

**STATE BOARD OF REGISTRATION FOR PROFESSIONAL
ENGINEERS AND LAND SURVEYORS**

BOARD MEETING MINUTES

DRAFT

June 28, 2005

Suite 108, 110 Centerview Drive

Columbia, SC

The State Board of Registration for Professional Engineers and Land Surveyors convened June 28, 2005, in Columbia, South Carolina. Vice-Chair Cleve Gillette called the meeting to order at 9:40 a.m., presiding for Chairman Tibshrary who had laryngitis. The following attended the meeting:

Mitchell S. Tibshrary	Chairman
Andrew C. Gillette	Vice-Chairman
Gaye G. Sprague	Secretary
Gene L. Dinkins	Member
James O. Gordon	Member
Cecil O. Huey	Member
Miller L. Love	Member
Jan B. Simpson	Administrator
Todd Bond	Investigator
Charlie Ido	Investigator
Sharon Dantzler, Esq.	LLR Advice Counsel
Alice Richardson	Administrative Assistant

Member Deborah Livingston notified the Administrator in advance that she would be unable to attend the meeting.

Administrator Simpson stated the **public notice** of the meeting was properly posted at the Board office and provided to organizations and news media in compliance with Section 30-4-80 of the S.C. Freedom of Information Act. A quorum was present at all times.

Vice-Chair Gillette reminded the Board of the Licensing Ceremony at the State House at 3:00 p.m.

Application Review – Barry Suggs - Mr. Suggs attended the meeting to discuss the Board members' concerns regarding negative references included in his application to take the Fundamentals of Land Surveying exam. At that time, the board approved Mr. Suggs' application to take the Fundamentals of Land Surveying (FLS) examination. He passed the examination and has applied to take the Principles of Land Surveying exam. After discussion of the circumstances surrounding the negative reference, there was a motion by Sprague, seconded by Love to approve the application submitted by Barry Suggs to take the PLS examination. Motion carried.

Teresa Hodge, immediate Past President of the South Carolina Society of Professional Engineers (SCSPE), presented the following issues to the Board for their consideration:

- SCSPE Board would like to have a member of the SC Board of Registration for Professional Engineers and Surveyors serve as an ex-officio member. State Engineer Michael Thomas has agreed to serve as an ex-officio member.
- Joint publication of a newsletter

The SCSPE Board meets six times annually and has 16 members. The next meeting will be held on September 12, 2005.

Attorney Sharon Dantzler stated it would be permissible for Board Member to serve as an ex-officio member of the SCSPE Board as long as they do not participate in any vote that would directly affect the licensure Board. She did not anticipate a problem with publishing a joint newsletter but suggested drawing up a contract regarding the venture. The Board will vote on these items at the next scheduled meeting.

Photogrammetry and GIS Issues –

Dr. Patrick Bresnahan attended the meeting to ask additional questions regarding acceptable work activities of Photogrammetric and GIS surveyors in South Carolina. He asked when he could expect answers to a list of questions he submitted previously. He also asked for clarification about issuance of a policy statement regarding the issues. The Board has answered all but two of the questions on the list and will send the answers to him following the meeting. Dr. Bresnahan extended an invitation to the Board from Andrew Shore, president of Carolina Urban Regional Information Systems Associations (URISA) and Carolina GITA, to speak at the associations' September meeting. Mr. Gillette expressed reluctance to issue a policy; the decision was made to publish a feature

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article in the next newsletter regarding Photogrammetry and GIS issues as well as the Board's interpretation of the law and regulations.

Gillette stated that he believes existing Regulations are clear, and that many organizations, including URISA, were involved in writing them prior to legislative approval. The Board's goal is to go by the language of the Regulations as much as possible, keeping policies to a minimum, but to issue clarification and interpretation when necessary.

Gary Krurowski, a Woolpert employee, raised similar questions regarding acceptable activities of Tier A Surveyors in his office. Mr. Gillette stated that Tier A Surveyors may perform geodetic surveying but not Photogrammetry or GIS surveying. Anyone can create a map.

Administrator's Report: Administrator Simpson provided licensure statistics. She reported that the current staff has struggled to handle the workload but all have worked diligently (and some overtime). Simpson expressed gratitude for their support and hard work. An Administrative Assistant and an Administrative Specialist will be hired within six weeks. {End of Administrator's Report}

Compliance:

Motion by Dinkins, Second by Sprague: To accept the IRC Recommendations on the following cases. Motion Carried.

Case No. 2004-41	Dismiss – Cease & Desist
Case No. 2004-52	Dismiss – Letter of Caution
Case No. 2005-23	Dismiss
Case No. 2005-30	Dismiss
Case No. 2005-31	Dismiss
Case No. 2005-37	Dismiss – Letter of Caution
Case No. 2005-42	Dismiss – Letter of Caution
Case No. 2005-33	Dismiss
Case No. 2005-43	Dismiss
Case No. 2005-49	Dismiss – Letter of Caution
Case No. 2005-36	Dismiss
Case No. 2004-42	Dismiss – Letter of Caution
Case No. 2004-27	Dismiss
Case No. 2004-13	Dismiss

Case No. 2005-47 was reviewed by the IRC and will go forward with issuance of a Formal Complaint.

Motion by Gordon, Second by Sprague: To close the cases on Byrd and McKinney since a Consent Agreement has resolved them. Motion carried.

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Minutes: Motion by Sprague, Second by Love: To accept the **Minutes** of the April 19, 2005, meeting. Motion carried.

Review of Applications: Administrator Simpson asked the Board to consider ways to streamline approval of applications by board members. Simpson made the following recommendations:

- Review applications in the office only
- Hire a consultant to come into the office to review applications
- FedEx applications to Board Members for better tracking

Turn-around time, the possibility of losing applications, and confidentiality issues are problems with the current procedure of mailing applications to board members.

Sharon Dantzler noted the following with regard to the current procedure:

- Confidentiality issues (transcripts and social security numbers)
- Application packets sent out by regular mail that cannot be tracked if lost
- Final vote to approve questionable applications must still be done at the Board level (not by consultant)
- If applications are presented to the Board for review, applicant must have the opportunity to attend the meeting (due process issues)
- Votes on applications must be on the record.

Dantzler asked the Board to consider using a consultant for review of applications to minimize ex parte communication and to ensure applications remain in a secure place. She suggested the Board might consider using a former Board member as the consultant. This item will be carried over to the September meeting.

Member Sprague asked Administrator Simpson to look into revising the work verification form for applications to make it easier to review/read. Simpson will work with Board members and staff to do so.

Administrator Simpson will e-mail the Board the link to the new **LLR Board Member Orientation Manual** for their review. Sharon Dantzler will be available at the September meeting to discuss the roles of the Board as it relates to legal issues.

Committee Reports:

Economic Growth Issues: The legislature is currently out of session so there is no new information to report. Torte reform was passed. At the national level, ACEC has been successful in securing a new 9% tax reduction for A/E firms.

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This change to the Tax Codes was recently enacted in the last session by the US Congress. This should help to improve the economic conditions of the practice of engineering.

Mr. Love recommended reading The World is Flat by Tom Friedman.

Review of Statutes and Regulations: Member Sprague had no report.

Photogrammetry/GIS Examinations, Surveyor Education: Dinkins reported that most Boards are struggling with the same issues regarding the GIS Exam and Photogrammetry. The Board is continuing to review applications submitted under the “grandfather” requirements; however, new applicants must take and pass an examination that has not been written. If ten states sign up for development of an examination, NCEES will fund it. The Board anticipates receiving information on this issue at the Annual Meeting in August.

Faculty Licensure: Dr. Huey will discuss with Clemson University President Jim Barker the issue of engineering faculty members being licensed. This topic could be of interest to the ABET accrediting team when they visit Clemson in October.

Practice in Area(s) of Expertise, Assist with Economic Growth Issues:
Member Gordon had nothing new to report.

Code Footprint: The Code Footprint draft was sent to all in-state engineers as well as those living in Charlotte, NC, Augusta, GA, and Savannah, GA. There have been over 200 responses to date which Bill Lafferty, PE, is tabulating. Member Sprague suggested including an article in the Newsletter on the Code Footprint.

ABET Accreditation Review: ABET (Accrediting Board for Engineering and Technology) will review the engineering and computer science programs at Clemson University October 9-11, 2005, for continuation of their accreditation. Member Love will participate as an observer if his schedule permits. Member Gordon will attend if Love is unable to attend.

Building Official Manual: At the April meeting, the Board asked Skip Lewis, PE and former Board member, to review the revised draft of the Building Officials’ Manual prepared by the Board of Architecture. Mr. Lewis and Stokes Browning, Architect Board Member, will work together to make the final revisions. The final draft will be presented to the Board at the September meeting for their review.

Task Force Shared Curriculum: Member Tibshrary asked Member Sprague to chair a Task Force on issues related to Category B Engineers. Tibshrary

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suggested a diverse make-up to include legislators, SCSPE, a representative from South Carolina State University, and others. The Task Force should make recommendations to the Board on various issues related to Category B engineers. This item will be discussed at the September Meeting. Administrator Simpson will assist with logistics of the meetings.

Southern Zone 2005 Update: Tibshrary made the following report:

- There is a trend nationally to increase the amount of education required for licensure
- NCEES will consider using a seating chart at exam sites to prevent cheating
- Should CE be administered by NCEES? States should try to standardize Continuing Education requirements.
- Sprague will serve on the PEP Exam Committee
- Dinkins will serve on the Advisory Committee for Council Affairs

Administrator Simpson noted that Mr. Tibshrary was recently elected to serve as the Vice-President of the Southern Zone for the upcoming year. She also reminded the Board to register for the Annual Meeting to be held in August in Memphis, TN.

Ambassadorship: The Board plans to continue meeting on campuses across the state throughout the year. The next campus visit will be at Clemson University on September 20-21, 2005.

Member Tibshrary reported that the efforts to develop a joint engineering curriculum between USC and SC State University continue.

Administrator Simpson was asked to include on future **Board Meeting Agendas**, the following items:

- Exam pass rates by schools
- Budget Report

The board would like to schedule a joint meeting next year with the Board of Architectural Examiners. Administrator Simpson will check on dates and report back to the board.

Member Sprague will draft a definition of “**responsible charge**” to be reviewed by the Board at the September meeting.

The Board was reminded that **Election of Officers** would take place at the September meeting.

The meeting adjourned at 1:30 p.m.

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Respectfully submitted,

Alice Richardson
Administrative Assistant