STIPULATION
AND
ORDER
Board File No. 2002-0086

In the matter of
Donald Selfe
License Number 5701

TO: Mr. Donald Selfe
D V Selfe Construction Co.
1755 East County Road H2
White Bear Lake, MN 55110

The Minnesota Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience, and Interior Design (Board) is authorized pursuant to Minn. Stat. §§ 214.10 and 326.111 (2002) 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 Mr. Donald Selfe (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 10, 1957. 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 10, 1957.
   
   b. Mr. Ron Wyman, an employee of Cortec Company, hired Respondent to design the wall girts and over-turning of the proposed steel tower to be constructed on an existing roof of the Cortec Building in Cambridge, Minnesota. In addition, Respondent was to review some steel connection detail for the project.
   
   c. Respondent provided Mr. Wyman with the professional engineering calculations to prepare a preliminary design for the Cortec building project.
   
   d. Respondent reviewed and certified incomplete preliminary plans drafted by Mr. Wyman. Respondent provided the certified preliminary plans to his client, Cortec Company. A true and correct copy of the incomplete preliminary plans Respondent certified is attached as Exhibit A.
   
   e. Without Respondent’s knowledge, Mr. Wyman submitted the incomplete preliminary plans certified by Respondent to the Cambridge Building Official for approval.
   
   f. After the Cambridge Building Official notified Respondent that the incomplete preliminary plans Respondent had certified were submitted for approval, Respondent prepared and certified complete plans for the Cortec building project, which are dated July 25, 2002. A true and correct copy of the plans Respondent certified on July 25, 2002 is attached as Exhibit B.

3. **Violations.** Respondent admits that the facts specified above constitute a violation of Minnesota Statutes § 326.03 (2002).
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.

5. **Additional Discipline for Violations of Order.** If Respondent violates this Stipulation and Order 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 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 proceeding pursuant to Minn. Stat. ch. 14, 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. **Board Rejection of Stipulation 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 Minn. Stat. ch. 14, Respondent agrees not to object to the Board’s initiation of the proceeding 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.

8. **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.

9. **Data Classification.** Under the Minnesota Data Practices Act, this Stipulation and Order is classified as public data upon its issuance by the Board. Minn. Stat. § 13.41, subd. 5 (2002). All documents in the record shall maintain the data classification to which they are entitled under the Minnesota Government Data Practices Act, Minn. Stat. ch. 13.
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 engineering.

10. **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.

11. **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.

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

13. **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

Donald Selfe, PE


COMPLAINT COMMITTEE

Sonia Maassel Jacobsen, PE
Committee Chair

Dated: June 9, 2004

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 adopted and hereby issued as an Order of this Board on this the 16 day of June, 2004.

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

By: James O'Brien, FAIA
Chair
NEW TOWER ON CORTEC BUILDING

CAMBRIDGE, MN

EXHIBIT B
NEW 16K7 ROOF JOIST

NEW SEATS

NEW 16K7 ROOF JOIST

NEW 16K7 ROOF JOIST

OUTRIGGER TO POST CONNECTION

8" x 8" TUBE

6" x 6" TUBE

CUT OFF AND REMOVE EXISTING ROOF JOIST OR NEW STEEL BEAMS

EXISTING 32LH07 ROOF JOISTS ON 5'-0" CENTERS

REINFORCEMENT OF EXISTING ROOF FOR SNOW DRIFT LOADS

EXISTING ROOF PLAN AT NEW TOWER LOCATION

CORTEC BUILDING - CAMBRIDGE, MN

SCALE: 1/4" = 1'-0"

DATE: 7/25/02

D.M. SELFE, P.E.
TOWER ROOF AND FOOTING PLAN

COTEC BUILDING - CAMBRIDGE, MN

SEE DETAIL A FOR ROOF EDGE

EXISTING BUILDING WALL

8"x8"x5/16" TUBE COLUMN

CONTINUOUS FIELD WELD 8"x8"x5/16" TUBE COLUMN TO 16"x1"x1'-4" BASE PLATE

BASE PLATE DETAIL

4'-9"x4'-9"x3'-0" CONCRETE FOOTING
THREE No. 5 BARS E-W TOP AND BOTTOM

SCALE:
5/16" = 1'-0"

DATE: 7/25/02

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

D.V. Selee, P.E.
EXIST. 32LH07
WITH NEW SEAL
OVER BEAM

8"x8"x5/16" COL.

ROOF SUPPORT DETAIL

10"x3"x3/16" PURLIN

EXIST. 32LH07
EXIST. 32LR07
EXIST. 32LH07

NEW 16K7

6"x6"x5/16" TUBE

NEW 16K7

EXIST. 32LH07

EXISTING BUILDING ROOF - REMOVE AND REPLACE AFTER JOIST INSTALLATION

EXTERIOR PRE-FINISHED WALL PANEL OVER 10" BAT INSULATION
COMPRESSED TO 3/4" AT PURLIN CONNECTION.

ROOF INSULATION

10"x3"x3/16" PURLIN

2x5x3/8 ANGLES BY 7" LONG
3/8" LEG WELDED TO COLUMN
5" LEG BOLTED TO PURLIN
WITH TWO 3/4" BOLTS.

10"x3"x3/16" PURLIN

1/2" x 7" PLATE WELDED TO COLUMN
AND TAPPED FOR 3/4" BOLTS ON
12" CENTERS ALONG COLUMN FACE.

PURLIN CONNECTION TO COLUMN

DETAIL FOR ALTERNATE CONNECTION
FOR SECURING PANELS FABRICATED ON
GROUND AND HOISTED IN PLACE.

TOWER FRAMING CONNECTION DETAILS

CORTEC BUILDING - CAMBRIDGE, MN

1/2" x 7" PLATE WELDED TO COLUMN
AND TAPPED FOR 3/4" BOLTS ON
12" CENTERS ALONG COLUMN FACE.

PURLIN CONNECTION TO COLUMN

DETAIL FOR ALTERNATE CONNECTION
FOR SECURING PANELS FABRICATED ON
GROUND AND HOISTED IN PLACE.
ALL FIELD WELDING SHALL BE PERFORMED BY CERTIFIED WELDERS.

EQUIPMENT PLATFORM FRAMING AND DETAILS

CORTEC BUILDING - CAMBRIDGE, MN

13/16" HOLE FOR SAG ROD
4x6x3/16 TUBE
FIELD WELDED TO COLUMN

TOP AND BOTTOM
4x4x3/8 ANGLES
FIELD WELDED TO COLUMN

14" METAL WALL PANELS OVER 6" BAT INSULATION

NOTE:

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

DATE: 7/25/02

SIGNED:

D.V. SELF, P.E.
1790 E 3rd St
MINNEAPOLIS, MN 55403-1950

DRAWING NO.

EQUIPMENT PLATFORM

SCALE:

3/16" = 1'-0"

1" = 1'-0"

DATE: 7/25/02

SIGNATURE:

D.V. SELF, P.E.

RIG. NO.

4701