

**The Board of Licensure Report
January 2022
Kyle Elliott, Executive Director**

Board of Licensure Member Updates

On January 1, 2022, Governor Beshear appointed Mr. Michael W. McGhee, PE to the Kentucky State Board of Licensure for Professional Engineers and Land Surveyors to replace Cole Mitcham, PE, whose term had expired. Mr. McGhee graduated from the University of Kentucky with a bachelor of science in civil engineering. He went on to receive his masters of business administration from the University of Houston. Mr. McGhee has been a licensed engineer in Kentucky since 1985, and owns and operates McGhee Engineering in Guthrie, Kentucky.

Also on January 1, 2022, Governor Beshear appointed Mr. Joshua S. Calico, PLS to the Kentucky State Board of Licensure for Professional Engineers and Land Surveyors to replace James Bertram, PLS, whose term had expired. Mr. Calico is also a graduate of the University of Kentucky with a bachelor of science in civil engineering. Mr. Calico has been a licensed professional land surveyor in Kentucky since 2011, and holds his Kentucky EIT certificate. Mr. Calico owns and operates Joshua Calico Land Surveying in Lexington, Kentucky.

Finally, on January 1, 2022, Governor Beshear reappointed Ms. Nicole R. Galavotti, PE to her second term on the Board of Licensure. Ms. Galavotti was originally appointed to the Board on September 7, 2018. Her current term expires on January 1, 2026. Ms. Galavotti is a graduate of the State University of New York College of Environmental Science and Forestry at Syracuse University. She is the Vice-President of Shield Environmental Associates, Inc. in Lexington, Kentucky.

The Board of Licensure welcomes Mr. McGhee and Mr. Calico to these new appointments and thanks departing members Mr. Mitcham and Mr. Bertram for their service to the citizens of the Commonwealth and to their professions.

Board of Licensure Officers for 2022

Officer elections were held at the January 28, 2022 Board meeting. The following slate of officers was elected unanimously:

Nicole Galavotti, PE – Chair
Chris Gephart, PLS – Vice Chair
Ryan Griffith, PE – Secretary/Treasurer

The following will serve as committee chairs for 2022:

Ryan Griffith, PE – Chair of the Engineering Committee
Chris Gephart, PLS – Chair of the Surveying Committee
Don Pedigo, PLS – Chair of the Continuing Professional Development Committee

Congratulations and thanks to all for their service.

Firm Renewals

All unexpired Firm Permits expired on December 31, 2021. Businesses with expired firm permits are prohibited from offering or providing engineering or land surveying services. The online firm renewal system is still open, and firm permits can be renewed online at: <https://kyboels.ky.gov/Renewals/Pages/default.aspx>. Please be sure to select **Online Firm Renewal** for firm permit renewal and not Online Individual Renewal. The firm will be assessed a late renewal penalty.

Individual Renewals

Beginning on April 1, 2022, individual license renewals will open up on the Board's website. On June 30, 2022, all licenses will expire for individuals whose last name begins with the letter L – Z. Licenses expire on June 30, 2022. On or around April 1, all individuals whose license expires this year will receive an email reminder from the General Government Cabinet (the Board of Licensure is part of the General Government Cabinet) through GovDelivery. Paper renewal notices will be mailed out in late May.

Calendar of Events 2022

April 21 – 23	NCEES Southern/Central Zone Meeting	Oklahoma City
April 22 – 23	NCEES Exam Administration (Structural)	Regional locations only
April 28	Board Committee Meetings	Frankfort
April 29	Board of Licensure Meeting	Frankfort
July 28	Board Committee Meetings	Frankfort
July 29	Board of Licensure Meeting	Frankfort
August 23 – 26	NCEES Annual Meeting	Carlsbad, CA
October 21 – 22	NCEES Exam Administration (Structural)	Regional locations only
October 27	Board Committee Meetings	Frankfort
October 28	Board of Licensure Meeting	Frankfort

Board Investigator Position

The Kentucky Board of Licensure is currently seeking a licensed Professional Land Surveyor or Professional Engineer to serve as a full-time Board investigator. Anyone interested in the position may contact Heather Baldwin, Director of Enforcement, at the Board offices.

BOARD OF LICENSURE
ENFORCEMENT ACTIONS SUMMARY
For The Period
October 1, 2021 – December 31, 2021
Heather L. Baldwin, PE, PLS

Director of Enforcement

MICHAEL A. MILLIGAN

On July 30, 2021, Michael A. Milligan, PE, entered into a Consent Decree with the Board of Licensure due to his failure to respond to a Continuing Professional Development (CPD) audit, and for his failure to take the required 30 professional development hours (pdh) of CPD activities during the 2018/2019 reporting period. Among other terms, the Consent Decree called for Milligan to obtain 30 pdh of qualifying CPD activities to satisfy the requirements of the 2018/2019 reporting period and submit documentation to the Board by October 1, 2021. Milligan failed meet this term of the Consent Decree. He was then notified that he was in default of the Consent Decree and that he had ten days to cure the default or his professional engineering license would be Suspended. Michael A. Milligan's professional engineering license was Suspended on October 12, 2021.

MICHAEL A. MILLIGAN

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GARY DOUGLAS OUSLEY, PE #14529, PLS #2912

In March 2019, the Board of Licensure received a written complaint from a landowner regarding a survey performed by Alchemy Engineering Associates and certified by Gary D. Ousley, PE, PLS, in 2007. The landowner purchased property in Menifee County in November 2016 and found that the Alchemy survey of the adjacent property overlapped a previous survey of his property that was conducted in 1989. The Board investigated that complaint and found that two plats of survey that were prepared by Alchemy and certified by Ousley and four written descriptions that were prepared by Ousley for the adjacent property were significantly deficient in adherence to the minimum standards set out in 201 KAR 18:150. The investigation also found that Ousley gave dishonest testimony during a deposition for a boundary dispute

case involving the complainant and Ousley's client, in violation of 201 KAR 18:142, Section 3, and found that an unlicensed employee of Alchemy actually did the work on the project without any supervision from Ousley, in violation of 201 KAR 18:142, Section 8. Furthermore, during the course of the investigation, a Continuing Professional Development (CPD) audit revealed that Ousley had not taken the required Standards of Practice / Ethics / Code of Conduct course for almost eight years, in violation of 201 KAR 18: 192, Section 3 (2). Ousley entered into a Consent Decree with the Board wherein he acknowledged the violations and agreed to: (1) pay an administrative fine of \$3,000 within ninety days; (2) have his professional land surveying license suspended for one year; (3) complete the online 60-hour Texas Tech engineering ethics course within six months; (4) submit proof of his CPD obligations for both engineering and land surveying for the 2020/2021 reporting period within thirty days and for the 2022/2023 reporting period by January 10, 2024; and (5) have his professional land surveying license placed on probation for the two years following the reinstatement of his license with quarterly project reviews. The Board of Licensure approved this Consent Decree on January 28, 2022.