

Board Meeting – November 9, 2004

The Board held a regular meeting on November 9, 2004, in Room 1A03 of the Swearingen Engineering Center, USC Campus, in Columbia, South Carolina.

It was noted for the record that official notification of the meeting had been sent to the Offices of LLR-Communications and Governmental Affairs and LLR-General Counsel; appropriate newspapers; WIS-TV; South Carolina Society of Professional Engineers (SCSPE).

Chairman Mitchell S. Tibshirany, P.E., called the meeting to order at 9:05 a.m. Other members present were Gaye Garrison Sprague, P.E., Secretary; Deborah J. Livingston, Public Member; W. Kenneth Humphries, Ph.D., P.E.; M.L. Love, P.E.; James O. (Pete) Gordon, P.E.; and Gene L. Dinkins, P.E., P.L.S. A. Cleveland Gillette, P.L.S. was unable to attend

Also present were Jan Simpson, Board Administrator; Brian Oxendine, Administrative Assistant and Charlie Ido, Investigator.

Administrator Simpson reviewed the agenda.

Where action is recorded below, it was taken in each case on motion duly made, seconded and carried.

The next meeting is scheduled for February 22-23, 2005. Chairman Tibshirany reminded the Board of the Licensing Ceremony scheduled for December 2004.

Member Love moved that the minutes of the September 21, 2004, Board meeting be approved. Member Gordon seconded the motion. The minutes from the September 21, 2004, meeting were approved.

Applications:

Cecil E. Talbott. Because Mr. Talbott did not attend the meeting, his application was not discussed.

Gregory Steven West. Mr. West applied for examination in pursuit of licensure as a professional land surveyor. He was asked to appear before the Board to discuss the criminal conviction included in his application. Members questioned Mr. West about the events surrounding his conviction. Mr. West provided the Board with no additional evidence of post-conviction treatment. He described in detail his actions since the conviction including relevant surveying work.

Member Sprague moved that the Board approve Mr. West's application pending receipt of an application update. The motion was seconded by Member Livingston and carried by the Board.

G. David Garrett. Mr. Garrett applied for a temporary permit to practice engineering in South Carolina. He also applied for comity licensure based on licensure with the North Carolina Board. An evaluation of Mr. Garrett's program of study revealed a deficiency in one civil engineering specialty area. Mr. Garrett provided information about the specialized nature of the proposed project and his educational background.

Member Sprague moved that the Board approve Mr. Garrett's application for comity registration. The motion was seconded by Member Dinkins and carried by the Board. The Board's approval of Mr. Garrett's application for comity registration negates the need for a temporary permit.

Committee Reports:

Member Love: Mr. Love has been examining the impact of resources leaving South Carolina and moving into other states. He suggested that a possible solution to the problem of keeping economic growth localized would be to require out-of-state firms to use South Carolina-based sub-consultants. Mr. Love reported that South Carolina might be able to opt out of the federal procurement laws so that the State could have more control over the awarding of local work. Administrator Simpson questioned how these particular aspects of economic growth qualify as Board-related issues. Discussion followed regarding how desirable changes could be effected, perhaps through amending the procurement code.

Member Sprague: Ms. Sprague's area will be addressed in another agenda item.

Member Dinkins: Chairman Tibshrary asked Mr. Dinkins to consult with Sid Miller, PLS (former Board Member) on addressing the coming changes in education requirements for professional land surveyors. Mr. Dinkins agreed with the Board that this issue is of great importance and pledged to continue current efforts.

Member Livingston: Ms. Livingston has arranged a meeting with Minnie Blackwell in December 2004. The statewide career program currently in place will be discussed. Ms. Livingston will present a full report at the February 22, 2005, meeting.

Member Gordon: Mr. Gordon has written an article to be included in the next newsletter. The article addresses the importance of practicing only in one's area(s) of expertise. Chairman Tibshrary raised the question as to whether or not South Carolina should license engineers by discipline.

Member Humphries: Dr. Humphries discussed the difficulties involved in promoting faculty licensure. Dr. Humphries asked that Staff Member Oxendine modify existing presentations for use in addressing student organizations.

Statutes Review Committee Update:

A Committee meeting is scheduled for November 18, 2004. Member Sprague has reviewed the Code of Regulations and marked areas previously identified by the Board as needing further discussion. The goal of the November 18, 2004, meeting will be to go through the Laws and Regulations one item at a time. Any changes the Board feels are necessary will be addressed at a later meeting. Dr. Humphries suggested that Member Sprague review the results of the previous Policy Review Committee.

Chairman Tibshrary reminded the Board of the need to review one third of the policies each year so that they can be kept current. Administrator Simpson will work on compiling a Board Member Orientation Manual using the LLR version and policies and procedures of the Board.

Violations Report:

Investigator Ido updated the Board on the status of the scheduled hearing. He reported that LLR staff might resolve the matter. He briefed the Board on the procedures involved in conducting a hearing.

The Board went into executive session to discuss the Violations Report. In open session, the Board voted to close the following 16 cases:

03-185-3313; 04-180-3372; 2004-0015; 2004-0016; 2004-0018;
2004-0019; 2004-0020; 2004-0021; 2004-0024; 2004-0028;
2004-0029; 2004-0030; 2004-0031; 2004-0032; 2004-0034;
00-180-2776.

Photogrammetry and GIS Surveying Update:

Member Dinkins will take up efforts to develop the examinations necessary for the new surveying disciplines. Sid Miller, PLS (former Member) will continue to act as a consultant to the Board.

Code Footprint—Report of Design Professionals' Initiative:

Administrator Simpson gave the Board background information on the origin of the Code Footprint. The Code Footprint provides the Life/Safety information about a project and came about as a result of the Design Professionals' meetings. The architects have been asked for feedback on the idea of using some form of the Footprint in future design drawings. The architects' responses have been useful in considering this issue.

The Board expressed significant concern over the use of the Code Footprint. Administrator Simpson was asked to send out a request to engineers for opinions on the Footprint and tabulate the responses for presentation at a future meeting. Chairman Tibshrary will work with Administrator Simpson on drafting the request.

The Board had lunch with representatives from the student engineering associations at USC. Chairman Tibshrary talked to the students about the importance of staying on the path to licensure. Members and Staff answered students' questions and invited continued contact.

Licensing Ceremony:

The Licensing Ceremony is scheduled for December 15, 2004. The Ceremony will be held at 4:00 p.m. in the Statehouse lobby. Administrator Simpson thanked Joe Jones for making the necessary arrangements.

Ambassadorship:

Chairman Tibshrary and Administrator Simpson have scheduled a meeting with Dean Arrington of South Carolina State University (SCSU) for November 15, 2004. Administrator Simpson hopes to finalize a date for the February 2005 Board meeting. She has been corresponding with Colonel Fallon of the The Citadel regarding possible dates for the April 2005 Board meeting. She will contact Dean Keinath at Clemson.

Member Sprague commented on the success of the meeting with the student leaders of the USC engineering organizations. Administrator Simpson thanked Chairman Tibshrary for his assistance in setting up the meeting at USC.

Chairman Tibshrary reported on the progress in establishing a curriculum between SCSU and USC.

Report of Board Administrator:

Administrator Simpson's report presented licensure statistics to the Board.

Administrator Simpson has gotten permission to print a final newsletter. After the last edition is published, licensees will be notified that future newsletters will be available online in electronic format only. Chairman Tibshrary expressed concerns regarding the Board's responsibility in reporting disciplinary actions against licensees. Administrator Simpson reported that LLR has taken steps to list disciplinary information and final orders online. The Board discussed various options available to deliver the newsletter to the licensees.

Administrator Simpson observed the examination administration on Friday, October 29, 2004. She was impressed with the proctoring staff.

The NCEES Board Presidents Assembly will be held in Kansas City, MO, February 10-12, 2005. Administrator Simpson and Chairman Tibshrary plan to attend.

The Continuing Education Audit has begun. A report will be presented at the next Board Meeting. Administrator Simpson discussed new staffing arrangements, including hiring an additional staff member. Chairman Tibshrary suggested bringing a staff member to each Board Meeting so that Members could become familiar with the various duties.

Following the Administrator's Report, the Board discussed the arrangements for the hearing. The Board voted to approve Member Livingston's absence at the hearing as 'excused' for the record.

The meeting adjourned at 2:00 p.m.

Respectfully submitted,

Brian Oxendine
Administrative Assistant
