

**MINUTES**  
**LICENSING COMMITTEE MEETING**  
**TEXAS BOARD OF PROFESSIONAL ENGINEERS**  
**1917 IH35 SOUTH, BOARD ROOM, AUSTIN, TX 78741**  
**February 13, 2013— 1:00 PM**

**Call to Order.** Lamberto “Bobby” Ballí, P.E., Committee Chair called the Licensing Committee meeting to order at 1:00 pm on February 13, 2013, at the Texas Board of Professional Engineers, 1917 South Interstate 35, Austin, TX 78741 (All votes are unanimous, unless otherwise noted).

**1. Roll call and welcome visitors.**

Lamberto “Bobby” Ballí, P.E.	Chair	
Carry Ann Baker	Member	
James “Jim” Greer, P.E.	Member	(excused absence)
Sam Kannappan, P.E.	Member	

A quorum was present. Ms. Veena Mohan, Assistant Attorney General, was present to provide legal counsel to the Board.

The following staff members were present:

Lance Kinney, P.E.	Executive Director
Priscilla Piphon, MPA	Deputy Executive Director
David Howell, P.E.	Director of Licensing
Dewey Helmcamp, III JD	Staff Attorney
Dorothy Gonzales	Executive Assistant
Shannon Velazquez	Licensing Specialist

**Personal Interviews.** Anderson, Anthony; Austin, Timothy; Brown, Allen; Bruce, Matthew; Burch, Sean; Cormack, Chad; Cuchet-Valles, Jesus; Hammond, Robert; Herndon, Michael; Leonards, Philip; Lincoln, Joshua; Moran-Lopez, Juan; Quarles, Bryan; Shelton, Michael; Sulak, Raymond; Taflin, Joseph; Taherivand, Amir; Townsley, Jason; Vasquez, Christopher.

**Visitors.** Bill Tucker, Texas Department of Transportation (TxDOT); Gina Gallegos, TxDOT.

**2. Public comment.** None.

**Discuss and Possibly Act on the Following (Agenda Items 3-9):**

**3. Discuss and possibly accept the March 23, 2012, Educational Advisory Committee minutes.**

It was MOVED/SECONDED (Baker/Kannappan) to accept the March 23, 2012, Educational Advisory Committee minutes. A vote was taken and the MOTION PASSED.

**4. Discuss and possibly approve the November 28, 2012, Licensing Committee Minutes.**

It was MOVED/SECONDED (Kannappan/Baker) to approve the November 28, 2012, Licensing Committee Minutes as submitted. A vote was taken and the MOTION PASSED.

**5. Discuss and possibly act on applications for licensure: Personal Interviews.**

Mr. Ballí addressed the applicants and shared that the Committee has reviewed their files in advance. He explained the responsibilities of the Board regarding the licensing process, reminded them of the three minute time limit, and asked that they be honest and to the point.

**Austin, Timothy.** This was an application to take the PE exam. He appeared before the Committee in May 2012 due to criminal incidents on his record. He was asked to complete the level II ethics course, and reappear before the Committee. He completed the course as instructed and returned for consideration. The applicant shared with the Committee members what he learned from the course. He stated that he accepts full responsibility for his actions and apologized for not initially disclosing the incidents on the application. He added that he realizes the seriousness of his error and will provide truthful information in the future. He said the course was time consuming but that he completed the course before the deadline. He added that the course made him read the Board rules and apply the rules to the questions on the course.

It was MOVED/SECONDED (Baker/Kannappan) to recommend to the full Board at its Regular Quarterly Board meeting on February 14, 2013, to allow Mr. Austin to take the PE exam. A vote was taken and the MOTION PASSED.

Mr. Kinney added that the registration deadline was February 21, 2013, and recommended that each applicant that is approved register before the deadline.

**Townsley, Jason.** This application was for permission to take the PE exam with a request to waive the FE exam. The application was circulated among PE Board members for review and was denied. Mr. Townsley came before the Committee to appeal the denial. The applicant thanked the Committee for allowing him to appear before them. He shared his work experience with Committee. He asked the Committee members to consider the waiver of the FE exam and allow him to sit for the PE exam. He added that he works under a PE and mentors EITs in his office. The applicant was asked why he did not want to sit for the FE exam. He responded that it is time consuming and since it covers a broad spectrum of disciplines, he felt that the PE exam would be an adequate assessment of his competence at this stage in his career and that time is valuable.

It was MOVED/SECONDED (Baker/Kannappan) recommend to the Board at its Regular Quarterly Board meeting on February 14, 2013, to deny Mr. Townsley's appeal and uphold the decision to deny the request for a waiver of the FE exam. A vote was taken and the MOTION PASSED.

**Moran-Lopez, Juan.** This was an application to take the PE exam. He appeared before the Committee in October 2011 due to criminal incidents on his record and was asked to gain one additional year of experience and reappear before the Licensing Committee. Due to scheduling conflicts, he was not able to return until now. The applicant thanked the Committee, and shared that he has gained additional experience as required. He is currently employed by the Texas Water Development Board and shared his work experience. Mr. Ballí, asked the applicant to share the value of the experience he has gained in the past year. Mr. Lopez-Moran shared that his work is supervised by a Professional Engineer. He has been given additional responsibilities and tasks especially now during the Legislative session. It was MOVED/SECONDED (Baker/Kannappan) to recommend to the Board at its Regular Quarterly Board meeting on February 14, 2013, to allow Mr. Moran-Lopez to sit for the PE exam. A vote was taken and the MOTION PASSED.

**Cormack, Chad.** This was an application to take the PE exam. He appeared before the Licensing Committee in October 2011 due to criminal incidents on his record, but had not completed the court requirements. Mr. Cormack has since completed all court requirements. The applicant shared his experience, and lesson learned from the incident on his record. He commented that he thought he was done with this issue until he applied to take the PE exam. He recalls appearing before the Committee and reading an outline of all the reasons why what he had done was not bad enough for the Committee to keep him from taking the PE exam. He stated that the past year has been humbling when his peers and friends were able to get licensed and he had to explain

why he couldn't take the PE exam. He stated that he has changed his life since the last meeting. He added that he better understands the seriousness of his actions and how his mistake could have affected someone else's family. He added that he learned more from the Board than from the court systems. He has completed all court requirements. He assured the committee that he is a different person than a year ago. He asked the Committee's permission to take the PE exam.

It was MOVED/SECONDED (Baker/Kannappan) to recommend to the Board at its Regular Quarterly Board meeting on February 14, 2013, to allow Mr. Cormack to sit for the PE exam. A vote was taken and the MOTION PASSED.

**Anderson, Anthony.** This was an application to take the PE exam. The application was referred to the Committee due to criminal incidents on his record. He has completed all court requirements. The applicant shared with the Committee his experience and lessons learned from his incident.

Mr. Ballí read the following statement to the applicants:

*It is one of the primary obligations of the Texas Board of Professional Engineers to assure that Texas engineers are held to the highest standards of competency, integrity, and honesty. Public safety depends upon that standard and consistently achieving in our profession requires faithful and unwavering practice of honesty and integrity in all aspects of our lives, not only when we sit at our desk.*

It was MOVED/SECONDED (Kannappan/Baker) to recommend to the Board at its Regular Quarterly Board meeting on February 14, 2013, to allow Mr. Anderson to sit for the PE exam. A vote was taken and the MOTION PASSED.

**Brown, Allen.** This was an application to take the PE exam. The application was referred to the Committee due to criminal incidents on his record.. The applicant shared his experience from his incident and stated that the number one thing he learned is never be too confident or even place yourself in such a position.

It was MOVED/SECONDED (Baker/Kannappan) to recommend to the Board at its Regular Quarterly Board meeting on February 14, 2013, to allow Mr. Brown to sit for the FE exam. A vote was taken and the MOTION PASSED.

**Bruce, Matthew.** This was an application to take the PE exam. The application was referred to the Committee due to criminal incidents on his record. He has completed all court requirements. The applicant shared his experience and lessons learned and read a statement to the Committee. He added that since then, he has gotten married, and does not drink and drive.

It was MOVED/SECONDED (Kannappan/Baker) to recommend to the Board at its Regular Quarterly Board meeting on February 14, 2013, to allow Mr. Bruce to sit for the PE exam. A vote was taken and the MOTION PASSED.

**Cuchet-Valles, Jesus.** This was an application to be licensed in Texas. He is currently licensed in California. The application was referred to the Committee due to criminal incidents on his record. The applicant thanked the Committee for allowing him to share his experience. He stated that he has learned from the consequences related to his incident. He completed all court requirements. He added that he is a devoted athlete and respects the profession. He is also licensed in Arizona, Nevada, and New Mexico.

It was MOVED/SECONDED (Baker/Kannappan) to recommend to the Board at its Regular Board meeting on February 14, 2013, to approve Mr. Jesus Cuchet-Valles to be licensed in Texas. A vote was taken and the MOTION PASSED.

**Herndon, Michael.** This was an application to take the PE exam. The application was referred to the Committee due to criminal incidents on his record. He has completed all court requirements. The applicant thanked the Committee for allowing him to share his experience and lessons learned from the incident on file. He stated that he accepts full responsibility for his mistake. He added that it was a very trying, humiliating and embarrassing life experience personally and professionally. He said he has learned a lot about the DWI laws and consequences. He also added that he has moved on and completed his MS degree from UT-Austin, and has gotten engaged. He requested the Committee's recommendation to allow him to take the PE exam.

It was MOVED/SECONDED (Kannappan/Baker) to recommend to the Board at its Regular Quarterly Board meeting to allow Mr. Herndon to take the PE exam. A vote was taken and the MOTION PASSED.

**Leonards, Philip.** This was an application to take the PE exam. The application was referred to the Committee due to criminal incidents on his record. He has completed all court requirements. The applicant shared his experience and lessons learned due to the incident on file. He stated that he accepts full responsibility for his actions and took the initiative to take an alcohol awareness course prior to going to court. He stated that he is remorseful and humiliated by the incident. He added that he made a serious judgment error and that it took a lot of work to get to where he is. He stated that he appreciates the Committee's consideration to take the PE exam.

It was MOVED/SECONDED (Kannappan/Baker) to recommend to the Board at its Regular Quarterly Board meeting to allow Mr. Leonards to take the PE exam. A vote was taken and the MOTION PASSED.

**Taflin, Joseph.** This was an application to be licensed in Texas. He has passed both the FE and PE exams. The application was referred to the Committee due to criminal incidents on his record. He has completed all court requirements. The applicant shared his experience and lessons learned from his incident. He assured the committee that he does not drink and drive. He is licensed in Washington and Nebraska.

It was MOVED/SECONDED (Kannappan/Baker) to recommend to the Board at its Regular Quarterly Board meeting on February 14, 2013, to allow Mr. Taflin to be licensed in Texas. A vote was taken and the MOTION PASSED.

**Taherivand, Amir.** This was an application to take the PE exam. The application was referred to the Committee due to criminal incidents on his record. He has completed all court requirements. The applicant shared his experience and lessons learned from his incident. He stated that he is involved with his community, mentors other EITs in his office and is an athlete. He added that he regrets his actions of that night.

It was MOVED/SECONDED (Baker/Kannappan) to recommend to the Board at its Regular Board meeting on February 14, 2013, to allow Mr. Taherivand to take the PE exam. A vote was taken and the MOTION PASSED.

**Vasquez, Christopher.** This was an application to take the PE exam. The application was referred to the Committee due to criminal incidents on his record. He has completed all court requirements. The applicant shared his experience and lessons learned from his incident. He explained that he learned from his mistakes and that this incident was very humiliating. He added that since then, he has gotten married and has a child.

It was MOVED/SECONDED (Kannappan/Baker) to recommend to the Board at its Regular Board meeting on February 14, 2013, to allow Mr. Vasquez to take the PE exam. A vote was taken and the MOTION PASSED.

**Burch, Sean.** This was an application to take the PE exam. The application was referred to the Committee due to criminal incidents on his record and for not disclosing the events with his application. The applicant read a statement outlining the events of the night the incident occurred. He stated that he is remorseful for his actions and that he clearly understands a PE's responsibility. Mr. Ballí asked the applicant why he marked "No" on the application regarding criminal history. The applicant responded that it was a major mistake on his part. He

stated that he misinterpreted that question, thinking that his incident was equal to a speeding ticket. He added that after reviewing the application again, and reading the Engineering Practice Act, he understands that the question is clearly written. He apologized for his mistake. Mr. Ballí mentioned to the applicant that in practice, engineering instructions, directions and communications are often not as black and white as the question on the application and that his misunderstanding is a concern to him. Ms. Baker commented that the applicant did make other mature decisions on the night of the incidents when he didn't get behind of a wheel of a car.

It was MOVED/SECONDED (Baker/Kannappan) to recommend to the Board at its Regular Board meeting on February 14, 2013, to allow Mr. Burch to take the PE exam. A vote was taken, and the MOTION PASSED 2 to 1; Mr. Ballí against the motion.

The Chair called for a break at 3:05 pm

The meeting reconvened at 3:15 pm

**Hammond, Robert.** This was an application to take the PE exam. The application was referred to the Committee due to criminal incidents on his record. The applicant shared his experience and lessons learned from his incidents. He stated that he recognizes the mistakes and impact it has on his family and community. He described his activities to give back to the community. He added that he would be honored to be given the opportunity to take the PE exam. He has completed all court requirements.

It was MOVED/SECONDED (Baker/Kannappan) to recommend to the Board at its Regular Board meeting on February 14, 2013, to allow Mr. Hammond to take the PE exam. A vote was taken and the MOTION PASSED.

**Lincoln, Joshua.** This was an application to take the PE exam. The application was referred to the Committee due to criminal incidents on his record. The applicant thanked the Committee for the opportunity to appear before them. He read a statement outlining the incidents on file and added that since the incident he has gotten married and has a child.

It was MOVED/SECONDED (Kannappan/Baker) to recommend to the Board at its Regular Board meeting on February 14, 2013, to allow Mr. Lincoln to sit for the PE exam. A vote was taken and the MOTION PASSED.

**Quarles, Bryan.** This was an application to take the PE exam. The application was referred to the Committee due to criminal incidents on his record. He has completed all court requirements. The applicant shared his education, experience, and the events that occurred the night of the incident.

It was MOVED/SECONDED (Kannappan/Baker) to recommend to the Board at its Regular Board meeting on February 14, 2013, to allow Mr. Quarles to sit for the PE exam. A vote was taken and the MOTION PASSED.

**Shelton, Michael.** This was an application to be licensed in Texas. The application was referred to the Committee due to criminal incidents on his record. He has passed both the FE and PE exam. He is currently licensed in Oregon, West Virginia, Tennessee, Pennsylvania, and Alaska. The applicant stated that he agrees with the character expectations from the Board. He added that he is remorseful for his actions and accepts full responsibility. He shared his experience regarding the incidents. He explained that he understands that he made poor decisions in the past but is now a different person.

It was MOVED/SECONDED (Baker/Kannappan) to recommend to the Board at its Regular Board meeting on February 14, 2013, to hold Mr. Shelton's application to be licensed in Texas pending successful completion of the Level I Ethics course offered by Texas Tech, an additional year with a clear criminal record and reappearance before the Licensing Committee for consideration. A vote was taken and the MOTION PASSED.

**Sulak, Raymond.** This was an application to take the PE exam. The application was referred to the Committee due to criminal incidents on his record. The applicant shared his experience and lessons learned due to the

incidents in question. He stated that he regrets the incidents and that he has not had a drink since 2009. He asked for the opportunity to take the PE exam so he can better himself, and stated that he would be honored to become a PE.

It was MOVED/SECONDED (Baker/Kannappan) to recommend to the Board at its Regular Board meeting on February 14, 2013, to allow Mr. Sulak to sit for the PE exam in October 2013 upon successfully completion of the Level I Ethics course offered at Texas Tech, and submitting certificate of completion to staff. A vote was taken and the MOTION PASSED.

**6. Report on Computer Based Testing.**

Mr. Kinney reported that the FE exams will be offered via Computer Based Testing (CBT) effective January 2, 2014. The exam will now be offered throughout the year in testing centers all over Texas. This information is being communicated through outreach. Mr. Balli commented that due to time restraints these reports are short but if anyone has any questions or would like more details, please call Mr. Kinney. Mr. Kinney added that the FE exam is now 6 hours long instead of 8 hours, and cost will now be \$250.

**7. Licensing Director's Report.** Mr. Howell presented the results and statistics report which was included as an exhibit and offered to answer any questions.

**• Reports.**

- Results and statistics: Application and Examination Report
- Licensing report

**8. Report on Educational Advisory Committee Meeting.** Mr. Kinney reported that the Education Advisory Committee reports through the Licensing Committee. The topic most discussed was the licensure of faculty. At the last meeting the Joint Advisory Committee members unanimously elected to establish a Task Force composed from three members from each Advisory Committee (Education, Industry, and Government) to research and make recommendation to the Advisory Committees and the Board. The Task Force met once and submitted recommendations suggesting statutory changes to include teaching of engineering to count as engineering experience; and faculty with a Ph.D. be allowed to take the PE exam. The next meeting of the advisory committees will move from the Spring to the Summer (May or June).

**9. Issues for consideration and schedule next meeting.** None.

**Adjourn.**

It was MOVED/SECONDED (Baker/Kannappan) to adjourn the meeting at 4:47 pm. A vote was taken and the MOTION PASSED.

Date Committee approved as submitted:	May 22, 2013
Date Board accepted:	May 23, 2013