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The North Carolina Bulletin

Published to provide news and information regarding statutory and regulatory changes and to promote a better understanding of the practices of engineering and land surveying in the State of North Carolina.

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Board Staff Directory

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<thead>
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<th>Title</th>
<th>Email</th>
<th>Extension</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stephanie Bryant</td>
<td>Administrative Assistant</td>
<td><a href="mailto:sbryant@ncbels.org">sbryant@ncbels.org</a></td>
<td>100</td>
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What is CBT?
CBT stands for computer-based testing. In 2014, the Fundamentals of Engineering (FE) and Fundamentals of Surveying (FS) exams will be offered solely on computer. Traditional pencil-and-paper exams will be retired. To increase access to exams, all examinees will complete their exams at their local Pearson VUE testing center.

Pearson VUE testing centers use a patent-winning design that was created specifically for high-stakes testing. The centers offer a carefully controlled, consistent testing environment.

The NCEES state licensing boards voted in August 2010 to begin administering the two exams via computer-based testing at the recommendation of the NCEES Computer-Based Testing Task Force. Reasons for converting the exams to a computer-based format are: to allow greater scheduling flexibility for candidates, to provide more uniformity in testing conditions, and to ensure enhanced security for exam content.

In the past, the FE and FS were offered only twice per year – in April and October. Under the new CBT platform, examinees will be able to register and sit for exams year-round.

Which exams are transitioning?
As of now, the transition to CBT in 2014 involves only the Fundamentals of Engineering (FE) and Fundamentals of Surveying (FS) exams.

The FE exam is designed for college engineering seniors who intend to pursue a PE license. Nearly 50,000 examinees took the FE exam during the 2010 – 2011 academic year, which included October and April administrations. Read about the FE exam specifications for 2014.

FE exam specifications for 2014
In January 2014, the current specifications for the FE exam will change when the exam transitions from a pencil-and-paper administration to a computer-based one.

The creation of NCEES exam specifications focuses on developing and administering a content survey and analyzing the survey results. This is a detailed process in which each step contains checks and balances to ensure that the resulting exams are fair to the candidates based on the coursework that they take in their engineering curriculum and to provide the state licensing boards with an adequate measure of each candidate’s minimum competency to begin the licensure process.

NCEES conducts a content review for the FE exam every six to eight years. This review maintains the exam consistency with the important topic areas being taught in U.S. engineering programs.

The FE exam development committee presented new exam specifications to the NCEES Committee on Examinations for Professional Engineers, an oversight committee made up of state licensing board members. The committee formally approved the specifications for the seven individual exams. While these exams will contain some overlapping content (e.g., mathematics and engineering economics), there will no longer be a common breadth portion. Each FE exam will be a freestanding exam.

NCEES has posted the major domains for the new exams so that universities that offer FE review courses will have this information to prepare new review courses. To help avoid confusion between the new and current FE specifications, NCEES is waiting until 2013 to release the detailed specifications. When they are posted, the specifications will include additional information within each domain and the percentages of each topic on the exams.

continued on page 4
**Major domains for the FE exams beginning in 2014**

The new FE specifications will go into effect in January 2014. The major domains for the seven discipline-specific exams are shown below. NCEES will post the complete specifications in 2013.

<table>
<thead>
<tr>
<th>FE Chemical</th>
<th>FE Civil</th>
<th>FE Electrical &amp; Computer</th>
<th>FE Environmental</th>
<th>FE Industrial</th>
<th>FE Mechanical</th>
<th>FE Other Disciplines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Engineering Sciences</td>
<td>Computational Tools</td>
<td>Ethics &amp; Professional Practice</td>
<td>Ethics &amp; Professional Practice</td>
<td>Ethics &amp; Professional Practice</td>
<td>Computational Tools</td>
<td>Chemistry</td>
</tr>
<tr>
<td>Chemistry</td>
<td>Statics</td>
<td>Engineering Sciences</td>
<td>Environmental Science &amp; Chemistry</td>
<td>Modeling &amp; Computations</td>
<td>Electricity &amp; Magnetism</td>
<td>Safety, Health &amp; Environmental</td>
</tr>
<tr>
<td>Thermodynamics</td>
<td>Mechanics of Materials</td>
<td>Linear Systems</td>
<td>Fluid Mechanics</td>
<td>Manufacturing, Production &amp; Service Systems</td>
<td>Dynamics, Kinematics &amp; Vibrations</td>
<td>Statics</td>
</tr>
<tr>
<td>Chemical Reaction Engineering</td>
<td>Structural Analysis</td>
<td>Electromagnetics</td>
<td>Air Quality</td>
<td>Quality</td>
<td>Thermodynamics</td>
<td>Fluid Mechanics &amp; Dynamics of Liquids</td>
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<tr>
<td>Process Control</td>
<td>Transportation Engineering</td>
<td>Communications</td>
<td>Groundwater &amp; Soils</td>
<td>Measurements, Instrumentation &amp; Controls</td>
<td>Electricity, Power &amp; Magnetism</td>
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<tr>
<td>Safety, Health &amp; Environmental</td>
<td>Environmental Engineering</td>
<td>Computer Networks</td>
<td>Mechanical Design &amp; Analysis</td>
<td>Heat, Mass &amp; Energy Transfer</td>
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<tr>
<td>Ethics &amp; Professional Practice</td>
<td>Construction</td>
<td>Digital Systems</td>
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<tr>
<td>Surveying</td>
<td>Computer Systems</td>
<td>Software Development</td>
<td></td>
<td></td>
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</tbody>
</table>

The FS exam is a similar exam designed for those beginning the process toward professional surveying licensure.

**FS exam specifications for CBT / 2014**

The current specifications for the Fundamentals of Surveying (FS) exam will change in January 2014 in conjunction with the exam’s transition to computer-based testing (CBT). In 2010, NCEES announced a move toward CBT. The final pencil-and-paper exam will be offered in October 2013.
All FS exams administered before CBT will use the exam specifications currently available on the Exams portion of the NCEES website.

The FS exam will be administered via computer at Pearson VUE centers beginning in January 2014. The major domains, or topic areas, for the exam have been posted by NCEES and are shown at right. NCEES will post the complete specifications – including percentages for each of the domains – in 2013.

This notice of new domains follows a previous call for volunteers to participate in a content review. The cross-section of participants included licensed professional surveyors, academics teaching surveying courses, and surveying interns. These individuals were surveyed about the fundamental knowledge and skills necessary for a surveying intern to work in a manner that protects the health, safety, and welfare of the public.

Be on the forefront of these changes so that you are prepared for questions about how they will affect the surveying profession.

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### NCEES approves expanding computer-based testing to PE, PS exams

The state licensing boards that compose NCEES have voted to begin converting the PE and PS exams to a computer-based format.

The unanimous decision was made during the 2012 NCEES annual meeting, held August 22–25 in St. Louis, Missouri. It follows a 2010 decision to convert the FE and FS exams to computer-based testing, a transition that will be completed in January 2014.

The PE exams will be converted to CBT in 2015 at the earliest, but as NCEES Executive Director Jerry Carter explained, the transition will be paced for each exam. “We offer 25 different PE exams in 17 different engineering disciplines, and NCEES will review each exam individually to determine what it needs to move to CBT,” he said. “The language approved by the Council is ‘at the earliest feasible date,’ and NCEES will move carefully and deliberately with each conversion to ensure that the exam continues to reliably measure professional competence.”

There is no set time for converting the PS exam to a computer-based administration, but Carter explained that NCEES wants to gain experience with computer-based testing for the FE and FS exams before it moves another exam to the new format.

While recognizing the effort involved in converting an exam to computer-based format, Carter also noted the advantages, including greater scheduling flexibility for candidates, more uniformity in testing conditions, and enhanced security for exam content.

Over 25,000 candidates took the PE exam in the past year, which included October and April administrations. Over 1,200 examinees took the PS exam during the same period.
NCEES moving administration date, updating specifications for PE Industrial exam

Following the October 2012 administration of its PE Industrial exam, NCEES is moving the exam to an April administration. The first offering of the exam with this new schedule will be in April 2013.

When the exam is offered in April 2013, it will also have new specifications, which indicate the knowledge areas to be tested and their relative weights of emphasis. As the developer of the exams used for engineering licensure in the United States, NCEES – in partnership with the Institute of Industrial Engineers – conducted a survey of licensed engineers working in industry, government, private practice, and academia to gather information about the knowledge and skills required of professionals in industrial engineering. With support from IIE, NCEES used the results to update the exam specifications.

“The exam will not change for the October 2012 administration,” explained Tim Miller, P.E., the director of exam services at NCEES. “We’ll offer the exam at the same time we have been, and we’ll use the current exam specifications. But in April 2013, we’ll begin holding the exam at a new time and using the updated specifications.”

The new specifications are available online at ncees.org. Updated study materials will be published in October 2012.

PE Civil exam changes in April 2013

In the April 2013 exam administration, NCEES will implement changes to the PE Civil exam. This exam will have revised design standards for the Construction, Civil Structural, and Transportation modules. The standards will be posted on the NCEES Web site after the October 2012 exam.

NCEES introducing new PE exam in Software Engineering

NCEES is preparing to launch its latest Principles and Practice of Engineering exam, which will be used by engineering licensing boards across the United States. NCEES will begin offering a PE exam in software engineering in April 2013. After that, the exam will be administered yearly.

Partnering with NCEES as co-sponsor of the exam is IEEE-USA, assisted by the IEEE Computer Society, the National Society of Professional Engineers, and the Texas Board of Professional Engineers.

The NCEES board of directors approved the development of the new PE exam in 2009. In accordance with existing exam development policies, 10 member licensing boards of NCEES presented letters supporting the proposed exam.

Groups representing software engineers have long maintained that software engineering should be licensed because it is increasingly practiced in areas that reach into the everyday lives of the general public, such as traffic control systems and the electrical grid. An IEEE Computer Society survey of software engineers indicated that two-thirds of those employed in the industry support a licensure exam for their profession.

“With software engineering crucial to so many engineering projects, it’s important to regulate its practice in order to protect the health, safety, and welfare of the public,” said NCEES President, Dale Jans, P.E.

For more information on the PE Software exam, visit ncees.org/exams. Registration for the April 2013 exam administration is scheduled to open mid-December 2012. The exam specifications – the test blueprint of knowledge areas to be tested and their relative weights of emphasis – are available online at ncees.org/exams. IEEE is planning to publish study materials for the exam later this year.
With the arrest of former BP engineer Kurt Mix putting the Deepwater Horizon disaster back in the headlines, it is important to remember the vital role that the licensing of engineers plays in protecting the American public, not just from technical incompetence but also from unethical practices.

Mix was arrested on April 24 on charges of obstruction of justice. He is accused of intentionally destroying electronic records related to the response to the April 2010 Deepwater Horizon disaster, which killed 11 and led to the largest oil spill in U.S. history. The first individual to face criminal charges following the disaster, Mix is accused of deleting hundreds of text messages, including some concerning the amount of oil potentially flowing into the Gulf of Mexico following the Macondo well explosions. While Mix should be afforded the presumption of innocence that any accused person is entitled to under our legal system, the allegations surrounding his arrest present an opportunity for sober judgment about the public’s interest in the practice of engineering.

Most of the media reports about Mix are referring to him as an engineer. Individuals such as Mix practice engineering in the private sector every day without a license under licensure exemptions. While state laws may not always require a license, NCEES is committed to advancing licensure for engineers to better protect the public from incompetent or unethical practice.

Professional engineers are licensed at the state level; they must meet education and experience requirements in addition to passing a standardized examination program. To maintain a license, a P.E. must adhere to a strict code of conduct, with the primary charge being to practice the profession in a manner that protects the health, safety, and welfare of the public. A professional engineer who violates this obligation is subject to losing his or her license.

In a statement released in June 2010 during efforts to stop the flow of oil into the Gulf of Mexico, NCEES leadership highlighted the role of engineering licensure in protecting the public from incompetent or unethical practice. The latest developments in the Deepwater Horizon disaster call attention to the importance of ensuring that business activities do not sacrifice the well-being of our nation’s citizens. It is a mission to which NCEES and its member licensing boards remain firmly committed.

The NCEES Principles and Practice of Surveying (PS) will become a closed-book exam in April 2013. At this time, examinees will use NCEES-supplied references during the exam and will no longer be allowed to bring other reference material into the exam room.

This change is a result of a motion NCEES passed at its 2011 annual meeting. The motion was presented by the NCEES Committee on Examination Policy and Procedures, which is responsible for reviewing the effectiveness of NCEES exams.

A new edition of the NCEES Principles and Practice of Surveying Sample Questions and Solutions will be available for sale in November 2012. It will reflect the new exam specifications and include the supplied references. The supplied references will also be available online for free download at ncees.org.

PS to become closed-book exam in April 2013

New developments in aftermath of Deepwater Horizon disaster emphasize role of licensure in ethical engineering practice
The results from the April 2012 administration of the licensure exams have been received and processed by the Board. The results for the examinations are as follows:

- **Fundamentals of Engineering (FE)**: 72.79% pass rate
- **Principles & Practice of Engineering (PE)**: 64.97% pass rate
- **Fundamentals of Surveying (FS)**: 52.73% pass rate
- **Principles & Practice of Surveying (PS)**: 52.73% pass rate

### April 2012 Exam Statistics

<table>
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<tr>
<th>Examination</th>
<th>April 2012 Pass Rate</th>
<th>July 2012 Pass Rate</th>
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<tr>
<td>Part A</td>
<td>51.35%</td>
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<tr>
<td>Part B</td>
<td>82.93%</td>
<td>100.00%</td>
</tr>
<tr>
<td>Part C</td>
<td>61.90%</td>
<td>90.00%</td>
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#### 2013 Examination Dates

**National examinations** are to be conducted on the following dates:

- April 12 & 13, 2013, Deadline: January 2, 2013
- October 25 & 26, 2013, Deadline: August 1, 2013

The Board administers national licensure examinations as offered by the National Council of Examiners for Engineering and Surveying (NCEES). For additional information about the exams or application process, please visit the Board’s website at [www.ncbels.org](http://www.ncbels.org) or contact the Board office at (919) 791-2000.

**Examination dates for Out-of-State Surveying Applicants**

- January 28, 2013, Deadline: November 1, 2012
- July 22, 2013, Deadline: May 1, 2013

The Board of Examiners has added exam dates for **Out-of-State Surveying Applicants ONLY**. The usual April and October examination periods also apply.

### Rules & Laws 2012 Available for Purchase

On August 3, the Board sent an email blast to licensees containing a link to the new Board publication **Rules & Laws 2012**. The publication is an 80-page compilation containing the most current versions of G.S. 89C; G.S. 55B; NCAC Title 21, Chapter 56 – Board Rules; and G.S. 47-30.

**Rules & Laws 2012** is available online at [www.ncbels.org](http://www.ncbels.org) and the bound, full-color, printed version (published in mid-September) may be purchased for $12.50 at the Board office.
Surveying Education: Experience Changes

The surveying education bill sponsored by the North Carolina Society of Surveyors was signed into law in August 2005 and becomes effective January 1, 2013. The law changed the minimum education and experience requirements to become a surveyor in North Carolina.

Applicants who have not passed the Fundamentals of Surveying (Exam I) by the end of December 2012 will be required to meet the new prerequisites before they will be eligible to be seated for an exam.

Current applicants who have taken and passed the Fundamentals of Surveying (Exam I) and are working toward obtaining their experience to be eligible for the Principles and Practice of Surveying (Exam II) will be grandfathered and will remain within the pre-2013 requirements.

### 2013 SURVEYING LICENSURE REQUIREMENTS

<table>
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<th>Experience in Years</th>
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<td></td>
<td>Exam I</td>
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<tr>
<td>BS Surveying (45 semester hrs: survey courses)</td>
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<td>AAS Degree Surveying Technology (20 semester hrs: survey courses)</td>
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<tr>
<td>High School Diploma or Equivalent</td>
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</tbody>
</table>

Numbers in ( ) refer to years of experience that must be supervised by a PLS.

For questions and guidance, please contact Laverne Barbour via email (lbarbour@ncbels.org) or you may call (919) 791-2000 x105.

### Need a Speaker?

Board members and staff are available to speak at meetings of professional and technical societies, as well as community-based organizations. Requests for speakers should be made as far in advance as possible to Andrew Ritter, Executive Director, at the Board office: 4601 Six Forks Road, Suite 310, Raleigh, NC 27609.
New Board Member

When the Spring 2012 issue of the NewsBulletin was published in April, the official picture of new Board member Carl M. Ellington, Jr., PE, who had been appointed to the Board in February, was not available. Mr. Ellington is pictured at left.
Disciplinary Actions 2012-2

The following summaries represent disciplinary actions taken by the Board. Penalties vary depending upon the specific circumstances of each case. Space limitations preclude full reporting of all circumstances.

Questions or requests for information concerning specific cases should be directed to David S. Tuttle, Board Counsel, at (919) 791-2000, extension 111 or via email to dstuttle@ncbels.org.

CASE NO. V2010-019 and V2010-054
David R. Day, PE [15984]
Asheville, NC

VIOLATION: Failed to conduct his practice in order to protect the public health, safety and welfare by affixing his seal to inadequate structural design documents and by producing an inadequate site plan design including sizing of pipes with lack of calculations and by exceeding length of culvert allowed by permit [.0701(b)].

BOARD ACTION: Reprimand, restricted his practice from any structural engineering, until such time as he evidences to the Board competency by passing the NCEES 16 hour structural exam and required him to obtain 30 hours of continuing education, in addition to the mandatory hours, on site development storm drainage design, as preapproved by the Board within two years of date of the Decision and Order.

CASE NO. V2011-009
Claude L. Whitfield, PLS [L-0770]
Goldsboro, NC

VIOLATION: Certified to an actual survey of lines not surveyed [.1602(a)]; failed to conduct his practice in order to protect the public health, safety and welfare [.0701(b)]; failed to locate all improvements on boundary [.1604(d)(8)]; failed to properly indicate scale on map [.1604(d)(11)]; failed to identify all corners and corners of adjacent owners along boundary lines [.1604(d)(6)]; failed to provide a legend [.1604(d)(11)]; failed to provide adequate tie [.1602(g), .1604(d)(9)]; produced a deficient, substandard or inaccurate report, failing to protect the public [.0701(b)]; his firm practiced or offered to practice land surveying in NC without a license as required by G.S. 89C-24; performed an inaccurate or substandard survey, failing to protect the public [.0701(b)]; and affixed his seal to work not done under his direct supervisory control or responsible charge [.0701(c)(3)] as to fire protection and structural design.

BOARD ACTION: Reprimand.

CASE NO. V2011-025
Robert Davis, Jr., PE [19978]
Florence, SC

VIOLATION: Affixed his seal to inadequate design documents, failing to protect the public [.0701(b)].

BOARD ACTION: Reprimand.

CASE NO. V2011-030
Douglas L. Jenkins, PE [28803]
Linden, NC

VIOLATION: Affixed his seal to inadequate design documents, failing to protect the public [.0701(b)] and affixed his seal to work not done under his direct supervisory control or responsible charge [.0701(c)(3)] as to fire protection and structural design.

BOARD ACTION: Reprimand, $3000 civil penalty, pass Engineering Ethics Intermediate Course offered by the Murdough Center for Engineering Professionalism, Texas Tech University and restriction of practice from structural design until he provides proof of passing the NCEES structural exam.

CASE NO. V2011-042
Johnny J. Williams, PLS [L-3170]
Beulaville, NC

VIOLATION: Failed to sign and seal a survey not marked as preliminary [.1103]; produced a deficient, substandard or inaccurate survey description, failing to protect the public [.0701(b)]; and failed to provide an adequate legend on surveys [.1604(d)(11)].

BOARD ACTION: Reprimand.
CASE NO. V2011-051
Kevin R. Adams, PE [17224]
Kernersville, NC

VIOLATION: He and his firm practiced or offered to practice engineering in NC while licenses were suspended in violation of G. S. 89C-23, 24.

BOARD ACTION: Reprimand, $5000 civil penalty and suspended license for six months, suspension to be stayed upon these conditions: 1. attend the next disciplinary hearing held by the Board 2. submit an article (within 30 days from the date of the Decision and Order) acceptable to the Settlement Conference Committee as to the wording and thoughts conveyed that address when a PE is required and when a PE must take credit for his work and sign and seal, particularly in the context of the construction process (article may be published in the Board's newsletter) and 3. not violate any law or rule concerning the practice of engineering during the six month suspension.

CASE NO. V2011-053
Daniel W. Donathan, PLS [L-1192]
Winston-Salem, NC

VIOLATION: Failed to report the results of a survey in a clear and factual manner [.1602(f)] by not showing conflict with deed distance.

BOARD ACTION: Reprimand.

CASE NO. V2011-055
Scott M. Westmoreland, PE [27444]
Hiddenite, NC

VIOLATION: Affixed his seal to inadequate design documents, failing to protect the public [.0701(b)].

BOARD ACTION: Reprimand and $1500 civil penalty.

CASE NO. V2011-057
Master-Bilt
New Albany, MS

VIOLATION: Practiced or offered to practice engineering in NC without a license [G.S. 89C-24].

BOARD ACTION: Issued letter to cause respondent to cease and desist practicing or offering to practice engineering in NC, to include but not limited to steel framing design, until licensed with the NC Board.

CASE NO. V2011-071
Linwood J. Jones, PLS [L-1381]
Garner, NC

VIOLATION: Failed to conduct his practice in order to protect the public health, safety and welfare [.0701(b)]; failed to make adequate investigation [.1602(a)]; and failed to report the results of a survey in a clear and factual manner [.1602(f)].

BOARD ACTION: Reprimand and $2000 civil penalty.

CASE NO. V2011-073
John F. Germ, PE [10255]
Chattanooga, TN

VIOLATION: Surrendered his engineering license in other jurisdictions in violation of G.S. 89C and the Board Rules [.0701(h)].

BOARD ACTION: Refused to renew his Engineering Certificate of Licensure until such time as proof is furnished of reinstatement or eligibility for reinstatement in the other jurisdictions (OK and OH).

CASE NO. V2011-077
John M. Riley, PE [8233]
Winston-Salem, NC

VIOLATION: Affixed his seal to work not done under his direct supervisory control or responsible charge [.0701(c)(3)] and failed to be completely objective and truthful in professional reports and statements [.0701(d)(1)].

BOARD ACTION: Reprimand, $5000 civil penalty and require proof within six months of the date of the Decision and Order of passing the Engineering Ethics Intermediate Course offered by the Murdough Center for Engineering Professionalism, Texas Tech University.
**CASE NO. V2011-084**
Danny M. Padgett, PLS [L-2639]
Sneads Ferry, NC

VIOLATION: Failed to conduct his practice in order to protect the public health, safety and welfare [.0701(b)]; failed to be completely truthful in professional statements [.0701(d)(1)]; his firm practiced or offered to practice land surveying in NC without a license as required by G.S. 89C-24; and failed to cooperate fully with the Board in an investigation by not responding to the original charges [G.S. 89C-20].

BOARD ACTION: Reprimand, $2,000 civil penalty and require proof of passing, within three months of the date of the Decision and Order, the Professional Ethics Course offered by New Mexico State University and require proof of successfully completing the section that includes boundary retracement of the NC Society of Surveyors Institute in February 2013.

**CASE NO. V2011-090**
Quality Plus Services, Inc. [D-0197]
Petersburg, VA

VIOLATION: Submitted false information on its renewal form [G.S. 89C-23] and failed to have a resident licensed professional in responsible charge in each office [.0901].

BOARD ACTION: Revocation and referred to Board of Examiners of Electrical Contractors.

**CASE NO. V2011-092**
Hobbs, Upchurch & Associates, P.A. [C-0454]
Southern Pines, NC

VIOLATION: Failed to conduct its practice in order to protect the public health, safety and welfare [.0701(b)]; failed to be completely objective and truthful and to include all relevant and pertinent information in reports or statements [.0701(d)(1)]; and failed to perform services in an ethical and lawful manner [.0701(g)].

BOARD ACTION: Reprimand and $5000 civil penalty.

**CASE NO. V2011-093**
Yonkers Industries, Inc. [unlicensed]
Cary, NC

VIOLATION: Practiced or offered to practice engineering in NC without being licensed with the NC Board [G.S. 89C-23, 24 and 558].

BOARD ACTION: Issued letter to cause respondent to cease and desist practicing or offering to practice engineering in NC, to include but not limited to producing letters of engineering analysis, opinions or recommendations and not referencing work of any licensed NC PE, or using the PE title for work in NC, until licensed with the NC Board.
CASE NO. V2012-004
James T. Bradley, PLS [L-3399]
Gasburg, VA
VIOLATION:
Map 1 – failed to report the results of a survey in a clear and factual manner [.1602(f)] by not showing boundary conflict, conflict with note as to whether an actual survey was performed and by showing approximate state line.
Map 2 – failed to report the results of a survey in a clear and factual manner [.1602(f)] by showing approximate state line and failed to provide an adequate legend [.1604(d)(11)].
BOARD ACTION: Reprimand.

CASE NO. V2012-005
Pelco Engineering Consultants
Charlotte, NC
VIOLATION: Practiced or offered to practice engineering and used the word “engineering” in NC without being licensed with NC Board [G.S. 89C-23, 24 and 55B].
BOARD ACTION: Issued letter to cause respondent to cease and desist practicing or offering to practice engineering, or using the word “engineering” in the company name in NC until such time as the company becomes licensed with the NC Board.

CASE NO. V2012-007
Thomas Threlkeld [unlicensed]
Gastonia, NC
VIOLATION: Practiced or offered to practice land surveying in NC without being licensed with the NC Board [G.S. 89C-23].
BOARD ACTION: Issued letter to cause respondent to cease and desist practicing or offering to practice land surveying in NC until licensed with the NC Board.

CASE NO. V2012-008
C. T. Clayton, Sr., PE [8955]
Coats, NC
VIOLATION: Failed to be completely objective and truthful in professional statements [.0701(d)(1)]; produced deficient work product (drawing and report), failing to protect the public [.0701(b)]; and his firm changed its title, or operated under an assumed name, without Board approval [.0902(a), (c)].
BOARD ACTION: Reprimand and $3000 civil penalty.

CASE NO. V2012-009
Brent H. Whitfield, PLS [L-3589]
Wallace, NC
VIOLATION: Failed to conduct his practice in order to protect the public health, safety and welfare [.0701(b)] by presenting a preliminary map to the court; failed to sign and seal surveys not marked as preliminary [.1103]; failed to properly reference north arrow [.1604(d)(11)]; failed to report the results of a survey in a clear and factual manner [.1602(f)]; failed to show names of adjacent land owners, lot designation, or legal reference [.1604(d)(7)]; failed to provide legend [.1604(d)(11)]; and failed to note and date a revision [.1103(a)(7)].
BOARD ACTION: Reprimand and $1000 civil penalty.

CASE NO. V2012-011
William G. Bradley, PLS [L-2653]
Mills River, NC
VIOLATION: Failed to show an easement on a survey [.1602(b), (f)]; failed to report the results of a survey in a clear and factual manner [.1602(f)]; and failed to provide an adequate legend [.1604(d)(11)].
BOARD ACTION: Reprimand, $2,000 civil penalty and require proof of completing section on boundary surveying as determined by the Board at the February 2013, NC Society of Surveyors Institute.

CASE NO. V2012-014
Eddie Deaver [unlicensed]
Cornelius, NC
VIOLATION: Practiced or offered to practice engineering and used the word “engineer” in NC without being licensed by the NC Board [G.S. 89C-23].
BOARD ACTION: Issued letter to cause respondent to cease and desist practicing or offering to practice engineering to include but not limited to providing analysis, opinions or recommendations that require engineering knowledge, or using the word “engineer” in NC until licensed with the NC Board.
CASE NO. V2012-016
James L. Overton, Sr., PLS [L-3339]
Elizabeth City, NC

VIOLATION: Failed to report the results of a survey in a clear and factual manner [.1602(f)] as to not explaining conflict with deed.

BOARD ACTION: Reprimand.

CASE NO. V2012-019
Perry C. Patrick, Jr., PE [9099]
Memphis, TN

VIOLATION: Voluntarily surrendered his license in another jurisdiction violating G. S. 89C and Board Rules [.0701(h)] and failed to give notice to the Board of a disciplinary action in another jurisdiction within 30 days of the action [.0505(a)].

BOARD ACTION: Suspended his Engineering Certificate of Licensure until he furnishes proof of eligibility for reinstatement in Oklahoma.

CASE NO. V2012-020
Ryan E. Caya, PE [32770]
Concord, NC

VIOLATION: Failed to give notice to the Board of a criminal conviction within 30 days of the conviction [.0505(a)].

BOARD ACTION: Reprimand.

CASE NO. V2012-024
Jason J. Daughenbaugh [unlicensed]
d/b/a Cary Turf, Inc. and Green Level Environmental Landscapes
Apex, NC

VIOLATION: He and his firm practiced or offered to practice engineering in NC without a license as required by G.S. 89C-23, 24 and 55B.

BOARD ACTION: Issued letter to cause respondent and his firm to cease and desist practicing or offering to practice engineering in NC, including determining remediation for stream bank stabilization and the design of gabion walls, until licensed with NC Board.

CASE NO. V2012-027
Lindsley Waterproofing, Inc. [unlicensed]
Durham, NC

VIOLATION: Practiced or offered to practice engineering in NC without being licensed with the NC Board [G.S. 89C-24 and 55B].

BOARD ACTION: Issued letter to cause respondent to cease and desist practicing or offering to practice engineering in NC, to include but not limited to foundation repair recommendations, until such time as the company becomes licensed with the NC Board.

CASE NO. V2012-072
Roger L. Blue, PE [16250]
Charlotte, NC

VIOLATION: Non-compliance with child support order as directed by child support enforcement [G.S. 110-142.1].

BOARD ACTION: Suspended his Engineering Certificate of Licensure until such time as the Board receives certification by the Clerk of Superior Court or the child support agency that he is no longer delinquent in child support payments.

The NC Board of Examiners’ Board meetings are open to the public. Meetings are conducted at the Board office at 4601 Six Forks Road, Suite 310, Raleigh, NC 27609 (unless otherwise noted). Persons wishing to be placed on the agenda should submit a written request to the Board address as follows: ATTN: Andrew Ritter, Executive Director, at least two weeks in advance of the next regularly scheduled Board meeting. These requests should contain information concerning the nature of the business that you would like to discuss with the Board.