

MINUTES
South Carolina Board of Registration for Professional Engineers and Surveyors
9:30 a.m., September 22, 2020
Videoconference Meeting

Call to Order

Chairperson Peeples called the meeting to order at 9:30 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., Office of Advice Counsel; Donnell Jennings, Esq., Office of Disciplinary Counsel; and Rodney Pigford, Office of Investigations and Enforcement.

Others participating included: Allison King, Adam Jones, Joel Irvine, Sarah Timmons, Brian Bonds, and Melissa Blackwell (Creel Court Reporting).

Approval of Meeting Minutes

The board reviewed the minutes from the July 21st meeting.

MOTION: To approve minutes. Chao/Rickborn/approved.

The board reviewed the minutes from the August 11th conference call meeting.

MOTION: To approve minutes. Dinkins/Rickborn/approved.

Approval of Excused Absences

All members present.

Review and Approval of Agenda

No changes were made to the agenda.

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

Reports

- a. Mr. Pigford presented the OIE report. From January 1, 2020 through September 21, 2020: 67 complaints received, 16 active investigations, 8 cases closed. The average age of investigations is 90 business days.
- b. Mr. Pigford presented the IRC reports. The committee met on September 9, 2020 with the following recommendations: Dismiss cases 2018-60, 2019-5, 2020-56; Formal Complaints for cases 2018-32, 2018-69, 2019-99, 2020-35.

MOTION: To accept September 8th IRC report. Fallon/Rickborn/approved.

- c. Mr. Jennings presented the ODC report. As of September 8, 2020, there are 44 open cases, five cases have been closed, 22 cases are pending actions, 17 cases are pending CA/MOA, and four cases are pending hearings.
- d. Mrs. Miles presented the Administrative and Financial reports. Mrs. Miles noted as of September 2, 2020, a total of 15,160 engineers, 748 surveyors, and 95 dual licensees registered through June 30, 2022. There are 3,504 firms and 1,097 branch offices 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 (July - September), shows 95 FE, six FS, six PE, and three PS exams scheduled. We have received 2,004 Early PE exam applications and 1,228 have passed the exam. There have been 11 Early PS applications and five have passed. The July cash balance was \$3,915,415.10. The Education and Research Fund balance was \$505,408.22.

Application Hearings:

- a. Joel Irvine appeared before the board for a renewal application hearing. Mr. Irvine was represented by Sarah Timmons, Esq. He did not have any witnesses. The hearing was closed to the public. Board member Cleveland was recused from the hearing. This matter was recorded by a court reporter to provide a verbatim script, should one be necessary.

MOTION: To enter executive session for legal advice. Dinkins/Chao/approved. Chao, Dinkins, Peeples, Rickborn and Dingle voted to enter executive session.

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

MOTION: To approve renewal and issue a Letter of Caution. Fallon/Dinkins/approved. Kelly opposed.

- b. Eddie Bunn rescinded his request to pursue application. The Board took no action.

Unfinished Business

- a. The Board reviewed the action items from the July 21, 2020 meeting. Members should email counsel any issues or changes needed in the regulations. The Board will accept the NCEES Record (references and work experience) for initial licensure. Applicants may be required to provide supplemental information to support the application.

- b. Mr. Jennings will provide a draft Affidavit for Initial Complaint at the November meeting.
- c. Members Peeples, Dinkins, Dingle and Kelly have reviewed and discussed the Surveyor Education Guidelines. Mr. Dinkins will make revisions and submit to Peeples.

New Business

- a. Donnell Jennings, addressed the board regarding the need for guidance in handling cases, during the pandemic, for respondents without access to video/camera. The Board determined the respondents must have some type of video/camera capability in order to pursue a hearing.
- b. Mrs. Miles asked the board for guidance when applicants use a master’s degree to qualify for the Early PE exam and then request to have their education evaluated in order to use the master’s degree as qualifying experience for licensure consideration. The board determined the qualifying degree for licensure would be based on the results of the education evaluation.
- c. Mrs. Miles stated ASCE Upstate has requested a board member give a 50-minute presentation at their October 27th meeting. Discussion ensued. Dr. Peeples will be able to give the presentation if the event is virtual. Baker Cleveland will attempt to attend if the event is in person.
- d. The Board reviewed proposed 2021 meeting dates: January 19, March 16, May 11, July 20, July 21, September 21, September 22 and November 9.

MOTION: To approve 2021 meeting dates. Rickborn/Cleveland/approved.

Other

The Board requested feedback/statistics from Jesse Burke regarding the in-person SEASC conference that was held on August 20th.

Public Comments

Allison Jones thanked the Board for supporting the virtual Engineering Conference. Two hundred twelve (212) individuals participated in the virtual PDH seminars.

Notice of Next Meeting

The next meeting of the SC Board of Registration for Professional Engineers and Surveyors will be held on Tuesday, November 10th at 9:30 a.m. The meeting format to be determined based on the current health crisis.

MOTION: To adjourn. Chao/Rickborn/approved.

The meeting adjourned at 11:49 a.m.

Respectfully Submitted,

Lenora Addison-Miles, CPM, MBA
Administrator