

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

**In the matter of Jeffrey Weyandt  
PROFESSIONAL ENGINEER  
License Number 41342**

**STIPULATION AND ORDER**

**Board File No. 2017-0030**

TO: Jeffrey Weyandt  
1206 Prairie Lane  
Shakopee, Minnesota 55379

The Minnesota Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience and Interior Design ("Board") is authorized pursuant to Minnesota Statutes section 214.10 (2016) and Minnesota Statutes section 326.111 (2016) 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 Jeffrey Weyandt ("Respondent"). The Board's Complaint Committee ("Committee") reviewed the information. The parties have agreed that these matters may now be resolved by this Stipulation and Order.

**STIPULATION**

It is hereby stipulated and agreed by Respondent and the Committee that without trial or adjudication of any issue of fact or law and without any evidence or admission by any party with respect to any such issue:

1. Jurisdiction. Respondent was first issued a Professional Engineer license by the Board on July 25, 2001. 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 as a Professional Engineer in the State of Minnesota on July 25, 2001.

b. Respondent renewed his Minnesota Professional Engineer license on April 28, 2016.

c. At the time of this Stipulation and Order, Respondent's Professional Engineer license in the State of Minnesota is current.

d. Respondent renewed his Minnesota Professional Engineer license on-line on April 28, 2016 at 11:00 A.M. At that time, Respondent affirmed that he had thirty-six (36) Professional Development Hours and he affirmed he had met the ethics requirement.

e. In a letter dated September 23, 2016, the Board notified Respondent that he had been selected as part of the Board's continuing education audit.

f. In this same letter dated September 23, 2016, it stated the Respondent must submit supporting documentation for a minimum of twenty-four (24) Professional Development Hours, of which two (2) hours must have been in ethics, that had been earned between July 1, 2014 to June 30, 2016 (the 2018 renewal period).

g. Respondent did submit supporting documentation for the continuing education audit on October 24, 2016. Attached to the Continuing Education Reporting form was a letter dated October 19, 2016. Respondent stated:

"During the process of gathering supporting documentation for continuing education credits I realized I was 1 Professional Development Hour (PDH) short for the ethics requirement." "After learning I was 1 PDH short for the ethics requirement I watched three Engineering Ethics Webinars provided by the National Society of Professional Engineers. I passed the tests associated with the webinars and have attached the certificates for 3 PDH's."

h. In a letter dated December 27, 2016, Respondent stated: "On October 19, 2016 I reported to you that I was one hour short of the ethics requirement and therefore did not meet the continuing education requirements for the 2018 renewal period." "When I filled out the on-line renewal I believed I had the required PDH's." "When I filled out the on-line renewal I did not knowingly provide false information."

i. The Board accepted the 'Engineering Ethics: Maintaining Objectivity/Truthfulness and Addressing Conflict of Interest' webinar course that the Respondent took and passed on October 17, 2016 for one (1) Professional Development Hour, to fulfill the one (1) hour of ethics he was short. The completion of this one (1) hour webinar course shall not count toward any continuing education requirements in 2018-2020 renewal period or beyond.

3. Violations. Respondent admits that the facts specified above constitute violations of Minnesota Statutes section 326.111, subdivision 4 (a) (8) (2016), Minnesota Statutes 326.107, subdivision 1 (a) and subdivision 1 (b) (2016), Minnesota Rules 1805.0200, subpart 2 (2015) and are sufficient grounds for the action specified below. Specifically, it is alleged that the Respondent made a materially false statement

on the on-line renewal application and he failed to meet the continuing education requirements by affirming he had two (2) professional development hours in ethics, in the on-line renewal on April 28, 2016, but failed to provide supporting documentation to substantiate two (2) hours dedicated to professional ethics.

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 Five Hundred Dollars (\$500.00). Respondent shall submit a civil penalty of Five Hundred Dollars (\$500.00) by check to the Board within sixty (60) days of the Board's approval of this Stipulation and Order.
- c. Respondent shall cease and desist from violating any laws, rules or orders entrusted to enforcement by the Board.

5. 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 (2016), 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.

6. Collection. Pursuant to Minnesota Statutes section 16D.17 (2016), after ninety (90) days of the Board's approval of this Stipulation and Order, the Board may file and enforce any unpaid portion of the civil penalty imposed by this Order as a judgment against the Respondent in district court without further notice or additional proceedings.

7. 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 (2016), 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.

8. 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.

9. 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.

10. 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, subdivision 5 (2016). 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 (2016). 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.

11. 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.

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

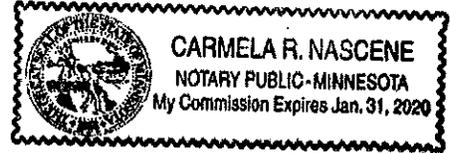
13. Service. If approved by the Board, a copy of this Stipulation and Order shall be served personally or by first class mail on Respondent. The Order shall be effective and deemed issued when it is signed by the Chair of the Board.

RESPONDENT

Jeffrey Weyandt  
Jeffrey Weyandt, PE

Dated: 4/4, 2017

SUBSCRIBED and sworn to before me on  
this the 4<sup>th</sup> day of April, 2017.



Carmela R. Nascene  
(Notary Public)

My Commission Expires:

Jan. 31, 2020

COMPLAINT COMMITTEE

James N. Grube  
James N. Grube, P.E.  
Committee Chair

Dated: 5/11, 2017

ORDER

Upon consideration of the foregoing Stipulation and Order and based upon all  
the files, records, and proceedings herein, all terms of the Stipulation and Order are  
approved and adopted and hereby issued as an Order of this Board this the 11<sup>th</sup> day  
of May, 2017.

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

By: Dennis R. Martenson  
Peter G. Miller, PSS  
Board Chair

Dennis R. Martenson, PE

