



**TENNESSEE BOARD OF ARCHITECTURAL AND ENGINEERING EXAMINERS
500 JAMES ROBERTSON PARKWAY
NASHVILLE, TENNESSEE 37243
615.741.2241**

Board Meeting Minutes for June 5, 2025
First Floor Conference Room 1-A
Davy Crockett Tower

Tennessee Board of Architectural and Engineering Examiners met on June 5, 2025, and the following business was transacted:

BOARD MEMBERS PRESENT: Jason Carder, Blair Parker, Frank Wagster, Melanie Doss, Dr. Ashraf ElSayed, Jeff Nalley, James Collins, Alton Hethcoat, Eddie Jett, Rick Thompson, Philip Lim

BOARD MEMBERS ABSENT: Brian Tibbs

STAFF MEMBERS PRESENT: Glenn Kopchak, Laura Martin, Aerial Carter, Alexandria Griffey, Tammy Roehrich, Ashley Byrd

ENGINEER COMMITTEE MEETING

CALL TO ORDER

James Collins called the meeting to order at 8:30 am, and Director Glenn Kopchak took roll call.

NCEES Southern Zone Meeting Update

James Collins provided a summary of the recent NCEES Southern Zone meeting highlighting discussions regarding the promotion of licensure among college professors, work for hire websites, common definitions for significant structures, NCEES Engineering Technology education standards, guidance from the Committee on Law Enforcement on how long disciplinary action should be considered when looking at comity applications, and the association's effort in drafting a statement on artificial intelligence.

FRESH Start Reviews

Application #1:

Alton Hethcoat made a motion to allow Matthew A. Dettman to continue in the application process. This was seconded by Dr. Ashraf ElSayed. The motion passed by unanimous voice vote.

Application #2:

Alton Hethcoat made a motion to defer Daniel J. Hosek's application and revisit once additional information has been received at the next board meeting. This was seconded by Jason Carder. The motion passed by unanimous voice vote.

Application Reviews

Eddie Jett made a motion to deny Kevin L. Pegues's application, with instructions that the applicant can reapply for licensure once license in Texas is in an active status without restrictions. This was seconded by Dr. Ashraf ElSayed. The motion passed by unanimous voice vote.

Comity Application Review Policy

Alton Hethcoat made a motion to update the policy to reflect the full board's decision at the last meeting which allows engineer comity applications to bypass committee and be reviewed by two (2) engineer board members, per standard procedure, if prior discipline in another jurisdiction is at least five (5) years old and license was reinstated and remains in active status in the same jurisdiction as the stated discipline, while also adding additional language that the active license must be without any restrictions. This was seconded by Dr. Ashraf ElSayed. The motion passed by unanimous voice vote.

NEW BUSINESS

No new business was presented.

BOARD MEETING

CALL TO ORDER

Jason Carder called the meeting to order at 10:30 am, and Director Glenn Kopchak took roll call and read the notice of meeting into the record.

Announcements

Director Glenn Kopchak introduced Philip Lim as the new board member.

AGENDA

Blair Parker made a motion to approve the agenda. This was seconded by Frank Wagster. The motion passed by unanimous voice vote.

APRIL MINUTES

Melanie Doss made a motion to adopt the April minutes. This was seconded by Frank Wagster. The motion passed by unanimous voice vote.

PROFESSIONAL SOCIETY REPORTS

In Kasey Anderson's absence, Nathan Ridley provided a professional society report for the Tennessee Society of Professional Engineers/American Council of Engineering Companies of Tennessee (TSPE/ACEC-TN) which included a summary of the recent leadership program 2025 graduation ceremony, upcoming TDOT convention at the Chattanooga Convention Center scheduled for June 16

- 18, 2025, Annual Flying and Congressional Fly In scheduled for July 13 - 15, 2025, and the upcoming State conference scheduled for September 14 - 16, 2025.

Nathan Ridley, TN Chapter of the American Society of Landscape Architects (ASLA-TN), reported updates for his organization to include providing a summary of the recent Annual Conference held in April, strategic planning retreat with the Leadership Executive Committee, and upcoming Rulemaking hearing scheduled for late July, pertaining to Advisory Opinions.

William McCloy, American Society of Civil Engineers, reported updates for his organization to include a summary of the recent golf tournament held in May, and upcoming Engineer Symposium conference scheduled February 13, 2026.

Ashley Cates, Executive Director of the American Institute of Architects (AIA-TN), provided updates regarding "Day on the Hill" highlighting passing out 3D models of the State Capital. Ashley Cates also announced upcoming conference scheduled August 6 – 8, 2025, at the Nashville Embassy Suites, and that AIA-TN will be working with northeast TN members for disaster recovery.

Hannah Finch, President- American Society of Interior Designers (ASID), reported updates for her organization to include a summary of the upcoming Industry partner appreciation event on June 26, 2025, and the National Assembly in Atlanta, GA, scheduled August 17 – 20, 2025.

Tiffany Clegg, VP of Advocacy for International Interior Design Association (IIDA), reported updates for her organization and announced that they will be awarded a 2025 IIDA Chapter award at the National Chapter Leadership Council meeting on June 6, 2025, and the University of Tennessee at Knoxville will receive the 2025 IIDA Campus of the Year award.

DIRECTOR'S REPORT

Budget Report

Director Kopchak summarized the financial reporting for March and April and drew attention to line items entitled "Technology". Director Kopchak reported that the uptick in expenses for these line items were an increase due to recent CORE contract payments reflecting the 2025 calendar year.

Comity Application Review Policy

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LEGAL

Legal Report (presented by Ariel Carter)

1. 2024068111

First Licensed: 06/05/2013

Expiration: 06/30/2021

Type of License: Professional Engineer

History (5 yrs.): None.

This is an administratively opened complaint. The Respondent was a registered Engineer. On the Respondent's application, they answered "yes" to practicing while their license was expired.

The Respondent stated they accidentally selected "yes" on their application, but they have not worked with the public since their license expired. They stated that in their current position, they do provide digital tools for managing instruments internally.

Counsel submitted an inquiry of the company's website to confirm the Respondent's employment, role/ duties to determine if they engaged in unlicensed activity. A response wasn't provided prior to the submission of this legal report.

Due to the inability to confirm the extent of the Respondent's duties and the self-reporting on the application, Counsel recommends that the Respondent be assessed a civil penalty of Five Hundred Dollars for practicing on an expired license in violation of Tenn. Code Ann. §62-2-105 (a)(1)(D).

Reviewed by Board member: Alton Hethcoat

Mitigating Factors:

Aggravating Factors:

Recommendation: Assess the Respondent a Civil Penalty of Five Hundred Dollars for practicing on an expired license in violation of Tenn. Code Ann. §62-2-105 (a)(1)(D)

Board Decision: Concur

2. 2025001141

First Licensed: 05/19/2017

Expiration: N/A

Type of License: Engineering Firm

History (5 yrs.): None.

The Respondent is a licensed engineering firm, and the Complainant was a former employee of the firm. The complaint alleged that the Respondent advertised land surveying services without having a licensed surveyor on staff. The complaint included a screenshot of the Respondent's website, which had a section advertising land surveying as a service provided.

The Respondent denied the allegations in the complaint. The Respondent stated that the Complainant worked at the firm from February 17, 2021, to October 31, 2024. Another land surveyor was hired on November 1, 2024, as a full-time employee. This surveyor operated their own independent surveying business while employed with the firm. The second surveyor's employment was terminated on January 6, 2025. After the employment ended, all references to land surveying services were removed from the website. They also stated that if land surveying services were needed, they subcontracted the work, and it was clearly outlined in their proposals. The response included various documents, including the employment agreement with the second surveyor, a sample proposal, and screenshots of their website.

All documents and attachments were reviewed. The screenshot from the complaint was taken on December 24, 2024. During that time, a licensed land surveyor was employed at the firm. The screenshot in the response didn't have a date, but Counsel reviewed their website, and there was no reference to land surveying services at the time of the investigation.

It should be noted that this complaint was also referred to the Land Surveyor Board and the disciplinary counsel stated that they will recommend a civil penalty for offering surveying services without a proper responsible charge surveyor on staff and for allowing a surveyor to use the Complainant's certification on a plat after they were no longer employed at the firm.

Based on the information provided, Counsel finds the allegation that the Respondent advertised land surveying services without a licensed surveyor to be unfounded. Therefore, Counsel recommends that this matter be closed.

Reviewed by Board member: James Collins

Mitigating Factors:

Aggravating Factors:

Recommendation: Close

Board Decision: Close with a Letter of Instruction

3. 2024067501

First Licensed: 09/09/2010

Expiration: 09/30/2026

Type of License: Professional Engineer

History (5 yrs.): None.

This complaint was administratively opened by the Board. The Respondent was selected for a routine audit.

On October 30, 2024, the Respondent was informed that they had thirty (30) days to support the

continuing education claimed for their 2022- 2024 renewal period. The Respondent didn't comply with the audit. On January 8, 2025, the complaint was opened, and Respondent was sent an offer to resolve the matter via an agreed citation. The Respondent did not provide a response, and the matter was referred to legal on February 11, 2025. To date, a response has not been received from the Respondent.

Registrants are required to maintain continuing education records for a period of four (4) years and provide the records to the Board for audit verification purposes within thirty (30) days of the Board's request. Tenn. Comp. R. & Regs. 0120-02-.02(4). Additionally, a registrant may be deemed by the board to be guilty of misconduct if they fail to respond to the Board's requests and investigations within thirty (30) days of the mailing of communications, unless an earlier response is specified. Tenn. Comp. R. & Regs. 0120-02-.07 (5)(c).

Here, the Respondent didn't provide proof of their continued education for the audit period requested, in violation Tenn. Comp. R. & Regs. 0120-02-.02(4). The Respondent also failed to provide a response to the complaint, in violation of Tenn. Comp. R. & Regs. 0120-02-.07 (5)(c).

It is recommended that the Respondent be assessed a Civil Penalty of Five Hundred Dollars (\$500.00) for failing to comply with the requirements of Tenn. Comp. R. & Regs. 0120-02-.02(4); Assess a Civil Penalty of Five Hundred Dollars (\$500.00) for failing to comply with the requirements of Tenn. Comp. R. & Regs. 0120-02-.07 (5)(c); Require the Respondent to submit the record of their education that was requested in the audit within thirty (30) days of receiving the consent order; and Require the Respondent to take and pass the Rules and Laws exam.

Reviewed by Board member: Ed Jett

Mitigating Factors:

Aggravating Factors:

Recommendation: Assess a Civil Penalty of Five Hundred Dollars (\$500.00) for failing to comply with the requirements of Tenn. Comp. R. & Regs. 0120-02-.02(4); Assess a Civil Penalty of Five Hundred Dollars (\$500.00) for failing to comply with the requirements of Tenn. Comp. R. & Regs. 0120-02-.07 (5)(c); Require the Respondent to submit the record of their education that was requested in the audit within thirty (30) days of receiving the consent order; and Require the Respondent to take and pass the Rules and Laws exam.

Board Decision: Concur.

RE-PRESENTATIONS

4. 2023025121

First Licensed: N/A (Unlicensed)

Expiration: N/A

Type of License: Engineering Firm

History (5 yrs.): None.

Complainant alleges Respondent is advertising "in-house engineering" on its website and LinkedIn profile. Respondent is not registered as an engineering firm.

Respondent claims they do not self-perform engineering but instead partner with engineers and firms to perform the services. Respondent claims they do have electrical engineers on their payroll but do not design or stamp drawings. The website states "[Respondent] partners with elite engineers to provide owners..."

After review of the website, the Services Offered page states as follows: "Each and every electrical installation is fully staffed with [Respondent's] personnel. We can offer you valuable engineering expertise if necessary, ensuring a cost-effective, common-sense approach."

Under Experience it states: "[Respondent] has more than 20 years of averaged experience from designing to engineering and complete installation of electrical systems. Our personnel of managers, electricians, electrical engineers, and support are all outstanding in their respective fields."

Reviewed by Board member: Rob Barrick

Mitigating Factors:

Aggravating Factors:

Recommendation: Authorize a civil penalty of \$1,000.00 by Consent Order and formal charges for advertising engineering services without being registered.

Board Decision: Authorize a civil penalty of \$2,000.00 by Consent Order and formal charges for advertising engineering services without being registered and have Respondent remove all "Engineering" designations from their website.

New Information:

Overview of Case:

The Complainant alleged that the Respondent advertised as "in house engineering" on its website and LinkedIn profile when they are not registered as an engineering firm.

The Respondent claimed they don't self-perform engineering but instead partner with engineers and firms to perform the services. They claim to have electrical engineers on their payroll, but they don't design or stamp drawings.

The Board previously authorized a civil penalty of \$2,000.00 by Consent Order and formal charges for advertising engineering services without registration and had Respondent remove all "Engineering" designations from their website.

New Information:

This case was inherited from previous counsel. While reviewing the case file for litigation, it was discovered that previous counsel intended to re-present this complaint with a new recommendation to close the matter.

Previous counsel had discussions with the Respondent's attorney regarding the use of term "engineering". The Attorney argued that when viewed in the context and not isolation, the term "engineering" was in relation to design-build projects with engineering services being performed by Respondents' "partners with elite engineers," not the Respondent.

They also asserted that a strict interpretation should not be applied and referenced several exemptions under Tenn. Code Ann. §62-2-103 that don't require registration for projects or services for value engineering; industrial engineering; nuclear engineering; biomedical engineering; chemical engineering; aerospace engineering.

The Respondent believes they fall under this policy, and states that contractors, without inhouse registrants, offering "design/build" services are in no way authorized to perform actual architectural, engineering, or landscape architectural services. They stated they follow the policy by offering design/build services by organizing the design team, comprised of Tennessee-registered engineers competent in the work to be performed, prior to the time services are formally proposed. Additionally, those engineers are involved in any activity in preparation for or leading to a signed contract.

Reviewed by Board member: Alton Hethcoat

New Recommendation: Discuss

New Board Decision: Authorize a civil penalty of Two Thousand Dollars (\$2,000.00) by Consent Order and formal charges for advertising engineering services without being registered; Require that the Respondent remove all "in-house engineering" designations from their website.

5. 2024062571

First Licensed: 06/29/2006

Expiration: 06/30/2026

Type of License: Professional Engineer

History (5 yrs.): None.

This complaint was administratively opened by the Board. The Respondent was selected for a routine audit. The Respondent was informed that they had ninety (90) days to support the continuing education claimed from July 1, 2022, to June 30, 2024. The Respondent didn't comply with the request for additional information or submit a response.

Under Tenn. Comp. R. & Regs. 0120-02-.02(4), registrants are required to maintain continuing education records for a period of four (4) years and provide the records to the Board for audit verification purposes within thirty (30) days of the Board's request.

Here, the Respondent didn't provide proof of their continued education for the audit period requested.

It is recommended that the Respondent be assessed a Civil Penalty of Five Hundred Dollars (\$500.00) for failing to comply with the requirements of Tenn. Comp. R. & Regs. 0120-02-.02(4); Require the Respondent to submit the record of their education that was requested in the audit within thirty (30) days of receiving the consent order; and require the Respondent to take and pass the Rules and Laws exam.

Reviewed by Board member: James Collins

Mitigating Factors:

Aggravating Factors:

Recommendation: Assess a Civil Penalty of Five Hundred Dollars (\$500.00) for failing to comply with the requirements of Tenn. Comp. R. & Regs. 0120-02-.02(4) and require the Respondent to submit the record of their education within thirty (30) days of receiving the consent order; Require the Respondent to take and pass the Rules and Laws exam.

Board Decision: Concur.

New Information:

The Respondent stated they didn't respond because they didn't monitor the email address regularly. However, they contacted the office after they received the consent order. They believed they had carryover credits that would have applied to the 2022-2023 audit period. They submitted training records for the registration period between June 1, 2022, to June 30, 2024. They sent the hours that they intended to roll over from the period between June 1, 2022, to May 30, 2022, and believed they were sufficient to satisfy the requirement of 24 PDH continuing education credits.

Since receiving the consent order, the Respondent has been cooperative with the Board and has completed 24 PDH continuing education credits. Counsel told the Respondent that the continuing education credit couldn't be applied retroactively, but they stated it was done to "show good faith" that they would stay in compliance. The Respondent has also taken and passed the Rules and Laws exam.

After review, it is believed that the Respondent is still not in compliance for the 2022-2024 audit period. The Respondent was notified that specific credits wouldn't be applied. Additionally, all registrants were notified that carryover credits for continuing education would end on January 1, 2023, and only registrants whose license expired before 2023 would qualify. The Respondent's license renewal was in 2024.

Counsel recommends that the Respondent be assessed a Civil Penalty of Five Hundred Dollars (\$500.00) for failing to comply with the requirements of Tenn. Comp. R. & Regs. 0120-02-.02(4) of maintaining the continuing education records as required by Rule 0120-05-.10 and Require the

Respondent to take and pass the Rules and Laws exam.

Reviewed by Board member: James Collins

New Recommendation: Assess a Civil Penalty of Five Hundred Dollars (\$500.00) for failing to comply with the requirements of Tenn. Comp. R. & Regs. 0120-02-.02(4); Require the Respondent to take and pass the Rules and Laws exam.

New Board Decision: Assess a Civil Penalty of One Thousand Dollars (\$1,000.00) for failing to comply with the requirements of Tenn. Comp. R. & Regs. 0120-02-.02(4); Require the Respondent to take and pass the Rules and Laws exam; Require the Respondent to attend and successfully complete an additional twenty-four (24) PDH for continuing education credit, above and beyond that which is required for a registrant each renewal cycle; Flag the Respondent's CORE account to review their application to renew registration (current license expires 6/30/2026) to ensure compliance with all renewal requirements.

COMMITTEE REPORT

Please see summary provided above.

NEW BUSINESS

Chief Counsel Laura Martin noted that there is a rulemaking hearing scheduled for the next board meeting.

PUBLIC COMMENT PERIOD RELATED TO ITEMS ON THE AGENDA

There were no comments from the public.

ADJOURNMENT

Jason Carder adjourned the meeting at 12:11 p.m.