

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

In the Matter of

**STIPULATION AND
CONSENT ORDER**

William Boettcher
Unlicensed

Board File No. 2022-0029

STIPULATION

William Boettcher (“Respondent”) and the Minnesota Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience and Interior Design’s Complaint Committee stipulate that, subject to Board’s review and discretionary approval, the Board may issue a consent order that imposes the following sanctions:

A. Respondent shall pay to the Board a civil penalty of Three Thousand Dollars (\$3,000). Respondent shall submit a civil penalty of \$3,000 by check to the Board within sixty (60) days of the Board’s approval of this Stipulation and Consent Order.

B. Respondent shall cease and desist from practicing as a professional engineer in Minnesota until such time as he becomes licensed as a professional engineer in the State of Minnesota.

C. Respondent shall remain law abiding and comply with all statutes and rules within the Board’s jurisdiction. See Minn. Stat. §§ 326.02–.15 (2020) and Minn. R. chs. 1800 & 1805 (2021).

D. Respondent shall report in writing within ten days any and all violations of this stipulation and consent order to the Board’s Executive Director.

Respondent and the Committee enter into this stipulation based on the following findings of fact, conclusions of law, and other stipulated provisions:

Findings of Fact

1. Respondent is a licensed professional engineer in the State of Wisconsin. He is not and never has been a professional engineer in the State of Minnesota.

2. On September 24, 2021, Board staff was contacted by a licensed architect in the State of Minnesota.

3. The architect stated that he was working on a prefabricated airplane hangar project in Minnesota. He stated that he drafted and certified the structural plans and then had an engineer in his firm, Respondent, review and also certify the plans.

4. The architect stated he and Respondent had followed the same procedure of Respondent reviewing and certifying structural plans for a Minnesota bank project several years prior to the current project.

5. On September 30, 2021, a complaint allegation letter was sent to Respondent.

6. On October 7, 2021, the Board received the response from Respondent. His response included copies of the structural plans for the airplane hangar project. The hangar plans he reviewed included the architect's certification and his Wisconsin Professional Engineer certification.

9. On October 8, 2021, the Board sent a follow-up letter to Respondent requesting copies of the project structural plans he reviewed and certified as part of the bank project.

10. On October 21, 2021, the Board received the supplemental response from Respondent. His response included copies of the plans for the bank project. The bank plans he

reviewed included the architect's certification and his Wisconsin Professional Engineer certification.

Conclusion of Law

1. The Board has authority to license and regulate professional engineers and to take disciplinary action as appropriate. Minn. Stat. ch. 326.111 (2020).
2. Respondent violated Minnesota Statutes § 326.02, subds. 1 and 3 (2020).
3. This stipulation and consent order is in the public interest.

Other Stipulated Provisions

1. This stipulation and consent order must be approved by the Board to become effective.
2. Respondent agrees that the Committee may move the Board *ex parte*, with or without advance notice to the Respondent, to approve this stipulation and consent order. Respondent understands that the Board may either approve the stipulation and consent order or not approve it. This stipulation and the files, records, and proceedings associated with this matter may be reviewed by the Board in its consideration of the Committee's motion.
3. If approved by the Board, this stipulation and consent order shall be classified as public data. Minn. Stat. § 13.41, subd. 5 (2020). The Board will post a copy of this order on its website. The Board will also send a summary to the national discipline data bank pertaining to the practice of Professional Engineering.

4. If the Board does not approve this stipulation and consent order, then the matter remains unresolved and the Committee may either seek to negotiate a revised stipulation and consent order with Respondent to present to the Board or issue an order commencing a contested-case hearing before an Administrative Law Judge at the Office of Administrative Hearings. *See* Minn. Stat. §§ 14.57–.62, 214.10, subd. 2 (2020) (describing administrative hearing process).

5. Respondent agrees that if this case comes before the Board again after it reviews and discusses this stipulation and consent order, Respondent waives any claim that the Board was prejudiced by its review and discussion of this stipulation and consent order and any records relating to it.

6. Respondent acknowledges that they were advised by the Committee of their right to a contested-case hearing in this matter before an Administrative Law Judge, to file exceptions and make argument to the Board after the hearing, and to seek judicial review from any adverse decision rendered by the Board. Respondent hereby expressly waives those rights. Respondent was further advised by the committee of their right to be represented by counsel and that they knowingly waives that right.

7. Respondent has read, understands, and agrees to this stipulation and has voluntarily signed it. It is expressly understood that this stipulation contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise. If approved by the Board, a copy of the final stipulation and consent order shall be served personally or by first class mail on Respondent. The Board's order shall be effective when it is signed by the Chair of the Board or the Chair's designee.

8. Pursuant to Minn. Stat. § 16D.13 (2020), any civil penalty imposed by this stipulation and consent order shall begin to accrue simple interest in accordance with that section thirty days after the civil penalty is due. Pursuant to Minn. Stat. § 16D.17 (2020), thirty days after any civil penalty imposed by this stipulation and consent order is due, the Board may file and enforce any unpaid portion of the civil penalty as a judgment against Respondent in district court without further notice or additional proceedings.

William Boettcher

STATE OF WISCONSIN

COUNTY OF Eau Claire

This instrument was acknowledged before me on 2/1/2022 by William Boettcher.

(stamp)



(Signature of notary officer)

My commission expires: Katie Kuck
Notary Public - State of Wisconsin
My Commission Expires May 5, 2025

COMPLAINT COMMITTEE

Eric Friske, JD
Chair

Dated: March 6, 2022

CONSENT ORDER

Upon consideration of this stipulation and consent order, and based upon all the files, records, and proceedings herein, all terms of the stipulation and consent order are approved.

Accordingly, the Board orders as follows:

A. Respondent shall pay to the Board a civil penalty of Three Thousand Dollars (\$3,000). Respondent shall submit a civil penalty of \$3,000 by check to the Board within sixty (60) days of the Board's approval of this Stipulation and Consent Order.


B. Respondent shall cease and desist from practicing as a professional engineer in Minnesota until such time as he becomes licensed as a professional engineer in the State of Minnesota.

C. Respondent shall remain law abiding and comply with all statutes and rules within the Board's jurisdiction. See Minn. Stat. §§ 326.02--15 (2020) and Minn. R. chs. 1800 & 1805 (2021).

D. Respondent shall report in writing within ten days any and all violations of this stipulation and consent order to the Board's Executive Director.

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

Dated: March 17, 2022


for PAUL VOGEL, LS
Board Chair



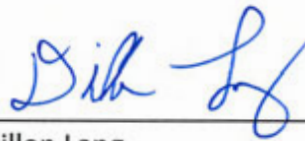
STATE OF MINNESOTA
MINNESOTA BOARD OF ARCHITECTURE, ENGINEERING, LAND SURVEYING, LANDSCAPE
ARCHITECT, GEOSCIENCE, AND INTERIOR DESIGN
85 East 7th Place, Suite 160
St. Paul, MN 55101

CERTIFICATE OF SERVICE BY U.S. MAIL

Case Title: William Boettcher, Unlicensed
File # 2022-0029

I, Dillon Lang, verify by oath or affirmation that on the 18th day of March, 2022, at the City of St. Paul, in the county of Ramsey, in the State of Minnesota, served the Stipulation and Consent Order by depositing a true and correct copy in the United States mail, properly enveloped, with first class postage prepaid and addressed to the following named individual(s) or entities at the address indicated below.

William Boettcher
Lien & Peterson Architects, Inc.
4675 Royal Drive
Eau Claire, WI 54701



Dillon Lang