

SOUTH CAROLINA  
BOARD OF PROFESSIONAL ENGINEERS  
AND SURVEYORS  
Board Meeting  
September 23, 2008  
110 Centerview Drive, Room 201-03, Columbia, SC

**Call to Order** – Chairman, M. L. Love, P.E., called the meeting to order at 9:35 a.m. Board Members present were Gene Dinkins, P.E. and L.S.; Thurl Amick, Sr., L.S.; Anderson Kinghorn, Jr., P.E.; Nancy Cottingham, Public Member; Theresa Hodge, P.E.; Charles Joye, II, P.E.; and Cecil O Huey, Ph.D., P.E..

Also present were Jan Simpson, Board Administrator; Melissa Jones, Program Assistant; Todd Bond, Investigator; Miriam Berry, Administrative Assistant; and Sharon Dantzler, LLR Attorney. Other attendees: Adam Jones, Al Whitworth, and Fred Castles.

Administrator Simpson stated the **public notice** of the meeting was properly posted at the Board office and provided to organizations and news media in compliance with Section 30-4-80 of the S.C. Freedom of Information Act. A quorum was present at all times.

**Review Agenda** -- Administrator Simpson reviewed the agenda.

**Engineer Technology Review Committee (W. Thomas Dunaway, Bob New, Fred W. Castles, Jeffrey Mize, and Bruce Houser)** – Motion by Hodge, Second by Dinkins: To approve Mr. Dunaway, Mr. Castles, Mr. Mize, and Mr. Houser for licensure as a Professional Engineer in South Carolina, and to deny Mr. New for licensure as a Professional Engineer. Motion carried.

**Reimbursement of time for Portfolio Review Committee Members** – The Board will continue to pay the Portfolio Review Committee Members for their mileage.

**PDH Credit for Portfolio Review Committee Members** -- Motion by Joye, Seconded by Kinghorn: For PDH purposes, participation in portfolio review meetings will be considered the same as attending a qualifying seminar, in-house course workshop, or a professional and technical presentation made at a meeting, convention, or conference. Motion carried.

**August Board meeting minutes** -- Motion by Amick, Second by Hodge: To approve the minutes of the meeting on September 23, 2008 as amended. Motion carried.

**Report on Consent Agreements related to application issues** -- The list of Consent Agreements, Letter of Caution, and Cease and Desist Orders resulting from applications-related issues was reviewed.

**No action taken against an employee of a firm that was sanctioned by another State** – Motion by Dinkins, Seconded Kinghorn: To delete phrase “or firm” he question on individual renewal applications about sanctions taken by other states. Motion carried.

**“Statute of limitations” on DUI offenses reported by licensees** – Motion by Dinkins, Seconded by Amick: Licensees with misdemeanors that are five years old or older are not required to appear before the Board for approval of the application. Licensees with felony or misdemeanor convictions within the last five years must come before the Board for a decision on the application. Motion carried.

**Review of Board Policy** -- Motion by Dinkins, Seconded by Cottingham: To approve the following Board policies as amended:

Seals for Engineers, Surveyors and Organizations – Board requested that staff update and present at October Board Meeting

Roof Consultant Services – Board requested that staff add “as a design professional”

Solicitation of Engineering or Land Surveying Work—Board requested that staff remove the word “land” before surveyor and/or surveying

Transportation Engineering & Traffic Engineering – Board requested that staff insert commas as needed

Retention of Closed Investigation – Board rescinded the policy

Reinstatement of Lapsed PE License – Board requested that staff change the time period from three years to four years to comply with renewal period

Firm Registration – Board defined “regularly employed persons” as working a minimum of 30 hours a week. Motion carried.

**Richland County Requirements for notes on Plats** – Motion by Dinkins, Seconded by Kinghorn: The Board will write Richland County officials that performing drainage calculations, determination of flow accumulation areas and determination of flooding elevations is not allowed as surveying. It is this Board’s interpretation that surveyors will not be allowed to sign Richland County’s Planning and Development request. Motion carried.

**Review of unexcused absences policy for the Board** – Motion by Dinkins, Seconded by Cottingham: To approve unexcused absences policy for the Board as amended. Motion carried. See attached policy

**Development of Exam for software engineers** – After a brief discussion, the Board decided that since there were no requests for the exam in South Carolina, they could not support the request for creation of an exam at this time.

**Southern Zone Nominations** -- The Board will submit a nomination.

**Construction Staking** – After a brief discussion, the Board decided that this warranted a study in order to develop a policy or statement. Once staff has completed the study, the Board will reconsider developing a policy or statement.

**Change in Portfolio Review Procedures** – After a brief discussion, the Board decided that staff should draft new procedures and resubmit to the Board for their consideration.

**Regulation 49-420 (C) Retention of Plats** – Motion by Love, Seconded by Amick: To adopt policy in line with the language in the proposed Regulations on Retention of Plats. Motion carried.

**Four year requirement for education for Surveyors** – Member Dinkins reported that he will meet soon with the Dean of the USC Engineering School regarding the possibility of providing a four year program for Land Surveying. He will also meet with Clemson University officials about the possibility of Land Surveying being identified as an emphasis area beginning in the fall of 2009. Existing Clemson courses would be used.

**Non-agenda item** – Chairman Love reported that he met with the ABET Accreditation team recently during their visit to The Citadel. Member Kinghorn asked the status of the USC – SCSU initiative. Member Dinkins will also discuss this with the Dean of the USC Engineering School to determine if USC is receptive to SCSU students taking certain engineering courses at USC.

There being no further business, the Board meeting adjourned at 3:40 p.m.

Respectfully submitted,



Melissa D. Jones  
Program Assistant.

## **Board Member Excused/Unexcused Absences**

Pursuant to the oath taken by Board members prior to appointment by the Governor and issuance of the Commission by the Secretary of State, it is expected that members of the South Carolina Board of Professional Engineers and Surveyors adhere to the following attendance policy:

Each member is expected to attend the scheduled meetings of the Board. Excusals will be granted only in extreme emergencies that could not possibly be avoided.

Reasons for requesting excusal from attendance at the Board meetings are:

- Illness of the Board member with symptoms that preclude travel or risk the spreading of illness to others in attendance at the meeting
- Injury that precludes travel or participation in the meeting
- Death of close family member
- Subpoena to court for matters that cannot be rescheduled
- Travel conditions, such as icy roads, storms, flooding, that would preclude safe travel to the meeting
- Attendance at other Board meetings or travel conducting NCEES business
- Other items of an unusual nature deemed appropriate by the Chair.

For the definition of meeting attendance, it shall be for the duration of the meeting time required to substantially accomplish the action items set forth on the published agenda or to conduct the hearings scheduled for that stated or called meeting.

Meeting schedules shall be tentatively developed at the last meeting of each calendar year for the next full year of Board activity. Typically, two days per month for six calendar months shall be identified as potential board meeting dates to be reserved on the Board member's calendar. If the agenda items can be postponed until the next meeting and there are no hearings needing action, the scheduled meeting may be cancelled at the call of the Chair and the concurrence of the Executive Director with notification to all members at the time of the decision.

Adopted September 23, 2008