

April 21, 2017

BOARD OF PROFESSIONAL ENGINEERS MINUTES

There was a meeting of the Board of Licensure for Professional Engineers held on April 21, 2017. The meeting was called to order at 9:00 a.m. by Chairman Ackroyd. Also in attendance were Mulleavey, Cook and Azodi. Morin was not present Board staff present was Donna Lobdell, Program Specialist III.

1. Interview/meeting – Jeff Trexler spoke with the board concerning pro-bono structural work without benefit, and ENG 501.03 concerning performing engineering duties for bodies of government that you are a part of. The Board determined that this was not a violation of ethics or a conflict of interest as long as the engineer maintained a position of recusal during all decisions to do with the project.

2. Reading of minutes of March 24, 2017 – Moved, seconded and voted 4-0 to accept public and non-public minutes as written.

3. Communications General – None

4. Communications – Board Action –

- a. Received notice of the NCEES annual meeting August 23-26th- Board member to check schedules for possible attendance.

5. Applications for Board Action –

- a. New applications for Board action – After review of applications and supporting data, it was moved seconded and voted to license the following with branch listing/s and license numbers indicated.

<u>APPL #</u>	<u>NAME</u>	<u>BRANCH/ES</u>	<u>PE #</u>
17-461	Peter W. Delano	CE	15359
17-433	Stephen F. Olsen	STR	15360
17-496	Jason Vigil	STR	15361

- b. P&P Applicant-

Appl #17-275 Jeffrey M. Clifton

REQUESTED BRANCH/ES

CE *

- c. Model Law Engineers licensed since March 23, 2017 –

Appl#	17-329 Melissa A. Sierra	15331	3/21/17	EE/COMP
	17-452 Karen M. Hankinson	15332	3/21/17	CE
	17-456 Stephen M. Lahti	15333	3/22/17	MECH
	17-389 Gina Gilseth	15334	3/24/17	ENVIR
	17-465 Kevin M. Sherman	15338	3/24/17	CE
	17-467 Bradley T. Forester	15339	3/28/17	ENVIR
	17-437 Elias K. ImMasche	15340	3/29/17	EE/COMP

5. Applications for Board Action-cont'd-

17-251 Michael A. Keim	15341	4/4/17	CE
17-428 Alfred Jones	15342	4/6/17	CE
17-486 Shawn D. Lothrop	15343	4/10/17	STR
17-491 John K. Hinze	15344	4/10/17	EE
17-475 Heather E. Gilmer	15345	4/10/17	CE
17-450 Henry E. Fox	15346	4/10/17	CE
17-497 David A. Weaver	15347	4/11/17	CE, STR
17-500 Christopher Shoemaker	15348	4/13/17	EE
17-63 Timothy R. Cutshaw	15349	4/13/17	MECH
17-494 Peter G. Delano	15350	4/13/1	MECH

6. Unfinished Business –

- a. Charles Cote request for additional roster listings- Request denied, due to insufficient detailed experience as requested.
- b. Upon the motion of Cook and the second of Mulleavey, the Board voted by roll call vote, to conduct a non-public session for the purpose of discussing pending investigations and noting that such a non-public session is authorized by RSA 91-A:3, II (c) & (j), RSA 91-A:5, IV, Lodge v. Knowlton, 11 N.H. 574 (1978), and the Board's executive and deliberative privileges. Each member recorded his or her vote on the motion, which passed by the unanimous vote of all members present.
- b. Upon the motion of Mulleavey and the second of Cook, the Board, by roll call vote, resolved to withhold the minutes of the preceding non-public session from public disclosure pursuant to RSA 91-A:3, III on the grounds that public disclosure would be likely to render the proposed action ineffective. Each member recorded his or her vote on the motion, which passed by the unanimous vote of all members present. The board to seal the minutes by roll call vote.

7. New Business –

- a. Pending legislation in Maine- The board discussed the legislation currently being considered in Maine to discontinue the requirement for continuing education. No effect in New Hampshire as all engineers must maintain their 30 hours of continuing education to practice here.
- b. Discussed email from Michael Bergeron at Dred concerning Systems Engineering to do business in NH without a Certificate of Authorization. After debate it was moved, seconded and voted to deny the waiver pursuant to 310-A:20 I and V which states;

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7. New Business-cont'd-

- b. *I. The practice of or offer to practice professional engineering for others by individual engineers licensed under this subdivision through a business organization as officers, partners, associates, employees, or agents is permitted, subject to the provisions of this subdivision; provided that:*

(a) One or more of the corporate officers, of a corporation or one or more general partners, or associates is designated as being responsible for the engineering activities and engineering decisions of the business organization, and is a licensed engineer under this subdivision.

(b) All personnel of the business organization who act in its behalf as professional engineers are licensed under this subdivision.

(c) The business organization has been issued a certificate of authorization by the board, as provided in this section.

V. The secretary of state shall not issue a certificate of incorporation to an applicant for incorporation or for registration as a foreign business organization which includes the words "Engineer" or "Engineering" or any modification or derivative thereof in its corporate or business name or which includes the practice of engineering among the objects for which it is established unless the board shall have issued, with respect to such applicant, a certificate of authorization or eligibility for authorization, a copy of which shall have been presented to the secretary of state.

Also Administrative Rule 306.01 states;

- (b) Persons designated as being responsible for the engineering activities of the business organization shall:*

(1) Be licensed as a professional engineer in this state, and;

(2) Be employed by the business organization a minimum of 37.5 hours per week, except in the case of a business organization which is owned by a professional engineer and which business organization is either not actively providing engineering services or consists of a sole practicing professional engineer.

- c. Date and time of next meeting – *May 26, 2017 @ 9:00 a.m.*

8. Adjournment – 11:00 a.m.

Respectfully Submitted,



Donna Lobdell
Program Specialist III