

**STATE OF ALABAMA
BOARD OF LICENSURE FOR
PROFESSIONAL ENGINEERS AND
LAND SURVEYORS**

IN RE THE MATTER OF:

JONNIE LEE THOMAS

CASE NO. 2013-34-B

CONSENT ORDER

Jonnie Lee Thomas, an Alabama licensed professional engineer (hereinafter referred to as "Respondent") hereby stipulates and agrees, subject to approval of the Alabama Board of Licensure for Professional Engineers and Land Surveyors (hereinafter referred to as the "Board") as follows:

STIPULATED FACTS

Respondent stipulates he received an Alabama professional engineer license (number 31329) from the Board on July 15, 2010.

Respondent stipulates on November 27, 2012 he reported on his 2013 professional engineer license renewal application that he had 9 carryover professional development hours from 2011, and had completed 6 professional development hours in 2012 in order to meet the license renewal requirements for 2013.

Respondent stipulates on February 27, 2013 he was informed via email that his 2013 professional engineer license renewal application had been selected at random for verification of the reported continuing professional competency credits. He was requested to provide documentation verifying his completed professional competency credits no later than April 1, 2013. He did not respond.

Respondent stipulates on April 29, 2013 he was notified via regular and certified mail that he had been selected for audit of his reported continuing professional competency credits and was asked to provide the documents related to the credits no later than June 1, 2013. He

did not respond, however documentation received by the Board from the United States Postal Service indicated he received delivery of the certified mail on May 3, 2013.

Respondent stipulates on July 11, 2013 he was notified via regular and certified mail that the Board had initiated a complaint regarding the continuing professional competency audit. He was requested to provide a written response and the requested documentation verifying the continuing professional competency hours reported on his 2013 license renewal no later than July 26, 2013.

Respondent stipulates on August 8, 2013, he provided a 2012 Rail Conference agenda that did not indicate the sessions he attended, or the number of continuing professional competency credits he received for attending the conference. He also did not provide documents that supported the 9 pdh carryover hours identified on his 2013 license renewal application.

STIPULATED CONCLUSIONS OF LAW

Respondent admits he is subject to the provisions of Title 34, Chapter 11, Code of Alabama 1975, § 34-11-11 and the jurisdiction of the Board as well as the Board's Administrative Code.

Respondent stipulates his conduct as set forth in the foregoing "Stipulated Facts" constitutes violations of Title 34 Chapter 11 Code of Alabama 1975 Section 34-11-11(a)1 and 2 and the *Rules and Regulations of the Board's Administrative Code* § 330-X-13-.02(4), § 330-X-13-.02(12), and § 330-X-13-.02(14)(a) & (b).

Respondent stipulates his conduct as set forth in the "Stipulated Facts" is a violation of those statutes set forth above, and he is subject to disciplinary action under Title 34, Chapter 11, Code of Alabama 1975, § 34-11-11.

STIPULATED DISPOSITION

Respondent shall not in the future violate the provisions of Title 34, Chapter 11, Code of Alabama 1975, or the Rules and Regulations of the Administrative Code and the Rules of Professional Conduct promulgated together.

Respondent understands this Consent Order and subsequent Final Order will become a matter of public record.

Respondent shall submit to the Board via certified check a fine in the amount of one thousand dollars (\$1000.00) with this signed Consent Order.

Respondent understands his Alabama professional engineer license shall be subject to future audits of his reported continuing professional competency credits at the discretion of the Board.

I can not comply. JWS

Respondent agrees to provide documentation of completion of nine (9) professional development hours in order to meet the requirements for the 2013 renewal of his professional engineer license within 90 days of the date of the Final Order.

As stated to Mr. Rick Huett I can not find this documentation JWS

Respondent understands his Alabama professional engineer license shall be subject to one (1) year **probation** to commence immediately upon the date a Final Order is issued. Respondent understands during this probationary period he is permitted to engage in the practice of engineering without limitation. This probationary period is un-supervised and compliance with the terms of the consent order will cause the probation period to automatically cease at the end of the specified time period.

Respondent understands that failure to comply with any term of this consent order shall cause his professional engineer license to be **revoked** pending ratification by the Board. Respondent further understands this matter would be presented to the Board at a regularly scheduled meeting in Montgomery, Alabama at which he could attend and present evidence on his behalf.

Respondent understands this Consent Order is subject to the approval of the Board and has no force and effect until a Final Order based upon it is rendered by the Board.

Respondent agrees to comply with the terms of this Consent Order and understands failure to comply with the terms of the Consent Order may result in additional charges or discipline.

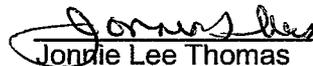
Respondent understands in order to make a decision relative to approving this Consent Order discussions must take place between Board Members, Board Staff and Board Counsel. Respondent understands that this discussion will take place at a regularly scheduled meeting of the Board.

Respondent understands he has the right to seek the advice of legal counsel. Respondent also understands he has the right to a formal fact finding hearing before the Board, to compel the testimony of witnesses, to cross-examine witnesses against him, and to obtain judicial review of the Board's decision in said formal hearing but expressly waives these rights with execution of this Consent Order and Final Order of the Board.

Respondent expressly waives all further procedural steps, and expressly waives all rights to seek judicial review or to otherwise challenge or contest the validity of the Consent Order, the stipulated facts, conclusions of law and imposition of administrative action contained herein, and the Final Order of the Board incorporating said Consent Order.

Respondent, for the purpose of avoiding further administrative action with respect to this cause executes this Consent Order. Should the Consent Order not be accepted by the Board, it is agreed that presentation to and consideration of the Consent Order by the Board shall not unfairly or illegally prejudice the Board or any of its members from further participation in or resolution of these proceedings. Likewise, if this Consent Order is not accepted, the Board shall not take into consideration the contents of this Order as evidence of an admission.

SIGNED this the 31st day of May, 2014


Jonnie Lee Thomas

APPROVED: 
Benjamin H. Abritton
Assistant Attorney General

STATE OF ALABAMA BOARD OF LICENSURE
FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS

IN THE MATTER OF:)

Jonnie Lee Thomas, P.E.)
Triunity Engineering & Management Inc)
7225 Quincy Avenue SE)
Auburn, WA 98092-7713)

Respondent)
_____)



Case No. 2013-34-B

FINAL ORDER

The Alabama Board of Licensure for Professional Engineers and Land Surveyors having considered the consent order signed by Jonnie Lee Thomas, Professional Engineer License Number 31329, in which he stipulated he violated the Code of Alabama 1975, §34-11-11(a)1 & 2, and the Rules and Regulations of the Board's Administrative Code § 330-X-14-.02(4), § 330-X-14-.02(12) and § 330-X-14-.02(14) (a) & (b), and hereby adopts the Consent Order and issues this Final Order.

The Consent Order and Final Order take immediate effect upon the signing of this Final Order and the Respondent is **ORDERED** to abide by the Consent Order and Final Order as approved by the Alabama Board of Licensure for Professional Engineers and Land Surveyors.

ENTERED this the 18th day of June, 2014



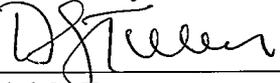
Phillip E. Santora



Marc S. Barter

RECUSED

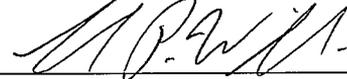
Frazier Christy



Daniel S. Turner

DID NOT ATTEND

Earl R. Foust



Charles P. Willis



Liz Hyde