

### **Board Meeting – September 21, 2004**

The Board held a regular meeting on September 21, 2004, in Room 108 of the Kingtree Building 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. Tibshrary, P.E., called the meeting to order at 9:10 a.m. Other members present were A. Cleveland Gillette, P.L.S., Vice Chairman; 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 Sidney C. Miller, P.L.S.

Also present were Jay Pitts, Board Administrator; Jan Simpson, Architectural Board Administrator; Sharon Dantzler, Advice Counsel; Brian Oxendine, Administrative Assistant and Todd Bond, Investigator.

Jay Pitts, Administrator, reviewed the agenda. Member Miller added the application of Gregory West to 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 November 9-10, 2004. The Board will resume having meetings on campuses across the state as Deans are contacted. One hearing are scheduled for this meeting.

The minutes from the June 22, 2004, Board meeting were approved.

#### **Applications:**

**Pavan K. Kolukula.** Mr. Kolukula successfully completed the FE examination in April 2004. The applicant's undergraduate and graduate degrees were used in the approval of his program of study. Mr. Kolukula is asking that he be certified as an Engineer-in-Training (EIT) without obtaining four years of experience after the date of his graduate degree. Member Gillette moved that Mr. Kolukula be certified as an EIT without obtaining four years of experience. The motion was seconded by Member Tibshrary and carried by the Board.

**Brian R. Tanberg.** Mr. Tanberg applied for comity licensure in the state of South Carolina based on licensure with the Florida Board. An employment reference responded with negative

comments about Mr. Tanberg's performance. The Board requested an explanation of the reference's comments by way of a letter from Mr. Tanberg; the applicant will be contacted for the necessary information. Upon receipt of the explanatory letter, the entire application will be sent to Member Gordon for review.

**Steven A. Sturdevant.** Mr. Sturdevant applied for comity licensure in the state of South Carolina based on licensure with the Kentucky Board. Mr. Sturdevant failed to indicate on his application whether or not any state had taken action against him. When questioned by staff, the applicant reported that no state had taken disciplinary action against him. A request for verification of licensure/examination revealed that the Kentucky Board had disciplined the applicant in January 2002.

Member Sprague moved that Mr. Sturdevant's application for comity licensure be denied. The motion was seconded by Member Love and carried by the Board. The applicant will be notified of the Board's decision.

**Gregory S. West.** Member Miller brought Mr. West's application before the Board. In processing the application, an employment reference informed the Board that Mr. West had been convicted of a felony and failed to report it at the time of hire. The applicant was asked to provide a copy of his SLED report along with any evidence of post-conviction treatment; only the SLED report was provided. Member Tibshirany suggested the applicant be invited to come before the Board to provide any additional information that may be available. Mr. West will be notified of the Board's request and the next scheduled meeting.

#### **Annual Meeting Update:**

Administrator Pitts and Members Tibshirany and Gillette represented South Carolina at the 2004 Annual Meeting in Cleveland, Ohio. Member Tibshirany reported that the overriding theme of the meeting was examination security. A resolution was approved to not score examinations with only a name and without markings would not be scored. A resolution regarding sole sourcing the examination was approved and later rescinded by the NCEES Board. A Motion was put forward to allow individuals to take the PE examination prior to obtaining four years of engineering experience; the motion was defeated. A resolution was approved to give priority to active versus emeritus members when appointing committees.

Member Gillette reported that the surveying forum discussed concerns over four-year degree requirements. There exists a lack of programs that could cause problems, especially when South Carolina law changes in July 2010 to require the four-year degree. Examinations for the Photogrammetric and GIS disciplines were also discussed.

#### **Report from Board Retreat:**

Architectural Administrator Simpson reviewed notes from the Board retreat that occurred on August 27, 2004. She provided a list of assigned Member responsibilities:

Member Love: Economic growth issues, keeping work in-state, and the Mini-Brooks Act. Mr. Love reported that he is obtaining a copy of the law in NC and is researching the requirements for in/out of state firms providing engineering work.

Member Sprague: Review of law, back-to-back examinations, definitions of "responsible charge" and "direct supervision." Member Gillette will assist with law revisions. Ms. Sprague reported that she would like the members to go through the law and report any proposed changes by October 11, 2004. She will then meet with Members Tibshirany and Gillette, Counselor

Dantzler, Administrator Simpson, and Staff member Oxendine regarding changes in law and policy. The meeting was set for October 25, 2004. A summary will be presented at the November 9, 2004, meeting. Major issues will involve portability of licensure and Category B licensure. Counselor Dantzler advised the Board to begin preparations now for introduction into the January 2006 legislative session.

Member Miller: Photogrammetric and GIS examinations, surveyor education (2-year vs. 4-year programs). Mr. Miller reported that Jim Plasker, Executive Director of ASPRS, could provide the examinations at a relatively low cost to candidates. Member Miller moved that the Board pursue a contract with ASPRS for procurement and administration of these examinations. The motion was seconded by Member Gillette and carried by the Board. Member Miller will work on a policy to clarify required elements of a Board-approved degree program for land surveying. The policy will also address the required twelve semester-hours of surveying and mapping courses.

Member Livingston: Career guidance in high school—path to licensure, with SCSPE explore extent of Board's involvement. Ms. Livingston will contact Joe Jones and the Department of Education to discuss the development of statewide programs. Member Gillette suggested contacting Minnie Blackwell with the "Career Pathways" program.

Member Humphries: Student licensure, faculty registration. Dr. Humphries received his assignment at the meeting. He will contact Deans at schools as well as student organizations. The Board discussed ongoing efforts to encourage faculty licensure ranging from pay incentives to revising the practice act.

Member Gordon: Practice outside ones area of expertise, assist with economic growth issues. Mr. Gordon presented an article about practicing in one's area of expertise. The article will be included in the upcoming newsletter. The Board discussed other items to be included in the newsletter. Administrator Simpson will establish a biannual schedule for the newsletter.

Members will continue to work on their assigned areas and will report progress at each meeting.

Administrator Pitts reviewed a tentative schedule of upcoming meetings. The Board agreed that they should meet on all campuses and will plan meetings for the third week of the month.

### **Ambassadorship:**

Administrator Pitts reported on the Ambassadorship Program. The Board decided to establish a set schedule of campus visits: SC State—February; Citadel—April; Clemson—September; USC—November. Administrator Pitts suggested that deans, department heads, and student leaders be invited to attend meetings. Student leaders could arrange for Board members or staff to return and address organizational meetings. Board staff members have prepared presentations that can be used in such meetings.

Dr. James Arrington is the new Dean of the College of Science, Mathematics, and Engineering Technology at SC State. Administrator is attempting to schedule a meeting with Dr. Arrington to further the Board's Ambassadorship Program.

Meetings with the deans from the engineering and technical schools will continue. Member Tibshrary and Administrator Pitts will work together to assemble agenda items. Member Humphries offered to facilitate dealings with the dean at USC.

Dr. Castro would like to have the USC/SC State curriculum in place by the end of the year. The only problem is with the ECIV-301 course at USC. It must be determined whether or not SC State offers an equivalent course.

### **Photogrammetric and GIS Surveying Enforcement:**

Members Gillette and Miller will compile answers to questions and report at the October meeting regarding law revision

### **Report of Board Administrator:**

Administrator Pitts reported that examination fees will increase by \$20.00 beginning with the April 2005 administration. The increase is based on costs incurred by ELSEs during the 2004 administrations. The Board requested an accounting of cost vs. revenue for examination administration.

Issues regarding residency requirements for examination will be added to Member Sprague's list of law revisions. Candidates will not be required to wait two years before sitting for an examination for the fourth and subsequent times.

After distributing copies of the budget report, Administrator Pitts reported that the cash balance was \$1,621,674.31.

Effective October 1, 2004, Administrator Simpson will assume supervision over the Engineering and Land Surveying staff. Administrator Pitts will assume supervision over the Real Estate Commission.

Administrator Pitts reported that the renewal season was very successful. In all, 13,700 renewals were sent. 12,600 renewals have been processed to date. He complimented staff on their efforts and efficient work.

### **Violations Report:**

The Board went into executive session to discuss the Violations Report. In open session, the Board voted to close the following 26 cases:

01-200-2924; 01-200-2929; 03-200-3295; 04-180-3361; 04-180-3369; 04-180-3378;  
04-200-3379; 04-180-3380; 04-180-3381; 04-200-3382; 04-180-3383; 04-180-3384;  
04-180-3385; 04-180-3386; 2004-0001; 2004-0002; 2004-0003; 2004-0004;  
2004-0005; 2004-0006; 2004-0007; 2004-0008; 2004-0009; 2004-0011;  
2004-0012; 2004-0014.

The Board voted to carry over the following 3 cases to the November 9, 2004, meeting:

2004-0015; 2004-0018; 2004-0019.

The meeting adjourned at 1:20 p.m.

Respectfully submitted,

Brian Oxendine  
Administrative Assistant