

**MINUTES**  
**South Carolina Board for Registration of Professional Engineers and Surveyors**  
**9:30 a.m., May 23, 2017**  
**Synergy Business Park, Kingstree Building**  
**110 Centerview Drive, Room 108**  
**Columbia, SC**

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**Call To Order**

Chairperson Fallon called the meeting to order at 9:32 a.m.

**Statement of Public Notice**

Chairperson Fallon stated that public notice of this meeting was properly posted at the South Carolina State Board of Registration for Professional Engineers and Surveyors, Synergy Business Park, Kingstree Building, and provided to all requesting persons, organizations and news media in compliance with Section 30-4-80 of the South Carolina Freedom of Information Act.

**Introduction of Board Members and Other Persons Attending**

Board members present included Dr. Dennis Fallon, Ph.D., PE, Chairperson; John P. Johnson, PE, PLS, Vice-Chairman; Dr. Johnston Peeples, Ph.D., PE, Secretary; Timothy Rickborn, PE ; Gene L. Dinkins, PE, PLS; Miller L. Love, Jr., PE; and D. Mack Kelly, Jr., PE, PLS. Board member J. Baker Cleveland, III, Esq. could not attend due to work obligations. His absence was approved by the board chair.

Staff members present included Lenora Addison-Miles, Administrator; Britton Jenkins, Program Assistant; Hardwick Stuart, Esq., Advice Counsel; Kate Barroll, Esq.; Erin Baldwin, Esq., Office of Disciplinary Counsel; Sharon Wolfe, Office of Investigations and Enforcement; and Holly Beeson, Office of Communications and Governmental Affairs.

Others present included: Joe Jones, Allison King, Brian Bonds, Jesse Burke, Angela Musselwhite, Marguerite McClam, F. William Fairey, and Sean Cary (Creel Court Reporting).

Mr. Love noted that Mr. Emmett Davis, passed away May 22, 2017. The board sends condolences to the family.

**Approval of Meeting Minutes**

The board reviewed minutes from the March 21, 2017 board meeting.

**MOTION:** To approve minutes. Johnson/Love/approved.

**Review and Approval of Agenda**

The board reviewed the agenda. Dr. Fallon noted the discussion of agenda item 12e would be postponed to a future board meeting.

**MOTION:** To approve agenda with changes. Love/Johnson/approved.

## Reports

- a. Mrs. Wolfe presented the OIE report. She reported there were a total of 23 active cases. Fourteen cases are active investigations. One case has been opened. Mrs. Wolfe added that 19 cases have been closed from January 1, 2017 through May 15, 2017.
- b. Mrs. Wolfe presented the IRC report. The board requested that more information be disclosed on the IRC report so that they can make a more informed decision.

**MOTION:** Approve IRC report as presented. Dinkins/Peeples/approved.

- c. Mrs. Miles presented the administrative and financial report. Mrs. Miles reported that as of May 11, 2017, there were 30,302 active credentials. She added that as of May 11, 2017, there were a total of 16,537 engineers, 1,016 surveyors, 141 dual licensees, and 13 associate PE's current through June 30, 2018. Six hundred ninety-one (691) licenses lapsed June 30, 2016 as a result of non-renewal. There were 119 FE exams delivered during the April/May/June testing window. There have been 875 Early PE applications filed and 437 have passed the exam. Mrs. Miles reported the April cash balance was \$3,203,354.89. The April education and research fund balance was \$430,740.22. Mrs. Miles noted that LLR is working with PSI to transition the state specific surveying exam to computer-based format. PSI is working towards having registration open on October 1<sup>st</sup> with the exam being given on November 3<sup>rd</sup>. Per the Board's request, an invitation was extended to the Secretary of State's Office to have a representative attend the meeting to discuss firm registration. The Secretary of State's Office indicated they would discuss our request internally and determine how best to proceed. Mrs. Miles noted that all travel requests for board meetings must be approved prior to board members attending the meeting. She reminded the board to keep track of reimbursements for meetings attended.

## Legislative Update

Mrs. Holly Beeson provided the board with a legislative update. She noted that H3649 (Architects Practice Act) is currently at the conference committee level. She added the Joint Task Force met to draft the language which was approved by the Senate. The House Committee did not approve the language and has formed a House Conference Committee to discuss the proposal. Mrs. Beeson added the first committee meeting has been cancelled and they are currently waiting for it to be rescheduled. Mr. Rickborn prepared a letter, to send to the committee members, which provided commentary on each section of the proposed legislation. Mr. Rickborn asked the board to approve the proposed letter so that the Senate and House are more informed of the bill and why the proposed language is important.

**MOTION:** To approve letter proposed by Mr. Rickborn. Love/Peeples/motion withdrawn.

**MOTION:** To enter executive session for legal advice, with Mrs. Beeson participating. Love/Dinkins/approved.

**MOTION:** To exit executive session. Love/Johnson/approved.

**MOTION:** To authorize Mr. Rickborn to present the proposed letter and modify as he sees fit.  
Johnson/Peeples/approved.

The board discussed regulation changes. Dr. Fallon noted that because of the 2016 Practice Act changes, the Regulations need to be updated. Mrs. Beeson added her office will help get through the process of making the changes. She noted September is the ideal time to submit the draft to the Legislature. The changes should be filed by the first day of general session. Dr. Fallon asked how the regulation changes should be handled. The board suggested the board chair work with the legal team to discuss the needed changes. Mr. Johnson noted that the societies should be notified to provide suggestions for changes by the fall. Changes must be in compliance with the statute.

#### **Funding Requests**

- a. Jesse Burke, of the SEASC, presented a funding request of \$5,000 for the Structural Engineers' Association Annual Conference.

**MOTION:** To approve funding request in the amount of \$5,000. Peeples/Love/approved.

- b. The board reviewed a funding request of \$30,000 for the South Carolina Engineering Conference and Trade Show.

**MOTION:** To enter executive session for legal advice. Peeples/Rickborn/approved.

**MOTION:** To exit executive session. Love/Rickborn/approved.

**MOTION:** To approve funding request in the amount of \$30,000. Johnson/Dinkins/approved.

Dr. Peeples reminded the public that funding requests should be submitted 30 days prior to the board meeting for adequate review, along with a breakdown of expenses.

The board recessed for lunch from 12:24 p.m. to 1:21 p.m.

Mr. Johnson noted that past board member, Mr. Thurl Amick's wife is currently in Hospice care. The board sends their well wishes.

#### **Unfinished Business**

- a. The board reviewed action items from the March 21, 2017 board meeting. All items on the action list have been addressed. Dr. Fallon noted the board will continue to review the ethics examination. Mrs. Miles noted preparation of the State Specific surveying exam is ongoing. The board requested the education consultants appear at the next board meeting.

#### **New Business**

- a. The board discussed the NCEES 2017 funded delegates. Dr. Fallon, Mr. Johnson, and Mr. Love were selected as funded delegates.

**MOTION:** To endorse Mr. Rickborn as candidate for NCEES treasurer. Dinkins/Love/approved.

**MOTION:** To approve Dr. Peeples, Mr. Cleveland, Mrs. Miles, and board staff to attend the NCEES Annual Meeting, scheduled for August 23-26, 2017. Johnson/Love/approved.

**MOTION:** To approve Mr. Rickborn's letter of nomination for NCEES treasurer. Johnson/Peeples/approved.

- b. The board reviewed an Education Grant Request from Bob Jones University in the amount of \$9,612 for lab equipment.

**MOTION:** To approve grant request. Johnson/Love/approved.

**AMENDED MOTION:** To approve grant request for the training of future engineers. Dinkins/Rickborn/approved.

- c. The board discussed a self-certification of SPCC plans inquiry sent by Liz Ward. Ms. Ward requested guidance on if South Carolina prohibits SPCC Plan self-certification. Mr. Rickborn noted that plans must meet the requirements of a qualified facility.

**MOTION:** To enter executive session for legal advice. Love/Johnson/approved.

**MOTION:** To exit executive session. Love/Rickborn/approved.

**MOTION:** Subject to any other regulatory requirements, and based on the definition of engineering, the preparation of SPCC plans require the education, experience, and training of a professional engineer. Dinkins/Rickborn/approved.

- d. The board discussed NCEES Emeritus Member Nomination of past board member, Nancy Cottingham.

**MOTION:** To nominate Nancy Cottingham for NCEES Emeritus member. Dinkins/Rickborn/approved.

- e. SCDOT Hydraulic/Hydrology (Drainage Design Plan) inquiry was tabled for the July 18, 2017 board meeting.
- f. The Comprehensive Review of Regulations was discussed with the Legislative Update.
- g. The board discussed the U.S. Army Corps of Engineers Guidance Letter (Public Notice). Mr. Dinkins noted the Charleston district will no longer require a survey plat of aquatic resources. Mr. Rickborn noted a letter should be sent to the Corps in response to the notice.

**MOTION:** To authorize Mr. Dinkins to draft a letter to the Corps and South Carolina DHEC, and prepare a Frequently Asked Question to be added to the board's website. Rickborn/Johnson/approved.

- h. Mr. Dinkins spoke with the board regarding surveyor approved four-year curriculum requirements. He noted he spoke with Jerry Carter, of NCEES, regarding online degree equivalency. He added, NCEES has offered to evaluate degrees to determine if they are eligible.

**Other Business**

Mr. Love asked if the report had been sent to the Legislature regarding educational funds. Mrs. Miles noted the report is due by July 1, 2017.

**Public Comments**

Jesse Burke noted that there still seems to be confusion about the COA application process. The board is reviewing the process with the Secretary of State's Office.

**Notice of Next Meeting**

The next meeting of the SC Board of Registration for Professional Engineers and Surveyors will be held on Tuesday, May 24, 2017 at the SC Department of Labor, Licensing, and Regulation, Synergy Business Park, Kingstree Building, 110 Centerview Drive, Room 105, Columbia, SC and will begin at 9:30 a.m.

**MOTION:** To adjourn. Rickborn/Love/approved.

The meeting adjourned at 2:47 p.m.

Respectfully Submitted,



Britton S. Jenkins, Program Assistant