



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

Board Meeting Minutes for August 3, 2023  
Eleventh Floor Conference Room  
Davy Crockett Tower

Tennessee Board of Architectural and Engineering Examiners met on August 3, 2023, and the following business was transacted:

**BOARD MEMBERS PRESENT:** Alton Hethcoat, Frank Wagster, Melanie Doss, Brian Tibbs, Jason Carder, Ashraf Elsayed, James Collins, Blair Parker, Jeff Nalley, Edward Jett

**BOARD MEMBERS ABSENT:** Rob Barrick, Rick Thompson

**STAFF MEMBERS PRESENT:** Glenn Kopchak, Stuart Huffman, Heidi Overstreet, Tammy Roehrich, Alexandria Griffey, Ashley Trobaugh

## **ENGINEER COMMITTEE MEETING**

### **Application Review**

Shenwar Hussein: The committee determined that the applicant's education was sufficient. As for experience, a civil engineer board member will interview him to better determine whether the applicant has the prerequisite 12-year experience and to ensure that only 3 references are from an employer per Rule 0120-01-.09(3).

### **New Business**

When determining if the master's degree or higher in engineering under 62-2-401(3)(A) is "approved by the board as being of satisfactory standing", the board determined to borrow language from 62-2-401(4) which states "from an institution with an ABET EAC accredited undergraduate engineering program approved by the board as being of satisfactory standing". This will provide some consistency among pathways and allow for automatic approval of the education to expedite the process and provide clarity but would not be treated as a minimum standard as in 62-2-401(4). Member reviewers would still be able to exercise their discretion as before.

## **NOMINATIONS COMMITTEE MEETING**

Per 62-2-204(b), the "board shall elect annually from its members a chair, a vice chair and a secretary." The Nominations Committee recommended Melanie Doss for Chair, Rob Barrick for Vice Chair, and Blair Parker for Secretary.

## **FULL BOARD MEETING**

### **CALL TO ORDER / ROLL CALL / NOTICE OF MEETING**

Melanie Doss called the meeting to order at 10:30 am and Director Glenn Kopchak took roll call.

### **ANNOUNCEMENTS**

The Architect and Engineer Board welcomed Eddie Jett as a new board member, as the new Associate Engineer for the board.

### **AGENDA**

Blair Parker made a motion to adopt the agenda with amendments that included adding the CIDQ Annual Meeting and the Election of Officers to the agenda. This was seconded by Brian Tibbs. The motion passed by unanimous voice vote.

### **JUNE MINUTES**

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

### **PROFESSIONAL SOCIETY REPORTS**

Kasey Anderson, Tennessee Society of Professional Engineers/American Council of Engineering Companies of Tennessee (TSPE/ACEC-TN), discussed that the rollover hours for license renewals are no longer valid and encourages all licensed professionals to update their email addresses to ensure that they are receiving the important information pertaining to renewing their license. Ms. Anderson mentioned that the 2023 TN Engineers' Conference will be conducted on September 17 – 19, 2023 in Franklin, TN, and requested that engineer members be granted permission to speak at the Engineer's luncheon on September 19<sup>th</sup>, 2023.

Nathan Ridley, TN chapter of the American Society of Landscape Architects (ASLA-TN), provided updates and upcoming events for the ASLA-TN.

Hanna Durham, American Society of Interior Designers, announced a NCIDQ conference will be held on August 3<sup>rd</sup> - August 5<sup>th</sup>.

### **DIRECTOR'S REPORT**

#### **Budget Report**

Director Kopchak reported that there were no items of concern. The board is trending within range of prior years.

#### **CLARB Annual Meeting**

Frank Wagster made a motion to approve Blair Parker to travel to the CLARB Annual Meeting in Henderson, NV from September 20 - 22, 2023. This was seconded by Brian Tibbs. The motion passed by unanimous voice vote.

#### **ASLA Conference**

Brian Tibbs made a motion to approve Blair Parker to travel to the ASLA Conference in Minneapolis,

MN from October 27 – 30, 2023. This was seconded by Frank Wagster The motion passed by unanimous voice vote.

### **TN Engineers' Conference**

Brian Tibbs made a motion to approve Alton Hethcoat, Jason Carder, Ashraf Elsayed, Rob Barrick, Edward Jett, and James Collins to attend the TN Engineer's Conference in Franklin, TN, from September 17 – 19, 2023. This was seconded by Frank Wagster. The motion passed by unanimous voice vote.

### **CIDQ Annual Meeting**

Frank Wagster made a motion to approve for Melanie Doss to travel to the CIDQ Annual Meeting in Louisville, KY from November 10 – 11, 2023. This was seconded by Brian Tibbs. The motion passed by unanimous voice vote.

### **Election of Officers**

Frank Wagster made a motion to approve the nominations committee recommendation for Melanie Doss as Chair, Rob Barrick as Vice Chair, and Blair Parker as Secretary. This was seconded by Brian Tibbs. The motion passed by unanimous voice vote.

### **COMMITTEE REPORTS**

Please see summary provided above.

### **LEGAL**

**Legal Report** (presented by Stuart Huffman)

#### **1. 2023017541 (SH)**

**First Licensed: 07/10/2009**

**Expiration: 07/31/2023 check before meeting**

**Type of License: Professional Engineer**

**History (5 yrs.): None.**

On 6/30/2022, Complainant executed an agreement with Respondent to perform septic design services and TDEC permitting for a two-phase project consisting of 5 cabins in the first phase, and 1 cabin and 4 treehouse hospitality units in the second phase. Respondent produced the first phase final septic designs for permitting on 9/29/2022 and filed for the TDEC permit on behalf of Complainant on 7/11/2022. Complainant claims that despite being paid in full for the above referenced designs and permitting services, Respondent failed to obtain the TDEC permit and complete the process. On 11/16/2022, Respondent delivered the preliminary septic system design documents for the second phase of the project and was paid in full for these services on 12/2/2022 but has failed to deliver stamped drawings and TDEC permits. Complainant alleges Respondent has acted without integrity and honesty by not complying to the terms that he is contractually obligated.

Respondent states all terms of the contract have been completed and denies any wrongdoing. Respondent claims the Complainant wanted to revise the design that would essentially make it illegal, and Respondent refused to do so, even though Complainant used threats through legal action.

**Reviewed by Board member: Rob Barrick**

Mitigating Factors: No evidence of wrongdoing.

Aggravating Factors:

**Recommendation: Close.**

**Board Decision: Concur.**

**2. 2023024321 (SH)**

**First Licensed: 03/21/1981**

**Expiration: 05/31/2025**

**Type of License: Professional Architect**

**History (5 yrs.): None.**

Respondent self-reported practicing on an expired license. The license lapsed on 6/30/2021 and there were two projects that Respondent stamped in January and February 2023, while expired. Respondent states that it was not until May 2023 when Respondent went to renew that he realized it had expired. Respondent had semi-retired in 2017 and most projects were handled by the new leadership up to the end of 2022. The partnership transition failed January 2023 forcing Respondent back into the office to wind up projects. Respondent has since renewed the license.

**Reviewed by Board member: Brian Tibbs**

Mitigating Factors: Self-reported.

Aggravating Factors: Stamping plans on an expired license.

**Recommendation: Authorize a civil penalty of \$1,000.00 by Consent Order and formal charges for practicing on an expired license and pass the Laws and Rules Exam.**

**Board Decision: Concur.**

**3. 2023030901 (SH)**

**First Licensed: 11/10/2010**

**Expiration: 06/30/2025**

**Type of License: Professional Engineer**

**History (5 yrs.): None.**

Respondent self-reported practicing on an expired license. Respondent explains that he believed that on 11/22/2022 he renewed the license by submitting the required application and PDH, then paying the fee. Respondent claims there was no notification that the renewal fee wasn't received. On 6/11/2023, Respondent learned that the license lapsed on 11/30/2022 and determined that the credit card was not charged. Respondent states that this was unintentional clerical error. Respondent provided a list, and it was determined there were 23 projects stamped in the expiration period.

Respondent has since renewed the license.

**Reviewed by Board member: Alton Hethcoat**

Mitigating Factors: Self-reported; Attempted to renew on-time however, unintentional clerical error in renewing.

Aggravating Factors: Stamping plans on an expired license.

**Recommendation: Authorize a civil penalty of \$4,600.00 (\$200 per project stamped) by Consent Order and formal charges for practicing on an expired license and pass the Laws and Rules Exam.**

**Board Decision: Concur.**

**4. 2023025121 (SH)**

**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 its 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.**

**Sunshine Law**

Staff Attorney Stuart Huffman reviewed the details and requirements of the Sunshine Law with the Board.

**NEW BUSINESS**

Melanie Doss introduced A.I. as a concern for continued monitoring.

Frank Wagster stated that the Reference Manual on the website will require revisions as it still has references to the 1985 Standard Building Code (SBC), but the International Building Code (IBC) was recently adopted by the State Fire Marshal’s Office (SFMO).

**ADJOURNMENT**

Melanie Doss adjourned the meeting at 11: 50 a.m.