



**TENNESSEE BOARD OF ARCHITECTURAL & ENGINEER EXAMINERS**  
500 JAMES ROBERTSON PARKWAY  
NASHVILLE, TENNESSEE 37243  
615-741-1831

<https://www.tn.gov/commerce/regboards/architects-engineers.html>

**MINUTES**  
April 7, 2022

The Tennessee Board of Architectural & Engineer Examiners met April 7, 2022 and the following business was transacted:

**CALL TO ORDER/ROLL CALL**

Richard Bursi called the meeting to order at 1:00 pm and Director Michael Schulz called the roll.

**BOARD MEMBERS PRESENT:** Richard Bursi, Richard Thompson, Rob Barrick, Melanie Doss, Alton Hethcoat, Stephen King, Brian Tibbs, Ben Brychta, Blair Parker

**BOARD MEMBERS ABSENT:** Frank Wagster

**PART. TELEPHONICALLY:** Robert Campbell

**ACKNOWLEDGE GUEST(S):** Kasey Anderson, Nathan Ridley, Ashley Cates

**STAFF MEMBERS PRESENT:** Michael Schulz, Caleb Darnell, Anthony Glandorf, Stuart Huffman

**ANNOUNCEMENTS**

Anthony Glandorf is attending today as the temporary legal representative in place of Maria Bush, who has moved on to another position.

**AGENDA**

Minutes were approved by Robert Barrick, seconded by Brian Tibbs.

**PROFESSIONAL SOCIETY REPORT**

- + Kasey Anderson, Director of ACEC Tennessee/TN Society of Professional Engineers spoke about SB2479/HB2627:
  - o Passed on House floor that morning
    - Into effect 7/1
- + Nathan Ridley, from the TN chapter of the American Society of Landscape Architects (ASLA-TN), gave a rundown of the profession.
- + Ashley Cates, Executive VP AIA Tennessee, discussed architecture in legislation and other educational and conference opportunities.

**LEGAL CASE REPORT**

[See attached]

**DIRECTOR'S REPORT**

- **Financial Data**
- **Seal Clarification**
  - o Should seal have XVI on the top, similar to the TN state seal? The seal in TN legislation for this board do not. Richard Bursi made a motion to accept the XVI on board seals, as well as what is in our rules. Robert Barrick seconded. A roll call vote was unanimous.

- **NCARB/NCEES Meeting Reminders**
  - NCARB annual conference in Austin in June
  - NCEES annual meeting in Carlsbad in August
  - CLARB annual meeting in Omaha in September
    - Motion made by Blair Parker to send Blair, Michael Schulz, and a legal representative to the CLARB meeting in Omaha. Richard Thompson seconded. A voice call vote was unanimous.
- **Newsletter submissions**
  - All articles were not ready at this meeting, so matter was deferred to the next meeting.

**COMMITTEE REPORTS**

- **Engineers Committee**
  - Discussed applications/audits for review:
    - Gogoi’s application was reviewed for Comity. Alton Hethcoat motioned to approve the applicant, Richard Bursi seconded the motion. A voice vote was unanimous.
    - Stegner’s application was reviewed for Comity. This application was discussed, as it pertains to the decoupling bill. A motion was made by Robert Barrick to approve the application pending decoupling legislature is passed and adopted. If the legislation is not adopted, it will be deferred to the next meeting. Alton Hethcoat seconded the motion. A voice vote was unanimous.
    - Lamacchia requested his education be brought before the board. Seeing as it relates in some way to the decoupling issue, Robert Campbell made a motion to table until after that legislation is passed. Alton Hethcoat seconded the motion. A unanimous roll call vote was conducted.
- **Grants to Higher Education Committee**
  - Discussed updates to grant budgets
    - UTC – requested to transfer funds from one line item to another in their budget. Brian Tibbs made a motion to approve the request. Ben Brychta seconded. The motion passed with a unanimous voice vote.
    - ETSU (ID) – petitioned committee to transfer funds from a course offered in Rome (cancelled due to COVID) to instead be spread between sending students to a conference and technology equipment. Ben Brychta made a motion to approve the request. Melanie Doss seconded. The motion passed with a unanimous voice vote.

**OLD BUSINESS**

- **Definitions**
  - AIA (through Ashely Cates) requested feedback with their professional definitions. The feedback was sent to the Engineer, Landscape Architect, and Interior Design committees to discuss.

**ADJOURNMENT**

Motion to adjourn meeting was made by Blair Parker and seconded by Richard Thompson.



**STATE OF TENNESSEE  
DEPARTMENT OF COMMERCE AND INSURANCE  
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**CONFIDENTIAL - ATTORNEY WORK PRODUCT**

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**TO: Tennessee Board of Architectural and Engineering Examiners**

**FROM: Stuart Huffman, Associate General Counsel**

**DATE: April 7, 2022**

**SUBJECT: April 2022 Legal Report**

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- 1. 2022004681 (SH)**  
**First Licensed: 07/28/1993**  
**Expiration: 06/30/2022**  
**Type of License: Professional Engineer**  
**History (5 yrs.): 2021 – One complaint closed with payment plan setup for \$2,000 civil penalty for placing stamp on drawings he didn't produce.**  
**Entity # 368233**

Complainant hired Respondent on 9/8/2021 to do a structural evaluation of the roof and trusses in regard to removing a center wall. Respondent spent about 20 minutes at the house and asked for a \$600 check. Complainant was in the middle of construction and waiting on a letter to move forward. After waiting for 2 weeks, Complainant tried several times to contact Respondent. When Complainant did reach Respondent they were allegedly told that Respondent was not paid and still owed \$1,100. On 9/8/2021, Complainant received a letter about removing a center wall but it did not describe the roof or trusses. Complainant states that Respondent sent out another person to look and stated they needed to pay this person \$250. On 9/28/2021, Complainant states they received a letter about masonry foundation and concrete slab that they feel had nothing to do with the project. On 9/29/2021 Complainant received a letter and Complainant made the adjustments and removed the center wall. Complainant now alleges that the insurance company will not insure the house because they do not have a letter from a structural engineer.

Respondent states that they had no contract with Complainant. The person that contacted him was the framer for structural inspection. The framer told the Complainant to pay his fee of \$600, which included inspection, report, and LVL beam design. The letter was emailed to the framer on 9/27/2021 but apparently he did not give it to Complainant. Further, Respondent states the framer and Complainant were drinking the day he sent over another person to look at the project.

There does not seem to be any issues with the Respondent's work product.

**Reviewed by Board member: Stephen King**

Mitigating Factors: No violations found

Aggravating Factors:

**Recommendation: Close**

**Board Decision: Concur.**

**2. 2022005621 (SH)**

**First Licensed: N/A (Unlicensed)**

**Expiration: N/A**

**Type of License: Professional Architect**

**History (5 yrs.): None.**

An anonymous complaint alleges Respondent is using the appellation of "Architecture" in the business name without being registered. Respondent states they have been an architectural designer for 35 years and have never presented themselves as a registered architect. Research shows that Respondent is using the appellation of "Architecture" in the business name. The business is listed as a residential design service firm. Respondent has not used appellations of professional or registered architect but instead states they are the principal residential designer.

**Reviewed by Board member: Frank Wagster**

Mitigating Factors: No history of disciplinary actions

Aggravating Factors: Using appellation of "Architecture" in business name without being registered.

**Recommendation: Authorize a civil penalty of \$500 for using the appellation of "Architecture" in the business name and demand to stop using the appellation.**

**Board Decision: Concur.**

**3. 2022006711 (SH)**

**First Licensed: 12/18/1992**

**Expiration: 02/28/2023**

**Type of License: Professional Engineer**

**History (5 yrs.): None.**

Complainant alleges the local subdivision code requires a streetlight at intersections and the town failed to follow the code by not installing streetlights at two intersections. Repeated attempts to have the town rectify this safety hazard have been ignored. Complainant alleges the developer bonds have been released after the regulations were not verified.

The Respondent is the town Engineer. Respondent states that unfortunately, the preliminary plat for the two intersections was approved by the town Planning Commission in July of 2012 without showing street lighting. The construction documents that accompanied the preliminary plat also did not show these streetlights. Since the construction plans did not show the light poles, the developer did not put them in. The final plat for the next phase that was approved in September 2013 does show the streetlight poles however they have not been installed. Respondent states the developer bond has not been released after two requests. Respondent states he works in an advisory role to the Planning Commission and cannot compel the developer without the Commission's action. It is the intention of the Planning Commission to request the installation of the streetlights before the release of the bonds for the latest phase.

**Reviewed by Board member: Robert Campbell**

Mitigating Factors: No violations found.

Aggravating Factors:

**Recommendation: Close**

**Board Decision: Concur.**