

**South Carolina
Board of Professional Engineers and Land Surveyors
Meeting Minutes
August 15, 2007**

The Board held a brief meeting on August 15, 2007, at 110 Centerview Drive, Kingstree Building, Columbia, SC, at the conclusion of scheduled Application Hearings.

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; and the South Carolina Society of Professional Engineers (SCSPE).

Chairman M.L. Love, P.E., called the meeting to order at 12:30 p.m. Board Members present were Mitchell S. Tibshirany, P.E.; Gene L. Dinkins, P.E. and L.S.; Cecil Huey, Jr., P.E.; Andy Kinghorn, P.E.; Gaye Sprague, P.E.; and Thurl Amick, Sr., L.S.

Also present were Jan Simpson, Board Administrator; Jacqueline Phillips, Administrative Assistant; Melissa Jones, Program Assistant; and Sharon Dantzler, Advice Counsel. Attorney Christa Bell and OGC Chief Counsel Lynne Rogers attended the meeting briefly.

Consent Agreements

There was discussion regarding procedures for obtaining, signing, and issuing Consent Agreements. The Board expressed concern that the workload of investigators impacted their effectiveness. They also discussed their previous decision to delegate to the Chairman the authority to sign Consent Agreements on behalf of the Board. They concluded that setting comprehensive, specific parameters for violations in routine cases would provide consistency and would allow investigators to more easily propose sanctions acceptable to the Board. Ms. Rogers encouraged the Board to appoint IRC professional members in whom they have confidence and to review those appointments periodically. Further, Board members should create a list of points to be included in a Consent Agreement; for example, time frames involved, number of projects, and intent. Chairman Love assigned Cecil Huey and Thurl Amick to draft parameters for review at the next meeting. Current parameters in place for routine cases will remain in effect until changed.

The Board discussed parameters for handling renewals and reinstatements in terms of identifying length of time the license was lapsed and number of projects during lapse. As part of the discussion, the Board's "15-Month Rule" was discussed. A policy will be introduced at the next meeting for Board approval, essentially allowing licensees ninety (90) days to renew a license by paying late fees, as provided in Section 40-22-240. After 90 days, staff members will send a Cease & Desist for unlicensed practice. The Board will decide when a hearing would be warranted in such cases.

Consent Order Cases: Chairman Love reviewed the following Consent Agreements:
David Preston - Case No. CA 003-07
Barry Levin and Associates Case – no case number

S.C. Board of Professional Engineers and Surveyors

Board meeting, August 15, 2007

Page 2

James Baxley - No case number. Final Order from hearing on June 13th, 2007

The Agreements and the Order were signed and approved by the Board.

Review Statutes and Regulations: The members reviewed proposed changes to Regulations based on recent changes to the statutes governing engineering and surveying practice. Mr. Dinkins and Mr. Amick will work on the Minimum Surveying Standards Manual.

Staff Authority: At the next board meeting, the Board will approve a summary list of all Model Law Engineer applications approved by so as to have a record that the board took action on all the applications. (MLE applications are the only ones not sent to the Board based on longstanding policy.) Board members noted they would like Model Law Applicants brought before the Board if they have multiple minor traffic offenses or something unusual noted in the application.

“Engineer” in work titles: Administrator Simpson presented the Board with a question from John Lessley, V-P, S& ME, and Mark Vilem, Wilbur Smith Associates, inquiring about how and when the term “Engineer” may be used in a position title. After much discussion, the Board agreed that use of the term “engineering *something* is acceptable if the individual is not a registered Professional Engineer; however, individuals may not use “Engineer” in a title if they are not a PE. Example: unlicensed individuals may be called “engineering associate” or “engineering xxxxx.” At the next meeting the Board will draft a list of acceptable titles.

The next Board meeting will be held on September 25, 2007, Room 108.

There being no further business, the meeting adjourned at 3:00 p.m.

Respectfully submitted,



Jacqueline A. Phillips
Administrative Assistant