



**TENNESSEE BOARD OF ARCHITECTURAL AND ENGINEERING EXAMINERS
500 JAMES ROBERTSON PARKWAY
NASHVILLE, TENNESSEE 37243**

Board Meeting Minutes for April 6, 2023
First Floor Conference Room 1-A
Davy Crockett Tower

Tennessee Board of Architectural and Engineering Examiners met on April 6, 2023, and the following business was transacted:

BOARD MEMBERS PRESENT: Alton Hethcoat, Robert Campbell, Blair Parker, Frank Wagster, Brian Tibbs, Rob Barrick, Melanie Doss, Rick Thompson, Jason Carder, Ashraf Elsayed, James Collins, Jeff Nalley, James Collins

BOARD MEMBERS ABSENT: None

STAFF MEMBERS PRESENT: Glenn Kopchak, Stuart Huffman, Megan Maleski, Tammy Roehrich, Philip Allocco, Alex Martin

CALL TO ORDER / ROLL CALL / NOTICE OF MEETING

Rick Thompson called the meeting to order at 9:00 am and Director Glenn Kopchak took roll call.

ANNOUNCEMENTS

Director Kopchak took a moment to welcome Assistant Commissioner Alex Martin and introduce new staff member, Phill Allocco, to the board.

AGENDA

Robert Campbell made a motion to adopt the agenda as written. This was seconded by Brian Tibbs. The motion passed by unanimous voice vote.

FEBRUARY MINUTES

Rob Barrick made a motion to approve the February minutes. This was seconded by Brian Tibbs. The motion passed by unanimous voice vote.

PROFESSIONAL SOCIETY REPORTS

Matthew Barusch, Director of Government Affairs, Council for Interior Design Qualification (CIDQ), reported that they are in the spring administration window for the NCIDQ requisite examination, and that 3,200 exams have been purchased to be taken during the April administration timeframe. Mr. Barusch further reported that after February 1, 2024, new work experience requirements will be

instituted for candidates of the NCIDQ exam. Additionally, the Practice Overlap Taskforce is seeking to develop uniform and overlap guidelines and identify best practices to help states better regulate overlap. Mr. Barusch announced the launch of the DEI scholarship opportunity, that will provide individuals from underrepresented groups with more opportunities into the field of interior design. Lastly, Mr. Barusch announced that the annual meeting will be held in Louisville, Kentucky, November 10 -12, 2023.

Claudia Lofton, VP of Advocacy at International Interior Design Association (IIDA-TN Chapter), and Hannah Durham, Finance Director at American Society of Interior Designers (ASID), reported that they continue to hold monthly board and chapter meetings, monthly President's call with national representatives and district leaders. The annual state conference and the Design Awards is coming up soon, along with several other upcoming events and meetings for the year that focus on advocacy, legislation, and other items pertinent to interior design.

Ashley Cates, Executive Director at the American Institute of Architects (AIA-TN), reported that the legislation session has been successful, very busy, and is starting to slow down. Ms. Cates announced that they are looking at the supplemental budget for capital outlay, along with improvements and maintenance. Ms. Cates also announced that the annual TN Conference on Architecture, will be held this summer in Memphis, Tennessee.

DIRECTOR'S REPORT

Budget Report

Director Kopchak noted that during the February meeting, reserves were discussed, along with reporting through November of this fiscal year. Director Kopchak reported that there were no items of concern, and that money continues to contribute toward the reserves, and that the board and program are fiscally strong.

2023 NCARB Annual Meeting

Melanie Doss made a motion to send Rick Thompson, Brian Tibbs, and Frank Wagster to the 2023 NCARB annual meeting. Brian Parker seconded the motion. The motion passed by unanimous voice vote.

2023 NCEES Annual Meeting

Brian Tibbs made a motion to send Dr. Ashraf Elsayed, Rob Barrick, and Alton Hethcoat to the 2023 NCEES annual meeting. This was seconded by Frank Wagster. The motion passed by unanimous voice vote.

LEGAL

Legal Report (presented by Stuart Huffman)

1. 2023002351

First Licensed: 03/03/2020

Expiration: 01/31/2025

Type of License: Professional Engineer

History (5 yrs.): None.

Respondent self-reported that they had stamped plans on one project in Tennessee while their license was expired. Respondent has renewed their license.

Reviewed by Board member: Jason Carder

Mitigating Factors: Self-reported and immediately renewed the license.

Aggravating Factors:

Recommendation: Authorize a civil penalty of \$500.00 for stamping plans on one project while license was expired. Respondent shall take and pass the Laws and Rules Exam.

Board Decision: Concur.

2. 2023004691

First Licensed: 01/21/2011

Expiration: 12/31/2024

Type of License: Professional Engineer

History (5 yrs.): None.

Complainant is a City Mechanical Inspector that was presented an engineer's certification of inspection for a restaurant grease exhaust duct covered prior to inspection by the inspection department. Upon attempting to verify the professional's license, it was discovered that the seal affixed to the document has been expired since 2015.

Respondent stamped a letter regarding a grease exhaust duct installation and inadvertently used the old TN PE Stamp which had already expired in 2015. When Respondent was informed that they used the expired PE stamp, Respondent rewrote the letter and replaced the expired PE Stamp with the new valid PE Stamp. This was validated by the Complainant.

Reviewed by Board member: Robert Campbell

Mitigating Factors: Properly licensed

Aggravating Factors: Used an expired seal

Recommendation: Letter of Warning

Board Decision: Concur.

3. 2023004151

First Licensed: 06/13/2010

Expiration: 07/31/2024

Type of License: Professional Engineer

History (5 yrs.): None.

Complainant alleges Respondent has practiced negligently without thorough examination of the Complainant's submitted documents. The report contains numerous errors that leads to a recommendation discrediting Complainant's report and design.

Respondent requested to look at the piping contractor's concern that the Unistrut channel sections being provided for the installation project were undersized and inadequate. The piping contractor provided two documents that showed calculations that the Unistrut section supplied was not adequate for the job. Respondent included both of those documents showing the concern of the piping contractor that what they were being told to use were not adequate for the project needs in some configurations. Respondent reviewed the different piping support configurations given on the drawings and provided, using industry-wide utilized load charts readily available online for all the various sizes of Unistrut channel, a load capacity for a given span for four different variations of Unistrut channel. Respondent feels the Complainant took exception to the capacity values given in Respondent's calculation package, which agreed with the original concern voiced by the piping contractor. Respondent did not review the calculations submitted because the capacity of Unistrut is taken from a table. There is no need to review someone else's work when the capacity can be taken right from a table.

Complainant has requested the complaint to be withdrawn due to a miscommunication with Respondent.

Reviewed by Board member: Alton Hethcoat

Mitigating Factors:

Aggravating Factors:

Recommendation: Close.

Board Decision: Concur.

4. 2023006631

First Licensed: 11/14/2019

Expiration: 11/30/2023

Type of License: Professional Engineer

History (5 yrs.): 2022051031 – Closed

Complainant filed a previous complaint against Respondent which was closed with no action. The Complainant now states that the homeowner's association received an invoice from Respondent in the amount of \$600. Complainant states that there was no contract with Respondent and now alleges Respondent is committing fraud.

Respondent claims that he is being forced to spend his valuable time responding to baseless accusations and his team asked to account for his time. Respondent sent an invoice to the

homeowner's association as it was their culvert that Respondent initially evaluated and found to be inoperable. Respondent then had the previous complaint filed against him which cause him to spend time for a response. Respondent believes that future litigation will probably be filed so he is keeping up with his time in case there is a need for restitution.

Reviewed by Board member: Rob Barrick

Mitigating Factors:

Aggravating Factors:

Recommendation: Close.

Board Decision: Concur.

5. 2023009811

First Licensed: 05/30/1996

Expiration: 03/31/2025

Type of License: Professional Engineer

History (5 yrs.): None.

Respondent self-reported of practicing on an expired license. Respondent's license expired on 4/30/2022 and Respondent has been working on a project in Tennessee while the license expired. Respondent has since renewed the license.

Reviewed by Board member: Jason Carder

Mitigating Factors: Self-reported and immediately renewed the license.

Aggravating Factors:

Recommendation: Authorize a civil penalty of \$500.00 for stamping plans on one project while license was expired. Respondent shall take and pass the Laws and Rules Exam.

Board Decision: Concur.

ADJOURNMENT

There being no new business, Rick Thompson adjourned the meeting at 9:59 a.m.