

ILLINOIS DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION
DIVISION OF PROFESSIONAL REGULATION
STATE BOARD OF PROFESSIONAL ENGINEERS

Open Minutes

State Board of Professional Engineers

Date: November 17, 2022
Convened: 10:01 am
Adjourned: 10:51 am
Location: WebEx

Members Present: L. Duane Yockey, Chair
Brian Berg Jr, Vice-Chair
Kevin Burke III, Member
Christy Crites, Member
Sean Middleton, Member
Richard Rivera, Member
James P. Schlichting, Member
Richard M. Ray, Member

Member(s) Absent: Philip Kunz, Public Member
Gale Jamison, Member

Staff Present: Kyle Lazell, Design Licensing Manager
Ronald Almiron, IDFPR General Counsel
Eduardo Fernandez, IDFPR Prosecuting Attorney
Roy Cepero, IDFPR Design Investigator

Guests Present: Ryan Roth, ISPE

Open Session: The Meeting was called to order at 10:01 am.
Roll Call: The Board Members present constituted a quorum of the Board.

A. **Board Member Announcements, comments** Mr. Yockey thanked everyone for attending and asked if any of the members had any announcements or comments.
No comments presented.

II. Guest Announcements, comments Mr. Roth commented that there have not been any contentious items brought up at ISPE lately.

III. Licensing Manager Report

A. Rules Update

Mr. Lazell shared that DPR spoke with ISPE about their submitted comments. After discussing the items, ISPE has indicated they are satisfied with the reasonings given and are fine with the revisions agreed to as noted.

The revised version of the proposed Rules which includes the items agreed/accepted by DPR will be submitted to JCAR for review at their yet-to-be listed December meeting.

B. Board Member Update

Mr. Lazell shared that the Director's office has a new staff member – Joan Thomas – and will be focusing on filling the current vacancies on the Board as well as any re-appointments.

C. NCEES CZ Awards

Mr. Lazell shared that the NCEES Central Zone is accepting nominations for the Central Zone Distinguished Service Award.

D. NCEES CZ Meeting

Mr. Lazell shared that the NCEES Central Zone meeting will be held April 27-29, 2023, in Houston, Texas. Three delegates of the Board are eligible to attend.

E. NCEES CEO Change

Mr. Lazell shared that David Cox, CEO for NCEES plans to retire in 2024 and Davy McDowell will be the successor.

IV. Review of Open Minutes

The Board reviewed the Minutes of the September 29, 2022, meeting. Motion was made, seconded (Berg/Crites) to approve the open minutes of the meeting as amended. Motion passed with a quorum of members via roll call.

V. Ongoing Business

No ongoing business discussed.

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**VI. Report from
Subcommittees**

A. Complaint Review
Committee/subcommittee

Mr. Burke reported on the November 2, 2022, meeting.

Complaint Statistics based on recommendations from the September 2022 meetings for each profession:

Architect: Opened 3, Closed 3, Referred to prosecutions 0
SE: Opened 1, Closed 1, Referred to prosecutions 0
PE: Opened 6 Closed 1, Referred to prosecutions 0
LS: Opened 0, Closed 0, Referred to prosecutions 0

Complaints currently under investigation:

Architect – 32
SE - 7
PE – 27
LS – 8

Cases currently being prosecuted:

Architect – 34
LS – 5
PE – 17
SE – 5

VII. New Business

A. Election of Officers

Mr. Lazell shared the Statutory Board officer term and duty requirements.

Call for nominations for Board Chair.

Mr. Schlichting nominated Mr. Berg to be appointed for Chair. Mr. Berg accepted the nomination. Mr. Ray nominated Mr. Burke to be appointed for Chair. Mr. Burke declined the nomination and would support Mr. Berg. Motion was made, seconded (Schlichting/Middleton) to close the nominations for Chair.

Motion Roll Call: The Board Members present constituted a quorum of the Board.

Mr. Berg was elected as Board Chair for 2023.

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Call for nominations for Board Vice-Chair.

Mr. Ray nominated Mr. Burke to be appointed for Vice-Chair. Mr. Burke accepted the nomination. Motion was made, seconded (Ray/Middleton) to close the nominations for Vice-Chair.

Motion Roll Call: The Board Members present constituted a quorum of the Board.

Mr. Burke was elected as Board Vice-Chair for 2023.

Call for nominations of the Complaint Review Committee Vice-Chair.

Mr. Berg nominated Ms. Crites to be appointed for Complaint Review Committee Vice-Chair. Ms. Crites accepted the nomination. Motion was made, seconded (Berg/Middleton) to close the nominations for Vice-Chair.

Motion Roll Call: The Board Members present constituted a quorum of the Board.

Ms. Crites was elected as Complaint Review Committee Vice-Chair for 2023.

B. NCEES Central Zone
Delegates

The NCEES Central Zone meeting will be held April 27-29, 2023, in Houston, Texas. Three members of the Board are eligible to represent the Board.

The PE Board delegates will be:

- Christy Crites
- Brian Burg

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Motion to move into Closed Session: Motion was made, seconded (Schlichting/Crites) to move into Closed Session pursuant to Section 2C (4) & (15) of the Open Meetings Act at 10:33 am. Motion passed with a quorum of members via roll call.

VIII. Closed Session:

A. Review of Closed Minutes

The Board reviewed the closed minutes of the September 29, 2022, meeting and the consensus was that the minutes appeared accurate as written.

B. Application Review/discussion

The Board reviewed 1 application pursuant to Sections 1380.242, 1380.250 and 1380.280 of the Rules for the Administration of the Illinois Professional Engineering Practice Act of 1989.

Moved back into Open Session:

The Board Chair moved the meeting back into Open Session at 10:43 am.

IX. Motions:

Accept recommendations:

Motion was made, seconded (Berg/Schlichting) to accept the recommendations made in Closed Session. Motion passed with a quorum of members via roll call.

Approve closed minutes:

Motion was made, seconded (Berg/Burke) to approve the closed meeting minutes as written. Motion passed with a quorum of members via roll call.

Keep closed minutes closed:

Motion was made, seconded (Berg/Burke) to keep the closed minutes closed. Motion passed with a quorum of members via roll call.

X. Reminders & Signatures

A. Reminder

Mr. Lazell reminded the Board that the next meeting scheduled is on January 26, 2023.

B. Action Sheets

On behalf of the Board, the Board Chair will sign Action Sheet 22-0766.

XI. Adjournment

The Board chair adjourned the meeting at 10:50 am.