

**South Carolina
Board of Professional Engineers and Land Surveyors
Meeting Minutes
November 06-07, 2007**

The Board held a meeting on November 06-07, 2007, at 110 Centerview Drive, Kingtree Building, Columbia, SC.

Official notification of the meeting was sent to LLR's Office of Communications and Governmental Affairs and the Office of General Counsel; appropriate newspapers; WIS-TV; and the South Carolina Society of Professional Engineers (SCSPE).

Chairman M.L. Love, P.E., called the meeting to order at 9:30 a.m. Board Members present were Gene L. Dinkins, P.E. and L.S.; Cecil Huey, Jr., P.E.; Andy Kinghorn, P.E.; Nancy Cottingham, Public Member; and Thurl Amick, Sr., L.S.

Also present were Jan Simpson, Board Administrator; Jacqueline Phillips, Administrative Assistant; Melissa Jones, Program Assistant; Sharon Dantzler, Advice Counsel; and Todd Bond, Investigator.

Welcome New Public Member:

Nancy Cottingham is the new Public Member and was welcomed by the Board Members.

Approval of September 25, 2007, Board Meeting Minutes:

Amick/Kinghorn: Moved that the minutes of the September 25, 2007, Board meeting be approved. Motion carried.

Approval of October 8, 2007, Board Meeting Minutes:

Amick/Kinghorn: Moved that the minutes of the October 08, 2007, Board meeting be approved. Motion carried.

Consent Agreements: Chairman Love reviewed and approved Consent Agreements. Motion by Kinghorn/Amick: To accept the IRC Recommendation report from Mr. Todd Bond for Cases 2007-11 and 2007-17.

Review Board Manual:

The Board reviewed the Manual given to Board members. It was proposed to delete "land" from page 6 and to delete "responsibility" from page 8. After further review, the Board will suggest additional revisions.

Outside Reviewers: Hiring outside reviewers for applications was discussed. Other Boards at LLR use outside reviewers. Ms. Simpson will research the options.

Update on Proposed Revisions to Regulations:

From the last Board meeting, the only discussion left was the Minimum Standards Manual for Surveyors and Professional Conduct. Board member Dinkins suggested that Mr. Charlie Ido's proposed changes to the Minimum Standards be held in abeyance for a full discussion. Surveyor Society members have been asked to comment and to propose changes in writing for the Board's consideration.

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Board member Amick wants to make sure that regulations pertaining to GIS Surveyors and Photogrammetry surveyors are included in the Minimum Standards Manual.

Board Member Dinkins stated he values the Society's input but the Board must ultimately decide the language. A letter has been drafted over Mr. Dinkins' and Mr. Amick's signatures to the State Societies asking for their feedback and outlining the procedures.

Review of Proposed Parameters – Cecil Huey/Thurl Amick:

There was an in-depth discussion on procedures for reinstating a license after it has lapsed for more than ninety days. Renewal procedures for licenses lapsed less than ninety days are outlined in the statutes. Licensees will be sent a written reminder of the renewal deadline and a post card by June 30th. Licensees cannot renew on line after 90 days or if they have a discipline action. The Board asked Board Members Huey and Amick to review further changes to the proposed parameters and report again at the January Board Meeting. Clarification is needed for habitual offenders, and individuals who fail to comply with parameters.

IRC Members:

The Board discussed nominating and appointing a primary and alternate Engineer and Surveyor who would be "on call" for a one-year term of service on the Investigative Review Committee. Board members will suggest names. The Board will meet with individuals to discuss professional issues and parameters prior to their first meeting.

Land Surveyor recruitment: Assistant Deputy Director Bob Selman suggested the Board look for an alternate path of recruitment by getting input from various stakeholders about who should be recruiting, how it should be done, and where to start. Board members are reluctant to spend any more time on this initiative due to LLR's negative position. Administrator Simpson was asked to express the Board's appreciation to all firms that responded to the RFQ and to inform them the Board will not fund the initiative at this time.

The West Virginia Engineering Board was the subject of an audit; one of the findings was that the Administrator illegally spent Board funds for recruitment purposes. It was determined that the Board went beyond its statutory authority and mandated mission and spent public funds for educational and recruitment issues that were not within its authority.

The Board would like to see if they could get the Attorney General's opinion on the meaning of Section **40-22-245**.

Administrator's Report

Since August 1, 2007, we have accomplished the following for the new application process for engineering technology graduates:

1. Revised the current Category A application for use with this process
2. Created an abbreviated application for currently licensed Category B Associate Professional Engineers
3. Revised the current work experience verification form and personal reference form for the new licensure pathway for engineering technology graduates.

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4. Mailed a Memo to all currently licensed Category B Associate Professional Engineers inviting them to apply and sending the abbreviated application.
5. Created a pool of potential reviewers from suggestions by Board members; entered all names and addresses into an Access database.
6. Mailed letters of invitation to serve as a reviewer to engineers and engineering school deans (to include all engineering professors)
7. Drafted Procedures for the Committee of reviewers and interviewers
8. Drafted internal office procedures for handling all applications
9. Drafted portfolio requirements and guidelines
10. Posted applications and associated forms on the Board's web site

I have received five responses from licensed engineers agreeing to serve as a reviewer.

Fall/Winter E- Newsletter

Melissa Jones is working on the November newsletter. Please give her suggestions for articles. We will send you a draft before it is e-mailed out and put on the Board's web site.

Administrator Simpson reported on Licensure Statistics (**see attachment**), unlicensed activity, and the administrative issuance of Cease and Desist Orders. For the Board's information, cases of unlicensed activity that result in Cease and Desist Orders being issued are not protected by the FOIA act. The name of the individual reporting the activity must be divulged if a request for that information is received by the Board office.

Chairman Love said according to Section 40-22-30 and Regulation 49-200, practice without a license is clearly unlawful. However, with limited staff, Cease and Desist orders can only be issued when the unlicensed activity is reported to the Board. According to Attorney Dantzler, most cases come from credible sources (e.g., Building Officials), applications, or advertisements.

Interviewer Letters for Technology Degree Applicants: Administrator Simpson sent 34 letters to engineers; at this time, ten accepted and one declined due to a conflict of interest. Board members suggested several other engineers to be invited to serve on the committees.

Upcoming Meetings:

ASME Meeting – 11/08/07 - Board Member Gene Dinkins will speak.

DHEC Engineers Meeting – 11/15/07 – Board Member Gene Dinkins and Administrator Simpson will speak.

New Process for Technology Degree holders – Update:

There are three applicants ready to submit portfolios. There is a dilemma about whether or not to put the portfolio forms on the website due to applicants prematurely sending them in without approval. It was decided to not publish the forms.

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Application Hearing:

An applicant asked if Section 2 of the board's application (personal references) could be waived for applicants who do not know any licensed professional engineers. Also, could another waiver be granted for Section (5) because of difficulty in locating past supervisors? The Board recommends that the applicant should submit an application for review.

NCEES Announces Changes to Civil Engineering Exam:

There was a brief discussion on changes to the Civil Engineering exam.

Update on Surveyor Degree at USC – Member Dinkins:

Board Member Dinkins stated that this program was moving in the right direction. USC's Geography department will create a minor in surveying. Chairman Love stated that The Citadel is going to do the same thing.

Joint Degree Program with USC and SC State:

Board Member Dinkins went to USC Engineering School's department head, Dr. Chaudry, to discuss the joint degree. Dr. Chaudry stated that USC never intended to create a joint degree, which is contrary to all indications from previous meetings. The Board recommended that Board Member Tibshirany follow up on this program since he was instrumental in the discussions from the beginning. Administrator Simpson will search for meeting minutes.

Report on October Exams:

Administrator Simpson visited the exam site on Friday October, 26 and reported that everything seemed to be running smoothly, and there appeared to be a lot more exam takers than usual.

Calculators are specific and applicants were turned down for not having the right type. Calculators that are a certain series are accepted for testing purposes.

Status of GIS Exam:

The exam for licensure as a GIS Surveyor is ready. We need additional details on documents (answer sheet, instructions, etc.) and to determine how the exams will be graded. At this time, the Board has one candidate approved to take the GIS Surveyor exam.

The next Board meeting will be held on January 8-9, 2008, Rooms 202-02 & 201-03, respectively.

There being no further business, the meeting adjourned at 2:30 p.m.

Respectfully submitted,

Jan Simpson
Administrator

**SOUTH CAROLINA DEPARTMENT OF LABOR, LICENSING AND REGULATION
BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND SURVEYORS**

STATISTICS

LICENSE TYPE	# IN-STATE	# ADDED SINCE LAST REPORT	# ADDED SINCE 07/01/2007	TOTAL
ENGINEER	4815	84	197	13,374
ASSOCIATE ENGINEER	16	0	0	21
LAND SURVEYOR – A	662	10	0	1016
LAND SURVEYOR – B	29	0	0	35
GEOGETIC SURVEYOR	1	0	0	17
GEOGRAPHIC INFORMATION SYSTEM SURVEYOR	22	0	0	55
PHOTOGRAMMETRIC SURVEYOR	2	0	0	146
CERTIFICATE OF AUTHORIZATION	901	18	76	2492
EMERITUS – ENGINEER	0	0	0	0
EMERITUS – SURVEYOR	0	0	0	0
RETIRED – ENGINEER	489	1	1	990
RETIRED – SURVEYOR	47	0	0	79

Date of This Report: **October 31, 2007**

Date of Last Report: **September 17, 2007**