

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

Expired Licenses

Licensees with a surname beginning with a letter of L through Z were scheduled to renew their individual license(s) by June 30, 2024. Email renewal notices were sent out in April and May and paper renewal notices were mailed in late May for those that had not renewed. If you did not renew your license, it is now expired and by Kentucky statute you are prohibited from offering or providing professional services in Kentucky.

Licensees whose license has expired may renew their license(s) for up to one year after it expired. If you are unsure of your license status, please check the Board's online searchable roster here: <https://elsweb.kyboels.ky.gov/kweb/Searchable-Roster>.

CPD Audits

Audits for continuing professional development (CPD) will begin in early September. Each year five percent of licensees who renewed their license prior to September 1 are randomly selected for a CPD audit to check for compliance with the CPD regulations. You are obligated to respond to an audit notice within thirty days by providing documentation of your CPD activities for the CPD reporting period.

All of those that renew their license after September 1 are subject to an automatic audit of their CPD activities.

Firm Renewals

All business entity permits expire on December 31 every year. Permits can be renewed online like individual license renewals. The online renewal system for permits will open up in early October.

Administrative Regulation Revisions

The Board is currently in the process of updating/revising five different administrative regulations. They are:

- 201 KAR 18:010, Classes of applicants,
- 201 KAR 18:030, In training certificates,
- 201 KAR 18:115, License reinstatement,
- 201 KAR 18:192, Continuing professional development for professional land surveyors,
- and
- 201 KAR 18:196, Continuing professional development for professional engineers.

The proposed revisions have been filed with the Legislative Research Commission (LRC), and links to the revisions can be found on the Board's website, here: <https://kyboels.ky.gov/Pages/default.aspx>.

**BOARD OF LICENSURE
ENFORCEMENT REPORT**

For The Period

April 1, 2024 – June 30, 2024

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

DISCIPLINARY ACTIONS

BARRETT C. CROOK, PE #35128

In August 2022, Board of Licensure staff discovered that Kitty Hawk Engineering was advertising engineering services in Kentucky on its website without a business entity permit to practice engineering. A subsequent investigation found that Kitty Hawk Engineering's owner, Barrett C. Crook, PE, had certified documents for two Kentucky projects that were not prepared by him or under his direct supervisory control and by doing so, had aided and abetted two firms in the unpermitted practice of engineering in Kentucky. In addition, Crook provided these engineering services through his firm, Kitty Hawk Engineering, which did not have a business entity permit to practice engineering in Kentucky. After Crook ceased cooperation with the investigation, the Board filed an Administrative Complaint against Barrett C. Crook on August 24, 2023. Crook failed to respond to the Administrative Complaint and to participate in a Prehearing Conference on two occasions. As a result, the Hearing Officer recommended that the Board be granted Default Judgment and that Crook's PE license be revoked. The Board of Licensure accepted and adopted the Hearing Officer's Findings of Fact and Recommended Order of Default Judgment and ordered Barrett C. Crook's PE license to be revoked by Final Order entered on July 19, 2024.

JEFFREY L. PINTENICH, PE #13955

On June 20, 2023, Jeffrey L. Pintenich, PE, renewed his Kentucky PE license twelve months late, subjecting him to a Continuing Professional Development (CPD) audit due to late renewal for the 2020/2021 reporting period. Pintenich failed to respond to the notice of audit within 30 days as required by 201 KAR 18:196, Section 9(3). When Pintenich responded to the audit after a second notice, he did not provide evidence of completing 30 professional development hours (PDH) of CPD for the reporting period. Pintenich was contacted several times about his deficiency, but ceased cooperation with the investigation. After the Board filed an Administrative Complaint against him, Pintenich agreed to enter 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 July 19, 2024.

SE3, LLC

SE3, LLC is a limited liability company organized in the state of Missouri. The company was initially issued a business entity permit to practice engineering on January 27, 2022, which expired on December 31, 2022. When the company applied for reinstatement of its business

entity permit on January 3, 2024, it failed to disclose previous disciplinary actions against the company. A subsequent investigation discovered that the company provided engineering services for three Kentucky engineering projects prior to initially being issued a business entity permit on January 27, 2022, and provided engineering services for a fourth project both before its permit was initially issued and after its permit expired on December 31, 2022, in violation of KRS 322.060. To resolve the investigation, the company, through its president Vernal Stewart, 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; and (3) maintain a current and valid business entity permit for any period of time in which the company is providing engineering services in Kentucky. The Board of Licensure approved this Consent Decree on July 19, 2024.

GEOTECHNICAL CONSULTANTS, INC.

Geotechnical Consultants, Inc. is a corporation organized in the state of Ohio. During the investigation of another firm, it was discovered that the company was providing engineering services in Kentucky without a business entity permit to practice engineering. A subsequent investigation found that the company had provided engineering services for five Kentucky projects since 2018, in violation of KRS 322.060. To resolve the investigation, the company, through its president Curtis L. Miller, 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; and (3) maintain a current and valid business entity permit for any period of time in which the company is providing engineering services in Kentucky. The Board of Licensure approved this Consent Decree on July 19, 2024.

DOTEC CORP.

DOTec Corp. is a corporation organized in the state of Missouri. In December 2023, it was discovered that the company advertised on its website that it is licensed in all 50 states. A subsequent investigation found that the company had provided engineering services for at least sixty Kentucky projects since 2018, in violation of KRS 322.060. Six projects were selected for review, and four of the projects did not contain the contact information of DOTec Corp. or its responsible charge engineer, Ildefonso Gonzalez, PE, in violation of 201 KAR 18:142, Section 3. To resolve the investigation, the company, through its president/CEO Ildefonso Gonzalez, PE, entered into a Consent Decree with the Board and agreed to: (1) receive a Letter of Reprimand; (2) pay a fine of \$6,000 within 30 days; and (3) maintain a current and valid business entity permit for any period of time in which the company is providing engineering services in Kentucky. The Board of Licensure approved this Consent Decree on July 19, 2024.

TEAM FISHEL ENGINEERING OF VIRGINIA, LLC

Team Fishel Engineering of Virginia, LLC is a limited liability company organized in the state of Ohio. On June 11, 2020, the Board received a complaint alleging that an employee of Team Fishel had violated the Code of Professional Practice and Conduct. During the investigation, it

was discovered that the company had failed to notify the Board of a change in status of its responsible charge engineer, and offered and provided engineering services without an active business entity permit, in violation of KRS 322.060. To resolve the investigation, the company, through its general counsel Joseph G. Blake, II, entered into a Consent Decree with the Board and agreed to: (1) receive a Letter of Reprimand; (2) pay a fine of \$3,000 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 July 19, 2024.

EDWARD W. WILLIAMS, PE #34727

On June 11, 2020, the Board received a complaint alleging that Edward W. Williams, PE, as an employee of Team Fishel Engineering of Virginia, LLC had violated the Code of Professional Practice and Conduct. The investigation found that Williams certified a drainage plan that was prepared by an unlicensed CAD technician who was not under his direct supervisory control. An unlicensed project manager had the client contact, interacted with the client regarding the scope of work, and directed the CAD technician to prepare the draft plan. Williams was not aware of the project until he was asked to review and certify the plan. The plans were prepared on a template provided by Columbia Gas of Kentucky and did not include contact information for Williams or the name and contact information of Team Fishel Engineering of Virginia, LLC. To resolve the investigation, Williams 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; and (3) complete the online 60-hour Intermediate Level Texas Tech Engineering Ethics course within six months. The Board of Licensure approved this Consent Decree on July 19, 2024.

JOHN RICHARD SEWELL, PE #26732

On January 31, 2019, the Board received a complaint alleging that John R. Sewell, PE, had violated the Code of Professional Practice and Conduct. On March 29, 2022, the Board received a second complaint alleging that Sewell had violated the Code of Professional Practice and Conduct. The investigation found that he forged the signature of his client on an application for the Kentucky Division of Water, created a forged approval letter from the Kentucky Division of Water containing the signature of a licensed PE, created a forged encroachment permit from the Kentucky Transportation Cabinet containing the signature of a licensed PE, and created forged agency comments from the Louisville Metro Planning and Design Services. In addition, he provided forged documents to government agencies and his client, provided copies of engineering documents to government agencies and clients without his original seal, signature and date, and failed to maintain a digital copy of his professional engineer seal under his direct and exclusive control. He also provided engineering services through his company, Sewell Inspections, Testing and Engineering, after the company's business entity permit to practice

engineering expired on December 31, 2021. During the investigations, he was audited for CPD compliance. He failed to respond to notices of Continuing Professional Development (CPD) audit for both the 2018/2019 reporting period and the 2020/2021 reporting period, did not provide evidence of completing any CPD for these reporting periods, and failed to cooperate with the Board in an investigation regarding these CPD audits. To resolve the investigation, Sewell entered into a Consent Decree with the Board and agreed to: (1) receive a Letter of Reprimand; (2) voluntarily surrender his PE license as if revoked; and (3) not seek reinstatement of his PE license for a minimum of five years and complete the online 90-hour Advanced Level Texas Tech Engineering Ethics course prior to applying for reinstatement. The Board of Licensure approved this Consent Decree on July 19, 2024.

NON-DISCIPLINARY ACTIONS

Cases Closed with a Written Admonishment – 23

PE – admonishments for CPD violations – 16 (5 late renewal audits 2023, 11 audits for invalid exemption claim 2024)

PLS – admonishments for CPD violations – 2 (late renewal audits 2023)

PE – certifying work not under direct supervisory control – 1

PE – using a stamp that was not a verifiable digital signature and was not under the licensee’s direct and exclusive control – 1

PE – failure to disclose disciplinary action in another jurisdiction – 1

PE – offering and providing engineering services prior to applying for a Kentucky PE license – 1

Firm (engineering) – offering and providing engineering services prior to applying for a Kentucky business entity permit - 1

Cases Closed with an Educational Letter – 5

PE licensed in another state using PE designation in Kentucky – 4

Firm (engineering) – unlicensed firm advertising engineering services - 1

Case Closed with No Action – 5

PE – Code of Conduct allegation – no violation

PE – former PE advertising services on website – revised website

PE – CPD case – placed license in “inactive” status

Firm (engineering) – no violation

Firm (engineering) – obtained permit