

NORTH CAROLINA BOARD OF EXAMINERS FOR ENGINEERS AND SURVEYORS

October 17 and 18, 2018

Pinehurst, North Carolina

Chair Thurman gavelled the North Carolina Board of Examiners into session at 1:11 p.m. on Wednesday, October 17, 2018 to convene its regular order of business for the Board. Board member attendance was as follows:

Present:

Linda A. Thurman, Public Member, Chair
Jonathan S. Care, Public Member, Secretary
John M. Logsdon, PLS
David L. Pond, PE
Bobbie Shields, PE
Andrew G. Zoutewelle, PLS
Richard M. Benton, PLS
Stacey A. Smith, PE
Carl M. Ellington, Jr., PE (10/18)

Absent:

Carl M. Ellington, Jr., PE (10/17)

1. Ethics Awareness and Conflict of Interest Reminder - Chair

To initiate the meeting, Chair Thurman read the ETHICS AWARENESS & CONFLICT OF INTEREST REMINDER and asked if any member of the Board had any known conflict of interest or appearance of conflict with respect to any matters coming before the Board at the meeting. The Chair advised that if any board member had such a conflict, that member should identify the conflict or appearance of conflict and refrain from any undue participation in the particular matter involved. No conflicts or appearance of conflicts were noted.

2. Consent Agenda – Executive Director

Chair Thurman presented the Consent Agenda for approval. Mr. Pond made a motion to approve the consent agenda. Mr. Smith seconded the motion. The Board voted and the consent agenda was unanimously approved. The Consent Agenda included a Request for a Board Authorized Case Opening; Firm Applications for 9 Professional Corporations, 14 Professional Limited Liability Companies, and 1 Chapter 87 Corporation; and 1 d/b/a Request; 3 Requests for Retired Status; and Review Committee and Settlement Conference agendas.

3. Adoption of 2019 Board Calendar – Executive Director

Mr. Ritter presented the 2019 Board Calendar. Following a brief discussion and agreement to adjust the April meeting date, Mr. Benton made a motion to approve the 2019 Board Calendar as modified and attached hereto. Mr. Care seconded the motion. The Board voted, and the motion was unanimously approved.

4. Election of 2019 Board Officers – Chair

Chair Thurman opened the floor for nominations.

Mr. Care nominated Mr. Zoutewelle for Chair, Mr. Smith for Vice-Chair, and Mr. Logsdon for Secretary / Treasurer. There being no further nominations, the nominations were closed.

Chair Thurman asked Mr. Zoutewelle, Mr. Smith, and Mr. Logsdon if they accepted their nominations. Each responded in the affirmative.

Mr. Pond made a motion to accept the slate of officers. Mr. Shields seconded the motion. The Board voted, and the individuals nominated for officers were selected unanimously by acclamation.

5. Planning Session – Vice Chair

The following topics were discussed:

- Two-year renewal cycle
 - Not established

- Electronic seal/signature
 - BIM-IPD
 - Mr. Pond reported on the efforts of the Seal Task Force and explained the draft revisions to the Building Information Modeling (BIM) Use on Projects Guidelines.
 - Mr. Pond then made a motion to approve the revised guidelines. Following discussion, it was agreed to amend the effective date of the guidelines to January 1, 2019. Mr. Logsdon seconded the motion. The Board voted, and the guidelines were unanimously approved and will remain valid until the Board adopts new rules.
 - Proposed Rule Revisions (.1103)
 - Board agreed to modify subsections (a)(3), (b)(3), and (d) in order to facilitate the use of electronic signatures. Modification of the language as proposed for subsection (f) is pending review by Board Counsel. Board vote on the matter is to take place at the December Board meeting.
- Board Rule on conflicts of interest
 - Board established parameters for which the occurrence of certain events would constitute the designation of a project as a “new project.” Messrs. Logsdon and Smith to prepare newsletter article to include examples.
- Settlement conference logistics and scheduling
- CPC discussion – general discussion on CPC and question of whether changes need to be made
 - Mr. Logsdon made a motion to request that Board Counsel write a letter to the Attorney General which solicits the Attorney General’s written determination or opinion regarding the distribution of funds. The motion was seconded by Mr. Benton. The Board voted, and the motion was unanimously approved.
 - Mr. Logsdon made a motion to create a task force or ad hoc committee to review, re-examine and/or develop recommendations for CPC. Following discussion, Mr. Smith seconded the motion. The Board voted, and the motion was unanimously approved.
 - Members to include: L. Thurman, J. Care, and A. Zoutewelle
- Board meeting logistics – do we like current format?
- Responsible charge
 - Board addressed the use of new technologies and the use of non-employee crews in the performance of professional level engineering and surveying services.
 - Proposed Rule Revisions (.0701)(c)(3) – attached hereto
 - Board Counsel to review and address at November Board Meeting
 - Creation of Guideline based on A. L. Bass letter if proposed rule changes are approved
 - Newsletter article slated for Spring 2019

The Board adjourned Wednesday, October 17, 2018 at 5:00 p.m. and reopened Thursday, October 18, 2018 at 8:33 a.m. The Board resumed the Planning Session.

The Board formally adjourned on Thursday, October 18, 2018 at 12:33 p.m. The Board is next scheduled to meet on Wednesday, November 28, 2018.

Respectfully submitted,

Jonathan S. Care
Secretary

Approved by the Board in Session

Date 11/28/2018

October 17 and 18, 2018

BOARD SCHEDULE

EVENT	DATE	LOCATION	DAY
Conference Call or Board Hearing	Jan 16		Wed
Board Meeting	Feb 13	Raleigh	Wed
Conference Call or Board Hearing	Mar 20		Wed
Board Meeting	Apr 17	Raleigh	Wed
NCEES Southern Zone Meeting	May 16 - 18	Boise, Idaho	Thurs - Sat
Board Meeting	June 12	Raleigh	Wed
Conference Call or Board Hearing	July 10		Wed
NCEES Annual Meeting	Aug 14 - 16	Washington, DC	Wed – Fri
Board Meeting	Sept 11	Raleigh	Wed
Planning Session	Oct 23 - 24	TBD	Wed – Thurs
Conference Call or Board Hearing	Nov 13		Wed
Board Meeting	Dec 11	Raleigh	Wed

HOLIDAYS

Jan 1	New Year's Day	Sept 2	Labor Day
Jan 21	Martin Luther King Day	Nov 11	Veteran's Day
Apr 19	Good Friday	Nov 28 & 29	Thanksgiving
May 27	Memorial Day	Dec 25, 26, 27	Christmas
July 4	Independence Day		

2019 BOARD CALENDAR

January	February	March
S M T W T F S 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31	S M T W T F S 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28	S M T W T F S 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31
April	May	June
S M T W T F S 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30	S M T W T F S 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31	S M T W T F S 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30
July	August	September
S M T W T F S 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31	S M T W T F S 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31	S M T W T F S 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30
October	November	December
S M T W T F S 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31	S M T W T F S 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30	S M T W T F S 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31

Proposed Rule Revision
.0701(c)(3)

Shall not affix the signature or seal to any engineering or land surveying plan or document dealing with subject matter for which the licensee lacks competence by virtue of education or experience, nor to any such plan or document not prepared under the licensee's direct supervisory control. ~~Direct supervisory control~~ (Responsible Charge) requires a licensee ~~or employee to carry out all~~ oversee client contacts, provide internal and external financial control, ~~oversee employee training~~ assure competency, and exercise control and supervision over all job requirements to include research, planning, design, field supervision and work product review. ~~Direct supervisory control~~ Responsible Charge may be accomplished face to face or by other means of communication. A licensee shall not contract with a non-licensed individual to provide ~~these~~ professional services. Research, such as title searches and soil testing, may be contracted to a non-licensed individual, provided that individual is qualified or licensed to provide such service and provided the licensee reviews the work. The licensee may affix the seal and signature to drawings and documents depicting the work of two or more professionals provided it is designated by a note under the seal the specific subject matter for which each is responsible; and

NORTH CAROLINA BOARD OF EXAMINERS FOR ENGINEERS AND SURVEYORS

September 19, 2018

Raleigh, North Carolina

Board Chair, Linda A. Thurman, gaveled the North Carolina Board of Examiners into session at 10:07 a.m. on Wednesday, September 19, 2018 to convene its regular order of business for the Board. Board attendance was as follows:

Present:

Linda A. Thurman, Public Member, Chair
Andrew G. Zoutewelle, PLS, Vice Chair
Jonathan S. Care, Public Member, Secretary
Richard M. Benton, PLS
Stacey A. Smith, PE
John M. Logsdon, PLS
David L. Pond, PE
Carl M. Ellington, Jr., PE

Absent:

Bobbie Shields, PE

1. Ethics Awareness and Conflict of Interest Reminder - Chair

Chair Thurman read the ETHICS AWARENESS & CONFLICT OF INTEREST REMINDER and asked if any member of the Board had any known conflict of interest or appearance of conflict with respect to any matters coming before the Board at the meeting. The Chair advised that if any board member had such a conflict, that member should identify the conflict or appearance of conflict and refrain from any undue participation in the particular matter involved. No conflicts or appearance of conflicts were noted.

2. Consent Agenda – Executive Director

Mr. Ritter advised the Board of two minor corrections made to the Minutes of July 18, 2018 and of the posting of a corrected version. After a brief discussion, Mr. Benton made a motion to approve the modified consent agenda. Mr. Smith seconded the motion. The Board voted, and the consent agenda was unanimously approved.

The consent agenda included: Firm Applications for 27 Professional Corporations, 23 Professional Limited Liability Companies, 4 Business Firms, 1 Chapter 87 Corporation, 5 Company Name Change Requests, 1 Request to Use Individual's Name in Company Title and 2 d/b/a Requests; Minutes; Requests for Board Authorized Cases; Comity; Retired Status Requests; Review Committees; and Settlement Conference Committee.

3. Declaratory Ruling – Raymond Engineering-Georgia, Inc. – Board Counsel

Noting that Mr. Smith was recused from voting and discussion on the matter, Mr. Ritter turned the meeting over to Mr. Tuttle for explanation and discussion of a request from Raymond Engineering-Georgia, Inc., a foreign professional corporation, (Raymond Engineering). Raymond Engineering, in a letter dated August 13, 2018, requested declaratory rulings for certain scenarios. Mr. Tuttle explained the legal concepts relative to the requests, detailed how the Board has historically handled similar items, and advised of the three (3) options available to the Board for resolution. Each scenario was thoroughly discussed, and consensus was reached among the Board members for each. The Board opted to issue declaratory rulings on the topics and requested Mr. Tuttle to prepare a draft. Discussion was slated to resume after lunch once they have had a chance to review the draft. Mr. Tuttle, during the lunch and closed discussion break, drafted declaratory ruling statements for Board's consideration.

Mr. Tuttle provided the Board with the resulting draft Declaratory Ruling. Mr. Pond made a motion to approve the Declaratory Ruling. Mr. Zoutewelle seconded the motion. Following discussion, clarifying modifications were made which resulted in a friendly amendment to the motion to approve the Declaratory Ruling. The Board voted, and the amended Declaratory Ruling, attached hereto and incorporated into these Minutes as Attachment A, was unanimously approved.

4. Committee Reports – Executive Director

Engineering Committee – Chair (Mr. Pond)

- “Triangle Awesome Women Engineers”

A group of women who work in a variety of engineering and non-engineering roles at various engineering firms seeks approval to use the word “engineers” in the title of their group. The members currently meet for strictly social purposes but, it is noted that the group may expand their efforts to other endeavors in the future. The group does not provide engineering services. After consideration, the Engineering Committee opted to allow the group to use the word “engineers” but to caution the group that they cannot provide engineering work and will direct the members to make it clear to the public that they do not perform engineering work.

Chair Thurman sought input from the Board Counsel and reiterated the need to make sure staff clearly informs the group of the parameters of the permitted use of the word “engineers.” Further, she sought assurance from Mr. Evans that he would stress to the group that they cannot hold themselves out as an engineering company without qualifying as such.

- Clarification Request – 21 NCAC 56 .0701(e)(2)

The Engineering Committee was asked for clarification of the Rule by ‘Individual A’ who had performed design work on a project at the request of ‘Contractor A’. Contractor A was terminated from the project and replaced with ‘Contractor B.’ Contractor B sought out Individual A to perform the same design work on the same project; however, Contractor A asserts its right to the work product. Individual A wants to know if the Engineering Committee considers it acceptable for him to provide his design to Contractor B despite Contractor A’s objection. As currently written in the Board rule and with the particulars of this example, the Engineering Committee stated that such action is not acceptable. It was opined that written approval would be required from Contractor A.

The topic garnered a lengthy discussion among Board Members who agreed with Mr. Pond that the example highlighted the need to review 21 NCAC 56 .0701(e)(2). It was agreed that the rule should be considered as a planning session topic.

- NCEES Engineering Forum

Mr. Pond informed the Board that the following items were discussed at the engineering forum.

- Decoupling
- Piling on
- “Tire Engineers” company
- Licensure requirements
- Computer based testing
- Software
- Emeritus members serving on boards
- Standard details about signing and sealing
- On-site Wastewater Regulations of DEQ. Mr. Tuttle was asked to review polices and guidelines to determine if the guidelines can be deleted since the topic is covered in the new DEQ regulations

Land Surveying Committee – Chair (Mr. Logsdon)

- Meridian 3D

Meridian 3D sought the opinion of the Land Surveying Committee. Meridian performs scanning and other projects and believes that if their work product is not being used for grading or construction stake out then it is not surveying. The Land Surveying Committee did not confirm this position and will write the company and inform them that it is the opinion of the Land Surveying Committee that scanning and other surveying activities are considered surveying even if not being used for grading or construction stake out.

- Preparation of Exhibits

Can surveyors prepare exhibits that are not signed and sealed? This topic was not on the agenda; however, it was heavily discussed, and consensus was reached regarding circumstances when a surveyor can prepare an exhibit and not sign or seal the document. Examples of such exceptions

are as follows: (1) if no survey is being done - as in the case of plotting a deed or (2) if preparing an exhibit where the exhibit is based entirely on recorded documents and the recorded documents are identified. The Surveying Committee will write an article for the newsletter and will address client perception.

- **Line Weight Discussion**

The discussion was completed, and the Surveying Committee has finalized a new sample plat that will be added to the website to aid applicants seeking clarification as to what is required.

The following topics were not discussed in committee due to time constraints.

- AECOM Exam Proposal.
- Condominium Plats.

The meeting recessed for a short break at 11:22 a.m. The meeting reconvened at 11:31 a.m.

5. Board Secretary Report - Executive Director and Board Secretary

Messrs. Care and Ritter reported on the August financials.

6. NCEES (National Council of Examiners for Engineering and Surveying) Activities – Executive Director

Mr. Ritter shared the Summary of Actions at the 2018 NCEES Annual Meeting, gave a brief recap of items he found notable, and provided an opportunity for Board Members to solicit more information.

7. Violations Activity - Assistant Executive Director

Mr. Evans reported on violations. He informed the Board that 73 cases have been opened at this point in the fiscal year and 93 cases have been closed thus far.

8. Proposed Rule Changes – Board Counsel

Mr. Tuttle refreshed the Board on the process mandated by the General Assembly in 2014 which requires the periodic review of rules by each board or commission and detailed what was necessary to prevent a process, historically referred to as sunseting, if all Rules do not undergo an agency review at least once every ten years. He explained the phased-in approach used by the Rules Review Commission to stagger the submissions by agencies affected. Further explaining how this process precluded action by a board or commission until such agency was provided an agency specific template for use in submitting its report. Mr. Tuttle contrasted how this requirement was different from the annual rules revisions requirement and explained why the rule making schedule for the Rules currently under review required modification until completion of the periodic review process.

Mr. Tuttle then explained what was necessary at this point to move the periodic review process forward. Following discussion, Mr. Tuttle recommended that the Board, if in agreement, approve submitting the report, attached hereto as Attachment B, with the staff suggested classification of each Rule to capture the reviews annual review by the committees and from the review anticipating rules revisions. Mr. Pond made a motion to approve Attachment B for submission. Mr. Zoutewelle seconded the motion. The Board voted, and Attachment B was unanimously approved for submission.

Mr. Tuttle expanded on and responded to questions regarding the Draft Proposed Rule Making Schedule – Rules Revisions 2019 and explained the revisions to the milestone-based timeline. The Board was informed that the first step in moving the Rules contained on the List of Rules Revisions from the December Board Meeting to the next step of the Rules revision process would begin with staff making revisions based on pre-review by the Rules Review Commission Counsel. Next, the review and/or approval of the revisions by the committees would be required before moving forward with the next steps. In keeping with this timeline, Mr. Tuttle informed the Board that the earliest effective date of the revisions to the permanent rules would be September 1, 2019.

9. Old Business - Executive Director and Board Counsel

Mr. Ritter requested that Mr. Tuttle maintain control of the floor and provide an explanation as to why the issue of signatures of the Records Retention and Disposition Schedule was being revisited. Mr. Tuttle

reminded the Board that the process of gaining signature for the schedule was initiated in December of 2017. He informed the Board that internal processes at the Government Records Section of the Department of Natural and Cultural Resources did not produce a document signed by DNCR for counter-signature by the then-current named Board Chair and the Executive Director, until July 24, 2018. Noting that at that time a new Chair was in place. As such, staff requests Board approval to permit the current Chair and Mr. Ritter to sign the document. Mr. Benton motioned for approval for Chair Thurman and Mr. Ritter to be permitted to sign the Records Retention and Disposition Schedule. Mr. Zoutewelle seconded the motion. The Board voted, and the motion was unanimously approved.

Mr. Benton motioned for the Board to go into closed session for a personnel matter. The motion was seconded by Mr. Zoutewelle. Following discussion, it was agreed to invite Mr. Hanna into closed session. The Board voted, and the motion was unanimously approved.

The Board went into closed session at 11:59 a.m. and reconvened for its regular order of business at 1:28 p.m.

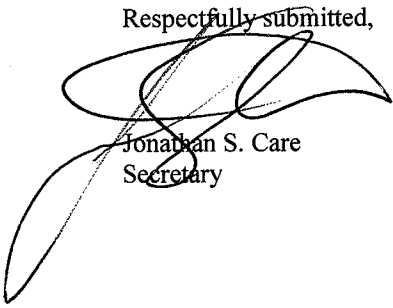
10. New Business - Executive Director

- Mr. Ritter informed the Board that he was seeking retroactive approval of a letter of recommendation. An emeritus member of the Board requested endorsement of his reappointment to the National Geo Spatial Advisory Board following a year-long required break. Due to the time sensitive nature of the request for the letter of recommendation, Mr. Ritter sought and received approval of the matter from Chair Thurman in advance of the current Board meeting.
- Consent Agenda item – Mr. Ellington’s July 31, 2018 Review Committee Agenda – Mr. Zoutewelle is recused from review and approval. Mr. Pond made a motion to approve the 12 items contained on the agenda. The motion was seconded by Mr. Smith. The Board voted, and the motion was unanimously approved.
- Mr. Ritter presented information items as noted below:
 - Jerry Carter mentioned fond memories of the North Carolina Board in his departing speech.
 - Mr. Ritter informed the Board that he attended and presented at the ACEC Meeting. Mr. Ponds and Mr. Shields were also in attendance.
 - Mr. Pond gave a brief meeting attendance report and mentioned that sealing of documents was an issue that he received multiple inquiries from other attendees.
 - Mr. Zoutewelle is in charge of the 2019 Calendar.
 - The Southern Zone Meeting will be in May in 2019.
 - A Board hearing is tentatively scheduled for November 28, 2018
 - Possibility of a two-day Board Meeting to accommodate the hearing if held November 28th.
 - The 2019 Budget will be presented at the December Board Meeting.
 - The change to the fiscal year failed in session. However, the Board may opt to change to a different fiscal year. It is noted that the topic is to be discussed at the Planning Session. Mr. Ritter made a request that discussions of changes to the fiscal year take into account the need for coordination of the renewal period.
 - Two Board members are up for reappointment. Mr. Care and Mr. Zoutewelle confirm that they would like to be reappointed. Fellow Board members express their appreciation for the commitment and level of service for each gentleman.
 - Mr. Benton makes a motion for staff to send letters of support on behalf of the Board for the reappointment of both Mr. Care and Mr. Zoutewelle. Mr. Smith seconded the motion. The Board voted, and the motion was unanimously approved.
 - Planning Session logistics and topics were discussed.
 - Mr. Ponds reported on the Seal Task Force. Due to the prohibitive expense of the validation software, the Seal Task Force will be prepared to discuss options during the Planning Session and report on the topics below:

- Committee motion made to extend the sunset period contained in the NCDOT Memorandum of Understanding from December 31, 2018 to December 31, 2019. The Board voted, and the motion was unanimously approved.
- Rules affecting electronic signatures and printed copies
- BIM guidelines
- Mr. Benton informed the Board of new efforts to secure the funding for surveying related efforts. He explained how the previously rejected NCSS request for funding is being revised to be more inclusive and expanded to include North Carolina and the surrounding states. Funds are being solicited for a marketing campaign geared towards promoting the surveying profession.

Mr. Benton made a motion to adjourn. Mr. Ellington seconded the motion. The Board adjourned at 2:31 p.m. The Board is next scheduled to meet on October 17 and 18, 2018.

Respectfully submitted,


Jonathan S. Care
Secretary

Approved by the Board in Session

Date 11/28/2018

ATTACHMENT A

NORTH CAROLINA

NORTH CAROLINA BOARD OF EXAMINERS
FOR ENGINEERS AND SURVEYORS

WAKE COUNTY

DECLARATORY RULING

IN THE MATTER OF:

RAYMOND ENGINEERING-GEORGIA, INC.

Pursuant to your Request for Declaratory Ruling dated August 10, 2018, regarding the application of N.C.G.S. 55B-14, the North Carolina Board of Examiners for Engineers and Surveyors ("Board") considered this matter on Wednesday, September 19, 2018. The Board considered the written request submitted by John C. Rogers, III, as attorney for Raymond Engineering-Georgia, Inc. (hereinafter "Raymond Engineering"), along with the Statutes and Rules that were cited in the request. After careful consideration, this declaratory ruling is hereby issued in answer to the questions that were posed in the petition with the reasons set forth below.

(1). Does the Board interpret G.S. 55B-14 to prohibit Construction Company from performing work in North Carolina?

The Board interprets N.C.G.S. 55B-14 to prohibit Raymond Engineering from owning a company that performs construction work in North Carolina. The construction activity of the wholly-owned subsidiary is considered imputed to the parent company and is not ancillary to the professional service of engineering as required by N.C.G.S. 55B-14(a). To allow would be circumventing the language and intent of the statute.

(2). Is it permissible for Raymond Engineering to own Construction Company so long as Construction Company does not solicit or perform work in North Carolina?

Yes, it is permissible for Raymond Engineering to own Raymond Construction LLC so long as Raymond Construction LLC does not solicit or perform work in North Carolina, since the Board's authority and responsibility is limited to protecting the public in North Carolina.

(3). Is it permissible for Raymond Engineering and/or Construction Company to loan/lease employees to an unrelated construction company that performs construction projects in North Carolina?

Yes, it is permissible for Raymond Engineering and/or Raymond Construction LLC to loan/lease employees to an unrelated construction company that performs construction projects in North Carolina.

(4). Is it permissible for Raymond Construction to perform work on a Federal project located in North Carolina?

ATTACHMENT A

No, it is not permissible for Raymond Construction, as a wholly-owned subsidiary of Raymond Engineering, to perform work on a Federal project located in North Carolina, for the reasons stated in (1) above.

(5). Does G.S.55B-16 permit a Professional Engineer employee of Raymond Engineering who devotes 8 hours per week to Construction Company to own shares of stock in Raymond Engineering?

Yes, N.C.G.S. 55B-16 permit a Professional Engineer (PE) employee of Raymond Engineering who devotes time to Raymond Construction LLC to own shares of stock in Raymond Engineering, provided the resident professional requirements of Board Rule 21 NCAC 56.0901 are met by Raymond Engineering.

The Board so renders this decision this the 19th day of September, 2018.

NORTH CAROLINA BOARD OF EXAMINERS FOR ENGINEERS AND SURVEYORS



By: _____
Andrew L. Ritter
Executive Director

ATTACHMENT B

G.S. 150B-21.3A Report for 21 NCAC 56, BOARD OF EXAMINERS FOR ENGINEERS AND SURVEYORS

Agency - Board of Examiners for Engineers and Surveyors

Comment Period - Filled in by Agency

Date submitted to APO - Filled in by RRC staff

Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]
	21 NCAC 56 .0101	IDENTIFICATION	Amended Eff. August 1, 2000	Necessary without substantive public interest
SECTION .0100 - ORGANIZATION OF BOARD				
	21 NCAC 56 .0103	ORGANIZATION	Amended Eff. September 1, 2009	Necessary without substantive public interest
	21 NCAC 56 .0104	DESCRIPTION OF SEAL	Amended Eff. August 1, 2000	Necessary without substantive public interest
	21 NCAC 56 .0303	DISBURSEMENT OF FUNDS	Amended Eff. April 1, 1989	Necessary without substantive public interest
SECTION .0300 - INSTRUCTIONAL PROGRAMS				
SECTION .0400 - RECORDS AND REPORTS OF BOARD: RETENTION AND DISPOSITION				
	21 NCAC 56 .0401	RECORDS OF BOARD PROCEEDINGS	Amended Eff. August 1, 2011	Necessary without substantive public interest
	21 NCAC 56 .0402	RECORDS OF APPLICATIONS	Amended Eff. July 1, 2009	Necessary without substantive public interest
SECTION .0500 - PROFESSIONAL ENGINEER				
	21 NCAC 56 .0501	REQUIREMENTS FOR LICENSING	Amended Eff. August 1, 2014	Necessary without substantive public interest
	21 NCAC 56 .0502	APPLICATION PROCEDURE: INDIVIDUAL	Amended Eff. August 1, 2014	Necessary without substantive public interest
	21 NCAC 56 .0503	EXAMINATIONS	Amended Eff. August 1, 2014	Necessary without substantive public interest
	21 NCAC 56 .0505	EXPIRATIONS AND RENEWALS OF CERTIFICATES	Amended Eff. August 1, 2011	Necessary without substantive public interest
	21 NCAC 56 .0506	WAIVER FOR LICENSEES SERVING ON ACTIVE DUTY IN THE ARMED FORCES OF THE US	Eff August 1, 2011	Necessary without substantive public interest
SECTION .0600 - PROFESSIONAL LAND SURVEYOR				
	21 NCAC 56 .0601	REQUIREMENTS FOR LICENSING	Amended Eff. August 1, 2014	Necessary without substantive public interest
	21 NCAC 56 .0602	APPLICATION PROCEDURE: INDIVIDUAL	Amended Eff. August 1, 2014	Necessary without substantive public interest

ATTACHMENT B

G.S. 150B-21.3A Report for 21 NCAC 56, BOARD OF EXAMINERS FOR ENGINEERS AND SURVEYORS

Agency - Board of Examiners for Engineers and Surveyors

Comment Period - Filled in by Agency

Date Submitted to APO - Filled in by RRC staff

Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]
	21 NCAC 56 .0603	EXAMINATIONS	Amended Eff. August 1, 2014	Necessary without substantive public interest
	21 NCAC 56 .0606	EXPIRATIONS AND RENEWALS OF CERTIFICATES	Amended Eff. August 1, 2011	Necessary without substantive public interest
	21 NCAC 56 .0607	WAIVER FOR LICENSEES SERVING ON ACTIVE DUTY IN THE ARMED FORCES OF THE US	Eff. August 1, 2011	Necessary without substantive public interest
SECTION .0700 – RULES OF PROFESSIONAL CONDUCT	21 NCAC 56 .0701	RULES OF PROFESSIONAL CONDUCT	Amended Eff. September 1, 2011	Necessary without substantive public interest
	21 NCAC 56 .0702	RULES OF CONDUCT OF ADVERTISING	Amended Eff. August 1, 2000	Necessary without substantive public interest
SECTION .0800 - FIRM REGISTRATION	21 NCAC 56 .0802	PROCEDURE	Amended Eff. August 1, 2014	Necessary without substantive public interest
	21 NCAC 56 .0804	ANNUAL RENEWAL	Amended Eff. August 1, 2011	Necessary without substantive public interest
SECTION .0900 - BUSINESS ENTITIES: GENERAL	21 NCAC 56 .0901	OFFICES	Amended Eff. August 1, 2014	Necessary without substantive public interest
	21 NCAC 56 .0902	TITLES OF BUSINESS ENTITIES	Amended Eff. August 1, 2000	Necessary without substantive public interest
SECTION .1100 - SEAL	21 NCAC 56 .1101	GENERAL	Amended Eff. August 1, 2000	Necessary without substantive public interest
	21 NCAC 56 .1102	DESIGN	Amended Eff. May 1, 2009	Necessary without substantive public interest
	21 NCAC 56 .1103	STANDARD CERTIFICATION REQUIREMENTS	Amended Eff. August 1, 2011	Necessary without substantive public interest
	21 NCAC 56 .1105	FIRM SEAL	Amended Eff. August 1, 2000	Necessary without substantive public interest
	21 NCAC 56 .1106	CERTIFICATION OF STANDARD DESIGN PLANS	Amended Eff. May 1, 2009	Necessary without substantive public interest

ATTACHMENT B

G.S. 150B-21.3A Report for 21 NCAC 56, BOARD OF EXAMINERS FOR ENGINEERS AND SURVEYORS

Agency - Board of Examiners for Engineers and Surveyors

Comment Period - Filled in by Agency

Date Submitted to APO - Filled in by RRC staff

Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]
SECTION .1200 - RULEMAKING PROCEDURES	21 NCAC 56 .1201	PETITIONS	Amended Eff. August 1, 2000	Necessary without substantive public interest
	21 NCAC 56 .1203	HEARINGS	Amended Eff. August 1, 2000	Necessary without substantive public interest
	21 NCAC 56 .1205	DECLARATORY RULINGS	Amended Eff. August 1, 1998	Necessary without substantive public interest
SECTION .1300 - BOARD DISCIPLINARY PROCEDURES	21 NCAC 56 .1301	IMPROPER PRACTICE BY A LICENSEE	Amended Eff. August 1, 2011	Necessary without substantive public interest
	21 NCAC 56 .1302	UNLAWFUL PRACTICE BY AN UNLICENSED PERSON	Amended Eff. August 1, 2011	Necessary without substantive public interest
SECTION .1400 - CONTESTED CASES	21 NCAC 56 .1401	GENERAL RULES	Readopted Eff. September 29, 1977	Necessary without substantive public interest
	21 NCAC 56 .1402	OPPORTUNITY FOR LICENSEE OR APPLICANT TO HAVE HEARING	Amended Eff. August 1, 2014	Necessary without substantive public interest
	21 NCAC 56 .1403	NOTICE OF CONTEMPLATED BOARD ACTION: REQUEST FOR HEARING	Amended Eff. August 1, 1998	Necessary without substantive public interest
	21 NCAC 56 .1409	CONDUCT OF CONTESTED CASE	Amended Eff. August 1, 2000	Necessary without substantive public interest
	21 NCAC 56 .1411	DEPOSITIONS	Amended Eff. August 1, 1998	Necessary without substantive public interest
	21 NCAC 56 .1413	DECISION OF BOARD	Amended Eff. May 1, 2009	Necessary without substantive public interest
	21 NCAC 56 .1501	GENERAL	Amended Eff. August 1, 2000	Necessary without substantive public interest
SECTION .1500 - FEES	21 NCAC 56 .1501	GENERAL	Amended Eff. August 1, 2000	Necessary without substantive public interest
SECTION .1600 - STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA	21 NCAC 56 .1601	GENERAL	Amended Eff. August 1, 2000	Necessary without substantive public interest

ATTACHMENT B

G.S. 150B-21.3A Report for 21 NCAC 56, BOARD OF EXAMINERS FOR ENGINEERS AND SURVEYORS

Agency - Board of Examiners for Engineers and Surveyors

Comment Period - Filled in by Agency

Date Submitted to APO - Filled in by RRC staff

Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]
	21 NCAC 56 .1602	SURVEYING PROCEDURES	Amended Eff. August 1, 2014	Necessary without substantive public interest
	21 NCAC 56 .1603	CLASSIFICATION OF BOUNDARY SURVEYS	Amended Eff. August 1, 2014	Necessary without substantive public interest
	21 NCAC 56 .1604	MAPPING REQUIREMENTS FOR BOUNDARY SURVEYS	Amended Eff. August 1, 2014	Necessary without substantive public interest
	21 NCAC 56 .1605	CLASSIFICATION OF VERTICAL CONTROL SURVEYS	Amended Eff. August 1, 2011	Necessary without substantive public interest
	21 NCAC 56 .1606	SPECIFICATIONS FOR TOPOGRAPHIC AND PLANIMETRIC MAPPING, INCLUDING GROUND, AIRBORNE, AND SPACEBORNE SURVEYS	Amended Eff. August 1, 2014	Necessary without substantive public interest
	21 NCAC 56 .1607	GLOBAL POSITIONING SYSTEMS SURVEYS	Amended Eff. August 1, 2011	Necessary without substantive public interest
	21 NCAC 56 .1608	CLASSIFICATION/LAND INFORMATION SYSTEM/GEOGRAPHIC INFORMATION SYSTEM SURVEYS	Amended Eff. August 1, 2014	Necessary without substantive public interest
SECTION .1700 – CONTINUING PROFESSIONAL COMPETENCY	21 NCAC 56 .1701	INTRODUCTION	Amended Eff. August 1, 2000	Necessary without substantive public interest
	21 NCAC 56 .1702	DEFINITIONS	Amended Eff. May 1, 2009	Necessary without substantive public interest
	21 NCAC 56 .1703	REQUIREMENTS	Amended Eff. August 1, 2014	Necessary without substantive public interest
	21 NCAC 56 .1704	UNITS	Amended Eff. August 1, 2014	Necessary without substantive public interest
	21 NCAC 56 .1705	DETERMINATION OF CREDIT	Amended Eff. August 1, 2014	Necessary without substantive public interest
	21 NCAC 56 .1706	RECORDKEEPING	Amended Eff. May 1, 2009	Necessary without substantive public interest
	21 NCAC 56 .1707	EXEMPTIONS	Amended Eff. August 1, 2011	Necessary without substantive public interest
	21 NCAC 56 .1708	REINSTATEMENT	Amended Eff. August 1, 2002	Necessary without substantive public interest

ATTACHMENT B

G.S. 150B-21.3A Report for 21 NCAC 56, BOARD OF EXAMINERS FOR ENGINEERS AND SURVEYORS

Agency - Board of Examiners for Engineers and Surveyors

Comment Period - Filled in by Agency

Date Submitted to APO - Filled in by RRC staff

Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]
	21 NCAC 56 .1709	COMITY/OUT-OF-JURISDICTION RESIDENT	Amended Eff. May 1, 2009	Necessary without substantive public interest
	21 NCAC 56 .1710	DUAL LICENSEES	Amended Eff. July 1, 2009	Necessary without substantive public interest
	21 NCAC 56 .1711	FORMS	Amended Eff. July 1, 2009	Necessary without substantive public interest
	21 NCAC 56 .1712	COMPLIANCE	Amended Eff. May 1, 2009	Necessary without substantive public interest
	21 NCAC 56 .1713	SPONSORS	Amended Eff. August 1, 2011	Necessary without substantive public interest

NORTH CAROLINA BOARD OF EXAMINERS FOR ENGINEERS AND SURVEYORS

July 18, 2018

Raleigh, North Carolina

Board Chair, Linda A. Thurman, gaveled the North Carolina Board of Examiners into session at 10:40 a.m. on Wednesday, July 18, 2018 to convene its regular order of business for the Board. Board attendance was as follows:

Present:

Linda A. Thurman, Public Member, Chair
Andrew G. Zoutewelle, PLS, Vice Chair
Richard M. Benton, PLS
Stacey A. Smith, PE, Secretary
Jonathan S. Care, Public Member
John M. Logsdon, PLS
David L. Pond, PE
Bobbie Shields, PE

Absent:

Carl M. Ellington, Jr., PE

1. Ethics Awareness and Conflict of Interest Reminder - Chair

Chair Thurman read the ETHICS AWARENESS & CONFLICT OF INTEREST REMINDER and asked if any member of the Board had any known conflict of interest or appearance of conflict with respect to any matters coming before the Board at the meeting. The Chair advised that if any board member had such a conflict, that member should identify the conflict or appearance of conflict and refrain from any undue participation in the particular matter involved. No conflicts or appearance of conflicts were noted.

2. Consent Agenda – Executive Director

Mr. Pond made a motion to approve the consent agenda as presented. Mr. Smith seconded the motion. The Board voted and the consent agenda was unanimously approved.

The consent agenda included: CPC Sponsors; Firm Applications for 7 Professional Corporations, 10 Professional Limited Liability Companies, 3 Chapter 87 Corporations, 2 Company Name Change Requests, 1 Request to Use Individual's Name in Company Title and 2 d/b/a Requests; Minutes; Requests for Board Authorized Cases; Retired Status Requests; and Settlement Conference Committee.

3. Committee Reports – Executive Director

Engineering Committee – Chair (Mr. Pond)

- Committee members shared information, worked on an outline for the national meeting, and discussed the NCEES Zone Engineering Forum.
- The committee was asked to give input to The State Personnel Office regarding the reclassification of a geologist position description. The request was for the committee members to give their opinion as to whether the wording of the position description implied that an employee working under the position description would be engaging in work as an engineer. Such interpretation was not confirmed by the committee nor did the committee feel it was within the committee's purview to weigh in. No action was taken.
- The committee discussed the issue of SUE work involving subsurface utility surveying services. The question posed to the committee sought the committee's opinion as to whether a firm - while performing SUE work - identifies the material, "Does that constitute engineering?" The committee determined that such a scenario did not constitute engineering. Secondly, on the topic of condition assessment, the committee determined that the element of condition assessment, limited exclusively to gathering data – using nationally recognized methods – to determine the condition, is not considered engineering; however, the act of manipulating, analyzing, and making recommendations for repair based on such data would be considered engineering.
- A request from BES, LLC, a firm which provides supermarkets with floor planning and space layout services, sought the opinion of the committee as to whether such services would constitute engineering. It was determined that such services would not be considered engineering.
- The State Board of Examiners of Plumbing, Heating & Fire Sprinkler Contractors sought the committee's input on a bill regarding fire sprinklers. The focus was on fire sprinkler design. The statute does not state that the firm doing the fire sprinkler design must be the same firm which does the construction. Mr. Pond stated that several years ago the Board issued an opinion regarding this issue. Per Mr. Pond, the opinion of the Board, at that time, was that the sprinkler design must be

done by the firm doing the construction. Since that time, there have been instances where the opinion has been challenged by fire sprinkler contractors. Board requests Mr. Tuttle research the legislative history of the topic and share his findings at the September Board meeting.

- The committee will fully address the topic of “Responsible Charge” as a retreat item and plans a brief presentation at the September Board meeting. The goal of the presentation will be to provide a preparatory view of the issues relative to the topic from an engineering prospective. Similar preparation by the surveyors’ committee is suggested.
- The policies regarding on-site wastewater system design are still under review. No action taken.
- The current action item for the Engineering Committee’s outreach efforts rests with staff. Staff has been tasked with setting up meetings with the organizations as indicated below to take place by the end of the year. Interested engineering and surveying professionals are encouraged to attend.

Organization	Committee Lead
CAMA	Stacey Smith
Public Water Supply	David Pond
Building Code Council	Bobbie Shields

- Dam Safety sought the committee’s input regarding the issue of plans stamped as “preliminary.” The committee’s stance remains consistent with its position as stated in the February 2018 letter submitted to Dam Safety. The committee provided an identical response reiterating its position regarding the handling of plans stamped as “preliminary.” It is the opinion of the committee that such plans should be returned to the submitter without review. It was noted that the proper stamp, when submitted in an effort to acquire a permit when comments and/or changes are expected, would be “Final Design for Review and Coordination.”
- The committee reviewed four (4) applications with three (3) approvals and one (1) denial. Denied applicant had obtained PE out West during a time when there was no FE nor PE exam requirements. Committee was able to waive the FE exam, but applicant is required to pass the PE exam.

CPC Committee – Chair (Mr. Smith)

- Mr. Smith advised the Board that the committee remained virtual and that there were two (2) sponsor applications reviewed and approved. Following discussion, the topic of continuing the practice of sponsorship will be added to the list of topics to be discussed during the planning session.

Land Surveying Committee – Chair (Mr. Logsdon)

- NCDEQ – PLS Requirement Question (Engineering Surveys Policy) – An engineer working on dam heights wanted to know if he purchased the necessary equipment, could he certify some “critical heights” or if the work must be done by a land surveyor. Committee determined the scenario constituted surveying as a determination of “elevations” would be the final product. Engineering Committee members concurred.
- Certification Statement – Request to Limit to a Particular Person. Requested Modification from: “I certify that the survey was conducted in accordance with the standards of practice.” modified to read, “I certify to client and title insurance company only that this was done in accordance with the standards of practice.” The committee rejected the notion of limiting the certification, with regards to compliance with the standards of practice, to particular people; although, the committee did find it acceptable to make additional certifications to a title insurance company or to the owner of the property, as to other matters which are a survey product which, likewise, had to be performed in accordance with surveying standards.
- Deed Description for Mortgage – Is doing a survey for a mortgage surveying? Committee affirmed. If a survey is being performed for a deed of trust, are you required to get subdivision approval? Some individuals are getting a deed of trust on only a portion of their property. This becomes a problem if there is a foreclosure as that then becomes a separate lot. Does the surveyor have an obligation to assure that the separation of title complies with subdivision ordinance? Committee’s position is, the surveyor, under its obligation to protect the public, should inform the client that in the event of foreclosure, this may result in a non-conforming lot which could present problems in the future. This Board does not enforce the subdivision regulations, but the surveyors should

investigate in order to determine if the action could result in a non-conforming lot in the event of a foreclosure and inform the client if affirmed.

Mr. Logsdon will prepare an article for the newsletter.

- Plat Exhibits – G.S. 47-30 governs the recording of plats. However, there is an exception for plats attached to a recorded document that do not meet the recording requirements. The committee will prepare a newsletter article giving guidance as to when it would be acceptable to use exception notes. It will cover when an “exception note” may be attached to the plat submitted for recording with a deed so long as there is a disclaimer *i.e.*, “has not been reviewed by any governmental agency for compliance,” “may not be a certified survey,” etc. However, the standards of practice requirements cannot be circumvented by calling the plat a survey and attaching it to a deed. Final Surveying products must be signed and sealed by the surveyor.
- Map Review Discussion – Receiving maps in various sizes other than the requested 18” x 24”. The committee will allow such variations of map sizes as long as the dimensions are recordable, and the map complies with G.S. 47-30.
- NCEES Surveying Exam Module Task Force – Solicitation of psychometrician. Pending response of contractor. Board requests that staff promote progress of this project.
- Exhibits Attached to Deeds – A city is asking surveyors to sign and seal deeds to which surveying exhibits are attached. The committee recommends that surveyors sign and seal the surveys but not the deeds. Deeds need to be drafted by an attorney and signed by the proper parties.
- Condominium Platting – Request from Surveying Society to develop a program. The topic would be preparation of condominium plats as related to title insurance. What is required for surveying condominium plats? Further research is required.
- Line Weight Discussion – Circa 2011 Board Issued Letter to The Surveying Society – How Overlaps and Gaps are Presented on Plats (Line Weight Issue). Surveying Committee to issue a new letter to the surveying society. Additionally, Mr. Logsdon will prepare an article to explain the historic view on this issue and the transition to the current view regarding how to depict overlaps and gaps. The directional article will not be a strict rule with guidelines such as what line weight is to be used but will focus on how the plat has to clearly and factually indicate that there is an overlap or gap when one exists.
- GICC Work Group/Committee Information – Mr. Logsdon sent first draft of disclaimer language to Kenneth Rothrock and Tim Johnson. Pending response.

The following items were not discussed in committee due to time constraints.

- Review of Board Policies
- Unlicensed Practice involving GIS and Innovative Scanning Technologies
- Annual Rules Review
- UAS Company Services
- Sample Plat Revisions
- Copyright
- Exam Question Re-Write

Mr. Ritter advised Board Members that articles should be provided to staff by mid-October for the next publication. A discussion of the benefits of the Board’s newsletter ensued and the consensus was that the newsletter continues to be of benefit to the Board. Chair Thurman recapped the list of action items for the Board and staff.

4. Board Secretary Report - Executive Director and Board Secretary

Acknowledging that May’s financials were included as they were not covered during the June Board Meeting due to time constraints, Mr. Ritter presented the June financials. He noted that most of the line items are tracking according to their monthly projections. Mr. Care requested an update to the profit & loss statement as the Board copy was not current. Discussion of trends and other factors affecting the budget were discussed. There was discussion of the various topics which positively or negatively affect the budget. Among those

topics is the lack of growth for the number of licensed surveyors in North Carolina. There was agreement as to the need to find avenues to solicit more individuals into the field of surveying.

Mr. Ritter, on the topic of the annual audit, announced to the Board that this is the 16th year with a 100% clean audit but the first time in ten (10) years without a management letter. He expressed his excitement regarding efforts to modernize how financial information is collected. Mr. Ritter informed the Board that the State, through its technical corrections bill, is requiring all Boards to follow the same fiscal year structure of July 1st to June 30th. Effective July 1, 2019, the Board will be on the new fiscal year structure. The next audit, following the transition, will cover an 18-month period and the subsequent audits will be on a twelve-month cycle.

Mr. Care made a motion to approve the audit. Mr. Benton seconded the motion. There was a vote to approve the audit. The audit was unanimously approved.

5. NCEES (National Council of Examiners for Engineering and Surveying) Activities – Executive Director

- Mr. Ritter facilitated a discussion to coordinate the group activities while at the annual meeting.
- Board is informed that the Action Items list of topics normally provided by NCEES, has not been received. Mr. Ritter will share with the Board if it is received prior to the meeting.
- Mr. Shields advised the Board of a structural engineering topic which is expected to be discussed during the annual meeting.
- Board members were recently notified of their NCEES committee appointments. Mr. Shields will serve on the EPLG Committee; Mr. Zoutewelle will serve on the PLSS Task Force and, in the capacity of Committee Chair, will also serve on the Finance Committee. Mr. Ritter will serve on the ACCA Committee.

Chair Thurman recognized the participation and the value of such participation of Board members and staff at the national level.

- Mr. Pond sought clarification of the Board's policy regarding payment for annual meeting attendance for emeritus members. Mr. Ritter detailed the current policy and shared the history as to how the policy was established. Following discussion, it was established that the Board pays for emeritus members to attend zone meetings if they are on a committee, working in the role of committee chair, and NCEES does not pay.
- The Board acknowledged the upcoming retirement of NCEES Chief Executive Officer, Jerry Carter, and agreed to fund a State of North Carolina themed departing gift.

The Board recessed for lunch at 12:15 Noon and reconvened at 12:48 p.m.

6. Violations Activity - Assistant Executive Director

- Mr. Evans reported on violations, noting that 62 cases have been opened at this point in the fiscal year. He provided data which supported the notion that a small number of licensees are responsible for the majority of the cases due to repeated violations. Data was also provided which identified the sources of actionable cases. Such data identified the Board as responsible for initiating approximately 47 percent of cases, roughly 25 percent arising from complaints from the general public, and the balance being derived from licensees of various disciplines. Currently, there are 70 open cases. 85 cases have been closed at this point in the fiscal year.
- Review committees are scheduled to meet during November with Mr. Shields and Mr. Benton. There was a discussion regarding the various methods used to monitor and evaluate violation activities.

7. Proposed Rule Changes – Board Counsel

Noting that the proposed Rule changes had been rescheduled several times due to pressing Board agenda matters, Mr. Tuttle sought Board approval to move forward with submitting to the Rules Review Commission. Mr. Pond made a motion to approve the proposed rule changes. Mr. Logsdon seconded the motion. Discussion was opened for Board Rules .1604 and .1607. Board Rule .1604 was discussed and deemed acceptable as presented. Board Rule .1607 was discussed and deemed acceptable with the suggested changes and changes deemed necessary by staff following consultation with a specific resource on the matter.

The following Rules were approved to move forward with rule making. Board Rules .0502 and .1603 were unchanged from their initial approval at the March meeting and not reflected below. Board Rules .0601, .0603, and .1301 were deemed to require additional work at the March meeting. All other Rules shown below and approved during the March meeting had minor revisions since the March meeting.

- A. 21 NCAC 56 .0606 - Expirations and Renewals of Certificates
- B. 21 NCAC 56 .0804 - Annual Renewal
- C. 21 NCAC 56 .0902 - Titles of Business Entities
- D. 21 NCAC 56 .1301 - Improper Practice by a Licensee
- E. 21 NCAC 56 .1403 - Notice of Contemplated Board Action - Request for a Hearing
- F. 21 NCAC 56 .1604 - Mapping Requirements for Boundary Surveys
- G. 21 NCAC 56 .1607 - Global Positioning Systems Surveys*
- H. 21 NACA 56 .1302 - Unlawful Practice by an Unlicensed Person
- I. 21 NCAC 56 .0303 - Disbursement of Funds
- J. 21 NCAC 56 .0501 - Requirements for Licensing
- K. 21 NCAC 56 .0503 - Examinations
- L. 21 NCAC 56 .0505 - Expirations and Renewals of Certificates
- M. 21 NCAC 56 .0601 - Requirements for Licensing
- N. 21 NCAC 56 .0603 - Examinations
- O. 21 NCAC 56 .0304 - Suspension of Authority to Expend Funds

*Latitude afforded to staff for Board Rule .1607.

In response to Mr. Ritter's question regarding the timetable, Mr. Tuttle gave an estimated review date and will update the Board after revising the schedule. Following the close of discussion, the issue of approval of proposed Rule changes was put to a vote. The proposed changes to the Rules were unanimously approved.

8. Old Business - Executive Director

- Strategic Initiatives – Mr. Ritter provided an update as to the progress made on each of the initiatives from the 2017 Planning Session. Four (4) items are completed, four (4) items are ongoing as the nature of the tasks are ongoing, and two (2) items are ongoing items currently in process.
 - Proactive Enforcement – Mr. Smith questioned the timeline from investigation to case closing. Messrs. Ritter and Evans explained the milestones and average number of days required to complete the cycle.
 - Name Change – Chair Thurman questioned the status. Mr. Ritter explained the current stage of completion and advised of the next steps moving forward. As the next action step, Mr. Ritter to write a letter to the Governor seeking a “.gov” email address.
 - New web site – Mr. Pond requested status of the efforts to update the web site. Mr. Ritter provided the current status and gave a brief overview of the process he is following.
 - Conversion of Surveying Parts B & C – Mr. Zoutewelle and Mr. Ritter suggest combining parts B & C into one exam and discuss the steps necessary to move forward with conversion to computer-based testing. Mr. Ritter suggests using the services of a psychometrician. After discussion, it was agreed to move forward with an exam writing workshop, engaging a psychometrician as soon as possible, and to funding the expenses of a representative from NCEES to assist with the writing workshop. Mr. Ritter will follow-up with AECOM.
- Following discussion of the Strategic Initiatives, Board Members agreed to use the Planning Session to establish a process to ensure regular updates for each initiative. Updates shall include the estimated completion date for each initiative, any steps deemed appropriate, and will include measures to align initiatives with the fiscal year budget.
- Closed Session Minutes of May 23, 2018 – Mr. Logsdon explained the requirements, under the open meetings law, for recording closed session minutes. He noted two (2) methods of recording what occurs in closed session. One method, acceptable if no action was taken during the closed session, does not require Board approval. This method is to simply write a statement as to what happened during the closed session. The second method is to actually take minutes. Mr. Logsdon provided Board Members copies of the minutes he prepared for the two closed sessions of May 23, 2018 for approval.
 - Messrs. Smith, Care, and Shields were recused from the first closed session of May 23, 2018.

- Mr. Pond made a motion to approve the first closed session minutes. Mr. Zoutewelle seconded the motion. A vote was taken, and the closed session minutes for the first session was unanimously approved.
- All Board Members and invitees were present during the second closed session. No Board Members were recused.
- Mr. Smith made a motion to approve the second closed session minutes. Mr. Care seconded the motion. A vote was taken, and the closed session minutes for the second session was unanimously approved.
- Mr. Logsdon requested that the minutes he provided to Board Members for the second closed session of May 23, 2018 be returned to him. These minutes are to remain confidential.
- Closed Session Minutes of June 12, 2018 – Mr. Logsdon recounted the meeting structure. Mr. Zoutewelle was the only member to participate in person. All others who participated did so by phone.
 - Messrs. Shield, Care, and Smith were recused and did not participate in the closed session and will not participate in the approval.
 - Mr. Pond made a motion to approve the closed session minutes. Mr. Benton seconded the motion. A vote was taken, and the closed session minutes was unanimously approved.
- Board Member Trips – Member Reports
 - Mr. Zoutewelle reported on his trip to the Colonial States meeting. The meeting was held in Portland, Maine. Mr. Zoutewelle is currently serving as president of the Colonial States' Board of Registration. He noted that attendees included Mr. Benton and, emeritus member Mr. Thompson who participated at his own expense. Mr. Zoutewelle informed the group that the future of surveying and the PLS Task Force objectives were major topics on the agenda. Eastern versus Western based exam discrepancies were a focus as was the possibility of having multiple exams.
 - Mr. Benton was also in attendance at the Colonial States meeting as a representative of the Future of Surveying Subcommittee. Mr. Benton reported that NCEES has elected to discontinue the funding of the "Super Committee" which NCEES had funded for a couple of years. The members of the Super Committee felt that the work of the committee was essential and opted to continue at their own expense. It was necessary to have a parent organization. NSPS was solicited and agreed to allow the continuation under its umbrella. Mr. Benton discussed the objectives of the group and informed the Board of benefits garnered through his requested participation at the NSS Executive Meeting. Mr. Benton will lead a nationwide grant effort to secure the funding initially requested by NCSS at the state level but rejected by NCEES. There is a meeting planned for September 28, 2018 in Minnesota. Mr. Benton will keep the Board updated as to the progress.
 - Mr. Shields attended what was customarily the PENC meeting which was held June 7 – 9, 2018. Mr. Shields explained that the format this year was a joint undertaking between ACEC of North Carolina, ASCE, NSPE of South Carolina, and PENC. The format is being considered for next year's meeting as well. Mr. Shields was asked to participate as one of five individuals on a panel. The panel members coordinated and gave a PowerPoint presentation. Following an overview of the board function, they focused on the statistics resulting from license examinations and discussed the issues and challenges for effective testing. Mr. Shields stated that he concluded his portion of the presentation by pointing out the benefits of having nationally organized efforts such as those of the NCEES. During the question and answer period, the resulting discussion on the issue of comity indicated disparities in how North Carolina and South Carolina view the comity license process. Mr. Shields informed the Board that the South Carolina board is a sponsor of the meeting and encouraged the Board to consider sponsorship if and when such appropriation of funds is approved.

Concluding his narrative of the trip, Mr. Shields informed the Board that he received a request from the South Carolina board for the Board's definition of "direct supervision" as it relates to responsible charge which he provided. He further noted that responsible charge and the issue of early test taking were the two top topics concerning individuals who sought his input.

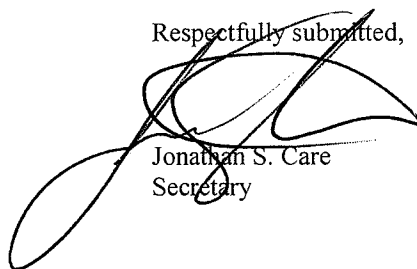
- Chair Thurman reported on her trip to the American Society for Engineering Education (ASEE) Conference in Salt Lake City, Utah. This organization, in its 125th year, was established in 1893. Chair Thurman reported that as part of the introductory phase of the meeting, the organization gave a theatrical presentation which included actual letters written by women and under-represented minorities as they sought entry into the engineering programs of various colleges. How and why these applicants were denied was emphasized. Ethics related topics was the focus of the workshops attended and of the information Chair Thurman sought while in attendance. An insight derived from participation at this conference was that ethics skills have long been considered a “soft” skill – a subset of professional skills that many consider to be obvious professional skills. Chair Thurman informed her colleagues that views are changing to now consider that ethics skills may need to be taught with an engineering focus. She clarified that although the ASEE conference is engineering based, in her view, the ethics insight is relevant to surveyors as well and that both professions would benefit from getting and keeping students engaged during ethics training.
- Planning Session – Mr. Ritter relayed a request that for the October 17 – 18, 2018 meeting, participants arrive by Noon on Wednesday for lunch. The meeting is scheduled from 1:00 p.m. to 5:00 p.m. on Wednesday and would conclude by Noon on Thursday. Chair Thurman requested that participants be flexible regarding the end time on Thursday. Mr. Ritter asked Board Members to begin to compile planning session topics. Mr. Zoutewelle provided a list of the topics compiled since the last planning session and currently scheduled for discussion.
- Electronic Expense Report Submittal – Mr. Ritter explained that the SutiExpense Mobil App is in use by NCEES and has been piloted by the Board’s staff over the past several months as an option to streamline the process for submitting expense reports. He noted that although use of the application is voluntary, it is however, encouraged. Following a video introduction of the product’s features and general directions for use, Mr. Evans and Ms. Scarborough entertained questions and concerns.

9. New Business - Executive Director

- Mr. Ritter furnished a request for a Board Authorized Case. Mr. Benton recused himself from discussion and voting. Mr. Smith made a motion to approve. Mr. Shields seconded the motion. The Board voted, and the motion was approved unanimously.

Mr. Smith made a motion to adjourn. Mr. Pond seconded the motion. The Board adjourned at 2:40 p.m. The Board is next scheduled to meet on Wednesday, September 19, 2018.

Respectfully submitted,



Jonathan S. Care
Secretary

Approved by the Board in Session

Date 9/19/2018

NORTH CAROLINA BOARD OF EXAMINERS FOR ENGINEERS AND SURVEYORS

June 20, 2018

Raleigh, North Carolina

Board Chair Linda A. Thurman called the *teleconference call* meeting of the North Carolina Board of Examiners into session at 7:32 a.m. on Wednesday, June 20, 2018. Board members on the conference call were:

Board Members on Teleconference Call:

Linda A. Thurman, Public Member, Chair
Andrew G. Zoutewelle, PLS, Vice Chair
Jonathan S. Care, Public Member, Secretary
Carl M. Ellington, Jr., PE
John M. Logsdon, PLS
David L. Pond, PE
Bobbie Shields, PE
Stacey A. Smith, PE
Richard M. Benton, PLS

Absent:

Staff on Teleconference Call:

Andrew L. Ritter, Executive Director
Cora A. Houston, Assistant

1. Ethics Awareness and Conflict of Interest Reminder – Board Chair

To initiate the meeting, Chair Thurman read the ETHICS AWARENESS & CONFLICT OF INTEREST REMINDER and asked if any member of the Board had any known conflict of interest or appearance of conflict with respect to any matters coming before the Board at the meeting. The Chair advised that if any board member had such a conflict, that member should identify the conflict or appearance of conflict and refrain from any undue participation in the particular matter involved. None were noted.

2. Consent Agenda – Chair

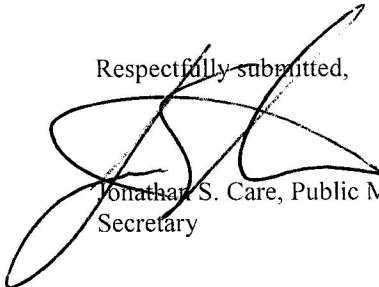
Mr. Benton made a motion to approve the consent agenda. Mr. Shields seconded the motion. The consent agenda was unanimously approved.

The consent agenda consisted of a Request for Board Authorized Case Openings; Comity Applications; Minutes of the May 23, 2018 Board meeting; Minutes of the June 12, 2018 Board meeting; CPC Consent Agenda; Consent Agenda for Firm Applications & Firm Requests: Applications for 6 Professional Corporations, 12 Professional Limited Liability Companies, 3 Business Firms; 1 Chapter 87 Corporation; and 1 d/b/a Request; Requests for Retired Status; and a Report of the Electronic Signature Task Force.

Mr. Benton made a motion to adjourn. Mr. Shields seconded the motion.

The Board formally adjourned Wednesday, June 20, 2018 at 7:34 a.m. The Board is next scheduled to meet Wednesday, July 18, 2018.

Respectfully submitted,


Jonathan S. Care, Public Member
Secretary

Approved by the Board in Session

Date September 19, 2018

NORTH CAROLINA BOARD OF EXAMINERS FOR ENGINEERS AND SURVEYORS

June 12, 2018

Raleigh, North Carolina

Board Chair Linda A. Thurman gaveled the North Carolina Board of Examiners into session at 2:03 p.m. on Tuesday, June 12, 2018. Board members present were:

Present:

Linda A. Thurman, Public Member, Chair
Andrew G. Zoutewelle, PLS, Vice Chair
Carl M. Ellington, Jr., PE
John M. Logsdon, PLS
David L. Pond, PE
Richard M. Benton, PLS

Recused and not in attendance:

Jonathan S. Care, Public Member, Secretary
Stacey A. Smith, PE
Bobbie Shields, PE

Also present:

Doug Hanna

1. Ethics Awareness and Conflict of Interest Reminder – Board Chair

To initiate the meeting, Chair Thurman read the ETHICS AWARENESS & CONFLICT OF INTEREST REMINDER and asked if any member of the Board had any known conflict of interest or appearance of conflict with respect to any matters coming before the Board at the meeting. The Chair advised that if any board member had such a conflict, that member should identify the conflict or appearance of conflict and refrain from any undue participation in the particular matter involved. No conflicts or appearance of conflicts were noted.

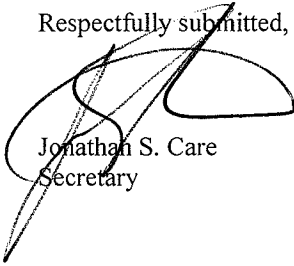
2. Continuation of Deliberations on ALJ Recommended Decision – Robert T. Macia (V2015-077)

Mr. Benton made a motion to go into closed session. Mr. Logsdon seconded the motion. The Board went into closed session at 2:04 p.m. to complete deliberations. The meeting was gaveled back into session at 2:34 p.m.

Mr. Benton made a motion to adjourn. Mr. Ellington seconded the motion.

The Board formally adjourned Tuesday, June 12, 2018 at 2:35 p.m. The Board is next scheduled to meet Wednesday, June 20, 2018.

Respectfully submitted,


Jonathan S. Care
Secretary

Approved by the Board in Session

Date June 20, 2018

NORTH CAROLINA BOARD OF EXAMINERS FOR ENGINEERS AND SURVEYORS

May 23, 2018

Raleigh, North Carolina

Board Chair Linda A. Thurman gaveled the North Carolina Board of Examiners into session at 9:02 a.m. on Wednesday, May 23, 2018 to conduct the hearing in the matter of Robert T. Macia (Case V2015-077). Board members present were:

Present:

Linda A. Thurman, Public Member, Chair
Andrew G. Zoutewelle, PLS, Vice Chair
Richard M. Benton, PLS
Carl M. Ellington, Jr., PE
John M. Logsdon, PLS
David L. Pond, PE

Recused:

Bobbie Shields, PE
Stacey A. Smith, PE,
Jonathan S. Care, Public Member, Secretary

1. Ethics Awareness and Conflict of Interest Reminder - Chair

Chair Thurman read the ETHICS AWARENESS & CONFLICT OF INTEREST REMINDER and asked if any member of the Board had any known conflict of interest or appearance of conflict with respect to any matters coming before the Board at the meeting. The Chair advised that if any board member had such a conflict, that member should identify the conflict or appearance of conflict and refrain from any undue participation in the particular matter involved. No conflicts or appearance of conflicts were noted.

2. Hearing on ALJ Recommended Decision – Robert T. Macia (V2015-077)

The Board recognized individuals present for the hearing. The hearing was conducted. At the conclusion of the hearing, a motion was made by Mr. Pond to go into closed session for deliberations. The motion was seconded by Mr. Zoutewelle. The Board went into closed session at 1:25 p.m. Following a break for lunch, the Board reconvened at 2:39 p.m. The hearing had extended beyond what was anticipated; as such, the Chair asked Mr. Ritter if the agenda would follow a different order.

Chair Thurman questioned the need and Mr. Ritter confirmed the need to alter the agenda schedule in order to go into closed session to seek legal advice pertaining to litigation related to the Macia case. Mr. Hanna, outside board counsel, was invited to stay for the closed session as were the board members and the staff involved in the case. Mr. Zoutewelle made a motion for the meeting to go back into closed session. Mr. Smith seconded the motion. The Board and the invitees went into closed session at 2:42 p.m.

Chair Thurman gaveled the meeting back into session at 3:29 p.m. to reconvene its regular order of business for the Board. Board members present were:

Present:

Linda A. Thurman, Public Member, Chair
Andrew G. Zoutewelle, PLS, Vice Chair
Jonathan S. Care, Public Member, Secretary
Richard M. Benton, PLS
Carl M. Ellington, Jr., PE
John M. Logsdon, PLS
David L. Pond, PE
Bobbie Shields, PE
Stacey A. Smith, PE,

Absent:

3. Consent Agenda – Executive Director

The ETHICS AWARENESS & CONFLICT OF INTEREST REMINDER was again read by the Chair for the benefit of any Board members not present at the morning reading. Mr. Logsdon stated that there may be a matter from which he may need to recuse himself. Mr. Evans informed Mr. Logsdon that the matter would fall under “New Business.”

For the benefit of any Board member who may have reviewed the consent agenda prior to the correction, Mr. Ritter informed the Board that two requests for use of an individual's name in the name of a business had erroneously been included in the consent agenda but had been removed. Mr. Benton motioned to approve the modified consent agenda as presented. Mr. Smith seconded the motion. The Board voted. The modified consent agenda was unanimously approved.

The consent agenda included: Comity Applications; Firm Applications for 15 Professional Corporations, 31 Professional Limited Liability Companies, 3 Chapter 87 Corporations, and 8 Business Firms; 5 Name Change Requests; Minutes; Retired Status Requests; Review Committees; Request for Board Authorized Cases; and Settlement Conferences.

4. Committee Reports

CPC Committee - Chair (Mr. Smith)

- Mr. Smith reported on a grant request from the North Carolina Surveying Society (NCSS). He explained that the CPC Committee was initially presented with a scenario whereby NCSS sought both financial and partnership support for the grant; however, by the time the CPC Committee met via conference call, the request had been revised to no longer include financial support; instead they are seeking the Board's support of its efforts to procure grant funding solely from NCEES. This modification changed the CPC Committee members' view as to what the Board was requested to do to support this effort. Mr. Ritter informed the Board of discussions he had with various interested parties, including individuals at NCEES, conversations where he relayed his support of the NCSS as it sought funding solely from NCEES and he stated that, during these conversations, he expressed his willingness to partner with NCSS to provide technical support, *i.e.*, staff help or logistics support.
- Mr. Shields asked Mr. Smith for clarification as to whether the funding request was North Carolina specific and if NCSS had clearly stated the modification to their earlier request. Mr. Smith confirmed that the request was clearly modified to exclude financial support. Mr. Shields indicated that he would like to know what NCEES decides. Mr. Ritter stated that he would update the Board as soon as he was made aware of the decision by NCEES. It was noted that this request sets a precedence as to the collective recollection of the Board; it represents the first time a state seeks support directly from the NCEES. Mr. Smith indicated that he would be meeting June 1st with the Future Surveying Task Force and would raise this issue.
- Mr. Smith motioned for the letter to be approved for signature and distribution. Chair Thurman noted that there was no need for anyone to second the motion since the matter originated out of the CPC Committee. The Board voted, and it was unanimously approved to have the letter signed and mailed.

5. Board Secretary Report – Executive Director and Board Secretary

- Mr. Ritter informed the Board that the full April and May Secretary's Report would be provided at the July meeting. However, he did mention that Mr. Care and Mr. Smith met with the auditor the previous day to receive the audit. Mr. Ritter requested the Board members take the materials home for review and mentioned that the audit was the first to be handled by the new Director of Administration, Nicole Scarborough, and that the audit had been deemed 100% clean and was remarkable in that there was not even a management letter.
- Mr. Ritter clarified the reporting and timing changes now in effect as now required by the General Assembly. He stated that this topic would be fully discussed at the July Board meeting as well.

6. NCEES Activities (National Council of Examiners for Engineering and Surveying)
Executive Director

- Mr. Ritter furnished Board members with information regarding the upcoming NCEES Annual Meeting.
- Messrs. Logsdon, Shields and Zoutewelle will be the funded delegates for the NCEES Annual Meeting.

7. Violations Activity - Executive Director

Mr. Ritter informed the Board that the Violations Activity report item is placed on hold and would be reported at the July Board meeting.

8. Proposed Rule Changes - Executive Director

Mr. Ritter informed the Board that the Proposed Rule Changes item is placed on hold and would be discussed at the July Board meeting.

9. Old Business - Executive Director

- Mr. Ritter furnished a memo from Jerome P. Lavelle, Associate Dean, College of Engineering, NC State. Mr. Lavelle provided the memo as follow-up to the Board's request for additional information following Mr. Lavelle's presentation at the previous Board meeting. In the memo, the Board is one of a group asked to consider writing a letter of support/endorsement of NC State's forthcoming petition to their Board of Trustees seeking to waive the maximum allowable semester credit requirements as recently instituted under UNC Policy 400.1.5 (I). A waiver they plan to request for each of its 20 engineering/computer science programs in the College of Engineering.

After discussion, it was decided that a great amount of support/endorsement of the content of the petition had already been provided by industry leaders. It was determined that Mr. Ritter would craft a general letter of support of education while informing Mr. Lavelle that the view of the Board does not confirm that this matter is within its purview.

- Mr. Ritter shared a letter of thanks from Campbell University's School of Engineering. Jenna Carpenter of the Office of the Dean expressing her gratitude for Mr. Ritter and Mr. Smith's participation as judges in the design competition during their recent First-Year Design Expo.
- Chair Thurman postponed the 2018 Strategic Initiatives item. She asked that everyone review for discussion at the June and/or July meetings.

10. New Business - Executive Director

- Mr. Ritter informed the Board that Mr. Benton had officially been reappointed and provided a copy of the letter provided by Mr. Benton to be attached to the minutes.
- Mr. Ritter furnished Requests for Board Authorized Cases for 11 cases. Mr. Logsdon recused himself from discussion and voting. Mr. Zoutewelle made a motion to approve. Mr. Smith seconded the motion. The Board voted and the motion was approved unanimously by all who voted.
- Mr. Ritter turned the meeting over to Board Counsel Tuttle for the Special Agenda Items Requiring Board Approval.
 - Mr. Tuttle explained the request of R.E. Warner Engineering Services, Inc. and explained the reason the matter was before the Board. Mr. Pond motioned to approve the use of "R.E. Warner" in the company name. Mr. Benton seconded the motion. There was no discussion. The Board voted and the motion was approved unanimously.
 - Mr. Tuttle explained the request from Amec Foster Wheeler Environment & Infrastructure, Inc. to change their name to Wood Environment & Infrastructure Solutions, Inc. Following a brief discussion as to the origin of the company, a motion to approve was made by Mr. Benton. The motion was seconded by Mr. Logsdon. The Board voted and the motion was approved unanimously.
- Mr. Ritter updated the Board as follows:
 - A location for the Planning Session had been decided. This year's retreat will be held in Pinehurst on October 17 – 18, 2018. Members were encouraged to begin formulating topics.
 - Mr. Shields will attend the PENC Annual Meeting on June 7 – 9, 2018 as the Board representative.
 - Mr. Pond and he will attend the ACEC Annual Meeting on August 9 – 12, 2018 as Board representatives.

- Progress has been made towards computerizing the NC State Surveying exam. Specifically, the Surveying Committee met with AECOM and with an exam program developer. There was a positive response to the project and a cost proposal is being prepared. At some point there may be a demonstration to the full Board.
- Staff met with the North Carolina Geographic Information Coordinating Council (GICC) User Group Task Force and completed the use case examples. The next phase is moving forward with revised guidelines or proposing rules revisions. Mr. Logsdon will work with a delegate from the GICC to work out the next steps.

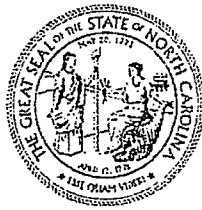
Mr. Smith made a motion to adjourn. Mr. Zoutewelle seconded the motion. The Board adjourned at 4:03 p.m. The Board is next scheduled for a conference call meeting on June 20, 2018, and to meet July 18, 2018.

Respectfully submitted,

Jonathan S. Care
Secretary

Approved by the Board in Session

Date June 20, 2018



STATE OF NORTH CAROLINA
OFFICE OF THE GOVERNOR

ROY COOPER
GOVERNOR

March 21, 2018

Mr. Richard M. Benton
119 East Walnut Street
Goldsboro, North Carolina 27530

Dear Mike:

I am pleased to reappoint you to serve as a member of the North Carolina Board of Examiners for Engineers and Surveyors. Pursuant to N.C. Gen. Stat. §89C-4, your reappointment is effective immediately. Your term will expire on December 31, 2022.

Your board or commission is covered by the State Ethics Act. As a result, please remember that you must participate in ethics training every two years, and you are required to file a Statement of Economic Interest by April 15 of each year.

Thank you for continuing to serve the people of North Carolina. I am grateful that you are willing to give your time and talents to move North Carolina forward.

Please read the enclosed instructions carefully so that we may complete the reappointment process. If you have any questions, contact the Office of Boards and Commissions at (919) 814-2077.

With kind regards, I am

Very truly yours,

A handwritten signature in black ink that reads "Roy Cooper".
Roy Cooper

cc: Mr. Andrew Ritter

NORTH CAROLINA BOARD OF EXAMINERS FOR ENGINEERS AND SURVEYORS

March 21, 2018

Raleigh, North Carolina

Board Chair Linda A. Thurman gaveled the North Carolina Board of Examiners into session at 10:10 a.m. on Wednesday, March 21, 2018 to convene its regular order of business for the Board. Board members present were:

Present:

Linda A. Thurman, Public Member, Chair
Andrew G. Zoutewelle, PLS, Vice Chair
Richard M. Benton, PLS
Carl M. Ellington, Jr., PE
John M. Logsdon, PLS
David L. Pond, PE
Bobbie Shields, PE
Stacey A. Smith, PE,

Absent:

Jonathan S. Care, Public Member, Secretary

1. Ethics Awareness and Conflict of Interest Reminder - Chair

Chair Thurman read the ETHICS AWARENESS & CONFLICT OF INTEREST REMINDER and asked if any member of the Board had any known conflict of interest or appearance of conflict with respect to any matters coming before the Board at the meeting. The Chair advised that if any board member had such a conflict, that member should identify the conflict or appearance of conflict and refrain from any undue participation in the particular matter involved. No conflicts or appearance of conflicts were noted.

2. Consent Agenda – Executive Director

Mr. Benton made a motion to approve the consent agenda as presented. Mr. Smith seconded the motion. The Board voted and the consent agenda was unanimously approved.

The consent agenda included: Comity Applications; Firm Applications for 16 Professional Corporations, 13 Professional Limited Liability Companies, and 1 Business Firm; 1 Name Change Request and 1 Request to Use Individual's Name in Company Title; Minutes; Retired Status Requests; and a Review Committee.

3. Settlement Conferences: Eng (01/30/18 10:30 Pond & Care) [Licensee]
Executive Director Eng (01/30/18 10:30 Pond & Care) [Licensee's Firm]

Mr. Pond explained the recommendations of the Settlement Conference Committee with he and Mr. Care as the Board members for the two settlement conferences listed above. Mr. Pond made a motion to approve the recommendations of the Settlement Conference Committee. The Board voted and the motion was unanimously approved. The Settlement Conference recommendations resulted in one case closed and a reprimand with a \$5,000 civil penalty for the other case.

4. Committee Reports
Engineering Committee – Chair (Mr. Pond)

- A NCDEQ (NC Department of Environment Quality) employee asked if an engineer can do an engineering survey that would supplement an existing survey done by a PLS. After discussion, Mr. Pond made a motion to allow the PE to do this as an engineering survey 1) provided he is competent to do the work; 2) he signs and seals his work product; 3) he must state who did the original survey and that survey must be a signed and sealed survey 4) he has to come off a known, fixed benchmark that was established by a PLS and 5) the overall report has to be signed and sealed. Mr. Benton seconded the motion. The Board voted and the motion was unanimously approved. A letter should be written to Land Quality restating the afore mentioned requirements.

Land Surveying Committee – Chair (Mr. Logsdon)

- The Committee requested Mr. Tuttle provide the Committee legal research as to whether plats and by extension engineering plans are intellectual property that are subject to copyright to include how does that interact with the Board Rules in terms of protecting the public and who can reasonably rely on this.
- Staff is reviewing the Board's communications with applicants to be clear that the map they submit with their application, must be an actual survey that complies with North Carolina regulations.
- The question was asked, can a town that is receiving unrecordable plats from surveyors or clients associated with elevation certificates scan and place on their website. A surveyor asked if he could place a statement on the map that would say, "these are the conditions as they existed on the date of my survey". The Committee recommended the surveyor use the aforementioned statement.
- Mr. Logsdon reported the Committee met with GICC the previous day and progress is being made; the Committee and GICC agree on more than 90% of the issues. The next meeting will be about inclusions and exclusions.

CPC Committee - Chair (Mr. Smith)

- Mr. Smith recused himself from discussion and voting. Mr. Evans stated the other two committee members approved the application for Nixon Power Services. Mr. Benton made a motion to approve Nixon Power Services as a sponsor. The Board voted and the motion was unanimously approved.

5. Jerome Lavelle PhD – NCSU Dean of Academic Affairs – Department of Industrial and Systems Engineering – Discussion of the UNC Board of Governor's proposal to reduce the number of hours required to graduate to 120.

Dr. Lavelle stated that the UNC Board of Governors has proposed the requirement that all majors be reduced to 120 hours. NC State and most engineering schools in North Carolina require 128 hours. NC State is concerned the reduction in hours could greatly affect their competitiveness as 128 hours is the minimum requirement, and in many cases other engineering schools have higher requirements. Dr. Lavelle requested that the Board support a waiver request that NC State is putting together based on NC State's role on a national basis and with its competitors and peers. Dr. Lavelle's deadline for the waiver will be sometime in May. After discussion, board members requested that a letter be written to Dr. Lavelle saying thank you for making the Board aware of this. The Board would be open to responding to specific questions. The Board requested Dr. Lavelle have the waiver or questions to the Board prior to the May board meeting.

The meeting recessed for a five-minute break at 11:40 a.m. The meeting was called back into session at 11:45 a.m.

6. NCEES Activities (National Council of Examiners for Engineering and Surveying)
Executive Director

- Messrs. Zoutewelle, Shields and Logsdon will be the funded delegates for the NCEES Annual Meeting.
- Mr. Ritter shared a letter from NCEES that the Software Engineering PE Exam will be discontinued as there have not been enough applicants to continue the exam.
- Mr. Shields, a UPLG Committee member reported that the Committee has eight charges and 21 motions to be presented at the Southern Zone meeting.

Staff joined board members. Mr. Ritter recognized Shirley Ditt as she will be retiring April 30th and this was her last board meeting. Chair Thurman thanked Ms. Ditt for her service to the Board and presented her with a recognition plaque.

The Board recessed for lunch at 12:10 p.m. The Board went back into session at 12:45 p.m.

7. Board Secretary Report - Executive Director

- Mr. Ritter gave the Board Secretary Report in Mr. Care's absence. Mr. Ritter reported on the December 2017 through January 2018 financials.

8. Violations Activity - Assistant Executive Director

- Mr. Evans reported that as of the date he prepared the report 26 cases had been opened; now 35 cases have been opened. Forty-six percent were from the public. Ninety-four (94) cases were open as of March 14th. Twenty-six (26) cases have been closed this year. Mr. Mazanek has done 136 firm inquiries.

9. Proposed Rule Changes
Board Counsel

Mr. Tuttle presented the schedule for proposed rulemaking.

The changes to the following Rules were okayed by the Board to move forward with rule making:

- A. 21 NCAC 56.0303 DISBURSEMENT OF FUNDS;
- B. 21 NCAC 56.0501 PROFESSIONAL ENGINEER – REQUIREMENTS FOR LICENSING;
- C. 21 NCAC 56.0502 APPLICATION PROCEDURE: INDIVIDUAL; (Okay with three changes:);
- D. 21 NCAC 56.0503 EXAMINATIONS;
- E. 21 NCAC 56.0505 EXPIRATIONS AND RENEWALS OF CERTIFICATES AND 30 DAY REPORTING OF VIOLATIONS AND CHANGE OF ADDRESS (PE);
- F. 21 NCAC 56.0606 EXPIRATIONS AND RENEWALS OF CERTIFICATES AND 30 DAY REPORTING OF VIOLATIONS AND CHANGE OF ADDRESS (PLS);
- G. 21 NCAC 56.0804 ANNUAL AND 30 DAY REPORTING OF VIOLATIONS AND CHANGE OF ADDRESS(Firms);
- H. 21 NCAC 56.0902 TITLES OF BUSINESS ENTITIES: (Okay with addition to Line 3 to add after “provided “in (b) below.
- I. NCAC 56.0606 EXPIRATIONS AND RENEWALS OF CERTIFICATES AND 30 DAY; REPORTING OF VIOLATIONS AND CHANGE OF ADDRESS;
- J. 21 NCAC 56.1403 NOTICE OF CONTEMPLATED BOARD ACTION: ACTION TO APPLICANT: REQUEST FOR HEARING; (dependent upon revision made to .1301)
- K. 21 NCAC 56.1603 CLASSIFICATION OF BOUNDARY SURVEYS and
- L. 21 NCAC 56.1607 GLOBAL POSITIONING SYSTEMS SURVEYS NAVIGATION SATELLITE SYSTEMS.

The following Rules will need additional work:

- A1 NCAC 56.0601 REQUIREMENTS FOR LICENSING (PROFESSIONAL LAND SURVEYOR); (Surveying Committee to further review);
- B1 21 NCAC 56.0603 EXAMINATIONS; Okay with change to leave in deleted material under (g). (Surveying Committee to further review regarding state specific portion of exam g and i);
- C1 NCAC 56. 1301 IMPROPER PRACTICE BY A LICENSEE - for Rule purposes, move forward. Board will review entire process at Planning Session;
- D1 NCAC 56 .1608 CLASSIFICATION/LAND INFORMATION SYSTEM/GEOGRAPHIC INFORMATION SYSTEM SURVEYS. (Surveying Committee for results of GICC meetings) and
- E1 NCAC 56.0701 RULES OF PROFESSIONAL CONDUCT – see Old Business.

10. Old Business - Executive Director

- Board members discussed possible language change for responsible charge. They agreed to come up with examples of use cases and decide as a group how to handle and modify each accordingly.
- Mr. Ritter furnished a letter from the Mississippi Board of Licensure for Professional Engineers and Land Surveyors denying the use of the company name, Tire Engineers.
- Ms. Thurman requested that Mr. Ritter update the Board regarding the website as well as other strategic initiatives at the May meeting.

11. New Business - Executive Director

- Mr. Ritter furnished Requests for Board Authorized Cases for five cases. Mr. Zoutewelle made a motion to approve. Mr. Smith seconded the motion. Mr. Benton recused himself from discussion and voting. The Board voted and the motion was unanimously approved.

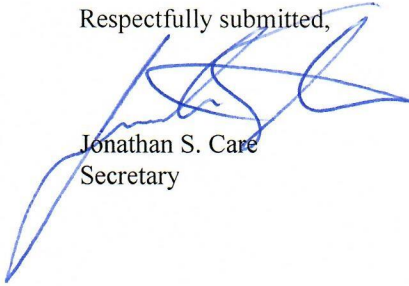
12. Informational Items – Executive Director

- Mr. Ritter furnished a Proclamation regarding “National Engineers Week” in North Carolina from Governor Roy Cooper.

- Mr. Ritter was the lunch speaker for the NCSS Annual Convention. Messrs. Benton and Evans gave a four-hour presentation on ethics with case studies. Mr. Benton stated NCSS was interested in doing a video of the presentation. Mr. Ritter will contact Christy Davis, Executive Director to ask additional questions and bring back to the Board.
- Mr. Benton reported the NCSS Annual Convention had three seminars running simultaneously and the Board's presentation was the big hit. Mr. Benton received lots of questions regarding drones. Mr. Zoutewelle gave a mini-session on recertifying old surveys.
- Mr. Benton was asked to make a presentation to the Durham Engineer's Club on drones.
- Dr. Teresa Ratcliff invited Messrs. Ritter, Smith and Care to tour the Campbell engineering facilities and they hosted a panel discussion for student night.
- Mr. Ritter reported that he sent out a new opt-out of paper correspondence email to over 20,000 licensees. Out of the 20,000 emails sent, 487 PEs elected to opt out. The new total number of engineers opted out is 6,029 and 3 surveyors opted out.

Mr. Shields made a motion to adjourn. Mr. Benton seconded the motion. The Board adjourned at 3:10 p.m. The Board is next scheduled to meet May 23, 2018.

Respectfully submitted,


Jonathan S. Care
Secretary

Approved by the Board in Session
Date MAY 23, 2018

NORTH CAROLINA BOARD OF EXAMINERS FOR ENGINEERS AND SURVEYORS

February 21, 2018

Raleigh, North Carolina

Board Chair Linda A. Thurman called the *teleconference call* meeting of the North Carolina Board of Examiners into session at 7:30 a.m. on Wednesday, February 21, 2018. Board members on the conference call were:

Board Members on Teleconference Call:

Linda A. Thurman, Public Member, Chair
Andrew G. Zoutewelle, PLS, Vice Chair
Jonathan S. Care, Public Member, Secretary
Carl M. Ellington, Jr., PE
John M. Logsdon, PLS
David L. Pond, PE
Bobbie Shields, PE
Stacey A. Smith, PE,

Absent:

Richard M. Benton, PLS

Staff on Teleconference Call:

Andrew L. Ritter, Executive Director
David S. Tuttle, Board Counsel
Shirley U. Ditt, Assistant

1. Ethics Awareness and Conflict of Interest Reminder – Board Chair

To initiate the meeting, Ms. Thurman read the ETHICS AWARENESS & CONFLICT OF INTEREST REMINDER and asked if any member of the Board had any known conflict of interest or appearance of conflict with respect to any matters coming before the Board at the meeting. The Chair advised that if any board member had such a conflict, that member should identify the conflict or appearance of conflict and refrain from any undue participation in the particular matter involved. None were noted.

2. Consent Agenda – Chair

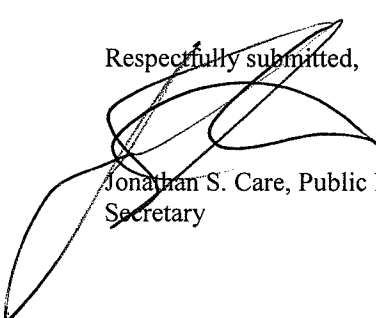
Mr. Shields made a motion to approve the consent agenda. Mr. Smith seconded the motion. The consent agenda was unanimously approved.

The consent agenda included: Board Authorized Case Openings; Comity Applications; CPC sponsor applications; Firm Applications for 9 Professional Corporations, 8 Professional Limited Liability Companies and 1 Business Firm; 2 Name Change Requests; 1 Request to Use Individual's Name in Company Title and 1 d/b/a Request; Minutes; Requests for Retired Status; Review Committees; and Settlement Conferences.

Mr. Shields made a motion to adjourn. Mr. Smith seconded the motion.

The Board formally adjourned Wednesday, February 21, 2018 at 7:33 a.m. The Board is next scheduled to meet Wednesday, March 21, 2018.

Respectfully submitted,


Jonathan S. Care, Public Member
Secretary

Approved by the Board in Session

Date March 21, 2018

NORTH CAROLINA BOARD OF EXAMINERS FOR ENGINEERS AND SURVEYORS

January 24, 2018

Raleigh, North Carolina

Board Chair Linda A. Thurman gaveled the North Carolina Board of Examiners into session at 10:00 a.m. on Wednesday, January 24, 2018 to convene its regular order of business for the Board. Board members present were:

Present:

Linda A. Thurman, Public Member, Chair
Andrew G. Zoutewelle, PLS, Vice Chair
Jonathan S. Care, Public Member, Secretary
Richard M. Benton, PLS
Carl M. Ellington, Jr., PE
John M. Logsdon, PLS
David L. Pond, PE
Bobbie Shields, PE
Stacey A. Smith, PE,

Absent:

1. Ethics Awareness and Conflict of Interest Reminder - Chair

Chair Thurman read the ETHICS AWARENESS & CONFLICT OF INTEREST REMINDER and asked if any member of the Board had any known conflict of interest or appearance of conflict with respect to any matters coming before the Board at the meeting. The Chair advised that if any board member had such a conflict, that member should identify the conflict or appearance of conflict and refrain from any undue participation in the particular matter involved. No conflicts or appearance of conflicts were noted.

Ms. Thurman presented a gift to Mr. Benton in appreciation for his service and leadership as Chair last year.

2. Consent Agenda – Executive Director

Mr. Shields made a motion to approve the consent agenda as presented. Mr. Benton seconded the motion. The Board voted and the consent agenda was unanimously approved.

The consent agenda included: Board Authorized Case Openings; Comity Applications; CPC sponsor applications; Firm Applications for 9 Professional Corporations, 12 Professional Limited Liability Companies, 2 Business Firms, and 1 Chapter 87 Corporation; 2 Name Change Requests; 1 Request to Use Individual's Name in Company Title; 2 Summary of d/b/a Requests; Minutes; Requests for Retired Status; and Review Committees. Mr. Shields made a motion to approve the consent agenda as presented. Mr. Benton seconded the motion. The Board voted and the motion was unanimously approved.

3. Administrative Hearing-- Eric Medaugh, EI

After completing item 7 of the agenda, an administrative hearing was held at 11:00 before the full Board to determine whether Mr. Medaugh meets the experience requirement to receive a Professional Engineer's Certificate of Licensure.

The Board went into closed session at 12:15 pm to deliberate the Administrative Hearing. The meeting gaveled back into session at 2:45p.m. to continue at item 8 of the agenda.

4. NCEES Activities (National Council of Examiners for Engineering and Surveying)

Executive Director

- Mr. Ritter updated board members on the upcoming Southern Zone conference. Messrs. Zoutewelle, Logsdon and Ritter will go as funded delegates. Mr. Benton will need to register for the conference possibly prior to knowing whether he has been reappointed to the Board. Mr. Care made a motion that if Mr. Benton is not reappointed to the Board, that the Board would pay his expenses as an Emeritus member. Mr. Logsdon seconded the motion. The Board voted and the motion was unanimously approved.

5. Committee Reports

Engineering Committee – Chair (Mr. Pond)

- For informational purposes, Mr. Pond reported on the timing of the red-light camera matter previously discussed. A lawsuit was filed in Wilmington against the traffic engineer saying he was in error for not modifying the formula for the yellow light. The complainant is continuing to pursue the issue. This is not a matter that requires further Board consideration at this point.
- The Committee reviewed a Guidance paper regarding doing inspections for the NC Department of Insurance (DOI). The question was “can an engineer replace the building inspector on a project to do all the inspections?” A determination was issued confirming the policy that DOI has of doing inspections of elements and components of buildings versus systems or a whole certification. The Guidance document will be placed on the board website.
- A NC DEQ (NC Department of Environmental Quality) regulator in a regional office was sending out Duke Energy Design Guidelines for dry stack walls to be used around non-Duke lakes. A letter will be sent to the DEQ regional office that someone other than a Professional Engineer should not make design recommendations, including sending out design recommendations using the Duke Power guidelines. To the question, “is the design of dry stack walls engineering”, the Committee stated that a Professional Engineer should be consulted for retaining wall design if required by the North Carolina Building Code.
- Duke Energy (Duke) asked, “in the situation of a dam design, if there is an inspector, does the inspector have to be the inspector who did the original design?” Duke was advocating they be allowed to inspect their own dams of construction even if they have not done the design. In this situation NC DEQ Dam Safety is requiring Duke to accept full responsibility for the design of the dam. It is permissible under the Board Rules for a competent Professional Engineer (PE), other than the original design engineer, to be in responsible charge of the inspections and provide the dam safety certification that the “the dam and all appurtenances have been built, repaired, altered, or removed in conformance with the plans, specifications, and drawings approved by the Director and that the dam is “safe” to satisfy North Carolina dam safety regulations (15A NCAC 02K.0216) administered by the Dam Safety Program in the Department of Environment Quality. Provided further that that function does not make them the designer of the dam. If any changes are made that person would have to take design responsibility for any changes made. The Board will respond back to Duke.
- Mr. Pond made a motion to accept the edit to the Stream Restoration Policy. The Board voted, and the motion was unanimously approved.
- The Committee requested the Executive Director set up meetings with CAMA, Public Water Supply, Building Code Council and Air Quality.

Land Surveying Committee – Chair (Mr. Logsdon)

- The Committee met with the GICC Working Group to continue the review of examples of cases that GIS professionals are doing to determine if a licensed PLS is required to do the work.
- The Committee wants to raise the awareness of people offering UAS services to emphasize that a licensed professional surveyor (or engineer) needs to be in responsible charge so far as gathering the information. Mr. Tuttle is going to prepare a draft of guidelines. The Board will have a full board discussion on responsible charge in March.
- Mr. Logsdon stated the application for licensing requires the map of an actual survey. All work must be done by the applicant. Many of the maps the Board is receiving are imaginary maps which are not the result of an actual survey which indicates the applicant has not read the rule. The Board needs to better communicate the requirements.
- The Town of Cary Utilities Department is requiring a statement on the map when the developer puts in a sewer line. The surveyor surveys the sewer line and puts it on his map. The map is an offering of dedication to the Town which the Town can then accept the sewer line based upon the location shown on the map. The Town of Cary is asking the surveyor to show on his map, in addition to showing where the easement is, a statement saying something like “notwithstanding that I have shown this to be the location, the actual location of the easement is five (5) feet on both sides of the centerline of the sewer as constructed.” This creates an ambiguity in the map. The surveyor cannot locate the easement, then disclaim it. A response letter to the Town of Cary will be done.

- The Committee has received numerous requests from the professional organizations for Board presentations for one half day to a full day. The Committee would like to continue with the informal policy that we will give presentations relating to issues where the Board is a good source of information, but limit the time to two hours.
- Previously shell fish leases had to be defined based upon a survey (out in the ocean). The statute was modified about three years ago that the NC Marine Fisheries Commission can adopt rules for the location of these leases and the description of the leases must comply with the Commission's rules. A surveyor questioned you have one statute that says defining the area falls within the practice of surveying and you have another statute that says as to shell fish leases you have to comply with rules adopted by the NC Marine Fisheries Commission. The Committee's decision was this is not a Board issue and that is better addressed with the legislature to address any conflicts or confusion.
- The question has come up, "does a surveyor have an intellectual property right in their products?" Can surveyors place on the map a statement saying, "this map is copyrighted and any subsequent use of this can only be done with the permission of the surveyor. The Committee will consider later.

CPC Committee - Chair (Mr. Smith)

- Mr. Smith stated the committee reviewed and approved four sponsor applications. Mr. Smith stated the committee reviewed and recommends for approval two medical exemption requests. He made a motion to approve the exemption request for Ronnie Jordan and Rees M. Brody for their 2018 license; both have encountered health issues. The Board voted and the motion was unanimously approved.

6. Board Secretary Report

Executive Director and Board Secretary

- Messrs. Care and Ritter reported on the December financials. Mr. Care requested that Mr. Ritter add projections monthly to the financial report.

7. Violations Activity - Assistant Executive Director

- Mr. Evans reported that as of January 23rd, six cases have been opened for year 2018. A total of ninety-five (95) cases were open as of January 18th. Five (5) cases have been closed for year 2018.

The meeting recessed at 10:50 a.m. for a ten (10) minute break; back in session for the administrative hearing at 11:00 a.m. (Item 3)

The Board went into closed session at 12:15 pm at the close of the Administrative Hearing to deliberate the Administrative Hearing. The meeting gaveled back into session at 2:45p.m.

8. Application

- Langan Engineering, Environmental, Surveying, Landscape Architecture, and Geology, D.P.C. which will do business in North Carolina as Langan NC, Inc. is requesting licensure using the name "Langan" in its name. Mr. Langan was never part of this corporation that was formed in New York in 2012. Mr. Benton made a motion to approve allowing them to use the name. Mr. Care seconded the motion. The Board voted, and the motion was unanimously approved.

9. Old Business - Executive Director

- Mr. Pond reported the Electronic Signature Task Force is working to drive the conclusion of their task force and accomplish our goals this year. Their goals are:
 - a. Publish an article in the fall newsletter summarizing everything the task force has been working on.

- b. Mr. Tuttle has been requested to send the NCEES White Paper for the “Guidelines for Working in the BIM Environment” that were pushed out by NCBEES for input to the City of Charlotte, Mecklenburg County, City of Raleigh and any other cities working in that environment for comment of guidelines as well as ACEC or to their member firms working in that environment for comments. Upon receipt of comments, they will institutionalize that into the guideline document. The Guideline document will post and will remain until rules are written at NCEES. The Guideline will then be reviewed and the NCEES rules will be considered for possible rules revisions.
 - c. The Committee will reach out to NC DOT to see if they are having any issues with the NC DOT work flow certifications letter regarding how they operate the electronic media that was extended to June 18, 2018. If there are no issues, the sunset date can be removed.
 - d. There were questions how to deal with validating paper copies of digitally signed documents versus when one is certifying a project in a paper mode. Florida has guidelines dealing with this; the Committee is reaching out to them for feedback. It deals with the certification in paper format versus an electronic format. The Model Rules have an acceptable way to print which this Board may want to incorporate in the Board Rules.
 - e. After review, the task force concluded if emails rise to the level of an engineering report or surveying report, then they must be signed and sealed. The report would have to be an attachment to the email. No rule revision would be necessary.
 - f. When multiple seals are on documents, according the Board Rule, the licensee must be very specific about what they are doing and delineate what work they are sealing. The intent is to bring these issues to conclusion by this summer, to finalize and publish an article this fall and be finished.
- Mr. Tuttle presented a “Draft Proposed Rule Making Schedule for Rules Revisions for 2018” and draft revisions along with a schedule. Ms. Thurman requested Mr. Tuttle work with Mr. Hanna regarding a specific rule change. Mr. Care requested that the schedule be revised to move the March review of proposed rule revisions to the February phone conference meeting and that approval of rule revisions be done at the March meeting, rather than the May meeting. Board members requested all Draft Rules be placed on ShareFile for their review prior to the February conference call so approval can be done at the March meeting. The Committee Chairs should contact Messrs. Tuttle or Evans with feedback.

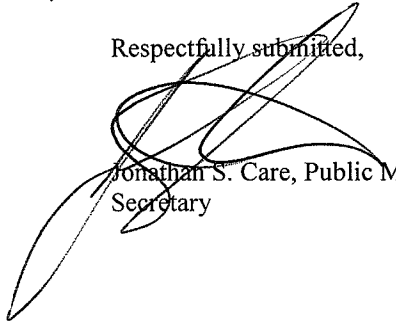
10. New Business - Executive Director

- Mr. Ritter furnished a spreadsheet showing the Board is receiving an average monthly of 228.3 NCEES Verifications per month.

11. Informational Items – Executive Director
None

Mr. Zoutewelle made a motion to adjourn. Mr. Care seconded the motion. The Board adjourned at 3:25p.m. The Board is next scheduled for a conference call on February 21, 2018.

Respectfully submitted,


Jonathan S. Care, Public Member
Secretary

Approved by the Board in Session

Date February 21, 2018