

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

In the matter of
Martin Bonnell
Professional Engineer
License Number 14010

STIPULATION AND ORDER

Board File No. 2007-0028

TO: Martin Bonnell
172 Spruce Drive
Apple Valley, MN 55124

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 Martin Bonnell ("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 August 29, 1979. Respondent's license lapsed from ~~June 31, 2006~~ ^{JULY 1, 2006 R/L} until September 5, 2006. Respondent's license is current at the time of this Stipulation and Order. 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 August 29, 1979.
- b. On ~~June 31, 2006~~ ^{JULY 1, 2006 R/L}, Respondent's license to practice professional engineering in the State of Minnesota expired.
- c. On September 5, 2006, Respondent's license to practice professional engineering in the State of Minnesota was renewed.
- d. On August 14, 2006, Respondent certified and stamped construction plans for a vapor collection system to be used on a project named the Village on Quebec, located at Quebec and 42nd Avenues North, New Hope, Minnesota.
- e. A true and correct copy of Respondent's stamp is attached as Exhibit 1.

3. Violations. Respondent admits that his preparation and certification of the plans as described in paragraph 2d above constitutes the practice of Professional Engineering and that the facts specified above constitute violations of Minnesota Statutes section 326.02 subdivisions 1 and 3 (2006), Minnesota Statutes section 326.03 subdivision 1 (2006), Minnesota Statutes section 326.15 (2006), and Minnesota Rules

1805.0200 subpart 4 (2005) 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 One Thousand (\$1,000.00) dollars. Respondent shall submit a civil penalty of One Thousand (\$1,000.00) dollars 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 and Order, Minnesota Statutes, sections 326.02 through 326.15 (2006), 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 and Order or a lesser remedy than specified herein, this Stipulation and Order 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 Order 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 and Order is classified as public data upon its issuance by the Board, Minnesota Statutes section 13.41, subd. 5 (2006). All documents in the record shall maintain the data classification 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.

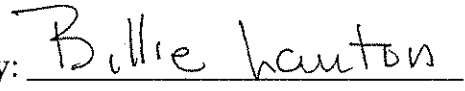
14. Service. If approved by the Board, a copy of this Stipulation and Order shall be served personally or by first class mail on Respondent. The Order shall be effective and deemed issued when it is signed by the Chair of the Board.

RESPONDENT


Martin Bonnell, P.E.

Dated: 3/30, 2007

COMPLAINT COMMITTEE

By: 
Billie Lawton, Public Member,
Committee Chair

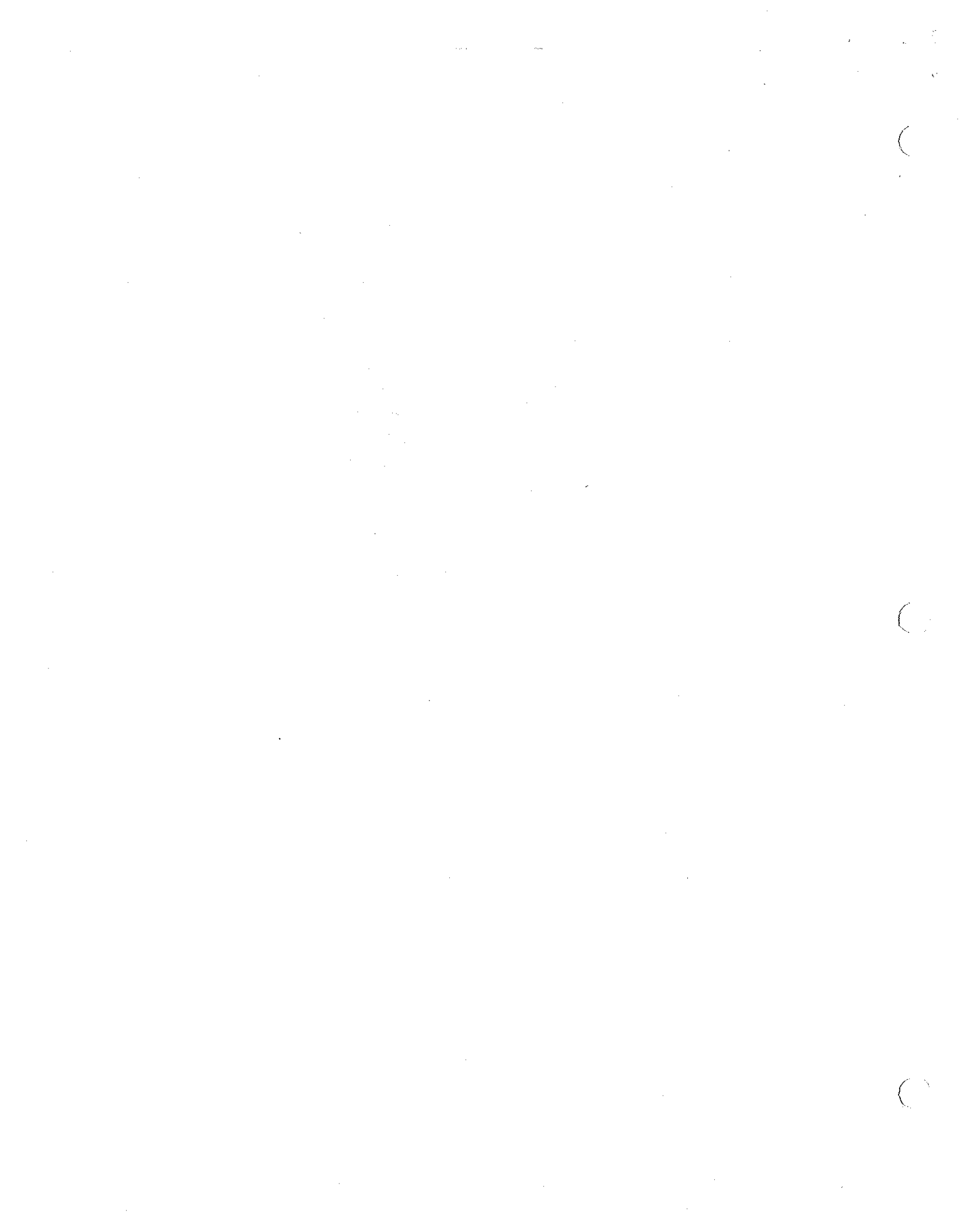
Dated: 5/4, 2007

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 4th day of May, 2007.

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

By: Harvey H. Harvala
Harvey H. Harvala, PE
Board Chair

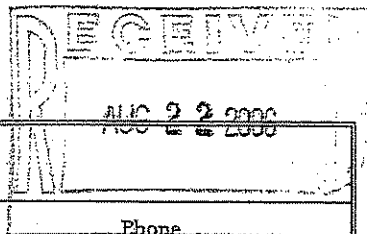




City of New Hope
 Community Development
 4401 Xylon Avenue North
 New Hope MN 55428

Phone: 763-531-5127
 Fax: 763-531-5136
 www.ci.new-hope.mn.us

MECHANICAL PERMIT APPLICATION



Job Address 7500 42nd Ave.		Address (if different than above - include City, State, Zip)		Phone	
Owner		Address (include City, State, Zip)		Phone	
Contractor Voss Utility & Plumbing		PO Box 240 Hanover, MN 55341		763-497-4577	
Electrician		Address (include City, State, Zip)		Phone	
Class of Work: <input checked="" type="radio"/> New <input type="radio"/> Alteration	Estimated Completion Date: 11-30-06	Inspection Scheduled: Yes No	Heating System (01)	Central Air (02)	
Ventilation (03)	Gas Piping (04)	Roof Top Units (05) Number	Infrared Heaters (06) Number	Gas Fireplace/Insert (11)	Air Exchanger (12)

DESCRIBE WORK ABOVE (INCLUDE UNIT MAKE & MODEL IF APPLICABLE):

piping underground vapor collection system

VALUE OF WORK INCLUDING LABOR: \$ 18,000.00

Fee Schedule

Under \$ 500	\$ 25.00 (Residential) \$ 40.00 (Commercial)
501 - 1,000	\$ 25.00 plus 2.50% of amount over \$ 500 or Min Commercial
1,001 - 5,000	\$ 35.00 plus 2.25% of amount over \$ 1,000 or Min Commercial
5,001 - 10,000	\$ 125.00 plus 2.00% of amount over \$ 5,000
10,001 - 25,000	\$ 225.00 plus 1.75% of amount over \$ 10,000
25,001 - 50,000	\$ 490.00 plus 1.50% of amount over \$ 25,000
50,001 and over	\$ 875.00 plus 1.25% of amount over \$ 50,000

Approved by:	Required Inspections Gas Test Orsat <input checked="" type="radio"/> Rough In <input checked="" type="radio"/> Final	Permit Fee:
Date Approved:		State Surcharge: .0005 x Value of Work (\$.50 Min.)
		Total Fees Due Upon Application:

Notice

Separate permits are required for Electrical. This permit becomes null and void if work or construction authorized is not commenced within 180 days or work is suspended or abandoned for a period of 180 days at any time after work is commenced.

Notations:

State License #: PM5639

Expiration Date: 12-31-06

Contractor Signature: Steven Voss Date of Application: 8-22-06

Homeowner-Builder Signature: _____ Date of Application: _____

Visa/Mastercard: _____

Name (print): _____

Billing Address: _____



VOSS UTILITY & PLUMBING

Steven Voss
 P.O. Box 240
 885 Katydid Lane
 Hanover, MN 55341
 763-497-4577
 763-497-3994 Fax
 612-867-3009 Cell

EXHIBIT 1

(C)

(C)

(C)

1. CONSTITUTION

COPY

NO.	REV.	DESCRIPTION	DESIGNED BY	DRAWN BY	CHECKED BY
		ISSUED FOR BID	MOB	SMR	

I hereby certify that this plan, specification was prepared by me or under my direct supervision and that I am a duly registered engineer under the laws of the State of Minnesota

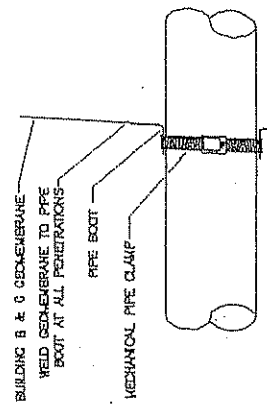
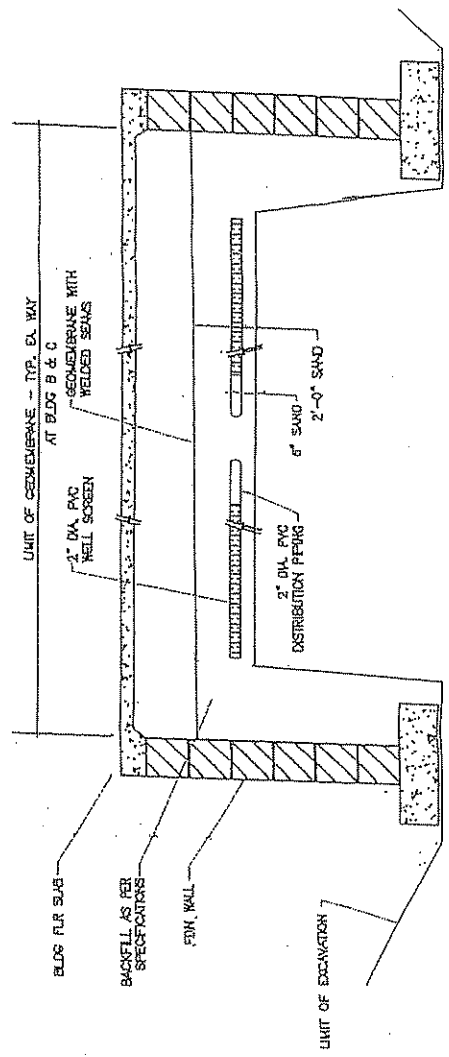
Signature: *[Signature]*
 (Martin D. Bommel)

Date: 8/14/06
 Registration Number: 14010

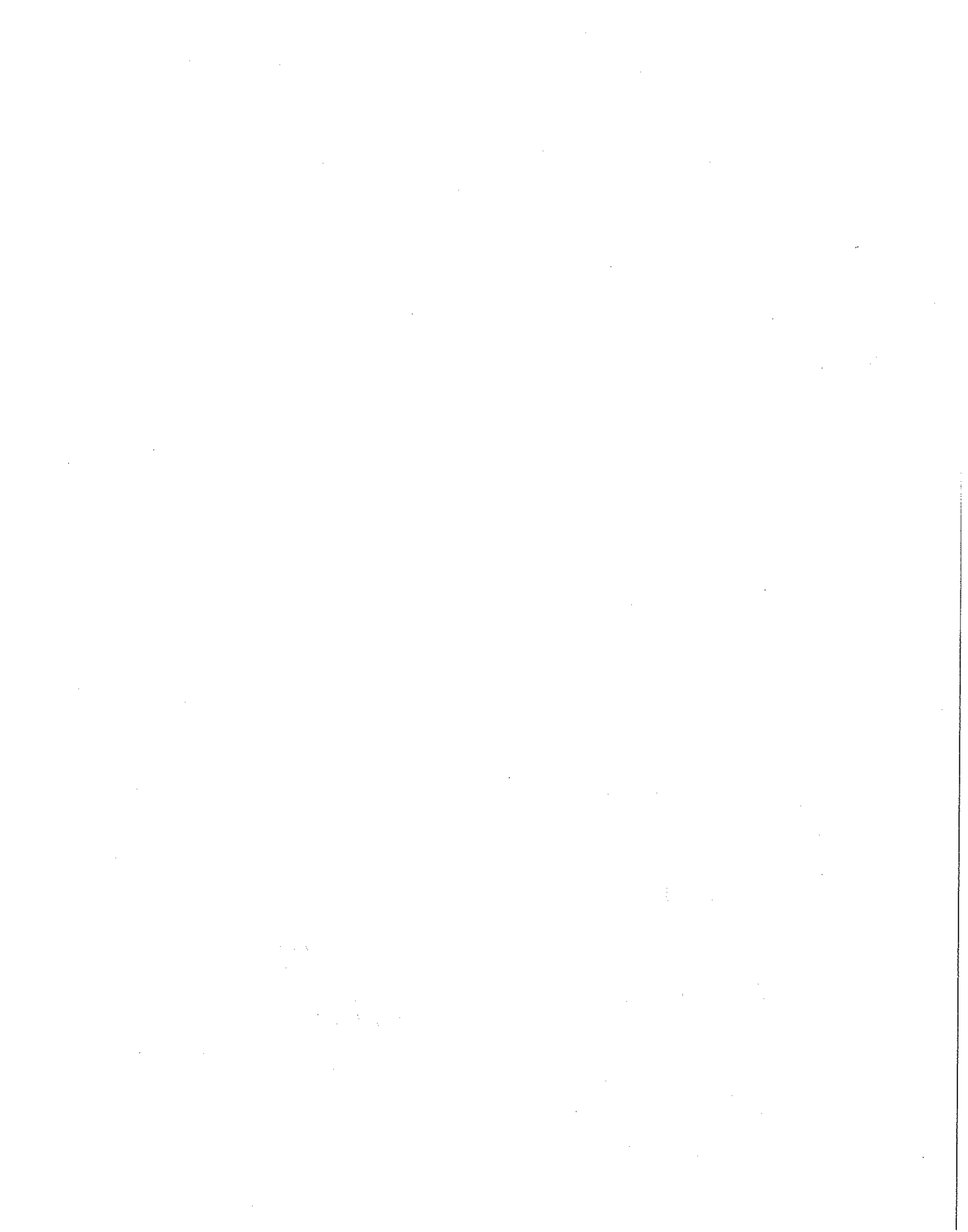
DETAILS

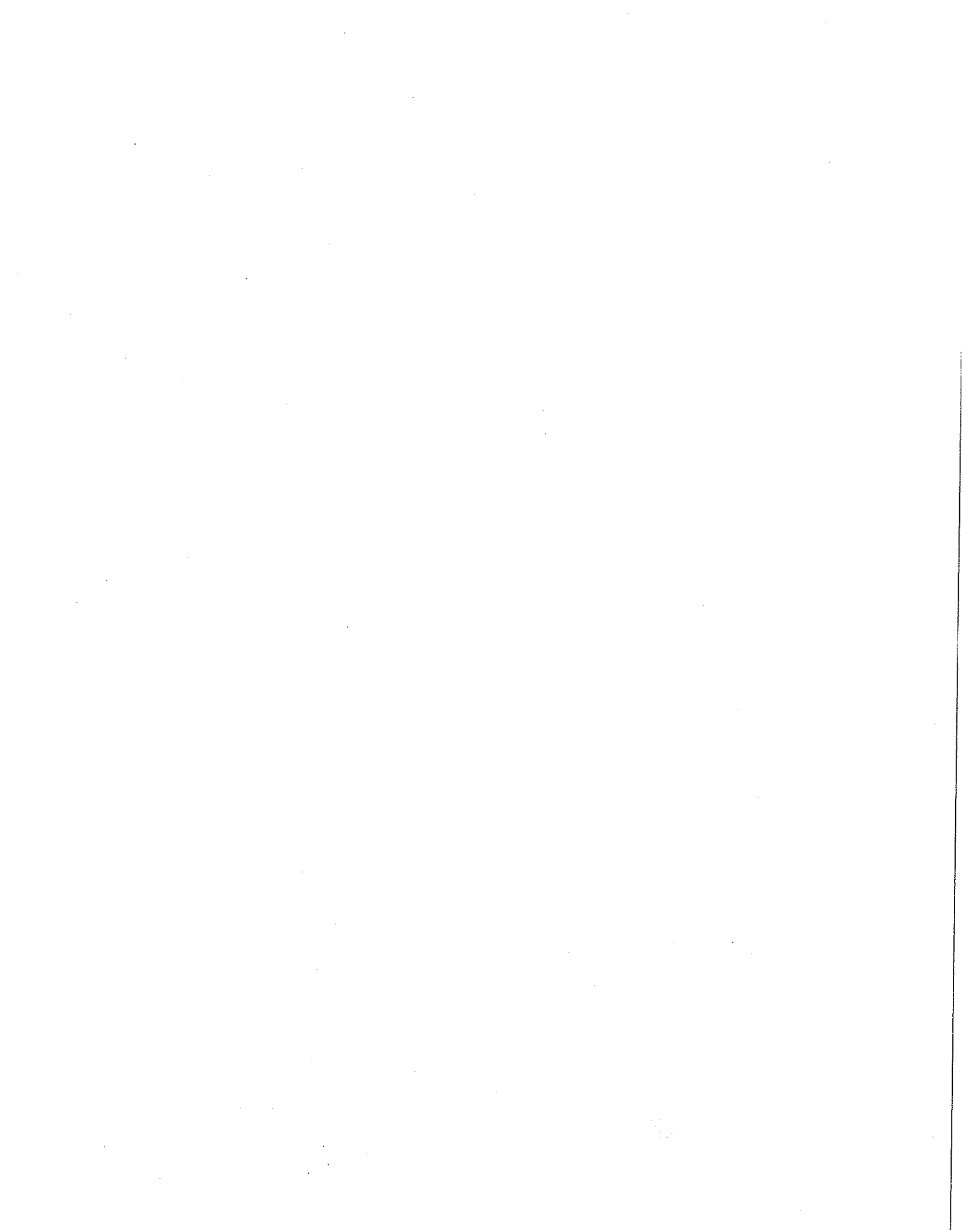
VILLAGE ON QUEBEC
 Quebec and 42nd Avenues North
 New Hope, Minnesota

DATE: August 9, 2006
 DRAWING NUMBER: 6 of 6
 PROJECT NUMBER:
 VIELLA ASSOCIATES, INC.



1 TYPICAL VAPOR EXTRACTION EQUIPMENT PLAN
 6 NOT TO SCALE





REV. NO.	REVISION DESCRIPTION	DESIGNED BY	DRAWN BY	CHECKED BY
1	ISSUED FOR BID	MOB	SJR	

I hereby certify that this plan, specification was prepared by me or under my direct supervision and that I am a duly registered engineer under the laws of the State of Minnesota.

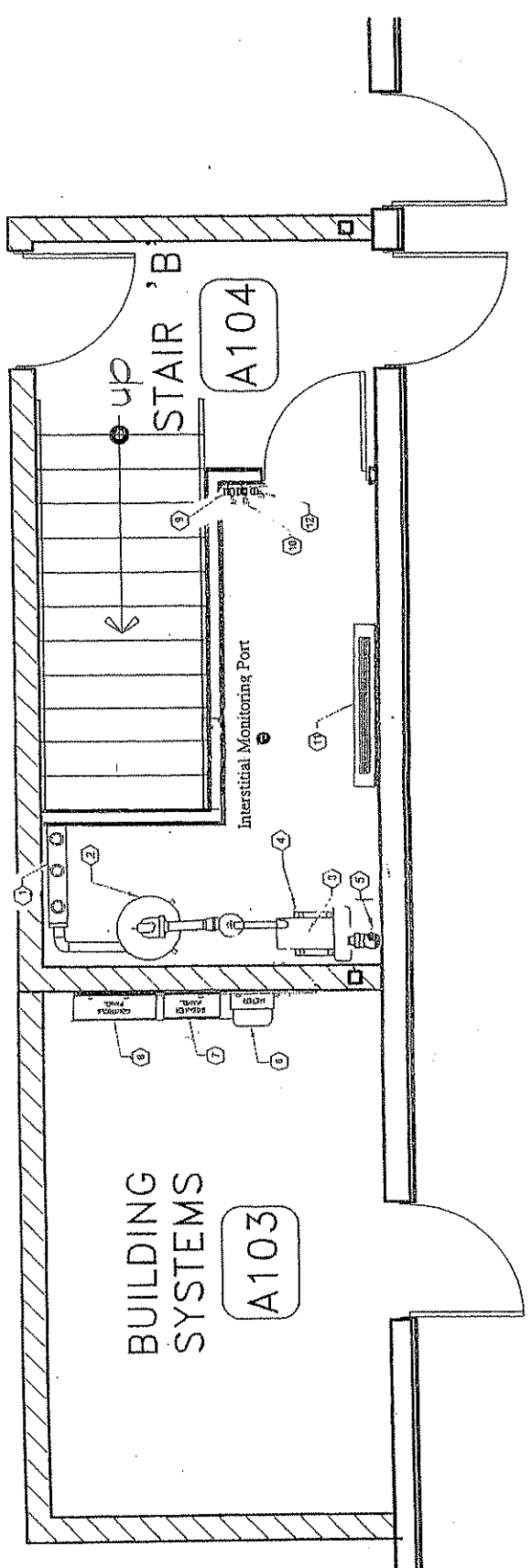
Marvin D. Bonnell
 Signature
 Marvin D. Bonnell
 Registration Number
 14010
 Date
 8-14-06

SYSTEM ROOM BUILDING A
VILLAGE ON QUEBEC
 Quebec and 42nd Avenues North
 New Hope, Minnesota

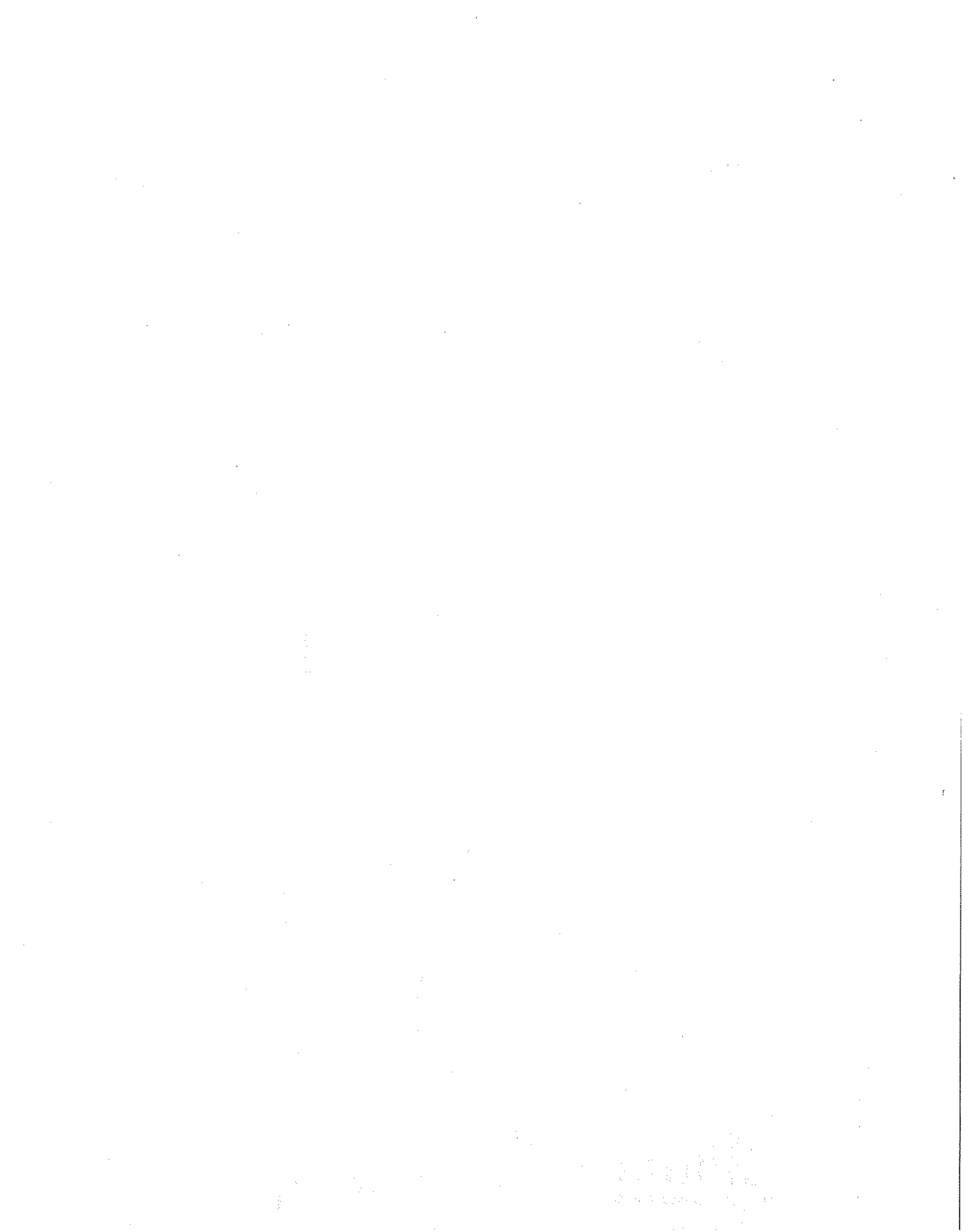
DATE: August 9, 2006
 DRAWING NUMBER: 4 of 6
 PROJECT NUMBER:
 VIDA ASSOCIATES INC.

KEYNOTES:

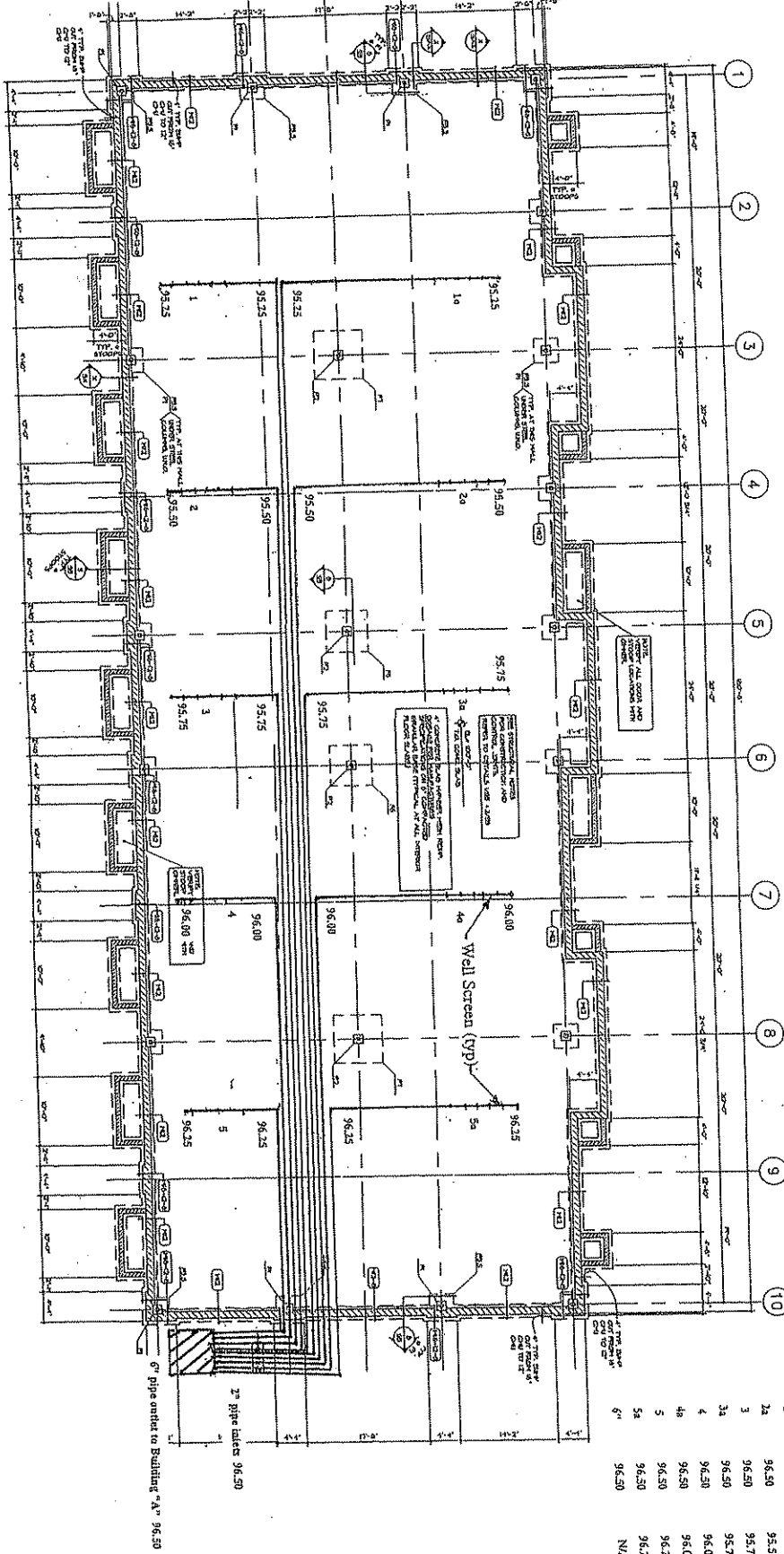
- 1 VAPOR EXTRACTION SYSTEM UNWELDED PIPE (4" DIA. PVC)
- 2 CONDENSATE BEHAVIOR TANK (6"X 6"X 6")
- 3 H-USE PARTICLE FILTER
- 4 OIL BLOWER (RESIZE EXISTING BLOWER)
- 5 VACUUM BLOWER EXHAUST STACK (3" DIA. PVC PIPE - SEE NOTE 6)
- 6 ELECTRIC METER
- 7 VAN BREAKER PANEL
- 8 ELECTRICAL CONTROL PANEL
- 9 EXPLOSION PROOF FAN SWITCH
- 10 EXPLOSION PROOF LIGHT SWITCH
- 11 EXPLOSION PROOF ELECTRO SERVICE NEUTER
- 12 EXPLOSION PROOF THERMOSTAT



1 VAPOR COLLECTION SYSTEM ROOM- BUILDING A



VAPOR COLLECTION SYSTEM PLAN - BUILDING B



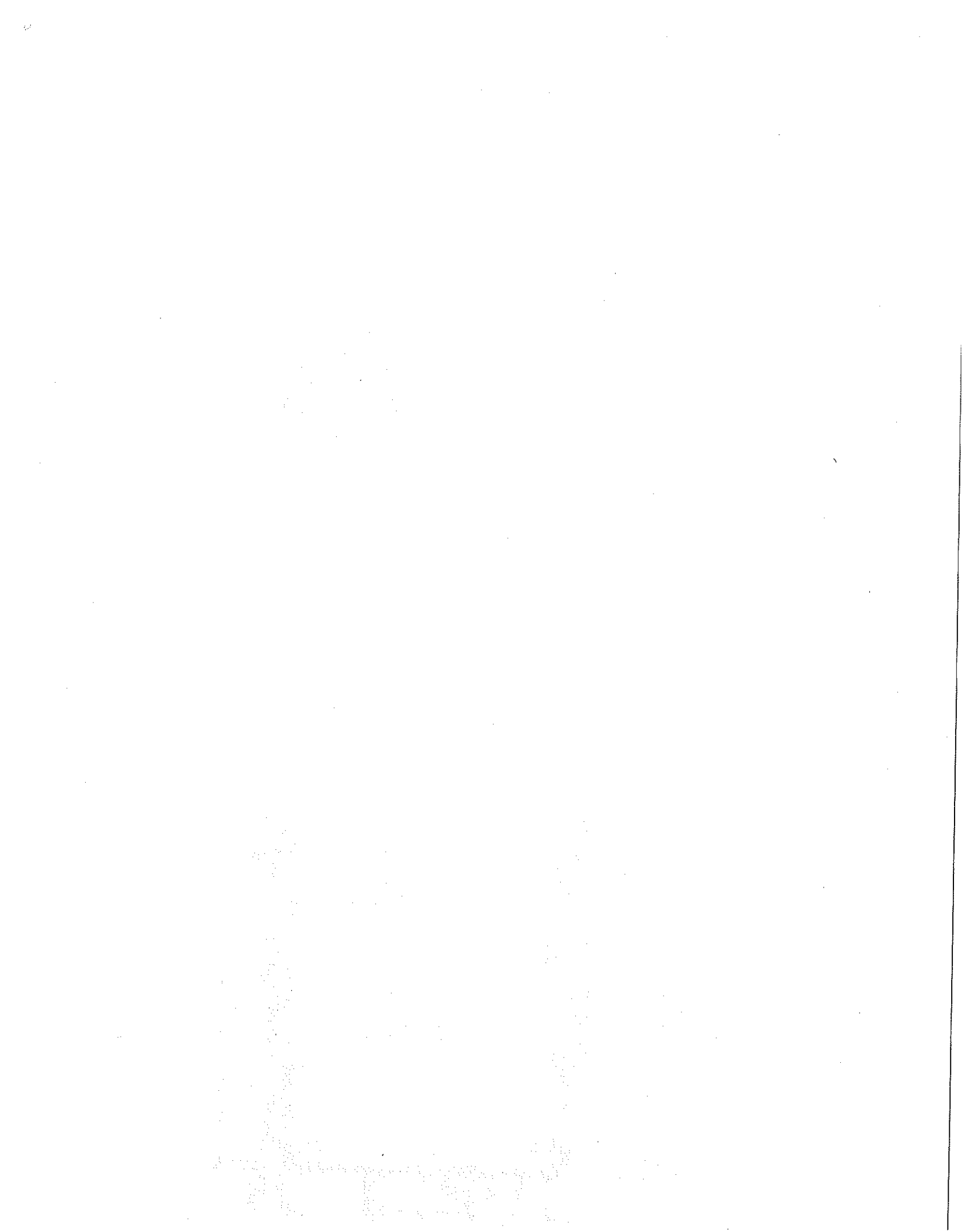
Port	Invert	Screen Invert
1	96.50	95.25
1a	96.50	95.25
1	96.50	95.50
2a	96.50	95.50
3a	96.50	95.75
4	96.50	96.00
4a	96.50	96.00
5	96.50	96.25
5a	96.50	96.25
6"	96.50	N/A

DATE: August 9, 2006
 DRAWING NUMBER: 3 of 6
 PROJECT NUMBER:
 VENT ASSOCIATES, INC.

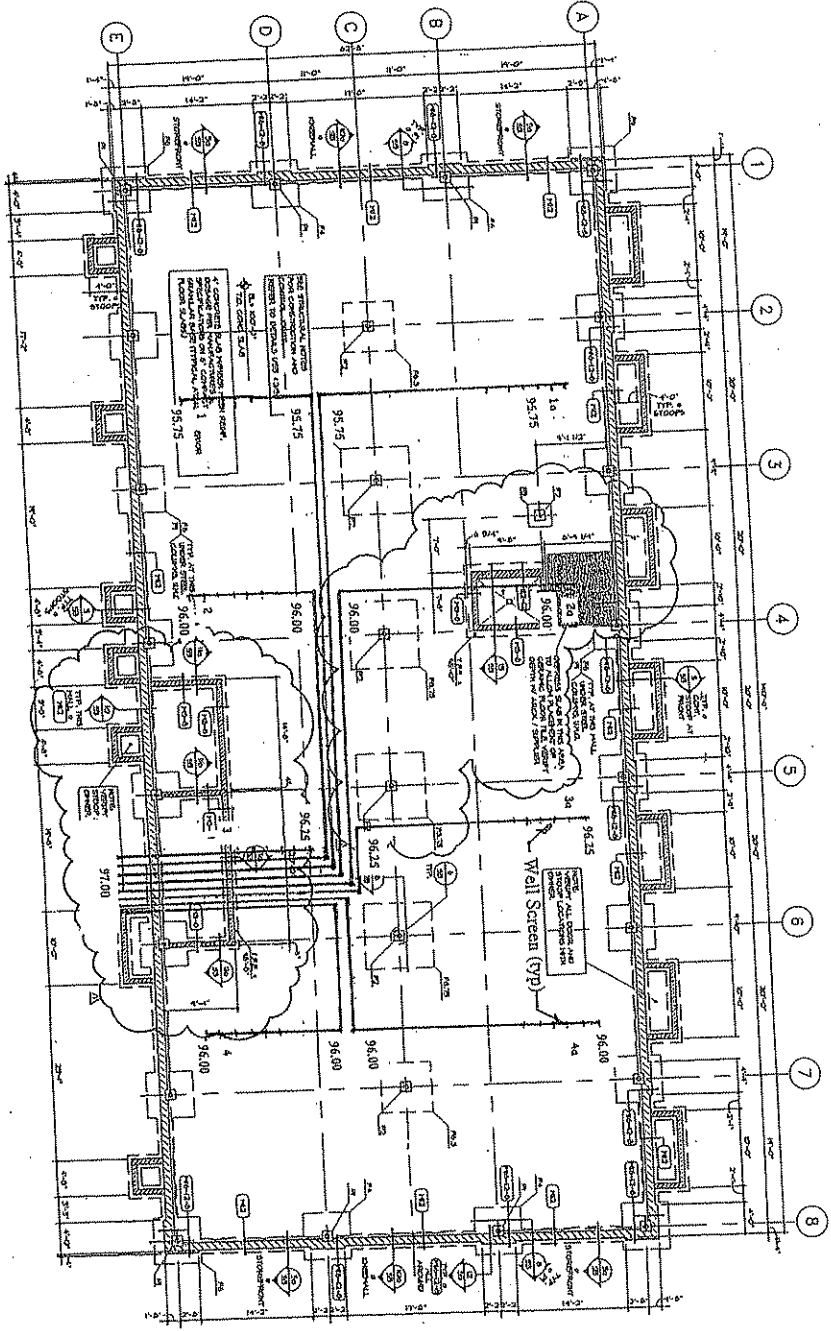
COLLECTION SYSTEM
 BUILDING B
 VILLAGE ON QUEBEC
 Quebec and 42nd Avenues North
 New Hope, Minnesota

I hereby certify that this plan, specification was prepared by me or under my direct supervision and that I am a duly registered engineer under the laws of the State of Minnesota.
 Signature: *Marta D. Boswell*
 Date: 8-14-06
 Registration Number: 14010

REV. NO.	REVISION DESCRIPTION	DESIGNED BY	DRAWN BY	CHECKED BY
	ISSUED FOR BID	MDB	SJR	



1 VAPOR COLLECTION SYSTEM PLAN - BUILDING A



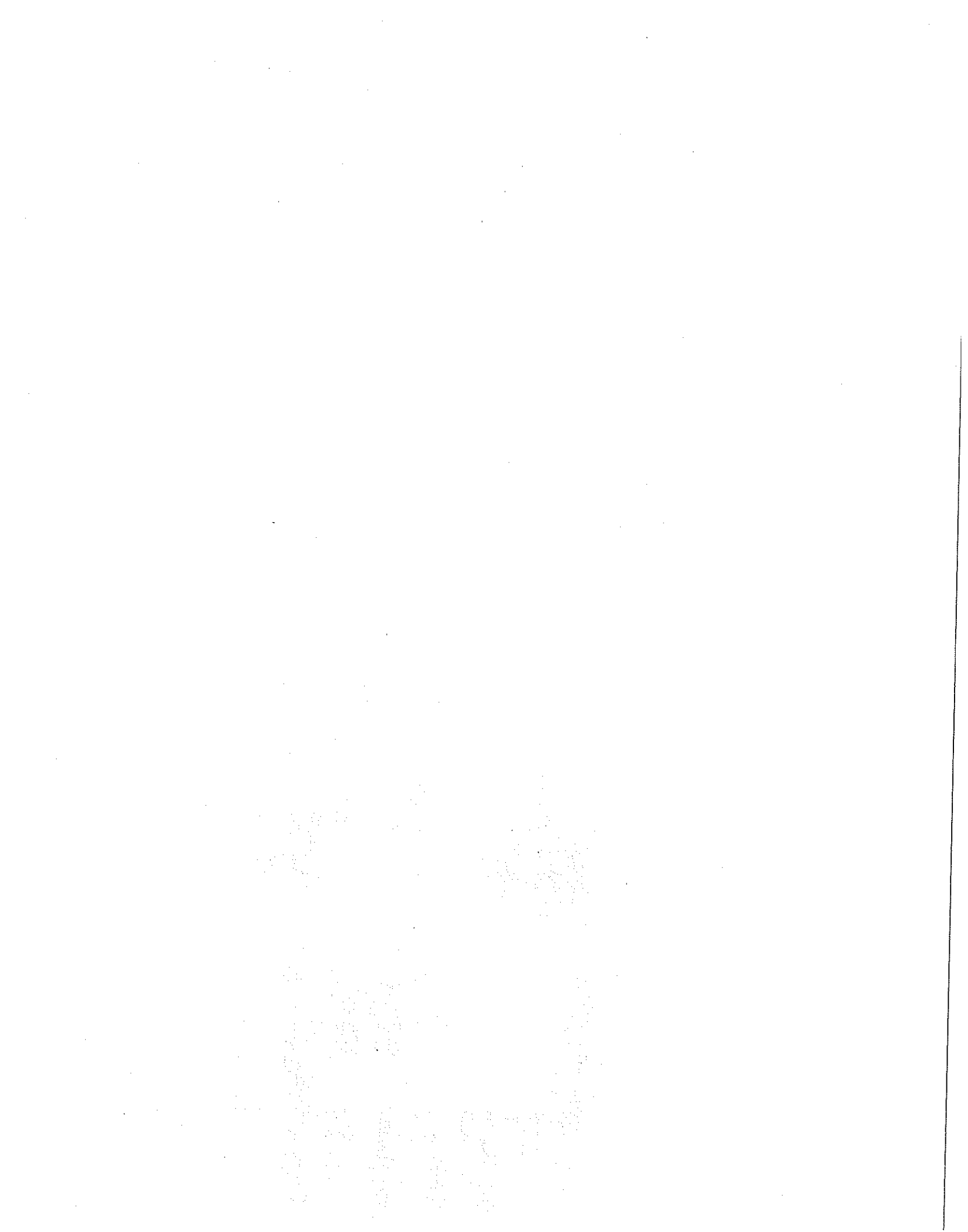
Part	Mech. Room	Screen
1	Invert 95.75	Invert 95.75
1a	97.00	95.75
2	97.00	96.00
2a	97.00	96.25
3	97.00	96.25
3a	97.00	96.00
4	97.00	96.00
4a	97.00	N/A
6"	97.00	

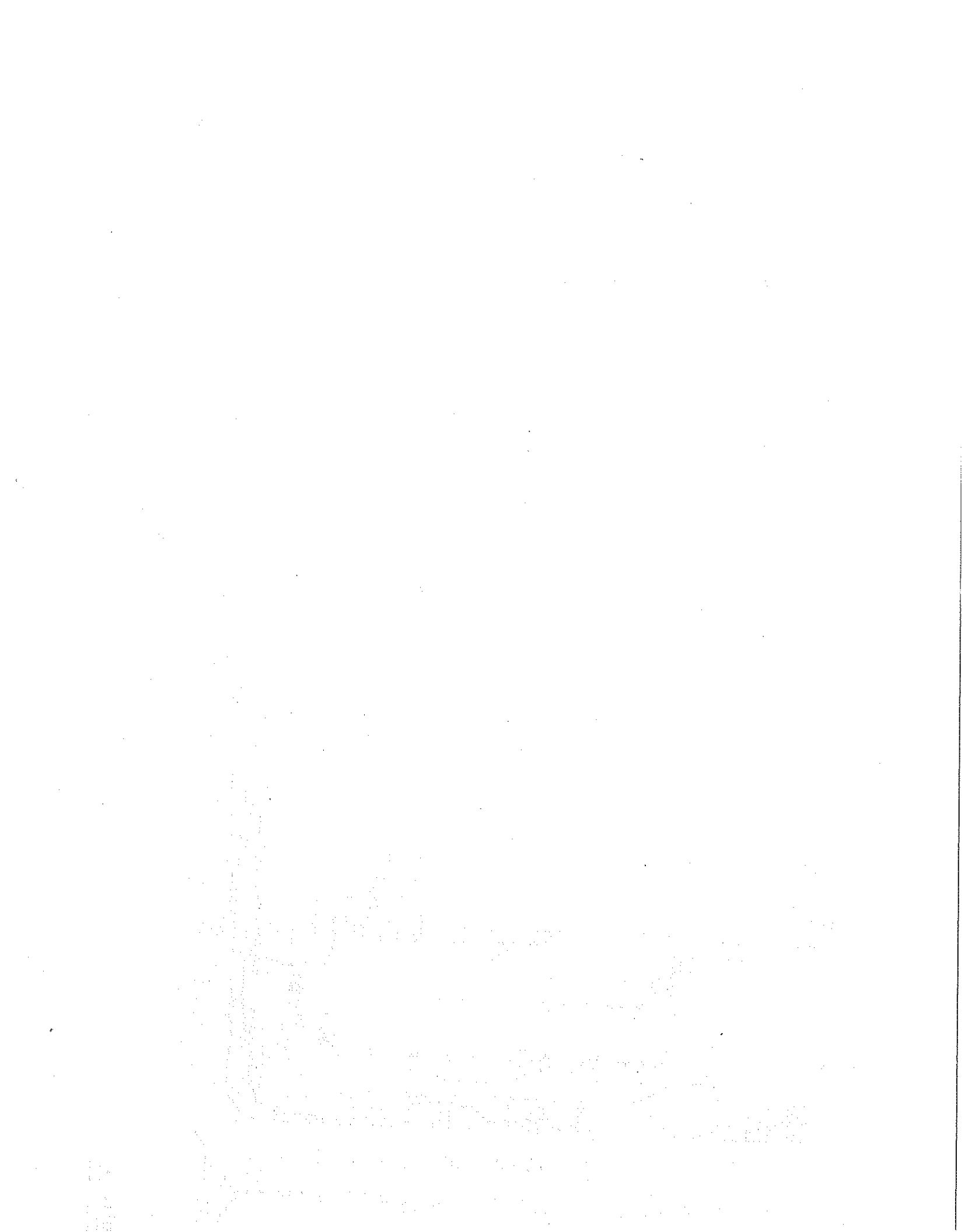
DATE August 9, 2006
 DRAWING NUMBER 2 OF 6
 PROJECT NUMBER
 VEAH ASSOCIATES INC.

COLLECTION SYSTEM BUILDING A
 VILLAGE ON QUEBEC
 Quebec and 42nd Avenues North
 New Hope, Minnesota

I hereby certify that this plan, specification was prepared by me or under my direct supervision and that I am a duly registered engineer under the laws of the State of Minnesota
Maria D. Bonnell
 Signature Maria D. Bonnell
 8-14-06 14010
 Date Registration Number

REV. NO.	REVISION DESCRIPTION	DESIGNED BY	DRAWN BY	CHECKED BY
	ISSUED FOR BID	MOB	SJR	





02

01

03