

**Texas Board of Professional Engineers and Land
Surveyors Enforcement Committee Meeting Minutes
1917 S. Interstate 35
Austin, TX 78741
August 18, 2022
9:30 am-10:00 am Central Time**

Discuss and Possibly Act on the Following Agenda Items:

1. Preliminary Matters (Coleen Johnson, R.P.L.S., Chair)

A. Call to Order

Ms. Coleen Johnson, R.P.L.S., Chair, called the Enforcement Committee meeting of the Texas Board of Professional Engineers and Land Surveyors to order at 9:32 a.m. in-person and via Videoconference. (NOTE: all votes are unanimous unless noted.)

B. Roll Call

Ms. Bodden called the roll. It was noted for the record that a quorum was present.

The following Committee members were present:

Coleen Johnson, R.P.L.S.	Chair
Karen Friese, P.E.	Member
Catherine Norwood, P.E.	Member
Dr. Marguerite McClinton Stoglin	Public Member

Melissa Juarez, Assistant Attorney General and General Counsel for the Board, was present via Videoconference to provide legal counsel to the Board.

The following staff members were present:

Lance Kinney, Ph.D., P.E.	Executive Director
Rick Strong, P.E.	Director of Licensing and Registration
Michael Sims, P.E.	Director of Compliance and Enforcement
Elissa Mazza	Staff Attorney
Janet Sobieski	Director of Operations
Ed Brannon, P.E.	Technical Engineering Specialist
Cristabel Bodden	Executive Assistant

C. Excuse absent Committee members

All Committee members were present.

D. Welcome Visitors

Ademola Adejokun, P.E., Board Member;
Lamberto Ballí, P.E., Advisory Member; Sina K. Nejad, P.E., P.Eng., Board Member;
Mark Neugebauer, R.P.L.S., L.S.L.S., Board Member; Rolando Rubiano, P.E., Board Member;
and Kiran Shah, Public Member,
were present.

E. Public Comment

There were no public comments.

2. May 12, 2022 Enforcement Committee Meeting Minutes

It was MOVED/SECONDED (Norwood/McClinton Stoglin) to approve the May 12, 2022 Enforcement Committee minutes as submitted.

A vote was taken and the MOTION PASSED.

3. Adopt Amendments to 22 Tex. Admin. Code Chapter 138, Subchapter B – Sealing Requirements
• § 138.33 – Sealing Procedures

Mr. Sims stated that this rule was approved by the Board in May 2022, had been posted on the Texas Register and the TBPELS website for public comment through October 12, 2022, and no public comments were received. Amendments made have been presented to the committee for approval for Board adoption.

If the Board adopts the rule, the amended rule would then be posted on the Texas Register and will become effective 20 days later.

It was MOVED/SECONDED (McClintonStoglin/Friese) to recommend to the Board at its Regular Quarterly Board meeting on August 18, 2022, that the Board adopt Chapter 138, Subchapter B - Sealing Requirements rule as presented.

4. Compliance & Enforcement Report, including updates on the department's operations and workload.

Mr. Sims stated that an exhibit was provided for the Committee.

Mr. Sims provided a brief update on the Compliance and Enforcement activities and staffing.

Mr. Sims provided case statistics and stated they were on track this fiscal year. A more in-depth report will be provided at the November Board meeting.

Ms. Mazza provided an overview and spotlight on the SOAH process. An exhibit was provided for the Committee.

5. Future Committee Meetings: Agenda items, dates, locations, and other arrangements

Dr. McClinton Stoglin requested staff provide the Committee with job posting for this department to help find eligible candidates.

6. Adjourn

It was MOVED/SECONDED (McClinton Stoglin/Norwood) to adjourn the meeting at 9:55 a.m.

A vote was taken and the MOTION PASSED.

Date Committee approved minutes:

November 17, 2022

Date Board approved minutes:

November 17, 2022