

MINUTES
South Carolina State Board of Registration for Professional Engineers and Surveyors
9:30 a.m., July 9, 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 9:35 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 Peoples, Ph.D., PE; Timothy Rickborn, 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: Vincent Sottile, Jr., Vincent Sottile, III, and Katherine Boone (Creel Court Reporting).

Review and Approval of Agenda

Chairman Chao noted for the record the scheduled disciplinary hearing was cancelled.

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

Approval of Excused Absences

All members were present.

Approval of Meeting Minutes

The board reviewed the minutes from the May 14, 2024 meeting.

MOTION: Mr. Dinkins made a motion to approve the minutes. Dr. Peoples 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, 2023 until June 28, 2024: 145 complaints received, four active investigations, and 61 closed cases.

Investigative Review Conference Report

Mr. Wharton presented the IRC report. The IRC was held on July 9, 2024 with the following recommendations: Dismiss cases: 2023-70, 2024-36, 2024-39. Letter of Caution from case 2024-24. Formal Complaint cases: 2023-71, 2023-84, 2024-7, 2024-12, 2024-17, 2024-18, 2024-25, 2024-30, 2024-33, 2024-34, 2024-41.

MOTION: Mr. Rickborn made a motion to approve the IRC report. Mr. Dingle seconded the motion which carried unanimously.

Office of Disciplinary Counsel Report

Mr. Elliott presented the ODC report. As of July 3, 2024, there were 19 open cases, one pending closure, one appeal, five cases closed since the last report and 26 cases closed since January 1st.

Administrative and Financial Reports

Mrs. Miles presented the Administrative and Financial reports. As of June 21, 2024, there were 14,637 engineers, 610 surveyors, and 71 dual licensees current through 2026. There were 3,849 firms and 1,289 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 July thru September testing window, there were a total (including scheduled and delivered) of 165 FE, eight FS, 82 PE, 11 PS exams. The Board has received 2,712 Early PE exam applications and 1,800 have passed the exam. There have been 36 Early PS applications and 16 have passed. The May cash balance was \$4,817,608.70 and the Education and Research Fund balance was \$680,873.22.

Application Hearings

- a. Vincent Sottile, III appeared before the board seeking surveyor licensure by examination. 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. Mr. Dingle was recused from the hearing.

MOTION: Mr. Strub made a motion to enter executive session for legal advice. Mr. Dinkins 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. Kelly made a motion, based on the testimony provided, the applicant did not provide evidence of experience under a licensed surveyor. Deny application. Mr. Strub seconded the motion which carried unanimously.

NCEES Institution Reports

The Board reviewed the NCEES Institution Reports, which contain examination statistics for each S.C. institution.

MOTION: Mr. Rickborn made a motion to enter executive session to review the reports. Mr. Dinkins seconded the motion which carried unanimously.

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

Unfinished Business

Review of Action items

The Board reviewed the action items from the May 14, 2024 meeting.

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

CE Audit Procedures – Mr. Rickborn provided revised audit notices, CE activity log, and updated CE FAQ's for board review. The Board recommended revisions. Rickborn will make revisions and provide final documents for advice counsel to review. The Board needs guidance from advice counsel on how to handle licensees who fail to remedy noted deficiencies within the allowed timeframe (Reg. 49-605C.) and those who fail to respond to the audit.

MOTION: Mr. Dinkins made a motion to approve the revised CE audit documents. Mr. Dingle seconded the motion which carried unanimously.

Education and Research Fund Spending – No new suggestions were made regarding how to utilize the funds.

Requirement for FE/FS Coupon Program - Mr. Chao noted the FE/FS Coupon Program was effective July 1st. He 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. Dr. Peebles will contact the Citadel regarding submittal of the Statement of Work for the FE/FS Coupon Program

Board Shirts - The Board would like to order three Oxford long sleeve shirts in blue, white and light green for each member to wear at NCEES meetings. LLR is currently working with vendors to obtain quotes.

Construction Experience - 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.

Surveyor Education - Dr. Peebles has contacted the board education consultants regarding review of four-year degrees for surveyor education.

New Business

NCEES Annual Meeting Motions - Chao

The Board reviewed motions to be presented at the 2024 NCEES Annual Meeting.

2025 Proposed Regulation Revision - Miles

Mrs. Miles informed the board of a scrivener’s error in Section 49-603 of the regulations that were revised in 2022. Board approval is needed to propose regulatory revisions to correct the error. Units of Credit, Section 49-603(5) references “teaching as in 49-602C.(5)” should be 49-602C.(4).

MOTION: Mr. Strub made a motion to update the regulations to correct the error. Mr. Rickborn 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 State Board of Registration for Professional Engineers and Surveyors will be held on Tuesday, September 24, 2024.

MOTION: Mr. Cleveland made a motion to adjourn. Mr. Dingle seconded the motion which carried unanimously.

The meeting adjourned at 11:54 a.m.

Respectfully Submitted,

Kenesha Wilson
Administrative Coordinator I