

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
FOR THE BOARD OF ARCHITECTURE, ENGINEERING, LAND SURVEYING,
LANDSCAPE ARCHITECTURE, GEOSCIENCE AND INTERIOR DESIGN

In the Matter of the Professional **STIPULATION AND CONSENT ORDER**
Engineering License of Dale Ek-Pangerl,

OAH Docket No. 82-1006-36060

IT IS HEREBY STIPULATED AND AGREED by Respondent Dale Ek-Pangerl and the Complaint Committee of the Minnesota Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience, and Interior Design without trial or adjudication of any issue of fact or law herein:

1. On April 23, 2019, the Committee commenced regulatory action against Ek-Pangerl by serving him with a notice and order for prehearing conference. The Committee alleged that Ek-Pangerl had failed to respond to the Committee's requests to provide documentation supporting his assertion that he had earned the required 24 professional development hours, including two hours of professional ethics training.
2. Ek-Pangerl acknowledges that he has been advised of his right to a hearing in this matter, to present argument to the Board and to appeal from any adverse determination after a hearing. Ek-Pangerl hereby expressly waive those rights. Ek-Pangerl further acknowledge that he was advised of his right to be represented by legal counsel and that he knowingly waived that right.
3. Ek-Pangerl has agreed to an informal disposition of this matter without a hearing as provided under Minn. Stat. § 14.59 (2018) and Minn. Rule 1400.5900 (2017).

4. This settlement agreement and consent order and the files, records, and proceedings associated with this matter constitute the entire record and shall be reviewed by the Board in its consideration of the matter.

5. In the event that the Board in its discretion does not approve this settlement, this settlement is withdrawn and shall be of no evidentiary value and shall not be relied upon nor introduced by either party. Ek-Pangerl agrees that if the Board rejects this settlement and this case proceeds to hearing, Ek-Pangerl will assert no claim that he was prejudiced by the Board's review and discussion of this settlement or of any records relating to it.

6. Ek-Pangerl acknowledges that any monetary penalty or resulting judgment arising from this order is non-dischargeable in any bankruptcy proceeding. *See* 11 U.S.C. § 523(a)(7) ("A discharge under section 727, 1141, 1228(a), 1228(b), or 1328(b) of this title does not discharge an individual debtor from any debt . . . to the extent such debt is for a fine, penalty, or forfeiture payable to and for the benefit of a governmental unit, and is not compensation for actual pecuniary loss, other than a tax penalty . . .").

7. Upon this stipulation and record, the Committee and Ek-Pangerl agree that the Board may, in its discretion, issue an order that:

- A. Ek-Pangerl's license is censured and reprimanded;
- B. Ek-Pangerl **SHALL PAY** a civil penalty to Board in the amount of \$750. Ek-Pangerl shall submit to the Board payment of the civil penalty by check payable to the Board within sixty days of the Board's approval of this settlement agreement and consent order.
- C. Ek-Pangerl shall complete two ethics PDH, one to fulfill the PDH reporting requirements for the July 2016 to June 2018 cycle, and one additional ethics PDH.

Respondent must provide proof of completion of two ethics PDH to the Board within 90 days of the Board's approval of this stipulation and order. These two ethics PDH shall not count toward Ek-Pangerl's 2018-2020 continuing-education-renewal requirement.

- D. If Ek-Pangerl does not submit documentation satisfactory to the Board, substantiating the completion of the two ethics PDH within 90 days from the date the Board adopts this stipulation and order, Ek-Pangerl's Minnesota professional engineer license will be suspended through June 30, 2020.

Dale Ek-Pangerl
Respondent Dale Ek-Pangerl

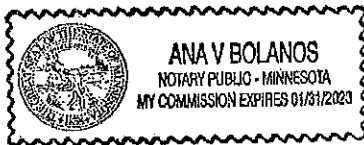
Dated: November 18, 20 19

SUBSCRIBED and sworn to before me on
this the 18th day of November, 20 19.

Ana V Bolanos
(Notary Public)

My Commission Expires:

01/31/2023



Wayne Hilbert
Wayne Hilbert
Committee Chair

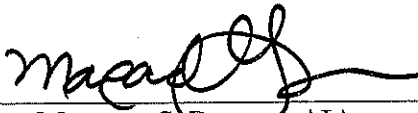
DATED: 1-9, 20 20

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 9th day of January, 2020.

This consent order shall be effective upon signature by the Board's chair or designee of the chair.

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

By: 
Margaret S. Parsons, AIA

AFFIDAVIT OF SERVICE BY MAIL


RE: In the matter of Dale Ek-Pangerl
PROFESSIONAL ENGINEER
License Number 15399

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

Matt Kaehler, being first duly sworn, deposes and says:

That at the City of St. Paul, County of Ramsey and State of Minnesota, on this the 9th day of January, 2020, he served the attached **Stipulation and Consent 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:

Dale Ek-Pangerl, PE
15238 Linden Tree Road
Grasston, Minnesota 55030



Matt Kaehler

Subscribed and sworn to before me on
this the 9th day of January, 2020.



(Notary Public)

