

**Minutes of Meeting**  
**BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS, LAND SURVEYORS,**  
**CERTIFIED INTERIOR DESIGNERS AND LANDSCAPE ARCHITECTS**  
**(APELSCIDLA BOARD)**

**PROFESSIONAL ENGINEER / PROFESSIONAL CORPORATION**  
**INFORMAL FACT-FINDING CONFERENCE**  
**October 13, 2004 (9:00 A.M.)**

The Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects convened in Richmond, Virginia, for the purpose of holding Informal Fact-Finding Conferences pursuant to the Administrative Process Act.

Stanley C. Harris, Board Member, presided. No other Board members were present.

Amy C. Chappell appeared for the Department of Professional and Occupational Regulation.

The conferences were recorded by Inge Snead & Associates, LTD. and the summaries or Consent Orders are attached unless no decision was made.

Disc=Disciplinary Case  
Lic=Licensing Application

C=Complainant/Claimant  
A=Applicant  
R=Respondent/Regulant  
Atty=Attorney  
Inv=Investigator  
W=Witness

**PARTICIPANTS**

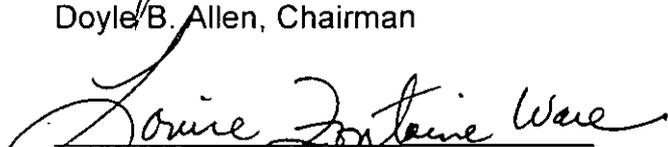
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|--|---|
| 1. Asrat Lule Betwlegne<br>File Number 2005-00858 (Lic)                | Asrat Betwlegne – A                       |
| 2. Johnson & Pace<br>File Number 2005-00689 (Lic)                      | Frank W. Johnson – A<br>Jerry Hill – Atty |
| 3. Greenberg Farrow Architecture, Inc.<br>File Number 2005-01414 (Lic) | Esmail Ghadrddan – R<br>Rita Wilson – W   |

The meeting adjourned at 12:30 p.m.

The Board for Architects, Professional Engineers, Land Surveyors,  
Certified Interior Designers and Landscape Architects



Doyle B. Allen, Chairman



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Louise Fontaine Ware, Secretary

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Custodian of Records

**IN THE  
COMMONWEALTH OF VIRGINIA**

**BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS,  
LAND SURVEYORS, CERTIFIED INTERIOR DESIGNERS  
AND LANDSCAPE ARCHITECTS**

Re: Asrat Lule Betwlegne  
Application

File Number: 2005-00858

**SUMMARY OF THE INFORMAL FACT-FINDING CONFERENCE**

On September 8, 2004, the Notice of Informal Fact-Finding Conference ("Notice") was mailed, via certified mail, to Asrat Lule Betwlegne. The Notice included the Informal Fact-Finding Conference Referral Memorandum, which contained the facts regarding the application. The certified mail was signed for and received.

On October 13, 2004, an Informal Fact-Finding Conference ("IFF Conference") was convened at the Department of Professional and Occupational Regulation.

The following individuals participated at the IFF Conference: Asrat Lule (formerly Asrat Betwlegne), Applicant; Amy Chappell, Staff Member; and Stanley C. Harris, Presiding Board Member.

**RECOMMENDATION**

Based upon the evidence and the IFF Conference, the following is recommended regarding the application requirements as outlined in the IFF Conference Referral Memorandum:

From July 1979 to October 1981, Mr. Lule was employed as an Assistant Lecturer at Addis Ababa University in Ethiopia. As evidenced in a letter dated July 16, 1979 (Exh. 1-A), Mr. Lule was promoted to Assistant Lecturer and in my opinion it is equivalent to an Instructor teaching Undergraduate Engineering Courses, as described in 18 VAC 10-20-240.2. This experience accounts for 1 year and 4 months that is not included in his NCEES record as professional experience. In addition, I believe he should be credited with 1 year experience for his Master's Degree in Hydrology. Adding the 1 year and 4 months for his teaching experience and the 1 year for his Master's Degree to the NCEES record of 17.7 years experience would total 20 years 1 month and meet the requirements of 18 VAC 10-20-240.2.

Therefore, I recommend that Asrat Lule's (formerly Asrat Betwlegne) application be approved.

By: \_\_\_\_\_

Stanley C. Harris  
Presiding Board Member

Board for Architects, Professional Engineers, Land Surveyors, Certified Interior  
Designers and Landscape Architects

Date: \_\_\_\_\_



REGULATORY PROGRAMS DIVISION  
APPLICATION REVIEW  
INFORMAL FACT FINDING CONFERENCE REFERRAL MEMORANDUM

To: Adjudication Section, Enforcement Division      Date: August 30, 2004

From: Marian H. Brooks      Board: APELSCIDLA

Re: Applicant Name: Asrat Lule Betwlegne

Applied For: License / Certification / Registration      Class: A / B / C

Type Applied For: Professional Engineer License Application by Comity  
(as marked on application)

Reviewed By: Richard Davenport and Stanley Harris

Board Member

**Toni Spencer**  
**Staff Member**

IFF Requested by Whom: Asrat Lule Betwlegne

When: August 25, 2004  
(date)

Letter  
(letter, telephone, etc.)

COMMENTS: THE BOARD'S REGULATIONS EFFECTIVE MARCH 1, 2002 WERE USED IN THE REVIEW OF MR. ASRAT LULE BETWLEGNE'S PROFESSIONAL ENGINEER LICENSE APPLICATION. PLEASE UTILIZE STANLEY HARRIS TO CONDUCT THE INFORMAL FACT FINDING CONFERENCE.

BASIS UPON WHICH APPLICANT MAY NOT MEET BOARD REGULATORY REQUIREMENTS:

- ENTRY REQUIREMENT DEFICIT(S)

Pursuant to VA Code or Board Regulation §: 18 VAC 10-20-20.C, 18 VAC 10-20-210.5 and 18 VAC 10-20-270.

*FACTS:* (Include information that specifically addresses why the applicant does not satisfy the Section of the Code or Regulation cited above.)

ON JUNE 14, 2004, THE BOARD OFFICE RECEIVED THE PROFESSIONAL ENGINEER LICENSE APPLICATION FOR MR. ASRAT LULE BETWLEGNE. IT APPEARS THAT MR. BETWLEGNE MAY NOT MEET BOARD REGULATION 18 VAC 10-20-20.C WHICH STATES, "APPLICANTS SHALL MEET APPLICABLE ENTRY REQUIREMENTS AT THE TIME APPLICATION IS MADE." IN ADDITION, IT APPEARS MR. BETWLEGNE MAY NOT MEET BOARD REGULATION 18 VAC 10-20-270. BASED ON THE NCEES COUNCIL RECORD SUBMITTED TO THE BOARD OFFICE, MR. BETWLEGNE HAS NOT TAKEN AND PASSED AN 8-HOUR FUNDAMENTALS OF ENGINEERING (FE) EXAM OR THE NCEES FE EXAM. MR. BETWLEGNE'S NCEES COUNCIL RECORD INDICATES 17 YEARS AND 3 MONTHS OF ENGINEERING EXPERIENCE. IN ORDER TO ADDRESS THIS DEFICIENCY, MR. BETWLEGNE MAY PROVIDE AN ADDITIONAL TWO YEARS AND 3 MONTHS OF ENGINEERING EXPERIENCE AS OUTLINED IN BOARD REGULATION 18 VAC 10-20-210.5. MR. BETWLEGNE IS REQUESTING AN INFORMAL FACT-FINDING CONFERENCE FOR FURTHER CONSIDERATION OF HIS PROFESSIONAL ENGINEER LICENSE APPLICATION BY COMITY.

**IN THE  
COMMONWEALTH OF VIRGINIA**

**BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS,  
LAND SURVEYORS, CERTIFIED INTERIOR DESIGNERS  
AND LANDSCAPE ARCHITECTS**

Re: Johnson & Pace, Inc.  
Application

File Number: 2005-00689

**SUMMARY OF THE INFORMAL FACT-FINDING CONFERENCE**

On August 31, 2004, the Notice of Informal Fact-Finding Conference ("Notice") was mailed, via certified mail, to Frank Wade Johnson, President of Johnson & Pace, Inc., c/o Jerry W. Hill, Esquire. The Notice included the Informal Fact-Finding Conference Referral Memorandum, which contained the facts regarding the application. The certified mail was signed for and received.

On October 13, 2004, an Informal Fact-Finding Conference ("IFF Conference") was convened at the Department of Professional and Occupational Regulation.

The following individuals participated at the IFF Conference: Frank Johnson on behalf of Johnson & Pace, Inc., Applicant and Jerry W. Hill, Counsel for Applicant appeared by telephone conference call; Amy Chappell, Staff Member; and Stanley C. Harris, Presiding Board Member.

**RECOMMENDATION**

Based upon the evidence and the IFF Conference, the following is recommended regarding the application requirements as outlined in the IFF Conference Referral Memorandum:

During the IFF Conference, Johnson confirmed that he, as Respondent on behalf of Johnson & Pace Engineering & Surveying Consultants, signed a Consent Order with the Texas Board of Professional Engineers ("Texas Board"). The Consent Order indicates that Respondent did not become registered with the Texas Board until April 17, 2002; however, Respondent had been advertising its services and had actually provided consulting engineering services for over 180 engineering projects prior to becoming registered. Johnson & Pace paid an administrative penalty of \$250.00.

Johnson explained that the Consent Order stemmed from his failure to properly register the name of his firm with the Texas Board. Johnson indicated that he personally has been registered since 1992. During the IFF Conference, it became apparent that there may have been another, more recent, violation of the same nature

in 2003; however, the information in the Board's file only references the Consent Order in 2002.

The second, and more serious issue, is Johnson & Pace's application. The answer to Question 16 (has the business entity been subject to a disciplinary action by any regulatory body) was marked no. Johnson indicated that an administrative assistant filled out the application, and since she was a relatively new employee, she was not aware of the prior administrative action. Johnson did confirm that it is his signature on the application, and that he did not review it as carefully as he should have.

Information in the Board's file shows that on January 23, 2004, Marian Brooks, the Board's Program Administrator, sent a letter to Johnson & Pace, care of their attorney, Jerry Hill. The last paragraph of the letter brings to Johnson & Pace's attention their failure to disclose the Texas action on their application. While there was subsequent correspondence and information submitted by Johnson & Pace regarding their Virginia incorporation and by-laws, the application was never corrected to disclose the prior disciplinary action.

Therefore, I recommend that Johnson & Pace's application for Professional Corporation Registration be approved, if within thirty (30) days, Johnson & Pace does the following:

1. Submit a new application which contains full disclosure of any and all administrative or disciplinary actions from any jurisdiction, including with the application any necessary documentation relating to regulatory violations.
2. Pay an administrative assessment of \$1,000.00.

If within thirty days, Johnson & Pace has not complied with the terms above, I recommend that their application for professional corporation registration be denied.

By: \_\_\_\_\_  
Stanley C. Harris  
Presiding Board Member

Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects

Date: \_\_\_\_\_



REGULATORY PROGRAMS DIVISION  
APPLICATION REVIEW  
INFORMAL FACT FINDING CONFERENCE REFERRAL MEMORANDUM

To: Adjudication Section, Enforcement Division      Date: August 23, 2004

From: Marian H. Brooks                      Board: APELSCIDLA

Re: Applicant Name: Johnson & Pace, Inc.

Applied For: License / Certification / Registration      Class: A / B / C

Type Applied For: Professional Corporation Registration Application  
(as marked on application)

Reviewed By: Not Reviewed by Board Member

Board Member

**Marian Brooks  
Staff Member**

IFF Requested by Whom: Attorney Jerry W. Hill  
Hill & Calk, A Professional Corporation

When: August 12, 2004  
(date)

How: Letter  
(letter, telephone, etc.)

COMMENTS: THE REGULATIONS EFFECTIVE MARCH 1, 2002, WERE USED IN THE REVIEW OF THIS APPLICATION. ATTORNEY JERRY W. HILL REQUESTS AN INFORMAL FACT FINDING CONFERENCE TO FURTHER CONSIDER THE PROFESSIONAL CORPORATION REGISTRATION APPLICATION. IN ADDITION, MR. HILL REQUESTS THAT THE INFORMAL FACT FINDING CONFERENCE BE HELD VIA TELEPHONE. PLEASE USE BOARD MEMBER STANLEY HARRIS FOR THE INFORMAL FACT FINDING CONFERENCE.

BASIS UPON WHICH APPLICANT MAY NOT MEET BOARD REGULATORY REQUIREMENTS:

□ ENTRY REQUIREMENT DEFICIT(S)

Pursuant to VA Code or Board Regulation §: 54.1-111.A.6, 18 VAC 10-20-20.C, E & G, 18 VAC 10-20-40, and 18 VAC 10-20-750.

*FACTS:* (Include information that specifically addresses why the applicant does not satisfy the Section of the Code or Regulation cited above.)

ON SEPTEMBER 8, 2003, THE BOARD OFFICE RECEIVED THE PROFESSIONAL CORPORATION REGISTRATION APPLICATION FOR JOHNSON & PACE, INC. IT APPEARS THAT JOHNSON & PACE, INC. MAY NOT MEET THE BOARD'S REGULATIONS EFFECTIVE MARCH 1, 2002. BOARD REGULATION 18 VAC 10-20-20.C STATES, "APPLICANTS SHALL MEET APPLICABLE ENTRY REQUIREMENTS AT THE TIME APPLICATION IS MADE." IN ADDITION, JOHNSON & PACE, INC. MAY NOT MEET REGULATIONS 18 VAC 10-20-20.E & G, 18 VAC 10-20-40, AND 18 VAC 10-20-750. AFTER REVIEWING THE NCEES ENFORCEMENT EXCHANGE DATABASE, IT WAS FOUND THAT JOHNSON & PACE, INC., HAD BEEN DISCIPLINED BY THE TEXAS BOARD OF PROFESSIONAL ENGINEERS AND HAD ANSWERED "NO" TO QUESTION 16 ON THE APPLICATION WHICH ASKS WHETHER THE BUSINESS HAS "...EVER BEEN SUBJECT TO A DISCIPLINARY ACTION IMPOSED BY ANY (INCLUDING VIRGINIA) LOCAL, STATE OR NATIONAL REGULATORY BODY." DOCUMENTATION WAS PROVIDED REGARDING DISCIPLINARY ACTION TAKEN BY THE TEXAS BOARD OF PROFESSIONAL ENGINEERS. THE PROFESSIONAL CORPORATION REGISTRATION APPLICATION IS NOT APPROVED AT THIS TIME.

BASIS UPON WHICH APPLICANT MAY NOT MEET BOARD REGULATORY REQUIREMENTS:

- PRIOR DISCIPLINARY ACTION(S) FROM THIS BOARD  
OR OTHER JURISDICTIONS

Pursuant to VA Code or Board Regulation §: 54.1-111.A.6, 18 VAC 10-20-20.C, E and G, 18 VAC 10-20-40, and 18 VAC 10-20-750.

*FACTS:* (Include Jurisdiction, name of Board, their finding and order date.)

TEXAS STATE BOARD OF PROFESSIONAL ENGINEERS

CONSENT ORDER FILE NO. B-15604

SEPTEMBER 5, 2002

Pursuant to VA Code or Board Regulation §:

*FACTS:* (Include Jurisdiction, name of Board, their finding and order date.)

Pursuant to VA Code or Board Regulation §:

*FACTS:* (Include Jurisdiction, name of Board, their finding and order date.)

Pursuant to VA Code or Board Regulation §:

*FACTS:* (Include Jurisdiction, name of Board, their finding and order date.)

**IN THE  
COMMONWEALTH OF VIRGINIA**

**BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS,  
LAND SURVEYORS, CERTIFIED INTERIOR DESIGNERS  
AND LANDSCAPE ARCHITECTS**

Re: Greenberg Farrow Architecture, Inc.  
Application

File Number: 2005-01414

**SUMMARY OF THE INFORMAL FACT-FINDING CONFERENCE**

On September 30, 2004, the Notice of Informal Fact-Finding Conference ("Notice") was mailed, via certified mail, to Rita D. Wilson on behalf of Greenberg Farrow Architecture, Inc. The Notice included the Informal Fact-Finding Conference Referral Memorandum, which contained the facts regarding the application. The certified mail was signed for and received.

On October 13, 2004, an Informal Fact-Finding Conference ("IFF Conference") was convened at the Department of Professional and Occupational Regulation.

The following individuals participated at the IFF Conference: Esmail Ghadrnan, President on behalf of Greenberg Farrow, Applicant; Rita Wilson, Witness; Amy Chappell, Staff Member; and Stanley C. Harris, Presiding Board Member.

**RECOMMENDATION**

Based upon the evidence and the IFF Conference, the following is recommended regarding the application requirements as outlined in the IFF Conference Referral Memorandum:

During the IFF Conference, Esmail L. Ghadrnan, as Respondent on behalf of Greenberg Farrow Architecture, Inc. confirmed that on April 21, 2003, he signed a Consent Order with the South Carolina Department of Labor, Licensing and Regulation Before the Board of Registration for Professional Engineers and Land Surveyors ("South Carolina Board"). The Consent Order and Complaint indicate that Respondent unlawfully engaged in the practice of professional engineering in South Carolina without the benefit of professional licensing from April 1, 2000 to April 23, 2003. Greenberg Farrow accepted a public reprimand and a \$1,000.00 fine.

Mr. Ghadrnan and Ms. Wilson testified that the Complaint and Consent Order arose out of their self-reporting of their registration lapse, in an effort to come into compliance with South Carolina's regulations. Mr. Ghadrnan indicated that the company's founders retired on short notice, promoted him to President, and left him in

charge of a company with approximately 480 employees. Mr. Ghadrnan testified that he has spent the last several years focusing on the infrastructure of the company to correct the deficiencies in the company's accounting and human resources departments. Mr. Ghadrnan and Ms. Wilson described the procedures currently in place to ensure compliance with the regulations in all states in which they do business.

Therefore, I recommend that Greenberg Farrow's application for reinstatement of business entity registration be approved.

By: \_\_\_\_\_  
Stanley C. Harris  
Presiding Board Member

Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects

Date: \_\_\_\_\_



REGULATORY PROGRAMS DIVISION  
APPLICATION REVIEW  
INFORMAL FACT FINDING CONFERENCE REFERRAL MEMORANDUM

To: Adjudication Section, Enforcement Division      Date: September 24, 2004

From: Marian H. Brooks      Board: APELSCIDLA BOARD

Re: Applicant Name: Greenberg Farrow Architecture Incorporated

Applied For: License / Certification / Registration      Class: A / B / C

Type Applied For: Reinstatement of the Business Entity Registration  
(as marked on application)

Reviewed By:      Staff review only

Board Member

Marian Brooks

Staff Member

IFF Requested by Whom: Rita Wilson

When: August 23, 2004  
(date)

How: Letter  
(letter, telephone, etc.)

COMMENTS: THE REGULATIONS EFFECTIVE MARCH 1, 2002, WERE USED IN THE REVIEW OF THIS APPLICATION. MS. WILSON, ON BEHALF OF GREENBERG FARROW ARCHITECTURE INCORPORATED, IS REQUESTING AN INFORMAL FACT FINDING CONFERENCE TO FURTHER CONSIDER THE BUSINESS ENTITY REGISTRATION REINSTATEMENT APPLICATION. PLEASE USE BOARD MEMBER STANLEY HARRIS FOR THE INFORMAL FACT FINDING CONFERENCE.

BASIS UPON WHICH APPLICANT MAY NOT MEET BOARD REGULATORY REQUIREMENTS:

- ENTRY REQUIREMENT DEFICIT(S)

Pursuant to VA Code or Board Regulation §: 18 VAC 10-20-20.C, 18 VAC 10-20-20.E & G, and 18 VAC 10-20-680.A & C.

*FACTS:* (Include information that specifically addresses why the applicant does not satisfy the Section of the Code or Regulation cited above.)

ON AUGUST 27, 2004, THE BOARD OFFICE RECEIVED THE BUSINESS ENTITY REGISTRATION REINSTATEMENT APPLICATION FOR GREENBERG FARROW ARCHITECTURE, INC. IT APPEARS THAT GREENBERG FARROW ARCHITECTURE, INC. MAY NOT MEET THE BOARD'S REGULATIONS EFFECTIVE MARCH 1, 2002. BOARD REGULATION 18 VAC 10-20-20.C STATES, "APPLICANTS SHALL MEET APPLICABLE ENTRY REQUIREMENTS AT THE TIME APPLICATION IS MADE." IN ADDITION, GREENBERG FARROW ARCHITECTURE, INC. MAY NOT MEET REGULATIONS 18 VAC 10-20-20.E & G, AND 18 VAC 10-20-680.A & C. GREENBERG FARROW ARCHITECTURE, INC. PROVIDED DOCUMENTATION WITH THE BUSINESS ENTITY REGISTRATION REINSTATEMENT APPLICATION REGARDING DISCIPLINARY ACTION TAKEN BY THE SOUTH CAROLINA DEPARTMENT OF LABOR, LICENSING & REGULATION BEFORE THE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS & SURVEYORS. IT APPEARS THAT THE BUSINESS ENTITY REGISTRATION REINSTATEMENT APPLICATION MEETS ALL OTHER REQUIREMENTS FOR REINSTATEMENT. THE BUSINESS ENTITY REGISTRATION REINSTATEMENT APPLICATION IS NOT APPROVED AT THIS TIME.

BASIS UPON WHICH APPLICANT MAY NOT MEET BOARD REGULATORY REQUIREMENTS:

- PRIOR DISCIPLINARY ACTION(S) FROM THIS BOARD OR OTHER JURISDICTIONS

Pursuant to VA Code or Board Regulation §: 18 VAC 10-20-790.A.6 & 18 VAC 10-20-750.

*FACTS:* (Include Jurisdiction, name of Board, their finding and order date.)

SOUTH CAROLINA DEPARTMENT OF LABOR, LICENSING & REGULATION BEFORE THE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS & SURVEYORS

ORDER DATE APRIL 25, 2003.

**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTEREST ACT**

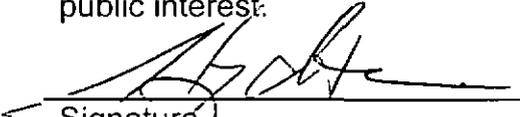
TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government

- 1. Name: Stanley C. Harris
- 2. Title: Presiding Board Member
- 3. Agency: Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects
- 4. Transaction: Informal Fact-Finding Conferences on October 13, 2004
- 5. Nature of Personal Interest Affected by Transaction: \_\_\_\_\_

None

- 6. I declare that:
  - (a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:  
ASME & VSPK

(b) I am able to participate in this transaction fairly, objectively, and in the public interest.

  
Signature

10/13/04  
Date