

**South Carolina
Board of Professional Engineers and Land Surveyors
Meeting Minutes
January 17, 2006**

The Board held a regular meeting on January 17, 2006, at 110 Centerview Drive, Kingstree Building, Columbia, SC.

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

Vice-Chairman Mitchell S. Tibshrary, P.E., called the meeting to order at 9:15 a.m. Board Members present were Gaye Garrison Sprague, P.E.; M.L. Love, P.E.; Gene L. Dinkins, P.E., and L.S., Cecil Huey, Jr., P.E., and Preston Young, Public Member. Member Andy Kinghorn, Jr., P.E. was not able to attend due to family illness.

Also present were Jan Simpson, Board Administrator; Stacy Johnson, Administrative Assistant; Charlie Ido, Investigator; and Sharon Dantzler, Advice Counsel. Administrator Simpson reviewed the agenda, noting that Bob Jacobs withdrew his request to attend the meeting.

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

Motion by Sprague/Love: That the minutes of the November 8, 2005, Board meeting be approved as distributed. Motion carried.

Motion by Sprague/Dinkins: That the minutes of the December 12, 2005, Board meeting be approved as distributed. Motion carried.

Violations Report:

Investigator Ido did not have a violations report to present.

Mr. Ido reported on a recent development in a prior disciplinary matter regarding Earl F. McKinney, a Professional Engineer formerly licensed in South Carolina. The Board's 2004 Order stated that Mr. McKinney's license would be revoked if action taken against him by the Tennessee Board was upheld in the Tennessee Supreme Court. LLR recently received written confirmation that the Tennessee Board's action was upheld; therefore, Mr. McKinney's license in South Carolina was permanently revoked. This action will be noted on the Board's database.

Member Love noted several instances where "engineer" is misused by unlicensed individuals, sometimes unintentionally, in schools ("sanitation engineer") or city and state agencies ("project engineer"). The Board agreed to address the issue by letter to officials referring to Section 40-22-30, clarifying the responsibilities of an engineer, the requirement to

**S.C. Board of Professional Engineers and Surveyors
Minutes, January 17, 2006**

be licensed in order to use the title and a request to be attentive to this matter. Motion by Sprague/Love: In cases where the term "engineer" is used without overt action, the Board's administrator will handle the matter administratively by letter. In cases where there is a direct violation of the law, or the term is used incorrectly in an engineering setting, the matter will be referred to the LLR Office of Investigation and Enforcement for investigation. Motion carried.

Report of Licenses Issued:

There was no report on the number of licenses issued by examination at this time.

At Member Tibshrary's request, Administrator Simpson reported on a license issued to Joseph Weisblatt since the Board's last meeting. Mr. Weisblatt graduated from an international correspondence school in 1965 in electrical engineering. He requested comity licensure in South Carolina based on his license issued by the Virginia Board of Engineers in 1965. The Virginia Board submitted copies of licensure requirements at that time; they were compared to the statutes in South Carolina in 1965 and found to be equivalent. Member Tibshrary approved the application but asked that it be reported to the full Board.

Southern Zone Activities:

Member Tibshrary discussed professional issues concerning the Southern Zone. NCEES has a continuing concern related to accreditation procedures used by ABET in evaluating schools in countries in the Washington Accord.

The Southern Zone meeting will be held April 27-29, 2006, in Savannah, GA. Mr. Tibshrary would like to have as many Board members attend as possible.

Committee Reports:

Economic Growth Issues: Member Love reported that economic development issues are important to the profession. Creating a climate of economic growth could entice young engineers and surveyors to stay in South Carolina rather than leaving the state for better pay and growth in their field.

Review of Statutes and Regulations: Member Sprague's report will be addressed later in the meeting.

Photogrammetry/GIS Examinations, Surveyor Education: Member Dinkins gave a re-cap on Photogrammetry exams. He believes a GIS exam may be available by the fall of 2006. He is working with the Colonial States to achieve that goal. Member Love added that North Carolina A&T University recently announced that they now offer a four-year degree in Geomatics to accommodate new education standards for surveyors.

Career Guidance: Member Young reported there is little directed activity in school to encourage students to choose engineering or surveying as a profession. Member Sprague stated there needs to be an infrastructure of speakers and resources for career guidance in addition to Board members speaking to groups. She suggested that Mike Shannon, NCEES

**S.C. Board of Professional Engineers and Surveyors
Minutes, January 17, 2006**

Director of Professional Services, might be instrumental in forming this infrastructure. Mr. Shannon will be invited to attend the next Board meeting.

Member Love noted he is serving as the ACEC representative on the NCEES Task Force of Continuing Professional Competency.

Applications

Keith McGuiness: Mr. McGuiness attended the Board meeting to request that the Board reconsider his work experience. He would like his part-time work in surveying to be counted toward his years of experience. Mr. Dinkins reviewed his application prior to the meeting and denied credit for weekend surveying under a licensed surveyor. Mr. McGuiness' employer, Mr. Stroble, spoke on his behalf and requested the Board give credit for the part-time experience because it is quality experience. After discussion, the Board found that two years of Mr. McGuiness' work, as of December 31, 2005, met the Board criteria for professional experience. It might be possible for him to take the Surveyor exam in 2008.

Shiping Yang: Dr. Yang appeared to request that the Board reconsider the number of years of experience allowed toward his license requirements. Dr. Castro, the Board's education evaluator, reported that all three of Dr. Yang's degrees were used to establish substantial equivalence to an EAC/ABET accredited degree. After review of the record and clarification by Dr. Yang, the Board accepted Dr. Yang's Masters degree (conferred in 1996) as substantially equivalent to an ABET accredited degree [based on Regulation 49-200(A)(2)(1)]. Dr. Yang must demonstrate four years of experience after 1996 instead of eight years. Motion by Dinkins, second by Huey: To accept education as substantially equivalent as of 1996 and to accept work experience after 1996. Motion carried.

Review of Policies/Publications:

The Board discussed releasing licensees' e-mail addresses when requested under the SC Freedom of Information Act. Motion (Dinkins/Sprague): That the Board NOT release e-mail addresses as a matter of policy. Motion carried.

Proposed Statute Review:

Board members reviewed proposed changes to H. 3662 and suggested the following: In Section 40-22-10, make it optional for the Governor to choose Board members from a list of qualified candidates submitted by professional societies. In sections outlining licensure requirements, the Board reviewed proposed changes and agreed that the proposed language was ready for release to all interested persons. Administrator Simpson will make final changes and e-mail the document to professional societies requesting their feedback by February 1, 2006.

**S.C. Board of Professional Engineers and Surveyors
Minutes, January 17, 2006**

Board Administrator Report:

License Statistics as of January 13, 2006:

Professional Engineer A	13,017
Professional Engineer B	22
Land Surveyors A	1048
Land Surveyors B	35
Geodetic Surveyor	29
GIS Surveyor	59
Photogrammetric Surveyor	157

Other Business:

The Board reviewed the LLR Finance report for the Board of Engineers and Surveyors for the period ending November 30, 2005.

The Board discussed the licensing ceremony to be held at 3 pm following the Board meeting. Member Love was asked to read the names at the ceremony.

The Board discussed the procedure for approving consent agreements. The investigators will present Consent Agreements, agreed upon and signed by the Respondents, for Board review and approval. If the Agreement is approved, the Chairman will then sign the agreement. The Board believed every member should have an opportunity to review the proposed Consent Agreements prior to the Chairman signing it so as to be fully informed regarding disciplinary issues. Motion (Sprague/Huey): To have investigators present proposed Consent Agreements to the Board at Board meetings for review and appropriate action. Motion carried.

The South Carolina State Mapping Advisory Committee (SMAC) and the South Carolina ArcUser Group (SCARC) are holding a joint conference in Charleston January 23-25, 2006. At the request of Dr. Patrick Bresnahan, Board Members Gillette and Love will serve on a panel during the meeting.

Internet Diploma offers were discussed. Because S.C. statutes and regulations require accredited degrees (or equivalent), an Internet diploma is not acceptable for licensure.

Member Tibshrary spoke about the Washington Accord, saying there are two areas of concern:

1. The ABET process of granting accreditation to schools in the Accord.
2. The Board's role in accreditation issues and the appropriate areas of responsibility of Boards, NCEES, and ABET.

Administrator Simpson was asked to write ABET for a description of the process they use to evaluate education programs in countries in the Washington Accord. Member Sprague asked the Board to not make judgments now concerning the Washington Accord until we receive the information from ABET.

**S.C. Board of Professional Engineers and Surveyors
Minutes, January 17, 2006**


Chairman Tibshrary requested to have a summary report of exam grades for South Carolina schools.

Due to family illnesses, Board Chairman Cleveland Gillette resigned his seat as the surveyor member of the Board. The Board elected Mitchell Tibshrary as Chairman for the term ending July 1, 2006. Member Sprague was elected Vice-Chair; Member Dinkins was elected Secretary.

Board members expressed appreciation to Mr. Gillette *in absentia* for his many years of dedicated service to the Board and to citizens of South Carolina, and expressed regret that he could no longer serve on the Board. He will be missed not only for his expertise in surveying, his encyclopedic memory of surveyor registration history in South Carolina, and his devotion to the work of the Board, but also for his pleasant demeanor, steadfast attention to the Board's work, and his dedication to excellence in the profession. [See Minutes of January 18, 2006, for nomination as Emeritus Member of NCEES.]

The meeting adjourned at 2:00 pm so that Members could attend the Ceremony at the State House for newly licensed engineers and surveyors.

Respectfully submitted,


Jan Simpson
Administrator