her taking on the additional task of monitoring the online NCEES Enforcement Exchange for disciplinary actions in other jurisdictions against Kentucky licensees and those holding business permits, and her willingness to learn new tasks and provide exceptional support to the Board's enforcement program, continuing professional development auditing process, and professional engineering reinstatement application process. He also moved to direct staff to make the necessary arrangements for the pay increase with the Personnel Cabinet. The motion passed by unanimous vote.

Doug Klein made a motion to give the Board's General Counsel, Jake Miller, a four percent (4%) pay increase effective January 1, 2025, in recognition of his professional growth as counselor for the Board and Board staff and for his commitment to providing expert advice on matters pertaining to enforcement, administrative matters and legislative issues. He also moved to direct staff to make the necessary arrangements for the pay increase with the Personnel Cabinet. The motion passed by unanimous vote.

Mr. Calico made a motion to give Administrative Assistant, Shane Beaubien, a four percent (4%) pay increase effective January 1, 2025, in recognition of his willingness to take on the additional duty of assisting in the Board's continuing professional development audits, and for recognition of his continued learning of engineering and land surveying basics and how those relate to Board investigations. He also moved to direct staff to make the necessary arrangements for the pay increase with the Personnel Cabinet. The motion passed by unanimous vote.

Mr. Knoth made a motion to give Executive Advisor, Elliot Miller, a four percent (4%) pay increase effective January 1, 2025, in recognition of him enabling an electronic document management storage system in our licensing database for the business entity permits, and for his accomplishments in updating the Board's licensing database, online application services, and working with the Commonwealth Office of Technology in keeping the Board's data secure. He also moved to direct staff to make the necessary arrangements for the pay increase with the Personnel Cabinet. The motion passed by unanimous vote.

Ms. Galavotti made a motion to give Executive Director, Kyle Elliott, a four percent (4%) pay increase effective January 1, 2025, in recognition of his leadership and tireless work on behalf of the Board. His efforts have resulted in an efficient system to license engineers and land surveyors and utilizing the skills of staff to protect the citizens of the Commonwealth. His interpersonal skills have been crucial in promoting licensure by attending conferences and events to represent the Board for both the engineering and land surveying professions. She also moved to direct staff to make the necessary arrangements for the pay increase with the Personnel Cabinet. The motion passed by unanimous vote.

4.5 Executive Committee – Mr. Meredith updated the Board on the Executive committee activities from the previous day.

4.5.1 July 18, 2024, committee minutes - Mr. Meredith made a motion from the committee for the Board to accept those committee’s meeting minutes from July 18, 2024. The motion passed by unanimous vote.

4.5.2 October 2, 2024, special called committee minutes – Mr. Meredith made a motion from the committee for the Board to accept those committee’s meeting minutes from October 2, 2024. The motion passed by unanimous vote.

4.5.3 Proposed amendments to 201 KAR 18:060 Rejection, 201 KAR 18:072 Experience, and 201 KAR 18:080 Display of licenses – Mr. Elliott discussed Board staff recommendations for amending 201 KAR 18:060, 201 KAR 18:072, and 201 KAR 18:080.

The proposed amendment to 201 KAR 18:060 includes clarifying the existing language for license application rejections and a new section for the denial of applications. It also includes the addition of language related to the process an applicant can take if the application is denied.

Mr. Meredith made a motion from the committee to accept the proposed amendment to 201 KAR 18:060, Rejections. The motion passed by unanimous vote.

Mr. Elliott next discussed the proposed amendment to 201 KAR 18:072, Experience. The proposed amendment to Section 1 adds clarifying language. The proposed amendment to Section 2 incorporates existing Board policies, and a new Section 3 also incorporates existing Board policies. Mr. Elliott recommended Sections 1 and 3 be referred to the Engineering Committee of the Board for consideration, and Sections 2 and 3 be referred to the Surveying Committee of the Board for consideration.

Mr. Meredith made a motion from the Committee to assign the review of Sections 1 and 3 of 201 KAR 18:072, Experience to the Engineering Committee and the review of Sections 2 and 3 of 201 KAR 18:072, Experience to the Surveying Committee. The motion passed by unanimous vote.

Mr. Elliott discussed proposed clarification language for 201 KAR 18:080, Display of licenses, and an alternative of repealing this regulation as it may no longer be necessary. Potential and existing clients, and the public can look up a licensee's license statuses online through the Board's publicly available searchable roster and often do not visit the offices of licensees in person.

Ms. Galavotti made a motion to repeal 201 KAR 18:080, Display of licenses. The motion passed by unanimous vote. Dr. Collins was not present for this vote and, therefore, did not participate in the vote.

4.6 Engineering Committee – Mr. Meredith updated the Board on the engineering committee activities from the previous day.

4.6.1 July 18, 2024, committee minutes – Mr. Meredith made a motion from the committee for the Board to accept the committee's minutes from its July 18, 2024, meeting. The motion passed by unanimous vote.

4.6.2 Reinstatement application of Jon T. May – Mr. Meredith and Mr. Elliott discussed the reinstatement application of Jon T. May. Mr. May was present for the engineering committee meeting the previous day and answered questions of the committee. He has a total of twelve years and three months of engineering experience under the direct supervision of licensed professional engineers. He left the engineering profession for approximately six years. Mr. May reentered the engineering profession again in August of 2023, giving him more than one year of recent engineering experience in a technical and sales position. Mr. Meredith made a motion from the committee that the Board approve Jon T. May's reinstatement application. The motion passed by unanimous vote.

4.7 CPD Committee – Mr. Knoth updated the Board on the CPD committee activities from the previous day.

4.7.1 July 18, 2024 committee minutes – Mr. Knoth made a motion for the Board to approve the committee's minutes from its July 18, 2024, meeting. The motion passed by unanimous vote.

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

4.8.1 July 18, 2024, committee minutes – Mr. Calico made a motion for the Board to accept the committee’s minutes from its July 18, 2024, meeting. The motion passed by unanimous vote.

4.8.2 Reinstatement application of Darrell W. Hurt – Mr. Calico discussed the reinstatement application of Darrell W. Hurt. Mr. Hurt was present at the surveying committee meeting the previous day and answered questions of the committee. Mr. Hurt was originally licensed as a professional land surveyor in June of 2003. He let his license expire on June 30, 2015, as he was unable to afford his license renewal fee and unable to afford his continuing professional development because of ongoing felony charges. Mr. Hurt was subsequently convicted of two felonies on or about August 26, 2015. Mr. Hurt returned to the profession of land surveying in June of 2016 working under licensed professional land surveyors until the present.

Mr. Calico then made a motion from the committee to (1) deny the reinstatement application of Darrell W. Hurt as Mr. Hurt is not eligible for licensure until August 26, 2025, pursuant to KRS 322.050 (2)(a) as a result of having been convicted of a felony involving sexual misconduct within the past ten (10) years, and (2) the \$500 reinstatement application fee be waived if Mr. Hurt reapplies for reinstatement after August 26, 2025. The motion passed by unanimous vote.

4.9 201 KAR 18:020 Application forms – Mr. Elliott and Mr. Miller discussed the proposed amendments to this regulation. Mr. Miller updated the Board on KRS 13A.224, effective July 15, 2016, and its effects on proceeding with the proposed amendments to 201 KAR 18:020. Mr. Elliott recommended the Board take no action on this regulation at this time. No action was taken.

4.10 201 KAR 18:040 Fees – Mr. Elliott discussed the proposed amendments to this regulation. Ms. Galavotti made a motion to approve the proposed changes. The motion passed by unanimous vote.

5. Information Items – Other

5.1 General Update from the Executive Director - Mr. Elliott provided the Board with recent updates of the Board of Licensure staff.

5.2 National Society of Professional Engineers – Kentucky – none

5.3 Kentucky Association of Professional Surveyors – none

5.4 2025 Board of Licensure meeting dates -

January 31, 2025
April 11, 2025
July 18, 2025
October 17, 2025

- 6. Adjournment** – There being no further business Mr. Calico moved to adjourn. The motion carried by unanimous vote. The meeting was adjourned at 10:55 A.M.

Gregory Meredith, PE, Chair