

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE PROFESSIONAL ENGINEER SECTION OF THE
EXAMINING BOARD OF ARCHITECTS, LANDSCAPE ARCHITECTS,
PROFESSIONAL ENGINEERS, DESIGNERS AND LAND SURVEYORS

IN THE MATTER OF THE DISCIPLINARY
PROCEEDINGS AGAINST:

GARY P. GRUNAU, PE
RESPONDENT

FINAL DECISION AND ORDER
LS0101122ENG

Division of Enforcement Case No. 00 ENG 010

The parties to this action for the purposes of section 227.53 of the Wisconsin statutes are:

Gary P. Grunau
PO Box 479
Milwaukee, WI 53201

Professional Engineer Section
PO Box 8935
Madison, WI 53708-8935

Department of Regulation and Licensing
Division of Enforcement
PO Box 8935
Madison, WI 53708-8935

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the Professional Engineer Section. The Section has reviewed this Stipulation and considers it acceptable.

Accordingly, the Section in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Gary P. Grunau (D.O.B. 04/17/39) is duly licensed to practice as a Professional Engineer in the state of Wisconsin (license #9777). This license was first granted on October 14, 1966.
2. Respondent's most recent address on file with the Wisconsin Professional Engineers Section is PO Box 479, Milwaukee, WI 53201.
3. On or about December 30, 1999, Respondent's Florida engineering license was disciplined by the Florida Board of Professional Engineers.

4. On or about July 14, 2000, the Kentucky State Board of Licensure for Professional Engineers and Land Surveyors issued an Order against Respondent imposing professional discipline. The Kentucky action was based upon the 1999 Florida Order.
5. On or about September 27, 2000, the Florida Board of Professional Engineers again imposed discipline against Respondent's Florida engineering license.
6. Copies of the Kentucky and Florida Orders against Respondent are attached to this document as Exhibit A.
7. In resolution of this matter, Gary P. Grunau consents to the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Wisconsin Professional Engineer Section has jurisdiction over this matter, pursuant to sec. 443.11, Stats.
2. The Wisconsin Professional Engineer Section is authorized to enter into the attached stipulation, pursuant to sec. 227.44(5), Stats.
3. The conduct described above constitutes a basis for discipline against Respondent's license to practice as a Professional Engineer in the state of Wisconsin, pursuant to sec. 443.11(1)(e), Stats. and Wisconsin Administrative Code § A-E 8.03(3).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that

1. Gary P. Grunau (professional engineer's license # 9777) is hereby REPRIMANDED.
2. The Wisconsin license of Gary P. Grunau, to practice as a professional engineer (license # 9777) is LIMITED as follows:
 - a. Mr. Grunau shall maintain full, complete and timely compliance with the terms of the Florida Orders referred to in Findings of Fact 3 and 5, above.
 - b. Respondent shall arrange for reports on a quarterly basis from the Florida Board of Professional Engineers on the status of his compliance with the terms and conditions currently imposed upon his professional engineer's license in that state. These reports shall be submitted to the Department Monitor in the Department of Regulation and Licensing, Division of Enforcement. The Respondent shall self-report **immediately** to the Department Monitor any violation of Wisconsin law relating to the practice of professional engineering.
 - c. All reports pursuant to this order shall be submitted to:

Department Monitor
Division of Enforcement
PO Box 8935
Madison, WI 53708-8935
FAX (608) 266-2264
TEL. (608) 261-7938
 - d. Within ninety (90) days from date of this Order, the Respondent shall pay to the Department of Regulation and Licensing partial COSTS of the investigation and prosecution of this action in the sum of ONE HUNDRED FIFTY dollars [\$150.00]. Payment shall be made by certified check or money order, payable to the Wisconsin Department of Regulation and Licensing and submitted to the Department Monitor.
 - e. At any time following one [1] year from the effective date of this Order, Respondent may petition for removal of any or all of the limitations imposed by this Order. Respondent shall include with any petition documentation regarding the status of his professional licensure in any jurisdiction where

Respondent is or has been licensed. Denial in whole or in part of a petition under this paragraph shall not constitute denial of a license and shall not give rise to a contested case within the meaning of secs. 227.01(3) and 227.42, Stats.

3. Violation of any of the terms of this Order shall be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent's license; the Section in its discretion may in the alternative impose additional conditions and limitations and/or other additional discipline for a violation of any of the terms of this Order.

4. This Order shall become effective on the date of its signing.

PROFESSIONAL ENGINEERS SECTION

EXAMINING BOARD OF ARCHITECTS, LANDSCAPE ARCHITECTS, PROFESSIONAL ENGINEERS DESIGNERS AND LAND SURVEYORS

By: Harvey Shebesta

1-12-01

A Member of the Board

Date