

**MINUTES**  
**South Carolina Board of Registration for Professional Engineers and Surveyors**  
**9:30 a.m., January 18, 2022**  
**Synergy Business Park, Kingstree Building**  
**110 Centerview Drive, Conference Room 108**  
**Columbia, SC**

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**Call to Order**

Chairperson Chao called the meeting to order at 9:50 a.m.

**Statement of Public Notice**

Chairperson Chao 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 Jimmy Chao, PE, Chairperson; Baker Cleveland, Vice-Chairperson; Henry Dingle, Jr., PLS, Secretary; Gene L. Dinkins, PE, PLS; Timothy Rickborn, PE; D. Mack Kelly, Jr., PE, PLS; and Dr. Johnston Peeples, Ph.D., PE.

Staff members participating included: Lenora Addison-Miles, Administrator; Stacey Hewson, Esq., Office of Advice Counsel; Grace Tuttle, Program Assistant; Chris Elliott, Esq., Alice Douglas, and Sonya Morse, Office of Disciplinary Counsel; Rodney Pigford, and Kathy Meadows, Office of Investigations and Enforcement; and Victoria Eskridge, Division of Operations Technology and Security.

Others participating included: Kasey Jordan, Chad S. Kurdi, Paul W. Peeples, III, and Sean Cary (Creel Court Reporting).

**Approval of Meeting Minutes**

The board reviewed the minutes from the November 9, 2021 meeting.

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

**Approval of Excused Absences**

All members present.

**Review and Approval of Agenda**

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

**Reports**

**Office of Investigations and Enforcement**

Mr. Pigford, OIE Chief Investigator, presented the OIE report. From January 1, 2021 through January 12, 2022: 99 complaints received, 11 active investigations, 45 closed cases. The average age of active investigations is 65 business days.

### **Investigative Review Committee Report**

Mr. Pigford presented the IRC report. The committee met on January 10, 2022 with the following recommendations: Dismiss cases: 2021-74, 2018-92, 2018-63, 2019-47, 2021-59, 2021-60. Formal complaint case: 2021-53. Letter of Caution for cases 2021-82, 2021-67, 2021-79, 2021-66.

**MOTION:** To approve January 10<sup>th</sup> IRC report. Rickborn/Dingle/approved.

Mr. Rickborn was recused from voting on cases 2021-59 and 2021-66.

**MOTION:** To approve cases 2021-59 and 2021-66. Dinkins/Dingle/approved.

### **Office of Disciplinary Counsel Report**

Mr. Elliott presented the ODC report. As of January 11<sup>th</sup>, there were 50 open cases. Fifty-six (56) cases were closed since January 1, 2021, and 4 cases closed since the last report (October 29, 2021).

### **Administrative and Financial Reports**

Mrs. Miles presented the Administrative and Financial reports. Mrs. Miles noted as of December 22, 2021, 19,170 engineers, 932 surveyors, and 114 dual licensees registered through June 30, 2022. There are 3,543 firms and 1,190 branch offices current through March 2023. 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 (January - March) shows 137 FE, seven FS, 33 PE, and one PS exams. We have received 2,246 Early PE exam applications and 1,487 have passed the exam. There have been 14 Early PS applications and six have passed. The November cash balance was \$4,053,368.29. The Education and Research Fund balance was \$490,028.22.

Members were reminded to file 2022 Statement of Economic Interest reports with the State Ethics Commission. LLR travel reimbursement totals were emailed to members on January 11<sup>th</sup>.

### **Disciplinary Hearings:**

- a. Roger Rearick and Southern Engineering Consulting Services, LLC were not present for hearings in cases 2020-57 and 2020-60. They were not represented by counsel. These cases were presented together. This matter was recorded by a court reporter to provide a verbatim script should one be necessary.

**MOTION:** Proper notice of hearing was given to Roger Rearick and Southern Engineering Consulting Services, LLC and the hearings for these two cases will move forward in the absence of the respondents. Dinkins/Rickborn/approved.

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

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

**MOTION:** In Case 2020-57 against Roger Rearick the board finds statute violations. Issue a \$3,000 fine plus the cost of investigation, and issue a cease and desist. In Case 2020-60 against Southern Engineering Consulting Services LLC, the board finds statute violation. Issue a \$3,000 fine plus the cost of investigation, and a cease and desist. Rickborn/Peeples/approved.

- c. William Rivers and WR Construction & Engineering Management, LLC were not present for the compliance hearing for cases 2019-43 and 2019-44. They were not represented by counsel. This matter was recorded by a court reporter to provide a verbatim script should one be necessary.

**MOTION:** Proper notice of hearing was given to WR Construction & Engineering Management, LLC and William L. Rivers and that the hearing for these two cases will move forward in the absence of the respondents. Rickborn/Peeples/approved.

**MOTION:** WR Construction & Engineering Management, LLC and William L. Rivers are in willful noncompliance of the November 17, 2021 board cease and desist order. Future violations of this order should be brought before the Administrative Law Court. Rickborn/Dingle/approved.

#### **Executive Session for Legal Advice Regarding Administrative Issue**

**MOTION:** To go into executive session with Mrs. Miles participating. Rickborn/Chao/approved.

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

No motions were made or votes taken during executive session.

#### **NCEES Institution Reports (Executive Session)**

**MOTION:** To go into executive session. Rickborn/Dingle/approved.

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

No motions were made or votes taken during executive session.

The Board recessed for lunch from 12:15 p.m. until 1:00 p.m.

#### **Application Hearings:**

- a. Kasey Jordan appeared before the board for approval to retake the civil construction PE exam. Ms. Jordan was not represented by counsel. She did not have any witnesses. 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/Peeples/approved.

**MOTION:** To exit executive session. Dingle/Peeples/approved.

**MOTION:** To approve to take the civil construction PE exam. Dinkins/Dingle/approved. Rickborn opposed.

- b. William B. Allen, Jr. did not appear for the scheduled hearing. The matter will be rescheduled for the March meeting.
- c. Chad S. Kurdi appeared before the board, by videoconference, seeking licensure by comity. Mr. Kurdi was not represented by counsel. He did not have any witnesses. This matter was recorded by a court reporter to provide a verbatim script should one be necessary.

**MOTION:** To issue license by comity. Dinkins/Rickborn/approved.

- d. Paul W. Peeples, III appeared before the board seeking PE licensure by examination. Mr. Peeples was not represented by counsel. He did not have any witnesses. This matter was recorded by a court reporter to provide a verbatim script should one be necessary. Dr. Peeples was recused from the hearing.

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

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

**MOTION:** To grant PE license. Dinkins/Dingle/approved.

### **Portfolio Review Committee Recommendations**

- a. The Board reviewed the July 30, 2021 civil committee recommendation.

**MOTION:** To accept the recommendation to deny the application for Ala Kazemi. Chao/Dinkins/approved.

### **Unfinished Business**

#### **Review of Action Items**

The Board reviewed the action items from the November 9, 2021 meeting. The 2021 SEASC Funding Request invoice is still pending since July 2021. Members Rickborn and Chao will work on the ODC scope of review engineer questions, and Dingle and Dinkins will work on surveyor questions.

The Board made changes to the proposed Expungement Procedure.

**MOTION:** Approve with revisions. Dinkins/Peeples/approved. Kelly opposed.

The board discussed issues surrounding the proposed change to provide pre-approval of the 12-semester hours of surveying courses, and will reach out to the board's education consultant.

**Other Business**

The scheduled two-day meeting in July will be changed from July 19<sup>th</sup> and 20<sup>th</sup> to July 12<sup>th</sup>.

**Notice of Next Meeting**

The next meeting of the SC Board of Registration for Professional Engineers and Surveyors will be held on Tuesday, March 8, 2022.

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

The meeting adjourned at 3:48 p.m.

Respectfully Submitted,

Grace Tuttle  
Program Assistant