

**MINUTES**  
**South Carolina Board of Registration for Professional Engineers and Surveyors**  
**9:30 a.m., November 14, 2023**  
**Synergy Business Park, Kingstree Building**  
**110 Centerview Drive, Upstate Conference Room**  
**Columbia, SC**

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**Call to Order**

Chairperson Chao called the meeting to order at 9:36 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, PLS, Secretary; Gene L. Dinkins, PE, PLS; Timothy Rickborn, PE; D. Mack Kelly, Jr., PE, PLS; Peter Strub, PE; and Dr. Johnston Peeples, Ph.D., PE.

Staff members participating included: Lenora Addison-Miles, Board Executive; Stacey Hewson, Esq., Office of Advice Counsel; Kenesha Wilson, Administrative Coordinator; Chris Elliott, Esq., Office of Disciplinary Counsel; Wattie Wharton and Charles Turkal, Office of Investigations and Enforcement; and Allen Gay, Division of Operations Technology and Security.

Others participating included: Ralph Smith, Ryan Smith, Adam Jones, and Sean Cary (Creel Court Reporting).

**Approval of Meeting Minutes**

The board reviewed the minutes from the September 26, 2023 meeting.

**MOTION:** Mr. Rickborn made a motion to approve the minutes. Mr. Strub seconded the motion which carried unanimously.

**Approval of Excused Absences**

All members were present.

**Review and Approval of Agenda**

**MOTION:** Mr. Strub made a motion to approve the agenda. Mr. Rickborn seconded the motion which carried unanimously.

**Reports**

**Office of Investigations and Enforcement**

Wattie Wharton, Investigator, presented the OIE report. From January 2<sup>nd</sup> until November 8<sup>th</sup>: 88 complaints received, 14 active investigations, 34 closed cases.

### **Investigative Review Conference Report**

Mr. Wharton presented the IRC report. The IRC was held on October 26, 2023 with the following recommendations: Formal Complaint for case 2022-93, and Dismissal for case 2023-60.

**MOTION:** Dr. Peeples made a motion to approve the IRC report. Mr. Rickborn seconded the motion which carried.

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

Mr. Elliott presented the ODC report. As of November 8, 2023, there were 16 open cases, two pending hearings, one appeal, 17 cases closed since the last report, and 57 cases closed since January 1<sup>st</sup>.

### **Administrative and Financial Reports**

Mrs. Miles presented the Administrative and Financial reports. As of October 31, 2023, there were 19,955 engineers, 891 surveyors, and 104 dual licensees current through 2024. There were 3,715 firms and 1,249 branch offices current through March 2025. Meeting materials also contain information regarding the number of in state and out-of-state early PE/PS exam candidates each year. According to the NCEES CBT Summary for the October thru December testing window, there were a total (including scheduled and delivered) of 204 FE, eight FS, 99 PE and one PS exam. There were 22 candidates for the November 3<sup>rd</sup> State Specific exam. Thirteen candidates passed. The high score was 90 and low score was 42. The Board has received 2,546 Early PE exam applications and 1,696 have passed the exam. There have been 26 Early PS applications and 12 have passed. The September cash balance was \$4,681,382.79 and the Education and Research Fund balance was \$564,623.22.

### **S.C. Administrative Law Court Order of Remand – Executive Session for Legal Advice**

**MOTION:** Mr. Dingle made a motion to enter executive session for legal advice with Lenora Addison-Miles participating. Mr. Rickborn seconded the motion which carried unanimously.

**MOTION:** Mr. Rickborn made a motion to exit executive session. Mr. Dinkins seconded the motion which carried unanimously.

### **USC Dept. of Civil and Environmental Engineering – Dr. Juan Caicedo**

The USC Civil and Environmental Engineering department head, Juan Caicedo addressed the Board regarding FE exam candidates, promotion of the exam, and interest in the field of engineering.

Mr. Chao suggested that the Board Education and Research fund contribute to the institution to address best practices for increasing exam interest as an effort to promote licensure.

### **Funding Request**

The board reviewed a funding request for the SCSPE Fall Symposium to be held November 7 & 15, 2023 in Greenville, Rock Hill, and virtually. Adam Jones provided details regarding the event.

**MOTION:** Dr. Peeples made a motion to approve the \$12,000 request. Mr. Dinkins seconded the motion which carried unanimously.

**Disciplinary Hearing**

The hearing in the matter of Russell T. Mease (Case 2019-98) was continued.

The Board recessed for lunch from 12:00 until 12:30 p.m.

**Application Hearing**

- a. Ralph Smith appeared before the board seeking reinstatement of licensure. He was not represented by counsel. He did not have any witnesses. This matter was recorded by a court reporter in order to provide a verbatim script should one be necessary.

**MOTION:** Mr. Dinkins made a motion to enter executive session for legal advice. Mr. Rickborn seconded the motion which carried unanimously.

**MOTION:** Mr. Rickborn made a motion to exit executive session. Mr. Strub seconded the motion which carried unanimously.

**MOTION:** Mr. Dingle made a motion, based on the testimony provided, to grant reinstatement of licensure. Dr. Peeples seconded the motion which carried unanimously.

**Unfinished Business**

**Review of Action Items**

The Board reviewed the action items from the September 26, 2023 meeting.

Expert Scope of Review – Mr. Kelly previously provided a questionnaire that Lenora will share with Donnell Jennings. Mr. Rickborn has completed the structural engineering questions.

Education and Research Fund Spending – Mr. Chao provided a funding proposal, based on the report from NCEES with each S.C. institution that has EAC/ABET accredited engineering programs, that includes the percentages of examinees. LLR/Board will fund the coupons. The intuitions will determine how the coupons will be distributed to students. The exam funding will be a pilot program that will be monitored to determine the effect on the number of examinees and licensure. The rough estimate would be \$100,000 to \$150,000 each year for all students. The board would like to offer the coupon codes for two years.

**MOTION:** Mr. Strub made a motion to send a request to Director Farr for the number of recommended coupons in the amount of 495 for the FE/FS exams for the two-year program and monitored for the first year. Mr. Rickborn amended the motion to 500 coupons. Dr. Peeples seconded the motion which carried unanimously.

Revised Complaint Form – The Board Chair will review requests for Good Cause in revealing complainant identity.

**MOTION:** Mr. Dinkins made a motion to delegate the Chair to review requests for Good Cause, and to accept the complaint form revisions. Mr. Strub seconded the motion which carried unanimously.

CE Audit Procedures – Mr. Rickborn will work with staff and counsel to update the procedures.

Guidelines for Minor Survey Activities – The surveyor members drafted proposed guidelines for minor survey activities as a result of an inquiry to board staff, regarding what constitutes minor survey work. The Board will continue to work on minor survey activities documentation for review during the January meeting.

Clarification from NCEES Regarding CLEP – During the September meeting, the board requested clarification from NCEES regarding the acceptance of non-degree CLEP exams to fulfill courses for NCEES Credentials Evaluations. The Board reviewed the response from Marie Nebesky, NCEES Manager of Credentials and Records.

### **New Business**

#### **Signing and Sealing Requirements Questionnaire from D. Matthew Stuart, P.E.**

The Board reviewed an email request from Mr. Stuart regarding signing and sealing requirements. Mr. Stuart is conducting a survey of all PE Boards to determine differences in requirements.

**MOTION:** Mr. Dinkins made a motion to respond to Mr. Stuart and recommend he review the statute and regulations. If he has a specific question, he may contact the Board for assistance. Mr. Strub seconded the motion. Messrs. Kelly and Rickborn opposed. The motion carried.

#### **NCEES 2024 Southern Zone Meeting Funded Delegates**

The NCEES Southern Zone meeting will be held April 4-6, 2024 in Asheville, NC. NCEES will fund the member board administrator, and three eligible delegates. Dinkins and Chao will also be funded by NCEES.

**MOTION:** Mr. Cleveland made a motion to request funding from LLR to fund up to three members and advice counsel, above the GSA rate. Mr. Dinkins seconded the motion which carried unanimously.

**MOTION:** Dr. Peeples made a motion to request funding from NCEES for Kelly, Cleveland, and Dingle to attend. Mr. Kelly seconded the motion which carried unanimously.

#### **NCEES 2024 Call for Awards Nominations**

The NCEES Committee on Awards is soliciting nominations for national service awards to be presented at the 103<sup>rd</sup> annual meeting, August 14-17, 2024, in Chicago. The completed nomination package is due to NCEES no later than January 31, 2024.

#### **Election of Officers**

Current officers are Chao, chairperson; Cleveland, vice chairperson; and Dingle, secretary.

**MOTION:** Mr. Strub made a motion to continue with the current slate of officers. Mr. Kelly seconded the motion which carried unanimously.

**Other Business**

No other business was discussed.

**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, January 23, 2024.

**MOTION:** Dr. Peebles made a motion to adjourn. Mr. Dingle seconded the motion which carried unanimously.

The meeting adjourned at 1:45 p.m.

Respectfully Submitted,

Kenesha Wilson  
Administrative Coordinator I