

MINUTES
South Carolina Board of Registration for Professional Engineers and Surveyors
9:30 a.m., May 12, 2020
Conference Call Meeting

Call to Order

Chairperson Peeples called the meeting to order at 9:33 a.m.

Statement of Public Notice

Chairperson Peeples stated that public notice of this meeting was properly posted at the South Carolina State Board of Registration for Professional Engineers and Surveyors Office, Synergy Business Park, Kingstree Building, on the Board's website, 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 participating included Dr. Johnston Peeples, Ph.D., PE, Chairperson; Jimmy Chao, PE, Vice-Chairperson; Henry Dingle, Jr., PLS, Secretary; Gene L. Dinkins, PE, PLS; Dr. Dennis J. Fallon, Ph.D., PE; Timothy Rickborn, PE; D. Mack Kelly, Jr., PE, PLS; and Baker Cleveland.

Staff members participating included: Lenora Addison-Miles, Administrator; Stacey Hewson, Esq., Advice Counsel; Donnell Jennings, Esq., Office of Disciplinary Counsel; Rodney Pigford, and Christa Bell, Office of Investigations and Enforcement.

Others participating included: Allison King, Michael Zavislak, David Brandyburg, and Travis McLeod (Creel Court Reporting).

Approval of Meeting Minutes

The board reviewed the minutes from the January 7th, and January 21st meetings.

MOTION: To approve January 7, 2020 minutes. Chao/Rickborn/approved.

MOTION: To approve January 21, 2020 minutes, as amended, to reflect the motion to adjourn was seconded by Dinkins. Fallon/Dinkins/approved.

Review and Approval of Agenda

No changes were made to the agenda.

MOTION: To approve agenda. Rickborn/Fallon/approved.

Reports

- a. Mr. Pigford presented the OIE report. From January 1, 2020 through May 12, 2020: 29 complaints received, 16 active investigations, 1 case closed. The average age of investigations is 77 business days.
- b. Mr. Pigford presented the IRC reports. The committee met on March 5, 2020 with the following recommendations: Dismiss cases 2019-29, and 2020-4; Formal Complaints for

cases 2018-66, 2019-28, 2019-43, 2019-44, 2019-47, 2019-49, 2019-50, 2019-90, and 2019-109; Letter of Caution for case 2019-31.

The committee met on April 30, 2020 with the following recommendations: Dismiss case 2019-59; Formal Complaints for cases 2019-58, 2019-82, 2019-106, and 2020-14; Letter of Caution for case 2019-94.

MOTION: To accept March 5th IRC report. Chao/Kelly/approved.

MOTION: To accept April 30th IRC report. Rickborn/Fallon/approved.

- c. Mr. Jennings presented the ODC report. As of April 29, 2020, there are 25 open cases, six cases have been closed, five cases are pending action, 16 cases are pending CA/MOA, and four cases are pending hearing.
- d. Mrs. Miles presented the Administrative and Financial reports. Mrs. Miles noted as of April 28, 2020, a total of 2,973 engineers, 125 surveyors, and 16 dual licensees registered through June 30, 2022. A majority of licenses are still active in renewal. There are 3,461 firms and 1,078 branches current through March 31, 2021. Meeting materials also contain information regarding the number of in-state and out-of-state early PE/PS exam candidates by year. The NCEES CBT Summary for the current testing window (April-June), shows 102 FE, three FS, 17 PE, and one PS exams scheduled. We received 1,933 Early PE exam applications and 1,224 have passed the exam. There have been 11 Early PS applications and five have passed. The March cash balance was \$3,236,112.35. The Education and Research Fund balance was \$392,458.22. Members were reminded to file Statement of Economic Interest forms electronically with the State Ethics Commission by March 30, 2020. Individual travel reimbursement totals will be emailed once we receive the information from finance. LLR's Office of Communications and Governmental Affairs is asking each board to identify a designated spokesperson to speak on behalf of the Board in the event the media requests a position/statement from the Board (not LLR). Members are asked not to speak with the media but there are occasions when the media may request a statement from the Board or the Board's position on a particular issue.

Funding Request

- a. Allison King presented information regarding a request from ACEC-SC, ASCE-SC, NSPE-SC, SCSPE, and SCSPLS for continuing education webinars held April 22, April 29, and May 6. Ms. King requested funding in the amount of \$2,500.

MOTION: To approve funding request. Dinkins/Fallon/approved.

Portfolio Review Committee Recommendations:

- a. A Civil Engineering Portfolio Committee met on April 8, 2020, and made the following licensure recommendations: David Brandyburg, denied; Steven Rowe, approved; Kier Ouderkirk, approved; Gregory Dickey, approved; Charles Bramlett, approved.

MOTION: To approve recommendation. Fallon/Chao/approved.

- b. A Mechanical Portfolio Committee met on April 9, 2020, and made the following licensure recommendations: Laban Busiency, approved; Lee R. Lentz, approved; Brian M. Powers, approved.

MOTION: To approve recommendation. Rickborn/Fallon/approved.

- c. An Electrical Portfolio Committee met on April 17, 2020, and made the following licensure recommendations: Russell Gleave, approved; James Pangburn, approved.

MOTION: To approve recommendation. Fallon/Kelly/approved.

Unfinished Business

- a. The Board reviewed the action items from the January 7, 2020 meeting. Members should email counsel any issues or changes needed in the regulations.

New Business

- a. Andreas Prokesch, CEO of STIWA: Project Automation, and Kristina Stauf, SC Dept. of Commerce, addressed the board regarding activities, products, and services the company offers/provides. The company is considering moving their production facility from NC to SC.

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

MOTION: To exit executive session. Chao/Fallon/approved.

MOTION: Based on the information provided, STIWA US would be engaging in the practice of engineering, and would need to obtain a COA and hire a SC licensed PE to serve in responsible charge of the firm, before offering any engineering services.

- b. Mrs. Miles indicated NCEES is conducting a survey regarding restructuring the PS exam to include separately scored divisions. The Board indicated the minimum requirements for licensure in SC would be the Core PS, Boundary, and Mapping science divisions for Tier A surveyor license. Mrs. Miles will complete the survey on behalf of the board.
- c. The 2020 NCEES Annual Meeting will be a virtual, one-day meeting. Voting will be done by paper ballots. Depending on when the ballots are due, the board may need to schedule a conference call.
- d. Dr. Peoples will make minor revisions to the Surveyor Education Guidelines for review at the July meeting.
- e. Changes to the NCEES October 2020 Paper-and-Pencil exams were presented as information. The exams will be administered over two days – Thursday, October 22 and Friday, October 23, based on exam discipline.

Other

The Board determined David Brandyburg will be allowed six months to provide new portfolio projects for portfolio reconsideration.

If needed, a videoconference is acceptable to the board for the July meeting.

Public Comments

No public comments.

Notice of Next Meeting

The next meeting of the SC Board of Registration for Professional Engineers and Surveyors will be held on Tuesday, July 21st at 9:30 a.m. The meeting format to be determined based on the current health crisis.

MOTION: To adjourn. Rickborn/Chao/approved.

The meeting adjourned at 12:10 p.m.

Respectfully Submitted,

Lenora Addison-Miles, CPM, MBA
Administrator