

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

In the matter of Stuart Grubb
PROFESSIONAL GEOLOGIST
License Number 30051

STIPULATION AND ORDER

Board File No. 2019-0067

TO: Stuart Grubb, PG
7030 6th Street North
Oakdale, MN 55128

The Minnesota Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience, and Interior Design ("Board") is authorized pursuant to Minnesota Statutes section 214.10 (2018) and Minnesota Statutes section 326.111 (2018) 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 Stuart Grubb ("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 Minnesota Professional Geologist

license by the Board on June 19, 1998. 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 called the Board office to inquire about his license renewal.

Upon review, it was discovered that Respondent's license was lapsed between July 1 and December 27, 2018. Respondent acknowledged that he worked on numerous groundwater-related projects totaling 753.5 hours, and signed several documents using the "PG" designation, while his license was lapsed.

b. Respondent was cooperative with Board throughout investigation.

3. Violations. Respondent admits that the facts specified above constitute violations of Minnesota Statutes section 326.02, subdivisions 1 and 3a (2018), Minnesota Statutes section 326.03, subdivision 1 (2018), and are sufficient grounds for the action specified below. Specifically, it is alleged that Respondent: (a) held himself out as a Professional Geologist during the lapse of his license from July 1, 2018 to December 27, 2018; and (b) practiced professional geology without a license during the lapse of his license from July 1, 2018 to December 27, 2018.

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 censured and reprimanded for the foregoing conduct.

b. Civil Penalty. Respondent shall pay to the Board a civil penalty of \$1,500 payable by check to the Board within 60 days of the Board's approval of this stipulation and order.

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 (2018), 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 (2018), after 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 (2018), 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 (2018). 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 (2018). 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.

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.

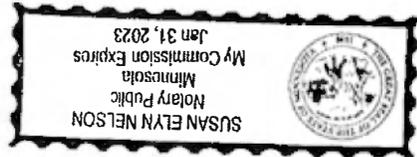
12. Counsel. Respondent is aware that he may choose to be represented by legal counsel in this matter. Respondent knowingly waives legal representation.

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


Stuart Grubb, PG

Dated: July 11, 2019



SUBSCRIBED and sworn to before me on this the 11 day of July, 2019.


(Notary Public)

My Commission Expires:

Jan 31, 2023

COMPLAINT COMMITTEE

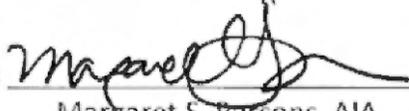

Wayne Hilbert, AIA
Committee Chair

Dated: 8.6.2019, 2019

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 6 day of August, 2019.

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

By: 
Margaret S. Parsons, AIA
Board Chair

AFFIDAVIT OF SERVICE BY MAIL

**RE: In the matter of Stuart Grubb
PROFESSIONAL GEOLOGIST
License Number 30051**

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 7th day of August, 2019, he served the attached **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:

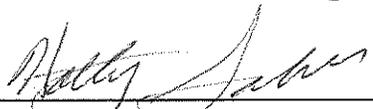
Stuart Grubb, PG
7060 6th Street North
Oakdale, Minnesota 55128

**CERTIFIED MAIL
Return Receipt Requested
7017 3040 0000 1241 2226**



Matt Kaehler

Subscribed and sworn to before me on
this the 7th day of August, 2019.



(Notary Public)

