



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

Board Meeting Minutes for June 8, 2023
First Floor Conference Room 1-A
Davy Crockett Tower

Tennessee Board of Architectural and Engineering Examiners met on June 8, 2023, and the following business was transacted:

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

BOARD MEMBERS ABSENT: Brian Tibbs

STAFF MEMBERS PRESENT: Glenn Kopchak, Stuart Huffman, Megan Maleski, Tammy Roehrich, Alexandria Griffey

CALL TO ORDER / ROLL CALL / NOTICE OF MEETING

Rick Thompson called the meeting to order at 10:00 am and Director Glenn Kopchak took roll call.

ANNOUNCEMENTS

Melanie Doss announced that Susan Ballard will soon be recognized as a fellow with the American Society of Interior Designers (ASID). Brian Tibbs was absent as he was also being recognized as a fellow with the American Institute of Architects (AIA).

AGENDA

Melanie Doss made a motion to adopt the agenda as written. This was seconded by Blair Parker. The motion passed by unanimous voice vote.

APRIL MINUTES

Rob Barrick made a motion to approve the April minutes. This was seconded by Melanie Doss. The motion passed by unanimous voice vote.

PROFESSIONAL SOCIETY REPORTS

Ashley Cates, Executive Director of the American Institute of Architects (AIA-TN), discussed that the association was working with the State Fire Marshal's Office (SFMO) regarding updating the International Building Codes (IBC) and regarding safety and design features for shatter-proof glass.

Brian Tibb's achievements as an architect and his work within AIA was further highlighted.

Kasey Anderson, Tennessee Society of Professional Engineers/American Council of Engineering Companies of Tennessee (TSPE/ACEC-TN), provided legislative updates, to include engineers being permitted to conduct electrical inspections, and elaborated on cooperative efforts with the TN Department of Transportation (TDOT) and the implementation of highway infrastructure and modernization priorities set by the Governor. Ms. Anderson further mentioned that the 2023 TN Engineers' Conference will be conducted on September 17-19 in Franklin, TN, and requested that engineer members be granted permission to speak at the Engineer's luncheon on September 19th which will be taken up at the next full board meeting on August 3rd.

Claudia Lofton, VP of Advocacy at International Interior Design Association (IIDA-TN Chapter) and Anita Ryan, Representative for 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. Several members are sitting for the NCIDQ exam this fall and have coordinated discounts to an online study platform as well as creating in person study groups for those sitting for the exam. The American Society of Interior Designers (ASID) is hosting GATHER 2023 from August 13 - 15, 2023 in Los Angeles, CA. Three members of the TN board will be in attendance for the event as well as participating in leadership training sessions.

ICOR UPDATE (INTERORGANIZATIONAL COUNCIL ON REGULATION)

Blair Parker reported that he attended an ICOR virtual meeting, which collaborates with all the respective design professional associations for purposes of sharing best practices and to monitor trends that extend to all the design professions. Mr. Parker mentioned that ICOR also offers a new board member orientation that includes all the respective professional associations: NCEES, NCARB, NCIDQ, and CLARB.

DIRECTOR'S REPORT

Budget Report

Director Kopchak reported on the last three months of record which are February, March, and April of this fiscal year. Director Kopchak reported that there was one big expenditure of \$400,000 in February due to grant contracts going out. There were no items of concern. Revenue continues to contribute toward the reserves, and the board and program are fiscally strong.

LEGAL

Legal Report (presented by Stuart Huffman)

1. 2023008591

First Licensed: 07/19/2000

Expiration: 07/31/2024

Type of License: Professional Engineer

History (5 yrs.): 2022 - One complaint closed with letter of instruction for unlicensed activity.

Complainant filed an insurance claim with his insurer for reported damage to the structure of his residence, caused by water pipe leaks that occurred on or about December 21, 2022. On January 27, 2023, Respondent's employer was retained by the insurance company and requested to determine the extent of damage as a result of reported pipe leaks, and to provide general repair recommendations to restore the residence to its condition prior to the pipe leaks.

Complainant alleges Respondent was not the responsible charge of the office and was not allowed to place his seal on a Report of Findings because it was reviewed by another registrant. Complainant further alleges that Respondent cannot act as responsible charge with his employer because he is also responsible charge of his own firm that bears his name.

Respondent states he made the site visit and prepared the report wholly by himself. Respondent did have another engineer review the report, but it was stamped and sealed by Respondent. Respondent further states that he had a sole proprietorship and closed his office before joining the firm he currently works for several years ago. Further, the complaint does not raise any issues regarding the report. The report prepared by the Respondent demonstrated competence, knowledge and thoroughness in their evaluation and recommendations.

Reviewed by Board member: Alton Hethcoat

Mitigating Factors:

Aggravating Factors:

Recommendation: Close.

Board Decision: Concur.

2. 2023012461

First Licensed: 01/01/1993

Expiration: 08/31/2024

Type of License: Professional Architect

History (5 yrs.): None.

Respondent was sent an audit letter to produce the required annual PDH on 12/21/2022. When Respondent renewed the license in August 2022, he affirmed that he had completed the required PDH. After receiving the audit letter, Respondent admits to falling behind on the PDH, however, states that he became distracted in the completion due to selling his business, contracting COVID, and the office in which his PDH files were located was involved in a fire which all files were destroyed. Respondent did submit additional PDH that have been completed after receiving the audit letter. These PDH satisfy the audit.

Reviewed by Board member: Frank Wagster

Mitigating Factors: Sell of business, COVID, and fire destroying files.

Aggravating Factors:

Recommendation: Authorize a civil penalty of \$500.00 for not completing the required PDH and take and pass the Laws and Rules Exam.

Board Decision: Concur.

3. 2023007521

First Licensed: 12/21/2011

Expiration: 12/31/2023

Type of License: Professional Engineer

History (5 yrs.): None.

Complainant alleges unethical behavior against Respondent because he owes Complainant over \$40,000 in unpaid invoices and has not been responsive. Respondent confirmed the invoices would be paid but two months later the complaint was filed. There is no evidence the Respondent is engaging in business of a fraudulent or dishonest nature.

Reviewed by Board member: Robert Campbell

Mitigating Factors:

Aggravating Factors:

Recommendation: Letter of Caution.

Board Decision: Concur.

4. 2023012471

First Licensed: 06/25/2014

Expiration: 06/30/2024

Type of License: Professional Engineer

History (5 yrs.): 2021 – One complaint closed with letter of caution for reported discipline by another state’s licensing board.

Respondent self-reported disciplinary action taken against his license in Wisconsin. The previous letter of caution in 2021 was issued to Respondent’s employer for the same violation.

Reviewed by Board member: Jason Carder

Mitigating Factors:

Aggravating Factors:

Recommendation: Letter of Caution.

Board Decision: Concur.

5. 2023019491

First Licensed: 05/22/2019

Expiration: 04/30/2025

Type of License: Professional Engineer

History (5 yrs.): None.

Respondent self-reported that he had been practicing on an expired license after it expired on 11/29/2021. Respondent has renewed the license on 4/21/2023.

Reviewed by Board member: Rob Barrick

Mitigating Factors: Self-reported.

Aggravating Factors:

Recommendation: Authorize a civil penalty of \$500.00 for practicing on an expired license and take and pass the Laws and Rules Exam.

Board Decision: Concur.

COMMITTEE REPORTS

Engineer Committee

Jason Carder updated that NCEES will provide graduation cords free of charge to universities for students that have passed the FE Exam. He asked board members to reach out to universities in their districts to offer opportunities for university participation.

Robert Campbell has been in contact with TDOT to ensure continued monitoring of any developments regarding sealing of 3D plans. Florida was offered as a model to study regarding implementation.

The Board will begin tracking development across the spectrum for Artificial Intelligence, especially as it pertains to the requirements regarding "responsible charge".

ADJOURNMENT

There being no new business, Rick Thompson adjourned the meeting at 10:58 a.m.