**MINUTES**

**BOARD FOR PROFESSIONAL ENGINEERS**

**Date:**  July 13, 2023

**Time:** 9:30 a.m.

**Place:** 1100 N. Eutaw Street

Baltimore, MD 21201

Access Using Video Conferencing

Meet.google.com/ipm-pxny-hej

Phone: 1-484-416-2276

PIN: 201 307 165#

**Present:** Howard (Skip) Harclerode, P.E., Chairman

David Mongan, P.E., Vice Chairman

Sallye Perrin, P.E., Secretary

Karl Rickert, P.E

Pastor Farinas, P.E.

Edward Hubner, P.E.

**Others Present:** Zevi Thomas, Executive Director

Raquel Meyers, Assistant Executive Director

Kimberly Smith Ward, AAG, Board Counsel

Ruby Courtney, Board Administrator

Dara Moore, Administrative Specialist

Dorian Price, Administrative Specialist

**Absent:** None

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**CALL TO ORDER**

Chairman Harclerode called the meeting to order at 9:39 a.m.

**APPLICATIONS APPROVED BY THE BOARD**

Motion (I) was made by Ms. Perrin, seconded by Mr. Farinas and unanimously carried to approve 21 applications for reciprocity, two applicants for PE Licensure by Transfer of Grades and 30 applications for the Principles and Practice of Engineering Examination. That same

motion included denying one application for PE licensure by reciprocity due to insufficient amount of engineering work experience.

**Applications for PE Licensure by Reciprocity are as follows:**

Abetew, Eliyas T. (53984) Khadka, Ashok K. (61399)

Amray, Muhammad F. (61389) Khanm Mansoor A. (61400)

Anderson, Joshua C. (61390) Komar, Alexander (61401)

Anderson, Reuben (61391) Kosebucki, Jonathan P. (61402)

Badghdadi, Mohamad (61392) Lorenzo, Holly (61403)

Betita, Osca I. (61393) Maganahalli, Shadaksharappa R. (61404)

Bydlon, Bernard T. (61394) Mangiwa, Efraim (61405)

Creel, Aislinn T. (61395) Tate, James S. (61406)

Ghadimi,Khasraghy, Zahra (61396) Watson, Jr., Danny L. (61407)

Ghamkhar, Ali (61397) Whitaker, Robert S. (61408)

Hashemi N Ashrafi, Seyed Ali (61398)

**Applications for PE Licensure by Transfer of Grades are as follows:**

Estacio, Aivanjael T. (61409) Pandara Valappil, Femeena (54022)

**Applications for the Principles and Practice of Engineering Examination are as follows:**

Ansariyar, Alireza Kota, Uma M.

Babra, Angadjot S. Mardosa, Peter

Berhe, Berhane T. Martin, Christopher D.

Berie, Melsew D. Maximous, George S.

Cordes, Harald C. Nachenberg, Koby L.

Cuentas, Gustavo A. Okeola, Abass A.

Culotta IV, Vincent Orbeck, Andrew O.

Charles, Winsbert C. Savage, Dana M.

D’Arbela, Denis Saviola, Julianna F.

Dolu, Ismet F. Schweitzer. Bruce

Fernandez V., Rosa A. Stephens, Benjamin R.

Fusco, Michael A. Storm, Benjamin M.

Gode, Ragini Vaeth, David J.

Good, Thomas C. Wood, Garrett J.

Kostecka, Matthew R. Yesker, Kurt C.

**ACTION ON MINUTES**

Motion (II) was made by Mr. Farinas, seconded by Ms. .Perrin, and unanimously carried by the Board to approve the minutes of the June 8, 2023 Board meeting with corrections.

**NEW BUSINESS**

**Report from the May 24, 2023 Joint Chairs Group of the Professional Design Boards Meeting**

Chairman Harclerode discussed the proposed regulations, which will require professional engineers to obtain a separate license or certification to perform on-site wastewater engineering services. He shared that the Joint Chairs are in support of the PE Board’s position that this new regulation should not require professional engineers licensed in Maryland to obtain any additional license or certification.

**Motions for the 2023 NCEES Annual Meeting**

The Board discussed the motions for the 2023 NCEES Annual meeting with implication for this jurisdiction. One motion discussed was modifying the 12-year requirement for eligibility required to serve on the Board. Mr. Hubner shared his concerns that emerging professionals may not have the time to devote to volunteering on the Board. Mr. Rickert felt the requirement in MD can be reduced to 10 years. The Board noted they could benefit from the perspectives and input of younger engineers.

The Board discussed the prospect of the numbers of seats on the Board, however, that would require a statutory review and change.

Another motion was discussed relating to 15 credits per calendar year of professional development hours. Mr. Hubner considered this bylaw to be restrictive. Ms. Perrin stated that the NCEES Model Law has always used the calendar year as a denominator. Mr. Rickert noted that an Ethics course is required every year. The issue of carry-over of professional development hours was also discussed. Chairman Harclerode stated he is currently licensed in nine states and all of those states allow carry-over of professional development hours.

The motion regarding the finances of NCEES was also discussed. Mr. Hubner mentioned that NCEES is a non-profit organization and sole provider of these services. This position could receive scrutiny by raising the prices of exams.

Ms. Perrin mentioned the NCEES has developed a new task force to discuss pathways for licensure and advised the Board to closely monitor its proposals.

There was also a discussion on the prospect that the NCEES Examinations Policy and Procedures (EPP) Committee could discontinue exams with below average number of test-takers. Typically, at least 100 people should take individual specialties for these exams to be continued to be offered.

The Board members were asked to review the motions prior to the August 10, 2023 Board meeting to be ready to discuss the Boards position at that meeting.

Ms. Courtney asked if the Board had made a decision on who the voting delegate would be for the NCEES Annual meeting.

Motion (III) was made by Mr. Farinas, seconded by Perrin, and unanimously carried by the Board to designate Mr. Hubner as the MD voting delegate at the NCEES Annual meeting this August.

**ELECTION OF OFFICERS**

In accordance with the Board’s statutes, the annual Election of Officers was conducted. Chairman Harclerode called for nominations.

Mr. Farinas proposed that Howard Harclerode remain Board Chairman and suggested Ms. Perrin as Vice Chairman and that Mr. Rickert remain as Chair of the Complaint Committee.

Mr. Rickert thanked the Chairman for his service to this Board and the job he has done over the years, but suggested that other Board members be made eligible for the position of Chair.

Motion IV was made by Mr. Farinas to nominate the current Board Chairman, Howard Harclerode as Board Chairman.

Motion V was made by Mr. Rickert to nominate Ms. Perrin as Board Chair.

With there being no further nominations, a vote was taken. After the votes were counted, Ms. Perrin was elected Board Chair.

Motion VI was made by Mr. Farinas to nominate Howard Harclerode as Vice Chair. With there being no further nominations, Mr. Haclerode accepted the position as Vice Chair.

Motion VII was made by Ms. Perrin to nominate Mr. Huber as Board Secretary. With there being no further nominations, Mr. Hubner accepted the position as Secretary.

**COMMITTEE ASSIGNMENTS**

Mr. Rickert agreed to remain Chair of the Complaint Committee and Mr. Hubner will continue to serve on that committee.

Ms. Perrin agreed to remain on the Education Committee.

Mr. Farinas agreed to serve on the Continuing Professional Competency Committee.

Mr. Hubner agreed to serve on the Ethics Committee.

**OLD BUSINESS**

**Credit for Education Under Subsection 14-305(d)**

Mr. Hubner introduced the matter of the Board’s current policy to award four years based on the work experience requirement for an EAC/ABET degree under Option D. It appeared there was no consensus on the amount of credit granted or education under Option D. Ms. Perrin stated that generally eight years of engineering work experience and four years for an EAC/ABET accredited degree equaled the 12 years of experience required under Option D.

Mr. Hubner emphasized that one semester credit equals one hour of class time and two hours of study time. That would not be equivalent to four years of engineering work experience.

Mr. Rickert voiced concerns that applicants who apply with 12 years of work experience generally do not pass the exam. In Mr. Farinas opinion, some applicants who typically have several years of experience only have basic experience. Ms. Perrin remarked that the rate for passing the PE exam goes down significantly the longer an applicant is out of school and this Board may be penalizing applicants who have a degree for not taking the FE exam.

Mr. Rickert asked would the Board rather we require the FE exam and Chairman Harclerode asked if we should change the statute to if an applicant has completed one or more years of a college or university curriculum in engineering that the Board approves, it shall allow for each of those years a one-year credit towards the work experience requirement. It was also mentioned that it is up to the discretion of the Board member reviewing the application the amount of credit awarded if the degree is not completed.

It was the consensus of the Board that an applicant would get four years based on the work experience requirement for an EAC/ABET accredited degree or its equivalent under Option D.

**Requiring the FE Exam Under Option D**

It was stated that the Board made a motion which passed on this issue at a previous meeting to support requiring the FE exam under Option D and that we will move forward on this issue.

**CONTINUING PROFESSIONAL COMPETENCY (CPC) COMMITTEE REPORT –**

Motion (VIII) was made by Ms. Perrin, seconded by Mr. Hubner, and unanimously carried by the Board to approve the CPC Provider application of Cultec, Inc and X Energy, LLC.

**REPORT FROM ETHICS COMMITTEE**

Mr. Hubner reported he is testing AI programs for the voice over for the free online Board sponsored Ethics course.. Ms. Meyers stated once the voice is completed, the department's IT unit could take care of the rest. Mr. Hubner stated he liked what the Delaware PE Board’s CPC requirements are instituted. For example, as long as the licensee met the requirements of their home state, then they have also met the Delaware Board’s requirements.

**REPORT FROM EXECUTIVE DIRECTOR**

Mr. Thomas reported an update on the PE Nuclear exam. The NCEES confirmed that the Nuclear Exam is only on probation and has not been discontinued and provided the Board members with a copy of the letter written on behalf of this Board in support of keeping the PE Nuclear exam.

Mr. Thomas also mentioned that the American Society of Civil Engineers (ASCE) submitted a list to the Governor’s Office of potential civil engineers for the soon to be vacated Board position.

Mr. Thomas stated that Matthew McKinney, Director of Strategic Initiatives with the MD Department of Labor, informed him that the applicant who applied to serve on another Design Professionals Board did not pass the vetting process, therefore this candidate is no longer being considered for this Board as a consumer member.

He also mentioned that the Maryland Society of Professional Engineers has recommended at least two consumer members to this Board.

Mr. Thomas asked the Board to confirm their intention to move forward with changes to the statute that will require the FE exam under Option D and a statutory change to reduce the years of professional practice in engineering to be eligible to serve on the Board from twelve years to five years. He stated a legislative concept sheet will need to be drafted and submitted to the Office of the Secretary for initial approval.

**REPORT FROM BOARD COUNSEL**

Mr. Matthew Venuti that he is glad to meet the Board members and staff in person and congratulated the Board members who were elected as officers.

**CORRESPONDENCE –** None

**APPLICATIONS APPROVED ADMINISTRATIVELY FOR RECIPROCITY**

There were 72 applications, supported by NCEES Model Law Engineer records that were administratively approved for licensure.

**EXECUTIVE SESSION**

Motion (VIII) was made by Ms. Perrin, seconded by Mr. Hubner and unanimously carried to enter Executive Session at 11:29: a.m. at Meet google.com/ipm-pxny-hej or by phone 1-484-416-2276 (PIN 201 307 165#). This session was permitted to be closed pursuant to General Provisions Article, Annotated Code of Maryland, §3-305(b) (7).  Upon completion of the session, the Board reconvened its public meeting at 11:48 a.m.

**COMPLAINT COMMITTEE**

Mr. Rickert reported on the status of complaints discussed by the Complaint Committee July 13, 2023

18-PE-22 Pre-charge. Remain on report for tracking purposes only

12-PE-23 Pre-charge. Remain on report for tracking purposes only

13-PE-23 Pre-charge. Remain on report for tracking purposes only

14-PE-23 Pre-charge. Remain on report for tracking purposes only

16-PE-23 Pre-charge. Remain on report for tracking purposes only

21-PE-23 Response due April 23, 2023- Response received July 12, 2023

23-PE-23 Pre-charge. Remain on report for tracking purposes only

24-PE-23 Pre-charge. Remain on report for tracking purposes only

26-PE-23 Response due July 16, 2023

27-PE-23 Pre-charge. Remain on report for tracking purposes only

28-PE-23 Pre-charge. Remain on report for tracking purposes only

29-PE-23 Pre-charge. Remain on report for tracking purposes only

30-PE-23 Resolved

31-PE-23 Consent Order signed. Fine paid. Recommend close

32-PE-23 Licensee will surrender license

33-PE-23 Pre-charge. Remain on report for tracking purposes only

34-PE-23 Recommend Close/Await litigation completion

36-PE-23 Response due July 16, 2023

38-PE-23 Recommend Close. Complaint filed with the Home Improvement Commission

39-PE-23 Investigating

40-PE-23 Forwarded to the Land Surveyor’s Board

41-PE-23 Pre-charge. Remain on report for tracking purposes only

42-PE-23 Pre-charge. Remain on report for tracking purposes only

43-PE-23 Pre-charge. Remain on report for tracking purposes only

44-PE-23 Pre-charge. Remain on report for tracking purposes only

The Board discussed three applications for reinstatement and several audit reviews. The Board will ask the Executive Director to contact some of applicants for reinstatement whose license lapsed for two or more licensing periods and were not licensed in any other state or territory of the US during the lapse of the license to find out if they were working in the engineering field during this time. The Executive Director will report his findings to the Board. The Board discussed one licensee who applied for renewal of his license and was denied since he is currently on probation and now this licensee has requested a hearing which has been scheduled for August 10, 2023 at 1 p.m.

Motion (IX) was made by Ms. Perrin, seconded by Mr. Farinas and unanimously carried to accept the recommendations of the Complaint Committee.

**OTHER BUSINESS**

Mr. Thomas mentioned that an ad hoc committee was established by the Board of Architects' to put together a handbook. The handbook is intended for code officials and aims to describe the scope of practice and responsibilities of each of Maryland’s regulated design professionals. The proposed handbook will serve as a supplement to the current Overlapping Practice Guide. Mr. Thomas will share this document with all PE Board members for review and/or recommendations.

Mr. Farinas asked if the Board ever received a response to the letter written by the former Board Counsel to PG County. Staff will look into this matter.

The next Board meeting is scheduled for Thursday, August 10, 2023.

**ADJOURNMENT**

Motion (X) was made by Mr. Rickert seconded by Mr. Farinas and unanimously carried to adjourn the meeting at 11:56 a.m.

\_\_\_\_\_\_\_\_\_x\_\_\_\_\_\_\_\_With Corrections                   \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Without Corrections

Signed by: Howard Harclerode Date: August 10, 2023

                  Board Chairman