

South Carolina Board of Professional Engineers and Land Surveyors
Meeting Minutes
Called Meeting
by
Telephone Conference Call
March 22, 2007

The Board held a called meeting on Thursday, March 22, 2007, at 4:00 p.m. in Room 201-31, 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 the South Carolina Society of Professional Land Surveyors (SCSPLS). Public notice of the meeting was properly posted at the Board office and provided to any requesting persons, organizations, or news media in compliance with Section 30-4-80 of the S. C. Freedom of Information Act.

Chairman Miller L. Love, Jr., P.E., called the meeting to order at 4:15 p.m. Board Members present by telephone were Vice-Chairman Gene L. Dinkins, P.L.S and P.E.; Board Secretary Gaye Sprague, P.E.; Cecil Huey, Jr., Ph.D., P.E.; Andy Kinghorn, P.E.; Thurl Amick, Sr., L.S. and Mitchell Tibshirany, Jr., P.E.

Also present were Jan Simpson, Board Administrator; Todd Bond, Investigator; Charlie Ido, Chief Investigator; and Sharon Dantzler, Advice Counsel. Representing the South Carolina Department of Health and Environmental Control were Ann R. Clark, Director, Stormwater, Agricultural and Dams Permitting Division; Jill C. Stewart, P.E., Manager, Stormwater, Agricultural and Dams Permitting Division. Ed Eargle represented the South Carolina Department of Transportation.

The purpose of the meeting was to consider a letter from the S.C. Department of Transportation (SCDOT) regarding requirements for signing and sealing bound volumes of plans and profile sheets and requesting guidance from the Board member on sealing requirements as set forth in Regulation 49-207. The South Carolina Department of Health and Environmental Control (DHEC) recently challenged DOT's sealing practices and declined to issue permits for several projects until there was a resolution of this matter.

The Board considered the language of Regulation 49-207. There was discussion about the possible ambiguity of subsection (3) regarding sealing bound volumes. Mr. Ido stated that the Board and its staff have been consistent for the past sixteen years, interpreting the Regulation to require sealing and signing each sheet of design documents whether or not they are in bound volumes. However, according to Mr. Eargle, under DOT practice for more than fifty years, the DOT engineers have signed and sealed only the index sheet of bound volumes where the index sheet contained a list of all sheets in the bound volume, whether or not some of the sheets are design documents.

After full discussion of all issues, the Board voted unanimously to approve the following motion by Sprague, seconded by Dinkins: To send a letter to the Department of Transportation stating:

1. DOT's current procedure of sealing only the index sheet of bound volumes, even when a list of all sheets is included on the index sheet, is not in compliance with the requirements of Regulation 49-207.
2. Effective immediately, each sheet of all engineering documents must be sealed and signed in accordance with requirements in Regulation 49-207.
3. The Board will not take disciplinary action against any individual who, as a full-time employee of SCDOT, has signed and sealed only the index sheet of bound volumes until today.

The Board urged representatives of the two agencies to work together to resolve the issue of approval of DOT plans currently "in the pipeline."

There being no further business, the meeting adjourned at 5:15 p.m.

On behalf of the Board,



Jan B. Simpson
Administrator