

The Board of Licensure Report
April 2024
Kyle Elliott, PLS, Executive Director

Individual License Renewals

Email renewal notices were sent out on April 16 to all licensees whose surname begins with the letters L through Z, and whose license(s) will expire on June 30, 2023. Prior to June 1, 2023, we will mail paper renewal notices to those who have not already renewed. Renewing early saves the Board mailing and printing costs.

Everyone can renew their license online at: <https://kyboels.ky.gov/Renewals/Pages/default.aspx>. Renewal payments may be made by credit card or by electronic check. The online renewal process is quick and secure. Please make sure you answer the renewal questions honestly and completely.

All licenses renewed after June 30 will be automatically assessed a 10% late renewal fee for each month or part of a month the renewal is late. While KRS 322.160 allows a licensee to renew his or her license for up to one year after it expires, that licensee is not authorized to practice their profession while his or her license is expired per KRS 322.180.

Finally, during the renewal process, make sure the Board has up to date contact information. It is your responsibility to notify the Board of any changes of address.

Calendar of Events 2024

July 18	Board Committee Meetings	Frankfort
July 19	Board of Licensure Meeting	Frankfort
August 14 – 17	NCEES Annual Meeting	Chicago, IL
October 17	Board Committee Meetings	Frankfort
October 18	Board of Licensure Meeting	Frankfort

Upcoming Regulatory Change Proposals

In 2022 the Board of Licensure formed a Task Force Committee, which included Board of Licensure members, and members from NSPE-KY, ACEC-KY and KAPS to review the two Continuing Professional Development (CPD) regulations, 201 KAR 18:192 and 201 KAR 18:196. That committee worked throughout 2022 and 2023 to review and update those two regulations. I would personally like to thank the following individuals for their hard work: Ryan Griffith, PE – KYBOELS, Chris Gephart, PLS – KYBOELS, Greg Meredith, PE – KYBOELS, Josh Calico, PLS – KYBOELS, Nicole Galavotti, PE – KYBOELS, Don Pedigo, PLS – KYBOELS, Brad Gregory, PE – ACEC-KY, Kelly Meyer, PE – NSPE-KY, and Bob Smith, PLS – KAPS.

Final copies of the revised regulations were provided to each of the professional societies for their input and comments. The Task Force Committee considered the comments received and

finalized their revisions in October of 2023. Because of said committee's efforts, the Board of Licensure will be proposing updates and revisions to the CPD requirements to the Kentucky Legislative Research Commission early this summer. When we begin the legislative review process, we will provide public notice as required and will make copies of the proposed changes available to licensees and the public.

As required by KRS 13A.3102 and 3104, the Board of Licensure has begun a review of all the administrative regulations in 201 KAR Chapter 18 and will be proposing updates to those as needed.

Board of Licensure
Enforcement Report
For The Period
January 1, 2024 – March 31, 2024
Heather L. Baldwin, PE, PLS, Director of Enforcement

Unlicensed Practice

STEVE HALL

In January 2023, the Board became aware that Steve Hall of Cadiz, Kentucky, had offered and provided land surveying services in Kentucky in violation of KRS 322.020. Hall responded to an individual's Facebook request for a land surveyor and prepared a plat which appeared to precisely locate and show detailed boundaries for a proposed subdivision of land and which also included a written description of the subdivided parcel. Hall provided a copy of the plat to his client's real estate agent and made an offer of future land surveying services to the agent through email. To resolve the Board's investigation, Hall entered into an Agreed Order of Settlement and Permanent Injunction with the Board which enjoins him from engaging in the unlicensed practice of land surveying in Kentucky. The Order calls for a fine of \$3,000 and 21 days in jail for any future violations. The Agreed Order of Settlement and Permanent Injunction was entered in Franklin Circuit Court on March 1, 2024.

Disciplinary Actions

TIMOTHY G. FUTCH

On October 27, 2023, Timothy G. Futch, PLS #4163, entered into a Consent Decree with the Board of Licensure for violations of KRS 322.470; 201 KAR 18:150 Sections 3(1), 6, 6(4), and 10(5)(e); 201 KAR 18:42 Sections 7, 8, and 8(7); and KRS 322.180 (2) and (3). Among other terms, the Consent Decree called for Futch to pay a fine of \$7,500 within thirty days, and Futch failed to meet this term of the Consent Decree. He was notified of the default on November

28, 2023, and his professional land surveying license was suspended on December 14, 2023. After the suspension was in effect, he had thirty days to cure the default, or his professional land surveying license would be revoked. On January 16, 2024, Futch was sent a notification of default and revocation, and he was given fourteen days to cure the default. Timothy G. Futch's professional land surveying license was REVOKED on January 31, 2024.

MICHAEL LEE STEEN, PE #9705 (RETIRED)

On September 7, 2022, Michael Lee Steen, PE, was selected for a random audit of his Continuing Professional Development (CPD) credits for the 2020/2021 reporting period. Steen did not have evidence of completing 30 professional development hours (PDH) to satisfy the CPD requirement, and on October 18, 2022, he was issued a Written Admonishment for failing to obtain 30 PDH for the 2020/2021 reporting period and falsely answering the CPD question during his June 8, 2022 PE license renewal. He was scheduled for another CPD audit for the 2022/2023 reporting period, and was sent notice of that audit on December 8, 2023. Steen submitted his CPD documentation on December 26, 2023, but failed to provide evidence of completing the CPD requirement for the 2022/2023 reporting period prior to December 31, 2023. To resolve the investigation, Steen entered into a Consent Decree with the Board through which he placed his PE license in "retired" status in lieu of other penalties. The Board of Licensure approved this Consent Decree on April 19, 2024.

MATTHEW D. WALLACE, PE #29034

On November 6, 2022, Matthew D. Wallace, PE, renewed his Kentucky PE license five months late, subjecting him to Continuing Professional Development (CPD) audit due to late renewal for the 2020/2021 reporting period. Wallace did not have evidence of completing 30 professional development hours (PDH) to satisfy the CPD requirement, and on December 1, 2022, he was issued a Written Admonishment for failing to obtain 30 PDH for the 2020/2021 reporting period and falsely answering the CPD question during his November 6, 2022 PE license renewal. He was scheduled for another CPD audit for the 2022/2023 reporting period, and was sent notice of that audit on December 8, 2023. Wallace submitted his CPD documentation on January 8, 2024, but failed to provide evidence of completing the CPD requirement for the 2022/2023 reporting period. To resolve the investigation, Wallace entered into a Consent Decree with the Board and agreed to: (1) receive a Letter of Reprimand; (2) pay a fine of \$1,000 within 30 days; (3) provide proof of completing an additional 18.5 PDH to satisfy his CPD requirement for the 2022/2023 reporting period within 60 days; (4) not renew his PE license until he has completed the CPD requirement for the 2022/2023 reporting period; and (5) complete an additional 30 PDH to satisfy his CPD requirement for the 2024/2025 reporting period prior to December 31, 2025, and provide proof of completing that CPD to the Board by January 10, 2026. The Board of Licensure approved this Consent Decree on April 19, 2024.

JOEL LESLIE STORROW, PE #14566

On November 11, 2020, Joel Leslie Storrow, PE, renewed his Kentucky PE license five months late, subjecting him to Continuing Professional Development (CPD) audit due to late renewal for the 2018/2019 reporting period. Storrow did not have evidence of completing 30 professional development hours (PDH) during the 2018/2019 reporting period to satisfy the CPD requirement, but submitted evidence of completing 30 PDH in November 2020 and January 2021. Storrow was scheduled for another CPD audit for the 2020/2021 reporting period, and was sent notice of that audit on May 3, 2022. Storrow did not have evidence of completing 30 PDH to satisfy the 2020/2021 audit, and on July 26, 2022, he was issued a Written Admonishment for failing to obtain 30 PDH for the 2020/2021 reporting period. He was scheduled for another CPD audit for the 2022/2023 reporting period, and was sent notice of that audit on December 8, 2023. Storrow did not respond to the notice of audit within 30 days, as required. On January 15, 2024, Storrow submitted evidence of completing 15 PDH for the 2022/2023 reporting period, 15 PDH deficient of the 30 PDH required. To resolve the investigation, Storrow entered into a Consent Decree with the Board and agreed to: (1) receive a Letter of Reprimand; (2) pay a fine of \$2,000 within 30 days; (3) provide proof of completing an additional 15 PDH to satisfy his CPD requirement for the 2022/2023 reporting period within 60 days; (4) not renew his PE license until he has completed the CPD requirement for the 2022/2023 reporting period; and (5) complete an additional 30 PDH to satisfy his CPD requirement for the 2024/2025 reporting period prior to December 31, 2025, and provide proof of completing that CPD to the Board by January 10, 2026. The Board of Licensure approved this Consent Decree on April 19, 2024.

MAGNUM GEO-SOLUTIONS, LLC

Magnum Geo-Solutions, LLC, is a limited liability company organized in the state of Colorado. The company was initially issued a business entity permit to practice engineering on November 14, 2013. That permit expired on December 31, 2014, was reinstated on January 31, 2019, and expired again on December 31, 2022. The company again applied for reinstatement of its business entity permit on January 24, 2024. A subsequent investigation discovered that the company provided engineering services for four Kentucky engineering projects since its permit expired on December 31, 2022, in violation of KRS 322.060. To resolve the investigation, the company, through its Director of Engineering and responsible charge engineer Howard A. Perko, PE, entered into a Consent Decree with the Board and agreed to: (1) receive a Letter of Reprimand; (2) pay a fine of \$4,000 within 30 days; (3) maintain a current and valid business entity permit for any period of time in which the company is providing engineering services in Kentucky; and (4) notify the Board in writing of any change in status of the professional

engineer(s) in responsible charge of the engineering work in Kentucky within 15 days. The Board of Licensure approved this Consent Decree on April 19, 2024.

AOS ENGINEERING, LLC

AOS Engineering, LLC, is a limited liability company organized in the state of Texas. On September 30, 2020, the Board received a complaint that the company was providing engineering services in Kentucky without a business entity permit to practice engineering. The subsequent investigation revealed that the company provided engineering services for five Kentucky projects between 2011 and 2023 without a business entity permit, in violation of KRS 322.060. To resolve the investigation, the company, through its Chief Operating Officer, Gregory C. Speer, PE, entered into a Consent Decree with the Board and agreed to: (1) receive a Letter of Reprimand; (2) pay a fine of \$5,000 within 30 days; (3) maintain a current and valid business entity permit for any period of time in which the company is providing engineering services in Kentucky; and (4) notify the Board in writing of any change in status of the professional engineer(s) in responsible charge of the engineering work in Kentucky within 15 days. The Board of Licensure approved this Consent Decree on April 19, 2024.

Non-Disciplinary Actions

Cases Closed with a Written Admonishment – 16

PE – admonishments for CPD violations – 16 (late renewal audits 2023)

Case Closed with No Action – 2

Firm (engineering) – revised website - no violation – 1

Firm (engineering & land surveying) – withdrew permit application – no violation – 1