

**South Carolina Board of Professional Engineers and Land Surveyors**  
**Meeting Minutes**  
**January 9, 2007**

The Board held its regularly scheduled meeting on January 9, 2007, at 110 Centerview Drive, Kingstree Building, Columbia, S.C.

Official notification of the meeting was sent to LLR's Office of Communications and Governmental Affairs and the Office of General Counsel; appropriate newspapers; WIS-TV; the South Carolina Society of Professional Engineers (SCSPE); and Capitol Consultants, Inc.

Chairman M.L. Love, Jr., P.E., called the meeting to order at 9:40 a.m. Board Members present were Vice-Chairman Gene L. Dinkins, P.L.S and P.E.; Board Secretary Gaye Sprague, P.E.; Cecil Huey, Jr., P.E.; Andy Kinghorn, P.E.; Thurl Amick, Sr., L.S. and Mitchell Tibshrary, Jr., P.E.

Also present were Jan Simpson, Board Administrator; Stacy Johnson, Administrative Assistant; Todd Bond, Investigator; Charlie Ido, Chief Investigator; and Sharon Dantzler, Advice Counsel. Applicant Phillip Gerard Perry also attended the meeting.

Administrator Simpson reviewed the agenda.

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

Motion by Sprague/Dinkins to approve the November 14, 2006, Board meeting minutes. Motion carried.

**Compliance/Violations Report:**

Todd Bond reported on behalf of the Investigative Review Committee on cases recommended for Dismissal, Formal Complaints and Letters of Cautions. Those cases are as follows:

<u>Cases for Dismissal</u>	<u>Cases Recommended for Formal Complaint</u>	
2006-91	2005-75	2006-96
2006-93	2006-76	
	2006-78	
	2006-85	
	2006-95	

**South Carolina Board of Professional Engineers and Land Surveyors  
Meeting Minutes  
January 9, 2007**

**Cases Recommended for Letter of Caution**

2006-79

2006-98

2006-99

Motion by Sprague/Kinghorn: To accept the IRC's recommendations report given for Dismissals, Formal Complaints and Letters of Caution. Motion carried.

The Board also reviewed previously signed consent agreements as routine.

**Phillip Perry Gerard:** Mr. Gerard applied to the Board to take the Land Surveyor in Training exam but the application could not be approved by staff due to a previous conviction of domestic violence. Mr. Gerard met with the Board to discuss the matter. He and his mother assured the Board that it was an isolated incident seven years ago with no recurrence. His employer also supported his application.

Motion by Sprague/Kinghorn: To approve Mr. Gerard's application to sit for the April 2007 Land Surveyor in Training examination. Motion carried.

**Timothy Lynn Lingerfelt:** Mr. Lingerfelt requested the Board waive the LSIT exam as well as the LS exam due to his many years of work experience. The Board members noted they have no authority to substitute work experience for examination. His application to take the LSIT exam was approved.

**Michael Peter Bolcek:** Mr. Bolcek's application for PE licensure was reviewed by two Board Members who requested additional information regarding his military work experience. Upon review of the information, the Board members agreed the experience did not qualify as engineering; Mr. Bolcek must acquire additional years of relevant experience before reapplying to take the examination.

**Charles Richard Manning, III:** Mr. Manning submitted additional work experience information which will be reviewed by Members Tibshrary and Kinghorn.

**South Carolina Board of Professional Engineers and Land Surveyors**  
**Meeting Minutes**  
**January 9, 2007**

**Committee Reports:**

Communication with Licensees:

Member Kinghorn asked Board members to write articles for the Spring 2007 newsletter. Topics suggested included emerging technical issues, supervision in an electronic world, legislative topics, incidental practice policy, wetlands policy, and online renewals. The revised Building Officials Manual will also be posted. Kinghorn asked that all articles be given to him or to Administrator Simpson by the end of February.

Career Enhancements/Licensure:

Chairman Love reminded everyone about the Licensing Ceremony on January 18, 2007, at 3:00 p.m.

Interface with Engineering Colleges:

Member Huey asked if any Board Members had received feedback from his recent invitation to the Deans of Engineering schools to attend a meeting to discuss common issues. Dr. Huey has received positive feedback from The Citadel and has made arrangements to meet with Clemson University's Dean. He reported finding motivational posters that could be distributed to schools if copyright issues can be addressed. He will distribute them to Board Members and Joe Jones at SCSPE. Administrator Simpson was asked to follow-up with the Deans who have not responded to Dr. Huey's letter.

Joint Degree Initiative:

Member Tibshirany reported on his recent meeting at S.C. State University. He believes the University understands the necessity of having an interim Joint Program before moving toward an accredited Engineering program. Member Tibshirany will meet again with S.C. State University officials.

Photogrammetry/GIS Examinations, Surveyors:

Member Dinkins did not have any new information to report on the development of the Photogrammetry exam. He requested that staff update him on the number of pending applications that would require taking the examination. He has been meeting with professional surveyor society chapters around the state.

Member Amick is making progress on establishing a more detailed description of 3-D Modeling. He has received three responses from eight states contacted. States that have not responded seem to define 3-D Modeling with similar wording to that of South Carolina.

**South Carolina Board of Professional Engineers and Land Surveyors**  
**Meeting Minutes**  
**January 9, 2007**

Laary Cushman, an Environmental Consultant, was not able to attend the meeting to discuss Wetlands.

**Legislation:**

Motion by Sprague/Dinkins: To approve the final draft of proposed legislation to revise current statutes governing the practice of engineering and surveying. Copies of the proposed Legislation will be distributed to S.C. State University, the S.C. Society of Professional Engineers, and the S.C. Society of Professional Land Surveyors.

**Draft Policies:**

**Applications:** The Board discussed the current process of receiving applications. Member Kinghorn provided the Board a draft of guidelines for work experience verification that included information on direct and indirect supervision. The Board accepted the draft with the addition of language by Dr. Huey regarding verifications from family members or subordinate employees being unacceptable.

The Board discussed hiring a consultant to review applications on behalf of the Board, setting the criteria for such an individual(s), and formulating the scope of services. Administrator Simpson will work with LLR procurement and administration on this initiative. The Board also discussed compensating Investigative Review Committee members who serve as professional consultants. Motion by Tibshrary/Dinkins: To pay the consultants for their meeting time and any travel time and expense at state-approved rates. Motion carried.

**Computer Generated Seals & Signatures:** Administrator Simpson asked the Board to consider adopting a policy to allow computer-generated seals and signatures. Chairman Love and Administrator Simpson will work together in preparing this policy after the legislative session.

**Minimum number of years of experience for Comity Applications:** Currently, the Board requests that an applicant for comity licensure provide work experience forms for ALL time periods beginning with the date of the accredited degree. Administrator Simpson noted that in some instances, past years of experience cannot be verified. Exam candidates must verify only four years of experience while comity applicants are asked to verify all years of experience. Board members stated they believe an honest attempt at verifying experience should be made by the applicant; even if the experience cannot be verified, the applicant should still submit a full description of the experience during a time period. Newly approved Guidelines drafted by Mr. Kinghorn should prove useful to applicants in completing the licensure forms.

**South Carolina Board of Professional Engineers and Land Surveyors  
Meeting Minutes  
January 9, 2007**

The Board also discussed the possibility of having references sent directly to the office and not to the applicant to be included in their application packet. This is already an option, but the majority of references are submitted by applicants. For the time being, the application process will remain as outlined in the application instructions.

**Administrator's Report:**

**License Statistics as of January 5, 2007**

<b>TYPE OF LICENSE</b>	<b>NUMBER ACTIVE</b>
Professional Engineer-A	12,623
Professional Engineer-B	21
Land Surveyors-A	1000
Land Surveyors-B	35
Geodetic Surveyor	17
Geographic Information System Surveyor	55
Photogrammetric Surveyor	146
Certificate of Authorization	2298

<b>2006 CONTINUING EDUCATION AUDIT</b>	<b>NUMBER</b>
Notices Mailed On October 27, 2006	120
2 <sup>nd</sup> Notices Mailed on November 22, 2006	12
Cleared/Passed	117
Voluntary Surrender Of License	1
Disciplinary Action Pending	2

Administrator Simpson asked to Board to note the Continuing Education Audit information.

**Board Member Resignation**

Public Member Preston Young resigned his position on the Board effective November 29, 2006. The Department of LLR has notified the Secretary of State and asked the Governor's Office to appoint a replacement. If Board members know individuals who might be interested in serving in this position, please notify Administrator Simpson or Lorrie King in the Governor's Office.

**South Carolina Board of Professional Engineers and Land Surveyors  
Meeting Minutes  
January 9, 2007**

**New Staff Position**

Administrator Simpson has requested permission to hire a Program Assistant to perform certain functions for the Board of Engineers and Surveyors and the Board of Architecture.

**Procedures for Committee Recommendations to license Category B Engineers**

Administrator Simpson is drafting general procedures and forms for eventual Board approval if legislation is passed to set up a process for Category B engineers to become licensed as Category A Engineers in South Carolina. It was noted that the criteria for selecting Committee members and the criteria for approving applicants are crucial.

**2007 Board Changes:**

**Committee Reports:** The Board decided not to change Committees until after Legislation has passed.

**Preparation for Board Meetings:** Administrator Simpson discussed the possibility of distributing board meeting packets on USB drives rather than on paper. This change will save paper and mailing costs. Chairman Love and Members Amick, Huey and Sprague will try the new process for the April meeting. Purchasing laptops for board meeting use was also discussed.

**Unfinished Business:**

**Policy for Proctoring:** The board will notify ELSESES, the exam division of NCEES, that they will consider proctoring requests on a case by case basis.

**Nomination for NCEES National Awards:** Administrator Simpson is currently working on nominee information to forward to NCEES by the deadline date.

The Board approved Dr. Castro's request to ask questions of references for individuals for whom he is evaluating educational transcripts. In order to meet ABET Criteria 2000, he needs additional information to complete his evaluation of degrees conferred in 2000 or later.

**Other Business:**

**Finance Report:** The Board reviewed the finance report and discussed ways funding may be used including outside contractual employees, continuing education activities, surveyor education, increase in staff and travel to regional/national meetings. They reiterated their belief that IRC members should be compensated.

**South Carolina Board of Professional Engineers and Land Surveyors**  
**Meeting Minutes**  
**January 9, 2007**

The NCEES-sponsored Board Presidents' Assembly (BPA) will be held February 15-17, 2007, in Atlanta, GA. Chairman Love and Administrator Simpson will attend this meeting.

Administrator Simpson discussed computer based testing and noted an effort by some state board administrators to move forward with this type of exam administration because of security issues.

NCEES requested the Board's position on two issues: NCEES's role in recognizing foreign degrees, and NCEES entering into unilateral agreements with foreign bodies. The Board stated they believe recognition of foreign degrees should be handled by ABET. They are also opposed to NCEES entering into a unilateral agreement with foreign bodies. These issues will be discussed at the President's Assembly.

Board Members were reminded to apply to serve on NCEES committees for 2007-2008 if they are interested.

Motion by Dinkins/Amick: To nominate former Board Member, Cleveland Gillette, as an Emeritus Member of NCEES. Motion carried.

Board Members discussed developing a plan to educate students in middle schools and possibly elementary schools on surveying as a future career. Members Dinkins and Amick will formulate guidelines for such a program. Administrator Simpson will work with the Department of LLR to issue a Request for Proposals. Once a plan is formulated, an individual could be hired to present the program to students.

The 2007 SC Ethics Commission forms were given to all Board Members. Deadline for filing is April 15, 2007.

The next Board meeting will be held April 17, 2007, in Room 111. An Application Hearing will be held on April 18, 2007, also in Room 111.

The meeting adjourned at 3:30 pm.

Respectfully submitted,



Stacy Johnson  
Administrative Assistant