

MINUTES
South Carolina State Board of Registration for Professional Engineers and Surveyors
9:30 a.m., November 12, 2024
Synergy Business Park, Kingstree Building
110 Centerview Drive, Upstate Conference Room
Columbia, SC

Call to Order

Chairperson Chao called the meeting to order at 9:30 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; Peter Strub, PE; and Dr. Johnston Peeples, Ph.D., 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; Charles Turkal, Wattie Wharton, and Donnell Jennings, Office of Investigations and Enforcement; Dowan Sutton and Pierre Pates, Division of Operations Technology and Security.

Others participating included: Ethan Jarr, David Kornacki, Allison King, Adam Jones and Kathy Boone (Creel Court Reporting).

Review and Approval of Agenda

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

Approval of Excused Absences

MOTION: Dr. Peeples made a motion to approve Mr. Rickborn’s absence. Mr. Kelly seconded the motion which carried unanimously.

Approval of Meeting Minutes

The board reviewed the minutes from the September 24, 2024 meeting.

MOTION: Mr. Strub made a motion to approve the minutes. Mr. Kelly 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 November 6, 2024: 95 complaints received, eight active investigations, and 34 closed cases.

Investigative Review Conference Report

Mr. Wharton presented the IRC report. The IRC was held on October 28, 2024 with the following recommendations: eight dismissals and one letter of caution.

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

Office of Disciplinary Counsel Report

Mr. Elliott presented the ODC report. As of October 29, 2024, there were 28 open cases, two appeals, 17 cases closed since the last report and 43 cases closed since January 1st.

Administrative and Financial Reports

Mrs. Miles presented the Administrative and Financial reports. As of October 25th there were 19,798 engineers, 855 surveyors, and 98 dual licensees current through 2026. There were 3,870 firms and 1,312 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 230 FE, eight FS, 88 PE, 13 PS, and three SE exams. The Board has received 2,768 Early PE exam applications and 1,851 have passed the exam. There have been 40 Early PS applicants and 21 have passed. The September cash balance was \$5,113,120.06 and the Education and Research Fund balance was \$830,603.22.

There were 32 candidates for the November 1st State Specific Surveying exam. Twenty-two passed and ten failed. The average score was 71. In 2024, (May and November exam administrations) there were a total of 53 exam candidates (31 passed and 22 failed). In 2023 there were 41 exam candidates (21 passed and 20 failed).

CE Audit notices were sent October 21st and licensees have 30 days to respond.

USC Order of the Engineer Ceremony – Ethan Jarr

Mr. Jarr (USC Senior) addressed the Board. The Department of Mechanical Engineering is resurrecting the Order of the Engineer, which was created to foster pride and responsibility in the profession. Mr. Chao will speak at the ring ceremony. USC wishes to foster a deeper relationship with the Board to create a legacy at the institution to continue this tradition. The Board is asked to provide support to help with the ceremony in an effort to encourage licensure.

Disciplinary Hearings

- a. David Kornacki was present, via WebEx, for a hearing in Case 2024-53 (MOA). He was not represented by counsel, and he did not have any witnesses. This matter was recorded by a court reporter to provide a verbatim transcript 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: Mr. Dinkins made a motion to exit executive session. Mr. Strub seconded the motion which carried unanimously.

MOTION: Mr. Cleveland made a motion to accept the MOA, issue a \$500 fine and a public reprimand. Mr. Dinkins seconded the motion which carried unanimously.

- b. Case 2024-99 (CLOSED). A disciplinary hearing was held in Case 2024-99 (MOA). This matter was recorded by a court reporter to provide a verbatim transcript should one be necessary.

MOTION: Mr. Cleveland made a motion to close the hearing and seal the record due to potential personal privacy information. Mr. Dinkins seconded the motion which carried unanimously.

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

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

MOTION: Mr. Dingle made a motion to accept the MOA and issue a Letter of Caution. Mr. Dinkins seconded the motion. Mr. Kelly opposed. The motion carried.

MOTION: Mr. Strub made a motion to return to open session. Mr. Kelly seconded the motion which carried unanimously.

Application Hearing

- a. Rakeshkumar Patel appeared before the board seeking a waiver of the Fundamentals of Engineering (FE) exam based on work experience. He was not represented by counsel and he did not have any witnesses. This matter was recorded by a court reporter in order to provide a verbatim transcript should one be necessary.

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

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

MOTION: Mr. Kelly made a motion to waive the Fundamentals of Engineering exam (FE). Dr. Peeples seconded the motion which carried unanimously.

Funding Request

- a. Adam Jones presented a funding request for the 2024 SCSPE Fall Symposium that will be held November 18th in Rock Hill and virtually. The original request was revised from \$13,000 to \$9,000 because the Greenville event was cancelled due to a lack of participation.

MOTION: Mr. Strub made a motion to approve the request. Mr. Dinkins seconded the motion. Discussion ensued. Mr. Strub withdrew the motion.

MOTION: Mr. Strub made a motion to postpone this matter based on the low attendance and the board can reconsider it at a later date. Mr. Dinkins seconded the motion which carried unanimously.

Unfinished Business

Review of Action items

The Board reviewed the action items from the September 24, 2024 meeting.

S.C. Administrative Law Court Order of Remand – Ely Grote informed the Board the matter is with the Office of Disciplinary Counsel.

Education and Research Fund Spending - Mr. Chao reported six institutions (Clemson, USC, Benedict, Francis Marion, Charleston Southern, Citadel) have signed the statement of work to receive funding for the FE/FS exams.

NCEES UK Mutual Recognition Agreement - Mr. Chao reported there is no additional information at this time.

Construction Experience - Mr. Chao indicated there is nothing further to report at this time.

Surveyor Education – Dr. Peeples contacted the consultants regarding additional revisions to the math education requirements.

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

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

New Business

NCEES Survey for Development of PS Mapping Science (non-boundary) Exam

Mr. Dingle will complete the survey on behalf of the board, with the assistance of the other surveyor members.

2025 NCEES Southern Zone Interim Meeting

The meeting will be held April 24-26, 2025 in Little Rock, AR. NCEES will fund three delegates and the board executive at no cost to LLR. Chao and Dinkins are also funded by NCEES.

MOTION: Mr. Strub made a motion to approve Mr. Dingle, Mr. Kelly and Mr. Strub as the NCEES funded delegates. Mr. Rickborn can be funded by LLR if he is able to attend. Mr. Cleveland seconded the motion which carried unanimously.

Nominations for 2025 NCEES National Service Awards

The Board discussed possible nominations.

MOTION: Mr. Chao made a motion to nominate Gene Dinkins for the Distinguished Service Award with Special Commendation. Dr. Peebles seconded the motion which carried unanimously.

Election of Officers

MOTION: Mr. Chao made a motion to elect Mr. Cleveland as chairman. Mr. Cleveland indicated his is not seeking reappointment to the board and respectfully declined the nomination. Discussion ensued. The motion failed due to a lack of a second.

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

MOTION: Mr. Dingle made a motion to elect Gene Dinkins as chairman, Henry Dingle as vice chairman, and Mack Kelly as secretary. Mr. Strub 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, January 14, 2025.

MOTION: Mr. Dinkins made a motion to adjourn the meeting. Mr. Kelly seconded the motion which carried unanimously.

The meeting adjourned at 12:46 p.m.

Respectfully Submitted,

Kenesha Wilson
Administrative Coordinator I