

**Texas Board of Professional Engineers and Land Surveyors
Licensing and Registration Committee Meeting Minutes
1917 S. Interstate 35
Austin, Texas 78741
August 9, 2023
2 p.m. Central Time**

1. Preliminary Matters (Catherine Norwood, P.E., Chair)

a. Call to Order

Ms. Catherine Norwood, P.E., Chair, called the Licensing and Registration Committee meeting of the Texas Board of Professional Engineers and Land Surveyors to order at 2:00 p.m. at the Texas Board of Professional Engineers and Land Surveyors at 1917 S. Interstate 35, Austin, TX. (NOTE: all votes are unanimous unless noted.)

b. Roll Call

Mr. Sims called the roll. It was noted for the record that a quorum was present.

The following Committee members were present:

Catherine Norwood, P.E.	Chair
Coleen Johnson, R.P.L.S.	Member
Rolando Rubiano, P.E.	Member
Marguerite McClinton Stoglin	Member

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

The following staff members were present:

Lance Kinney, Ph.D., P.E.	Executive Director (attended via Zoom)
Rick Strong, P.E.	Director of Licensing and Registration
Michael Sims, P.E.	Director of Compliance and Enforcement
Elissa Mazza	Staff Attorney
Ed Brannan, P.E.	Technical Engineering Specialist
Jeff Rodriguez	Board Staff
Julia Estrada	Board Staff

c. Excuse absent Committee members

The following Committee member was absent:

Albert Cheng

Member

It was MOVED/SECONDED (Johnson/McClinton-Stoglin) to excuse Albert Cheng from the Licensing and Registration Committee Meeting. A vote was taken and the MOTION PASSED.

d. Welcome Visitors

Sina K. Nejad, P.E., P.Eng., Board Member; Mitch Brackin, R.P.L.S., and Colby Brackin, S.I.T..

e. Public Comment

- Brackin, Colby

Mr. Brackin addressed the board concerning his application for registration as an RPLS. Under current statute and rules he does not meet the qualifications for education and asks the board to reconsider his application and that he be allowed to take the Texas Specific Surveying Exam (TSSE).

2. May 10, 2023, Licensing and Registration Committee Meeting Minutes

It was MOVED/SECONDED (McClinton-Stoglin/Johnson) to approve the May 10, 2023, Licensing and Registration Committee minutes as presented. A vote was taken, and MOTION PASSED.

3. Applications for Licensure

- **Personal Interviews Cases:**
 - **Dew, Kevin Alan**

This applicant applied for licensure as a PE. Mr. Dew appears before the Committee having multiple recent criminal convictions. The Committee and applicant discussed his experience and lessons learned from his convictions.

It was MOVED/SECONDED (Rubiano/Johnson) to recommend to the Board at its Regular Quarterly Board meeting on August 10, 2023, that Mr. Dew be issued a PE license after the successful completion of the 30-hour Basic level Engineering Ethics course from the Texas Tech Murdough Center. A vote was taken, and the MOTION PASSED.

- **McDonald, Mitchell Louis**

This applicant applied for registration as an RPLS. Mr. McDonald appears before the Committee having multiple recent criminal convictions. The Committee and applicant discussed his experience and lessons learned.

It was MOVED/SECONDED (Rubiano/Johnson) to recommend to the Board at its Regular Quarterly Board meeting on August 10, 2023, that Mr. McDonald be allowed to sit for the TSSE upon the successful completion of the 30-hour Basic level Surveying Ethics course from the Texas Tech Murdough Center. A vote was taken, and the MOTION PASSED.

Agenda items # 4-5 were discussed as a group.

- 4. Adopt Amendments to 22 Tex. Admin. Code Chapter 134, Subchapter C – Land Surveyors Application Requirements
§ 134.23 Application from Standard Registration Holders**
- 5. Adopt Amendments to 22. Tex. Admin. Code Chapter 134, Subchapter H – Review Process of Applications and Registration Issuance
§ 134.101 Proposed Actions on Applications**

Mr. Sims stated that these items were discussed at the May Committee meeting. These amendments are reinstatements of previously adopted provisions that were inadvertently repealed and corrections of an erroneous rule citation. No public comments were received on the proposed amendments.

It was MOVED/SECONDED (Rubiano/McClinton-Stoglin) to recommend to the Board at its Regular Quarterly Board meeting on August 10, 2023, to adopt the rule amendments in agenda items #4-5 and post in the Texas Register. A vote was taken, and the MOTION PASSED.

- 6. Adopt Amendments to 22 Tex. Admin. Code, Chapter 134, Subchapter G – Examinations**
 - § 134.61 Surveying Examinations Required for a Registration to Practice as a Professional Surveyor**
 - § 134.67 Examination of the Principles and Practice of Surveying**
 - § 134.71 Examination for Record Purposes**
 - § 134.73 Examination Results and Analysis**

Dr. Kinney stated that these rules relate to the changes that have been previously approved regarding surveying exams and the implementation of the PS and TSSE exams. No public comments were received on the rule amendments.

It was MOVED/SECONDED (McClinton-Stoglin/Johnson) to recommend to the Board at its Regular Quarterly Board meeting on August 10, 2023, to adopt the rule amendments to Chapter 134, Subchapter G – Examinations and post in the Texas Register. A vote was taken, and the MOTION PASSED.

Agenda items # 7-8 were discussed as a group.

7. Texas Board of Professional Engineers and Land Surveyors' Land Surveying Exam Update

8. Licensing and Registration Director's Report

- **Engineer Results and Statistics: Licensing Application and Examination Report**
- **Surveyor Results and Statistics: Registration Application and Examination Report**

Mr. Strong discussed the tests for land surveying. The TSSE exam is ready and fully developed, and the PS exam is currently available to Texas applicants via NCEES. The exhibit associated with this item included a list of TSSE exam dates. The next exam is set to take place in Austin, Texas, on October 13, 2023. There will be three more testing dates in the following year: March 22, June 23, and October 18, 2024. The agency website contains information about the exam dates as well as study guides, study reference information, and frequently asked questions.

The L.S.L.S. exam has historically been given on the same day as the RPLS exams. We are looking at separating the exam dates and using proctors to administer the exam at the Board office.

Mr. Strong reported there should be about 100 people present for the TSSE on October 13, 2023.

Mr. Strong reviewed the PE exam data and noted a continuous increase in the number of examinees and licensees.

Mr. Strong also mentioned that all NCEES exams are converted to computer based delivery except for the structural engineering exam.

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

No issues were presented or addressed for consideration at the next Committee meeting.

10. Adjourn

It was MOVED/SECONDED (Johnson/ McClinton-Stoglin) to adjourn the meeting at 4:45 p.m. A vote was taken, and the MOTION PASSED.

Date Committee approved minutes:

November 8, 2023

Date Board approved minutes:

November 9, 2023