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MAY 15 2007

STATE OF MINNESOTA
BOARD OF ARCHITECTURE, ENGINEERING,
LAND SURVEYING, LANDSCAPE ARCHITECTURE, GEOSCIENCE
AND INTERIOR DESIGN

In the matter of
CRAIG TARR, PROFESSIONAL ENGINEER
License Number 22072

STIPULATION AND ORDER

Board File No. 2006-0014

TO: Craig Tarr
Energy Concepts
2312 D. Crestview Drive, PMB #105
Hudson, WI 54106

The Minnesota Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience and Interior Design ("Board") is authorized pursuant to Minnesota Statutes section 214.10 (2006) and Minnesota Statutes section 326.111(2006) to review complaints against architects, professional engineers, land surveyors, landscape architects, geoscientists, and certified interior designers, and to take disciplinary action whenever appropriate.

The Board received information concerning Craig Tarr ("Respondent"). The Board's Complaint Committee ("Committee") reviewed the information. The parties have agreed that the matter may now be resolved by this Stipulation and Order.

STIPULATION

IT IS HEREBY AGREED by and between Respondent and the Committee as follows:

1. Jurisdiction. The Respondent has held a license to practice Professional Engineering from the Board since July 1, 1992. Respondent is subject to the jurisdiction of the Board with respect to the matters referred to in this Stipulation.

2. Facts. This Stipulation is based upon the following facts:

a. Respondent was first licensed to practice Professional Engineering in the State of Minnesota on July 1, 1992.

b. On June 30, 2004, Respondent's license to practice Professional Engineering in the State of Minnesota expired.

c. On September 30, 2005, Respondent's license to practice Professional Engineering in the State of Minnesota was reinstated.

d. Respondent signed plan sheets for the Crossroad Commerce Center #1 Project, located in Woodbury, Minnesota on September 19, 2005. A true and correct set of drawings is located in the Board office.

e. Respondent admits there was a lapse in his license. The lapse was unintentional and as soon as he was made aware of the lapse, he took immediate action to reinstate his Professional Engineering license. A true and correct copy of Respondent's letter dated February 13, 2007 is attached as Exhibit A.

f. Respondent self disclosed a list of thirty three (33) projects he worked on during the lapse of his Professional Engineering license from July 1,

2004 to September 29, 2005. A true and correct copy of Respondent's list of projects worked on during the lapse is attached as Exhibit B.

3. Violations. Although the lapse of Respondent's license was an unintentional act, Respondent admits that his preparation and certification of the drawings and other projects as described in paragraphs 2d, 2e and 2f above constitute the practice of professional engineering and that the facts specified above constitute violations of Minnesota Statutes section 326. 02 subdivisions 1 and 3 (2006) and Minnesota Statutes section 326.03, subdivision 1 (2006), and are sufficient grounds for the action specified below.

4. Enforcement Action. Respondent and the Committee agree that the Board should issue an Order in accordance with the following terms:

a. Reprimand. Respondent is reprimanded for the foregoing conduct.

b. Civil Penalty. Respondent shall pay to the Board a civil penalty of Six Thousand Five Hundred Dollars ($6,500.00). Respondent shall submit a civil penalty of Six Thousand Five Hundred Dollars ($6,500.00) by cashier's check or money order to the Board within sixty (60) days of the Board's approval of this Stipulation and Order.

5. Additional Discipline for Violations of Order. If Respondent violates this Stipulation, Minnesota Statutes sections 326.02 through 326.15 (2006), or Minnesota Rules Chapter 1800 (2005) or Minnesota Rules Chapter 1805 (2005), the Board may impose additional discipline pursuant to the following procedure:

a. The Committee shall schedule a hearing before the Board. At least thirty days prior to the hearing, the Committee shall mail Respondent a notice of the

violation alleged by the Committee and of the time and place of the hearing. Within fourteen days after the notice is mailed, Respondent shall submit a written response to the allegations. If Respondent does not submit a timely response to the Board, the allegations may be deemed admitted.

b. At the hearing before the Board, the Complaint Committee and Respondent may submit affidavits made on personal knowledge and argument based on the record in support of their positions. The evidentiary record before the Board shall be limited to such affidavits and this Stipulation and Order. Respondent waives a hearing before an administrative law judge and waives discovery, cross-examination of adverse witnesses, and other procedures governing administrative hearings or civil trials.

c. At the hearing, the Board will determine whether to impose additional disciplinary action, including additional conditions or limitations on Respondent's practice or suspension or revocation of Respondent's license.

6. Waiver of Respondent's Rights. For the purpose of this Stipulation, Respondent waives all procedures and proceedings before the Board to which Respondent may be entitled under the Minnesota and United States constitutions, statutes, or the rules of the Board, including the right to dispute the allegations against Respondent, to dispute the appropriateness of discipline in a contested case proceeding pursuant to Minnesota Statutes Chapter 14 (2006), and to dispute the civil penalty imposed by this Agreement. Respondent agrees that upon the application of the Committee without notice to or an appearance by Respondent, the Board may issue an

Order containing the enforcement action specified in paragraph 4 herein. Respondent waives the right to any judicial review of the Order by appeal, writ of certiorari, or otherwise.

7. Collection. In accordance with Minnesota Statutes section 16D.17 (2006), in the event this order becomes final and Respondent does not comply with the condition in paragraph 4(b) above, Respondent agrees that the Board may file and enforce the unpaid portion of the civil penalty as a judgment without further notice or additional proceedings.

8. Board Rejection of Stipulation and Order. In the event the Board in its discretion does not approve this Stipulation or a lesser remedy than specified herein, this Stipulation shall be null and void and shall not be used for any purpose by either party hereto. If this Stipulation is not approved and a contested case proceeding is initiated pursuant to Minnesota Statutes Chapter 14 (2006), Respondent agrees not to object to the Board's initiation of the proceedings and hearing the case on the basis that the Board has become disqualified due to its review and consideration of this Stipulation and the record.

9. Unrelated Violations. This settlement shall not in any way or manner limit or affect the authority of the Board to proceed against Respondent by initiating a contested case hearing or by other appropriate means on the basis of any act, conduct, or admission of Respondent justifying disciplinary action which occurred before or after the date of this Stipulation and which is not directly related to the specific facts and circumstances set forth herein.

10. Record. The Stipulation, related investigative reports and other documents shall constitute the entire record of the proceedings herein upon which the Order is based. The investigative reports, other documents, or summaries thereof may be filed with the Board with this Stipulation.

11. Data Classification. Under the Minnesota Government Data Practices Act, this Stipulation is classified as public data upon its issuance by the Board. Minnesota Statutes Chapter 13.41, subdivision 5 (2006). All documents in the record shall maintain the data classification to which they are entitled under the Minnesota Government Data Practices Act, Minnesota Statutes Chapter 13 (2006). They shall not, to the extent they are not already public documents, become public merely because they are referenced herein. A summary of this Order will appear in the Board's newsletter. A summary will also be sent to the national discipline data bank pertaining to the practice of professional engineering.

12. Entire Agreement. Respondent has read, understood, and agreed to this Stipulation and is freely and voluntarily signing it. The Stipulation contains the entire agreement between the parties hereto relating to the allegations referenced herein. Respondent is not relying on any other agreement or representations of any kind, verbal or otherwise.

13. Counsel. Respondent is aware that he may choose to be represented by legal counsel in this matter. Respondent knowingly waived legal representation.

14. Service. If approved by the Board, a copy of this Stipulation and Order shall be served personally or by first class mail on Respondent. The Order shall be

effective and deemed issued when it is signed by the Chair of the Board.

RESPONDENT

Craig Tarr

Dated: May 14, 2007

COMPLAINT COMMITTEE

By: Billie Lawton
Billie Lawton, Public Member,
Committee Chair

Dated: 6-14, 2007

ORDER

Upon consideration of the foregoing Stipulation and based upon all the files, records and proceedings herein, all terms of the Stipulation are approved and hereby issued as an Order of this Board on this the 14th day of JUNE, 2007.

MINNESOTA BOARD OF
ARCHITECTURE, ENGINEERING,
LAND SURVEYING, LANDSCAPE
ARCHITECTURE, GEOSCIENCE AND
INTERIOR DESIGN

By: ~~Harvey H. Harvala, PE~~
Board Chair
JEROME ALLEN RITTER, ARCHITECT, CID

Energy Concepts INC.

OPENING DOORS TO A RENEWABLE ENERGY FUTURE

RECEIVED

FEB 14 2007

February 13, 2007

Lynette DuFresne
MN Board of Architecture, Engineering ...
85 East 7th Place - Suite 160
St. Paul, MN 55101

FEB 14 2007

Dear Lynette,

I am writing today to respond to your letter of January 22, 2007 in the matter of file #2006-0014. The Board is apparently investigating the status of my licensure between June 30, 2004 and September 9, 2005.

It is my unfortunate circumstance to report that the above allegations are correct. There was in fact a lapse of my licensure. This event was not a conscious attempt to avoid licensure and associated fees. An error occurred within my office management infrastructure that resulted in the lapse. Upon being informed of this situation by the Woodbury building official, I immediately initiated efforts to restore my license.

I would have never knowingly represented myself to the public or colleagues as a professional engineer unlawfully. To my knowledge, during the period in question, I was performing my job in good faith in full accordance with my profession and the State of MN licensure laws. I can not go back in time and specifically identify where the administrative breakdown occurred. During the period in question, my business was growing rapidly and I was still operating as a sole proprietor - the only employee. My office management skills were not consistent with my engineering competence especially given the increased activity. Suffice it to say I was quite dismayed and embarrassed when the licensure lapse was made known to me. As stated above, I immediately put all efforts forward to regain my licensure - which was accomplished within several days of the problem being revealed.

As a side note, I recently received a letter from the Board that stated the matter had been dismissed. I was not even aware that there was a matter pending against me. I have no record of having received notification of the formal complaint dated September 26, 2005. I am confused as to why I then received the allegation package I am responding to today subsequent to the dismissal letter.

I have enclosed per requested items #1:
Pre 2006 letterhead and business card
Current letter head and business card
Current company brochure
Current resume

I have enclosed per requested items #2:
Crossroads Commerce Center plans
Crossroads Commerce Center invoices

I have enclosed per requested items #3:
I have not authored any professional or technical papers

EXHIBIT A

2312 D Crestview Drive | PMB #105 Hudson, WI 54016 | ctarr@dishup.us | P 715.425.7456 | F 715.425.6537 | www.energyconcepts.us

I have enclosed per requested items #4:
The bulk of my design efforts are and have been in MN. As such, I was the Engineer of Record for a number of projects during this time. Thus providing a definitive list would be difficult at best.

I would like to request a formal conference with the complaint committee to openly discuss this matter on my behalf. I am offering my full cooperation to the Board to bring this investigative matter to resolution.

Sincerely,

Craig Tarr, PE - LEED AP

Energy Concepts Engineered Project List

June 30, 2004 – September 9, 2005

My primary client base is MN based. I have done my best to review projects during this period and document those that I signed as follows:

16 Bed Psychiatric Ward
Baxter, MN
Cole Group Architects
Signed 8/23/05

16 Bed Psychiatric Ward
Alexandria, MN
Cole Group Architects
Signed 6/23/05

Community at Lake Ridge
Assisted living
Hutchinson, MN
Voss Plumbing and Heating
Signed 5/20/05

Brainerd Department of Regional Human Services
Fire protection study
State of MN
Signed 5/1/05

St. Cloud MCF Freezer Modernization
Refrigeration
St'Cloud, MN
State of MN
Signed 6/1/05

Franklin-Portland Gateway
Multi-family
Mpls, MN
Cunningham Group
Signed 7/20/05

Homestead of Rochester
Snior
Rochester, MN
J-Berd Mechanical
Signed 6/30/05

EXHIBIT B

Parkside Lofts
Multi-family
St. Louis Park, MN
J-Berd Mechanical
Signed 7/26/04

Westgate Office Condominiums
Office base building and tenant fit-ups
Eden Prairie, MN
J-Berd Mechanical
Signed several projects in late 04 thru 05

HHK Office
Office base building and tenant fit-ups
Chanhassen, MN
J-Berd Mechanical
Signed several projects in late 04 thru 05

Main Prairie Business Park
Office base building
St. Cloud, MN
J-Berd Mechanical
Signed 6-15-05

River Ridge
Multi-family
Eagan, MN
J-Berd Mechanical
Signed 3/27/05

Argent Park
Multi-family
Hammel, MN
J-Berd Mechanical
Signed 5/19/05

Carefree Living
Senior Facility addition
Burnsville, MN
J-Berd Mechanical
Signed Late 04

Parkcrest
Multi-family
Burnsville, MN

J-Berd Mechanical
Signed 1/25/05

HHH Metrodome
Chiller Addition
Mpls, MN
Metropolitan Sports Facilities Commission
Signed 2/08/05

Century Plaza
Retail
Chanhassen, MN
J-Berd Mechanical
Signed 7/9/04

Riverview Apartments
Multi-family
Staples, MN
J-Berd Mechanical
Signed 9/3/04

Phoenix Residence
Group Homes
Mulitiple locations, MN
J-Berd Mechanical
Signed late 04 to mid 05

Walnut Grove
Senior Addition
Walnut Grove, MN
J-Berd Mechanical
Signed 10/17/04

Sundial Village
Retail
Waite Park, MN
J-Berd Mechanical
Signed 9/3/04

Arabella Manor
Senior
MN
J-Berd Mechanical
Signed 1/13/05

Karlstad Senior Living

Senior
Karlstad, MN
J-Berd Mechanical
Signed 1/24/05

Keenland Apartments
Multi-family
Sartell, MN
J-Berd Mechanical
Signed 10/15/04

Village on the Rum
Multi-family
MN
J-Berd Mechanical
Signed 10/26/04

Green Lee Manor
Senior
Mabell, MN
J-Berd Mechanical
Signed 11/10/04

Clover Field
Multi-family
Chaska, MN
J-Berd Mechanical
Signed 11/23/04

Aitkin Senior
Senior
Aitkin, MN
J-Berd Mechanical
Signed 7/12/04

Tower Assisted
Senior
Pierz, MN
J-Berd Mechanical
Signed 11/20/04

Holiday Inn Express
Hotel Addition
North Mankato, MN
J-Berd Mechanical
Signed 3/8/05

Big Shoe
Retail
St. Cloud, MN
J-Berd Mechanical
Signed 2/14/05

Creekside
Multi-family
Prior Lake, MN
J-Berd Mechanical
Signed 7/06/05

Oak Terrace
Senior
North Mankato, MN
J-Berd Mechanical
Signed 3/2/05