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

In the matter of
Martin Bonnell
Professional Engineer
License Number 14010

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 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.


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
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**

[Signature]

Martin Bonnell, P.E.

Dated: 3/30/2007

**COMPLAINT COMMITTEE**

[Signature]

Billie Lawton, Public Member, Committee Chair

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, PE
    Board Chair
## Mechancial Permit Application

### Job Address
- **7500 42nd Ave.**

### Owner
- **Address (if different than above - include City, State, Zip)**
- **Phone**

### Contractor
- **Voss Utility & Plumbing**
- **Address (include City, State, Zip)**
- **Phone**

### Electrician
- **Address (include City, State, Zip)**
- **Phone**

### Class of Work
- **New**

### Estimated Completion Date
- **11-30-06**

### Inspection Scheduled:
- **Yes**

### Heating System (01)
- **Central Air (02)**

### Ventilation
- **03**

### Gas Piping
- **04**

### Roof Top Units
- **05**

### Infrared Heaters
- **06**

### 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**

### State License #:
- **PM5639**

### State of Application:
- **12-31-06**

---

**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.

---

**Visa/Mastercard:**

**Name (print):**

**Billing Address:**

---

**Steven Voss**

P.O. Box 240

885 Katydid Lane

Hanover, MN 55341

763-497-4577

763-497-3994 Fax

612-867-3009 Cell

---

**Voss Utility & Plumbing**
UNIT OF OIL EXHAUST - TOP, OL WAY

BLOG FLR RIS
BACKFILL AS PER
SPECIFICATIONS
PIECE, WALL

UNIT OF EXCAVATION ?

BUILDING B & D OIL EXHAUST
WELD OIL EXHAUST TO PIPE
BOOT AT ALL FLOOR LEVELS
PIPE BOOT
MECHANICAL PIPE CLAMP

3" OIL PIPE DISTRIBUTION PIPES
5" SAND
2'-0" SAND

1 TYPICAL VAPOR EXTRACTION EQUIPMENT PLAN
NOT TO SCALE
1. Notify local utility operators to verify locations of all utilities before beginning any subsurface work.
2. A 30-in Diam Geosynthetic liner shall be installed below Building A with welded joints and utility penetrations.
3. Geosynthetic liner shall be mechanically connected to building foundation using a clamping bar connected to the foundation at 1-foot intervals.
4. A minimum of 6-inches of Sand Backfill shall be installed above the Geosynthetic liner and 2.5-feet below the liner. The Sand Backfill shall meet the requirements of MnDOT 3149.2H for Coarse Filter Aggregate.
5. SVE screens shall be constructed using 10-foot long, 2-inch diameter, #10 shot, schedule 40 PVC screens.
6. All below ground vapor extraction piping 2-inch diameter, schedule 40 PVC unless otherwise noted.
7. All pre-manufactured components to be installed to manufacturer’s specifications.
8. Equipment layout shown for illustrative purposes only. Contractor is responsible for final equipment placement. Final equipment layout must be approved before installation.
9. Vent vacuum blower exhaust stack through roof. Exhaust stack is to extend above adjacent roof line min. 10-feet. Provide lateral support to exhaust stack within 4-foot 1st top of PVC.
10. See vapor extraction equipment schematic (1/5) for equipment requirements. Not all components shown on this plan.
11. Contractor shall coordinate power drop to electric meter with local electric service utility.

Notes:
AFFIDAVIT OF SERVICE BY MAIL

RE: In the matter of Martin Bonnell
File Number 2007-0028

STATE OF MINNESOTA  )
                     ) ss.
COUNTY OF RAMSEY    )

Patricia J. Litchy, being first duly sworn on October 2, 2007, deposes and says:

That at the City of St. Paul, County of Ramsey and State of Minnesota, on the
26th day of February, 2007, she served the Proposed Stipulation and Order by
depositing in the United States mail at said city and state, a true and correct copy
thereof, properly enveloped, with first class and certified postage prepaid, and
addressed to:

Martin Bonnell
172 Spruce Drive
Apple Valley, MN 55124

Subscribed and sworn to before me on this the 2nd day of October, 2007.

Patricia J. Litchy, J. D.

(Notary Public)