

MINUTES
South Carolina State Board of Registration for Professional Engineers and Surveyors
9:30 a.m., May 14, 2024
Synergy Business Park, Kingstree Building
110 Centerview Drive, Midlands Conference Room
Columbia, SC

Call to Order

Chairperson Chao called the meeting to order at 9:33 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; D. Mack Kelly, Jr., PE, PLS; Dr. Johnston Peeples, Ph.D., PE. and Peter Strub, PE.

Staff members participating included: Lenora Addison-Miles, Board Executive; Ely Grote, 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 Billie Chambers, Division of Operations Technology and Security.

Others participating included: John Hammond, John Welborn, Carl G. Simonsen, Paul Cattle, Joseph Jaco, Jesse Burke, John Gooch III, John Gooch Jr., Andrew Blauch, Allison King (via conference call), and Katherine Boone (Creel Court Reporting).

Review and Approval of Agenda

MOTION: Dr. Peeples made a motion to move agenda item 12 after item 9. Mr. Strub seconded the motion which carried unanimously.

Approval of Excused Absences

Member Rickborn previously advised he would not be able to attend.

MOTION: Mr. Dinkins made a motion to excuse the absence. Mr. Kelly seconded the motion which carried unanimously.

Approval of Meeting Minutes

The board reviewed the minutes from the March 12, 2024 meeting.

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

Reports

Office of Investigations and Enforcement

Wattie Wharton, Office of Investigations and Enforcement, presented the OIE report. From January 2, 2024 until May 13, 2024: 40 complaints received, six active investigations, and nine closed cases.

Investigative Review Conference Report

Mr. Wharton presented the IRC report. The IRC was held on April 29, 2024 with the following recommendations: Dismiss cases: 2023-21, 2023-22, 2023-38, 2023-42, 2023-54, 2023-65, 2023-75, 2023-92, 2023-95, 2023-48. Formal Complaint cases: 2023-10, 2023-61, 2023-73. Letters of Caution for cases: 2022-28, 2023-74.

MOTION: Mr. Dingle made a motion to approve the IRC report except case 2022-28. Mr. Strub seconded the motion which carried unanimously.

MOTION: Mr. Dinkins made a motion to reject the IRC logic for case 2022-28. Mr. Dingle seconded the motion which carried unanimously.

Office of Disciplinary Counsel Report

Mr. Elliott presented the ODC report. As of May 7, 2024, there were 18 open cases, one pending closure, one appeal, 12 cases closed since the last report and 19 cases closed since January 1st.

Administrative and Financial Reports

Mrs. Miles presented the Administrative and Financial reports. As of April 25, 2024, there were 5,637 engineers, 241 surveyors, and 27 dual licensees current through 2026. Individual license renewals began on March 4, 2024. There were 3,828 firms and 1,281 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 April thru June testing window, there were a total (including scheduled and delivered) of 207 FE, two FS, 93 PE, three PS, and four SE exams. The Board has received 2,679 Early PE exam applications and 1,777 have passed the exam. There have been 36 Early PS applications and 16 have passed. Twenty-one (21) candidates took the May 3rd State Specific Surveying exam, with nine passing with an average score of 69, high score of 84, and low score of 54. The March cash balance was \$4,664,201.56 and the Education and Research Fund balance was \$615,463.22.

Charleston Southern University – Dr. Andrew Blauch, Engineering Dept. Chair

Charleston Southern University, Engineering Dept. Chair, Dr. Andrew Blauch presented an overview of the general engineering program which consists of three concentrations; Mechanical, Electrical, and Computer. He addressed the Board regarding financial assistance for FE exam candidates and information to obtain licensure to motivate students. He indicated ABET accreditation review is taking place September 2024.

Dr. Peebles offered his assistance in meeting with students if needed.

Use of UAS Lidar Data – John Gooch III, PLS

John Gooch presented data regarding the use of UAS LiDAR and Photogrammetry.

Mr. Dinkins explained photogrammetry is an individual licensed practice that requires an examination. Individuals that meet the qualifications per SC statute can obtain photogrammetry licensure.

Application Hearings

- a. John Hammond appeared before the board seeking reinstatement of licensure. He was not represented by counsel. John Welborn served as a witness. This matter was recorded by a court reporter in order to provide a verbatim script should one be necessary. Mr. Dinkins was recused from the hearing.

MOTION: Mr. Dingle made a motion to enter executive session for legal advice. Mr. Strub seconded the motion which carried unanimously.

MOTION: Dr. Peebles made a motion to exit executive session. Mr. Dingle seconded the motion which carried unanimously.

MOTION: Mr. Kelly made a motion, based on the testimony provided, to approve reinstatement of licensure contingent upon taking and passing the SC State Specific Exam. Mr. Dingle seconded the motion which carried unanimously.

- b. Carl G. Simonsen appeared before the board seeking licensure by examination. He was not represented by counsel. He did 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. Strub seconded the motion which carried unanimously.

MOTION: Dr. Peebles made a motion to exit executive session. Mr. Dingle seconded the motion which carried unanimously.

MOTION: Mr. Dinkins made a motion, based on the testimony provided, to grant licensure. Dr. Peebles seconded the motion which carried unanimously.

- c. Paul Cattle appeared before the board seeking licensure by comity. 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. Strub seconded the motion which carried unanimously.

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

MOTION: Mr. Dinkins made a motion, based on the testimony provided, to grant licensure. Mr. Strub seconded the motion which carried unanimously.

The Board recessed for lunch from 12:20 p.m. until 12:50 p.m.

Funding Request

- a. The board reviewed a funding request for the 2024 SC Engineering Conference & Trade Show that will be held June 6-8, 2024 in Greenville, SC and virtually. Allison King provided details regarding the event.

MOTION: Mr. Strub made a motion to approve the \$45,000 request. Dr. Peeples seconded the motion which carried unanimously.

Unfinished Business

Review of Action items

The Board reviewed the action items from the March 12, 2024 meeting.

SC Administrative Law Court Order of Remand – Proposal sent to Office of Disciplinary Counsel.

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

Education and Research Fund Spending – The Statement of Work has been issued to ten institutions regarding the FE/FS Coupon Program. Benedict College, Charleston Southern University, University of South Carolina, and Francis Marion have provided signed Statements of Work. The program fiscal year will be July 1, 2024 to June 30, 2025.

Funding Request SCSU National Society of Black Engineers Conference – No response will be provided since no further feedback was received from the society or its representative.

Requirement of FE/FS Coupon Program – Mr. Chao will contact NCEES, regarding a report of examinees from each institution, as a way to track candidates in order to provide the next steps to obtaining licensure. The University of South Carolina contacted NCEES to establish the program. NCEES requires the use of a credit card to purchase coupons and they must be in increments of 25.

New Business

Request for Exam Extension – Email from Steven Waidelich

The Board reviewed an email request from Mr. Waidelich regarding an exam extension.

MOTION: Mr. Strub made a motion to grant a one-year extension with the same requirements. Dr. Peeples seconded the motion which carried unanimously.

General Discussion Regarding Statute and Regulations – Chao

Dr. Peeples will contact Board consultants Gowdy and Castro regarding the feasibility of reviewing and pre-approving education for surveyors and report back to the Board. Dr. Eliadorani would continue to evaluate the surveying-specific courses.

The Board discussed qualifying engineering experience with different disciplines. The work experience will be considered on a case-by-case basis.

Mr. Chao will gather information at the upcoming NCEES Annual Meeting in regard to the PE construction exam to propose guidelines of acceptable engineering experience and report back to the Board.

The Board discussed the criteria regarding reinstatement.

The Board discussed remote supervision.

Formation of Funding Committee – Grote

Ely Grote met with Director Farr and LLR Finance and presented to the board the possibility of establishing a committee to review future funding requests. The Board decided to continue with the current process.

Other Business

Mr. Dinkins and Mr. Strub will give the annual panel discussion/presentation at the Engineering Conference & Trade Show that will be held June 6-8, 2024 in Greenville, SC.

The Board discussed purchasing shirts for the NCEES Annual Meeting and inquired about using the LLR logo (digital copy) and board funding to purchase the shirts. Ely Grote will check with Director Farr and report back to the board during the next meeting.

Public Comments

No public comments.

Notice of Next Meeting

The next meeting of the SC State Board of Registration for Professional Engineers and Surveyors will be held on Tuesday, July 9, 2024.

The meeting adjourned at 2:51 p.m.

Respectfully Submitted,

Kenesha Wilson
Administrative Coordinator I