

The North Carolina Bulletin

The Newsletter of the North Carolina Board of Examiners for Engineers and Surveyors

April 2013 Spring Issue



Inside this Issue

Board & Staff Directory.....	2	2 Score & 10: My Career as a Surveyor.....	6
View from the Chair.....	3	Certificate Ceremonies: Winter 2013	7
It's Almost Firm Renewal Time	4	Retiring Staff Member Honored	7
New Board Member Appointed.....	5	Exam Statistics and Dates	8
Board Honors Departing Member	5	Disciplinary Actions.....	9



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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View from the Chair: The Future Looks Bright!

By Gary W. Thompson, PLS



The benefits of CBT formatted exams

It has been a great year at NCBELS! One of the most exciting projects has been working with the National Council of Examiners for Engineering and Surveying (NCEES) to migrate the Fundamentals of Engineering (FE) and Fundamentals of Surveying (FS) exams to a computer-based testing (CBT)

format (<http://cbt.ncees.org/notice-of-initiation-of-computer-based-testing/>), because it will allow an examinee to take an exam at his/her closest Pearson Vue Testing Center (<http://cbt.ncees.org/where-will-i-take-my-exam/>), which are located in **Asheville, Boone, Charlotte, Durham, Greenville, Raleigh, Wilmington, and Winston-Salem** as well as throughout the U.S. and abroad. In addition, an examinee will be able to take an exam not just on two specific dates in a year, but on any day within four 2-month long testing windows that will be separated by a 1-month long period of no testing.

Although the CBT formatted FE and FS exams will not be launched until January 2014, please be on the look-out for corresponding changes to the NCBELS application procedures (<http://www.ncbels.org/applications.html>) as well as some technical changes in NC § 89C (<http://www.ncbels.org/GeneralStatutes/Chapter89c/GS89C-C.htm>) that will be implemented this year due to the upcoming CBT formatted FE and FS exams.

As for the Professional Engineer (PE) and Professional Surveyor (PS) exams, they will not transition from the traditional pencil-and-paper format to CBT format with the FE and FS exams in 2014. However, the PS exam did transition from an open book exam to a closed book exam with a supplied reference book as of the spring 2013 testing date (April 12th). Although the PE and PS exams will remain in the traditional pencil-and-paper format for the near term,

NCEES will eventually convert these exams to CBT. At the NCEES 2012 annual meeting, a motion was introduced and passed that NCEES would migrate the PE and PS exams to CBT as soon as feasible. For information on the projected turnaround time frame, please read the NCEES online article "NCEES approves expanding computer-based testing to PE, PS exams at 2012 annual meeting" (<http://cbt.ncees.org/ncees-approves-expanding-computer-based-testing-to-pe-ps-exams-at-2012-annual-meeting/>), because NCEES Executive Director Jerry Carter stated that the PE discipline-specific exams will be converted to CBT in 2015 at the earliest. NCBELS will keep you informed of their progress on converting the PE exams to CBT as well as their projected date for beginning the process on the PS exam.

Electronically transmitted documents prepared by a PE or PLS

Board Rule 21 NCAC 56.1103 (d) provides guidance on the use of electronically transmitted documents prepared by a PE or PLS. Since the development of this rule, CAD and spatial data processing software have advanced dramatically, become more readily available, and more widely accepted. Consequently, NCBELS created the Electronic signature task force to study this issue and to work with the North Carolina Board of Architecture (<http://www.ncbarch.org/>) so that PE or PLS prepared documents can be transmitted in an efficient and secure method that protects the professional and the public.

Resources at your fingertips

You are all aware that the NCBELS website (<http://www.ncbels.org/>) has a wealth of information. But, are you also aware that information is continually being added and/or revised? Therefore, if you do not periodically visit the website, you could be missing out on a revised piece of information that could be very important to your professional work, such as:

- Board news (<http://www.ncbels.org/boardnews.html>)
- Board policies and guidelines (<http://www.ncbels.org/policies.html>)

continued on page 4

- License lookup (<https://www.membersbase.com/ncbels-vs/public/searchdb.asp>)
- Newsletters (<http://www.ncbels.org/newsletter.html>)
- North Carolina rules and laws (<http://www.ncbels.org/rulesandlaws.html>)
- Violations lookup (<http://www.member-base.net/ncbelsDiscDoc/DiscSearch.aspx>)

Perhaps one of the most interesting resources on the NCBELS website is the ability to find out what organizations are NCBELS approved sponsors for offering Continuing Professional Competency (CPC) workshops and classes. NCBELS provides this resource in the following formats:

- Ten-page table listing all the approved organizations (<http://www.ncbels.org/CPC/SCL.pdf>)
- Searchable database (<https://www.membersbase.com/ncbels-vs/public/searchdb.asp>) for looking up specific organizations

Although NCBELS does not list the CPC workshops and courses that each of these approved sponsors provide, NCBELS does list contact information. CPC courses must have a clear objective that results in the improvement, expansion, or maintenance of the licensee's knowledge and skills in the licensee's area of practice. Therefore, after each CPC workshop or class, please provide NCBELS with

It's Almost Firm Renewal Time

At the end of May each licensed firm will be mailed a postcard that will be sent to the address the Board has on file containing instructions on how to renew the firm's license. The firm renewal fee for 2013-2014 is \$75.00. All firm licenses expire on June 30, 2013.

Do you need to update your Firm Address?

To ensure the firm receives its renewal postcard reminder, the firm must have the correct mailing address on file in Board records. If a firm needs to update its information, such as addresses, it can do so by going to the Business Section of the Board website (www.ncbels.org) and completing the appropriate change form and emailing or mailing it to the Director of Business Licensure.

For any business firm questions, email Mark Mazanek, Director of Firm Licensure, at mmazanek@ncbels.org or call him at (919) 791-2000 x 102.

an honest assessment using the online CPC Feedback form (<http://www.ncbels.org/CPC/cpcfeedback.asp>).

Gratitude for serving

This year is my last year of service on NCBELS. It has been an honor to serve on the board these past nine years, because I have served with an outstanding group of Professional Engineers, Professional Land Surveyors, and public members. I would like to thank my fellow board members throughout my tenure for mentoring me on how to carry out the board's duty of protecting the health, safety and welfare of the public. I would also like to thank the NCBELS staff for their dedicated support of the board's activities as well as for assisting the public and the licensees.

One of the most rewarding experiences that I have participated in over the years has been attending and taking part in the ceremony for new licensees, because you see their pride for making it through the difficult professional licensure process as well as their hope for serving at a professional level and being compensated for it. If you have the opportunity to attend a ceremony, please take the time to attend. If you work with someone who recently became a PE or PLS, please encourage him or her to attend in order to experience the camaraderie.

I would like to close with the Declarations section of the Engineering and Land Surveying Act (NC § 89C), because it defines the rationale for licensure of engineering and surveying in North Carolina:

In order to safeguard life, health, and property, and to promote the public welfare, the practice of engineering and the practice of land surveying in this State are hereby declared to be subject to regulation in the public interest.

Rules & Laws 2012 Available Online and in Print

Rules & Laws 2012 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. The publication is available online at www.ncbels.org and the bound, full-color, printed version (published in mid-September) may be purchased for \$12.50 at the Board office.



Richard M. Benton, PLS Appointed to Board



Richard M. (Mike) Benton, PLS was appointed by Governor Perdue in November to fill the Board vacancy created by the expiration of the second full term of J. Glenn Haynes, PLS on December 31, 2012. Mr. Benton's term will expire on December 31, 2017.

Mr. Benton, a Goldsboro native, holds an AAS degree in Surveying Technology from Coastal Carolina Community College. Since 1991, he has been the owner and President of Benton & Associates Land Surveying and Mapping, P.A. Mr. Benton has been a member of the NC Society of Surveyors since 1991, serving in various capacities such as Eastern Chapter President, President (2003) and Board Liaison (2005-2007). In addition, he has served on the Board of Governors for the National Society of Professional Surveyors (NSPS) from 2008-2012.

Mr. Benton and Pam, his wife of 27 years, live in Goldsboro.

Board Honors Departing Member, J. Glenn Haynes, PLS

On February 12, the Board held a Farewell Celebration for outgoing Board member J. Glenn Haynes, PLS whose term expired on December 31, 2012.

Mr. Haynes had been appointed in December 2001 to fill an unexpired term and was subsequently reappointed to full five-year terms in 2003 and 2008. He served as Board Secretary in 2003, Vice-Chair in 2004 and 2010, and Board Chair in 2005 and 2011.

Those in attendance at a local Raleigh restaurant included nine current Board members; special guests Emeritus Board members Henry V. Liles, Jr., PE, and Doris M. Rodgers and their guests; several Board spouses and staff members; and Mrs. Lynda Haynes.

Congratulatory remarks to recognize the contributions of Mr. Haynes were made by Board Chair Gary W. Thompson, PLS. Both Emeritus members talked about their shared tenures with Mr. Haynes. Stories were swapped and lots of warm and funny memories were rekindled by Board Secretary Teresa H. Ratcliff, PE, PhD and other Board members and attendees.

Mr. Haynes spoke about how much his years on the Board had meant to him and how much he had enjoyed his service. Mrs. Haynes also spoke about lasting friendships and lives enriched by Board experiences.

Mr. Thompson presented Mr. Haynes with a plaque and other small gifts. Good fellowship, laughter and excellent food were enjoyed by all as Mr. Haynes was honored for his service to the Board and to the citizens of North Carolina.



Mr. Haynes displays plaque presented by Board Chair Gary Thompson.

By J. Glenn Haynes, PLS
Emeritus Board Member

My career as a surveyor began in the summer of 1963, when I began working for Carter and Bearden Engineers. I worked for three summers and part time for them until I graduated high school. I then worked full time with a surveying company, Smith and Lefler Associates. In the fall of 1968, I took a two-year course of civil engineering technology at Asheville Buncombe Technical College and continued to work part time at Smith and Lefler Associates. In the spring of 1972, I passed the examination for surveyors and became a Registered Land Surveyor. Since then it has changed to a Professional Land Surveyor. In January 1973, I started my own company: J. Glenn Haynes Surveyor.

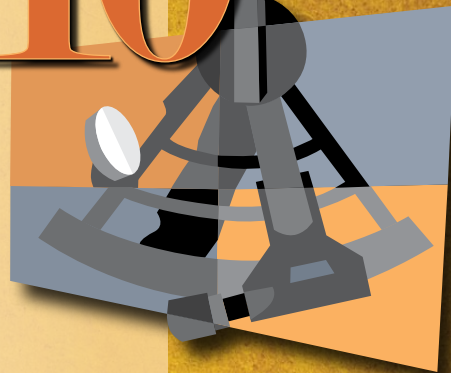


During my career I became licensed in South Carolina. I spent 10 years in the Navy Reserve as a Seabee and worked on many construction projects, from Adak Naval Station in the Aleutian Islands of Alaska; tank road at Fort Benning, Georgia; water line layout at Guantanamo Naval Base, Cuba; and projects at other bases. I was a member of the North Carolina Society of Surveyors for 25 years. Eight of my employees have become licensed surveyors, and several have started their own surveying companies. My company has performed more than 25,000 surveys since 1973. I got a check from Dan Aykroyd (The Blues Brothers) the other day for some surveying we did for him in Madison County.

I was appointed to the North Carolina Board of Examiners for Engineers and Surveyors in December 2001. While on the board, I served as Chairman of the Board (twice), Vice Chair (twice), Board Secretary, and Chairman of the Survey Committee (three times). I serve on the NCEES Education Committee and the Survey Examine Committee (six years).

I could write a book about all the people and things I have seen over the past 50 years. The equipment, computers and software that have evolved in the past 30 years have created a new kind of surveyor. The surveyor of today must continue his education to keep up with the technology that is being created at an outstanding rate. But one thing that will not change is the work in the field: the weather, insects, snakes, mountains to climb, swamps to wade through, and the love of working out-of-doors.

2 score & 10



Certificate Ceremonies: Winter 2013

Subsequent to the October 2012 PE and PLS exams, two groups of successful candidates received their wall certificates at events sponsored by the Board in Charlotte and Raleigh.

The Charlotte ceremony was held on January 24, 2013 at the William States Lee College of Engineering in the Halton Arena on the UNC-Charlotte campus. Guest speaker was Christopher D. Hardin, PE, from Haley & Aldrich, Inc. in Charlotte. Executive Director Andrew Ritter assisted Board Chair Gary W. Thompson, PLS and Board members David L. Pond, PE and Linda A. Thurman as they recognized approximately 16 new Professional Engineers and one new Professional Land Surveyor. The new licensees were joined by almost 40 friends and family members. Refreshments



New licensees gather for group photo after the ceremony in Charlotte on January 24.

were enjoyed by the attendees after the ceremony. Board member Linda A. Thurman handled event planning for the festivities.

The Raleigh ceremony was held on February 5, 2013, at The State Club on Centennial Campus at NC State University. Guest speaker was Board member Willy E. Stewart, PE, the President/CEO of Stewart Engineering in Raleigh. Executive Director Andrew Ritter and Board Chair Gary W. Thompson, PLS, assisted by Board members Teresa H. Ratcliff, PE, PhD and Willy E. Stewart, PE presented certificates to 36 new Professional Engineers and one new Professional Land Surveyor. The new licensees, accompanied by approximately 110 guests, enjoyed light refreshments both before and after the certificate presentations.



Board member Willy E. Stewart, PE was guest speaker at the February 5 ceremony at The State Club in Raleigh.

Audrey Thomas Honored at Retirement Party



Audrey Thomas, who came to work with the Board on July 5, 1984, retired on February 28, 2013. She began her tenure at the Board as a clerical assistant and retired as Investigations Coordinator. Audrey was accurate and dependable, loyal and dedicated, funny and serious – always a good person and employee to have around.

The Board staff, Board member Gary W. Thompson, PLS, former employees and Audrey's family celebrated her retirement with a catered luncheon for more than 30 guests, prepared by Catering Works on February 27.

Those in attendance included Audrey's husband Steve; her son Michael; her daughters Deb Haufler and Lisa Price and

their husbands; and grandson Brooks Tucker. They were joined by five former Board employees and former Executive Director Montgomery T. Speir (who hired Audrey) and his wife Joan, along with another former Executive Director Jerry T. Carter, the current Executive Director of NCEES, who had been hired by the Board in the same week as Audrey and worked with her through August 2001.

Current Executive Director Andrew Ritter welcomed everyone and spoke about Audrey's years of service and her importance to the Board and its staff. Mr. Speir and Mr. Carter also shared reminiscences about their tenures with Audrey.

Audrey thanked the Board and staff for all the festivities and asserted that she would soon be learning to do without an alarm clock. She is now enjoying a more relaxed life at her home in Raleigh – just a few blocks from the Board office.

Exams

- » Stats
- » Dates
- » News

October 2012 Exam Statistics

The results from the October 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)	72.5% pass rate
Principles & Practice of Engineering (PE)	59.6% pass rate
Fundamentals of Surveying (FS)	41.8% pass rate
Principles & Practice of Surveying (PS)	

	October 2012	January 2013
Part A:	48.0% pass rate	-----
Part B:	93.0% pass rate	100.0% pass rate
Part C:	50.0% pass rate	64.0% pass rate

2013-2014 Examination Dates

National examinations are to be conducted on the following dates:

<u>Examination Date</u>	<u>Deadline</u>
October 25 & 26, 2013	August 1, 2013
April 11, 2014	January 2, 2014 PE & PLS Exams
October 24, 2014	August 1, 2014 PE & PLS Exams
2014 FE & FS: Computer-based testing – See NCEES for complete details and scheduling at www.ncees.org .	

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 or contact the Board office at (919) 791-2000.

Examination dates for Out-of-State Surveying Applicants

<u>Examination Date</u>	<u>Deadline</u>
July 22, 2013	May 1, 2013
January 27, 2014	November 1, 2013
July 21, 2014	May 1, 2014

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

Disciplinary Actions 2013-1

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 Board Counsel David S. Tuttle at (919) 791-2000, extension 111 or via email to dstuttle@ncbels.org.

CASE NO. V2009-063

Randy A. Carpenter, PE [21262], PLS [L-3814]
Newland, NC

VIOLATION: Produced deficient, substandard or inaccurate reports, failing to protect the public [.0701(b)]; failed to be completely objective and truthful in professional reports [.0701(d)(1)]; knowingly associated with persons or firm engaging in practices of fraud or dishonesty [.0701(g)(1)]; failed to promptly inform client and any reviewing agency of any business association, interests or circumstances which could influence judgment or the quality of services [.0701(e)(1)]; performed inaccurate or substandard surveys, failing to protect the public [.0701(b)]; and failed to conduct practice in order to protect the public health, safety and welfare [.0701(b)].

BOARD ACTION: Revocation.

CASE NO. V2011-061

Gary S. MacConnell, PE [17069]
Morrisville, NC

VIOLATION: Affixed his seal to inadequate design documents, failing to protect the public [.0701(b)] and produced a deficient, substandard or inaccurate report, failing to protect the public [.0701(b)].

BOARD ACTION: Reprimand, \$2000 civil penalty and ethics course.

CASE NO. V2011-095

Dennis A. Fornes, PLS [L-3042]
Grantsboro, NC

VIOLATION: Failed to report the results of a survey in a clear and factual manner [.1602(f)] and failed to examine most

recent deeds and recorded plats of subject and adjacent properties [.1602(c)].

BOARD ACTION: Reprimand.

CASE NO. V2012-005

Martin D. Shields, PE [26650]
Decatur, GA

VIOLATION: Used a seal that does not comply with Board Rules [.1102] and his corporation practiced or offered to practice engineering in NC in violation of G.S. 89C-24 and 55B.

BOARD ACTION: Reprimand.

CASE NO. V2012-010

George A. Harrison, PE [12586]
Charlotte, NC

VIOLATION: Produced a deficient, substandard or inaccurate report, failing to protect the public [.0701(b)].

BOARD ACTION: Reprimand.

CASE NO. V2012-021

Don D. Jacobs, PLS [L-2804]
Pembroke, NC

VIOLATION:

Map 1

Failed to conduct his practice in order to protect the public health, safety and welfare and affixed his seal to an inadequate design document, failing to protect the public [.0701(b)].

Map 2

Failed to provide adequate tie [.1602(g), .1604(d)(9)]; failed to protect the public by not establishing control corners required by G.S. 39-32.1 [.0701(b)]; failed to indicate title source [.1604(d)(11)]; failed to properly reference north arrow [.1604(d)(11)]; failed to describe monuments as set or found [.1602(f)]; failed to monument corners [.1602(d)]; failed to provide adequate legend as to line types [.1604(d)(11)]; and failed to conduct practice in order to protect the public health, safety and welfare [.0701(b)] by restricting use by copyright statement to copies with original signature and embossed seal.

BOARD ACTION: Suspended his Surveying Certificate of Licensure for 6 months and required him to provide proof of passing Part B of the State portion of the Surveying Principles and Practice Exam II prior to lifting of the suspension.

CASE NO. V2012-023

Gregory G. Baer, PE [14014]
Newton, NC

VIOLATION: Failed to sign and seal engineering work [.0701(b)]; and his corporation practiced or offered to practice engineering in NC in violation of G.S. 89C-24 and 55B.

BOARD ACTION: Reprimand.

CASE NO. V2012-025

Joseph L. Laws, PE [28951]
Millers Creek, NC

VIOLATION: Represented as architectural services or as Architect [G.S. 83A, .0701(b)]; failed to include address on documents [.1103(a)(6)]; knowingly associated with person or firm that is not properly licensed [.0701(g)(1)]; and affixed his seal to work not done under his direct supervisory control or responsible charge [.0701(c)(3)].

BOARD ACTION: Reprimand and \$1000 civil penalty.

CASE NO. V2012-028

John A. Odom, PLS [L-3062]
Morehead City, NC

VIOLATION: Failed to be completely objective and truthful

in professional statements [.0701(d)(1)]; failed to properly certify documents [.1103]; and failed to conduct practice in order to protect the public health, safety and welfare [.0701(b)].

BOARD ACTION: Reprimand, \$2000 civil penalty and ethics course.

CASE NO. V2012-029

Frederick W. Jones, PLS [L-4503]
Burgaw, NC

VIOLATION: Failed to make adequate investigation creating an encroachment on the adjacent property [.1602(a)]; failed to report the results of a survey in a clear and factual manner [.1602(f)]; and failed to report and show gap [.1602(a),(f)].

BOARD ACTION: Reprimand, \$2,000 civil penalty and require 30 PDHs as approved by the Board in addition to the 15 required for the 2014 renewal; revise map and submit for Board review and acceptance; attempt to reconcile property boundary with parties; and if parties reach agreement, pay all costs of boundary agreements and recording of documents.

CASE NO. V2012-030

Craig B. Davenport, PLS [L-4321]
Raleigh, NC

VIOLATION: Performed an inaccurate or substandard survey, failing to protect the public [.0701(b)]; failed to provide legend [.1604(d)(11)]; and failed to report the results of a survey in a clear and factual manner [.1602(f)].

BOARD ACTION: Reprimand.

CASE NO. V2012-032

James R. Harrington, PLS [L-2511]
Wadesboro, NC

VIOLATION: Failed to conduct his practice in order to protect the public health, safety and welfare [.0701(b)]; failed to report the results of a survey in a clear and factual manner [.1602(f)]; and his firm practiced or offered to practice land surveying without a license as required by G.S. 89C-24.

BOARD ACTION: Reprimand and \$2000 civil penalty.

CASE NO. V2012-033

Ricky L. Wills, PLS [L-2691]
Waxhaw, NC

VIOLATION: Guilty of a felony or crime involving moral turpitude G.S. 89C-21(a)(3) and failed to notify the Board of a criminal conviction within 30 days of the conviction [.0606(a)].

BOARD ACTION: Suspended his license, stayed provided that he fulfills all conditions of the probation. Upon a violation of his probation, his Certificate of Licensure will be suspended until he applies to the Board to have his suspension lifted, for sufficient reasons as it may determine.

CASE NO. V2012-034

Scott D. Gold, PE [27963]
Orrville, OH

VIOLATION: Affixed his seal to inadequate design documents, failing to protect the public [.0701(b)]; failed to properly certify documents [.1103]; and his Limited Liability Company practiced or offered to practice engineering in NC in violation of G.S. 89C-24, 57C and 55B.

BOARD ACTION: Reprimand, \$2500 civil penalty and ethics course.

CASE NO. V2012-041

HDR Engineering, Inc. of the Carolinas [F-0116]
Omaha, NE

VIOLATION: Submitted false information on renewal forms [G.S. 89C-23].

BOARD ACTION: Reprimand and \$2500 civil penalty.

CASE NO. V2012-043

Gary A. Barnes, PE [18433]
 Mooresville, NC

VIOLATION: Affixed his seal to deficient, inaccurate and misleading report, failing to protect the public [.0701(b)]; failed to be objective in a report [.0701(d)]; failed to include address on document [.1103(a)(6)]; and his firm practiced or offered to practice engineering in NC without a license as required by G.S. 89C-24.

BOARD ACTION: Reprimand, \$5000 civil penalty and ethics course.

CASE NO. V2012-044

Michael H. Leonard, PE [12680]
Charlotte, NC

VIOLATION: Produced a deficient, substandard or inaccurate report, failing to protect the public [.0701(b)]; and affixed his seal to inadequate design documents, failing to protect the public [.0701(b)].

BOARD ACTION: Reprimand.

CASE NO. V2012-047

Gregory S. Astroth, PE [36176]
Charlotte, NC

VIOLATION: Failed to comply with CPC audit requirements [.1712(a)].

BOARD ACTION: Reprimand and audit CPC for the next three years renewed as active.

CASE NO. V2012-048

Samuel E. Keith, Jr., PE [24875]
Rolesville, NC

VIOLATION: Failed to comply with the CPC audit requirements [.1712(a)] and failed to maintain log and verification records to support PDH credits for CPC [.1706].

BOARD ACTION: Reprimand and audit CPC for the next three years renewed as active.

CASE NO. V2012-049

Bobby J. Raye, PLS [L-1108]
Charlotte, NC

VIOLATION: Failed to provide adequate tie [.1602(g), .1604(d)(9)]; failed to protect the public by not establishing control corners required by G.S. 39-32.1 [.0701(b)]; failed to properly indicate bargraph on map [.1604(d)(11)]; failed to identify all reference sources [.1602(f)]; failed to properly reference north arrow [.1604(d)(1)]; failed to properly indicate name of owner in title of plat [.1604(d)(11), G. S.

47-30(c)); failed to indicate ratio of precision [.1603]; and failed to identify all reference sources [.1602(f)].

BOARD ACTION: Refused to renew his Land Surveying Certificate of Licensure or to reinstate if not renewed (or if renewed, suspend the license) until he passes Part B of the State portion of the Principles and Practice of Surveying Exam.

CASE NO. V2012-052

Mickey R. Bennett, PLS [L-1514]
Lillington, NC

VIOLATION: His corporation practiced or offered to practice land surveying in violation of G.S. 89C-24 and 55B.

BOARD ACTION: Reprimand and \$500 civil penalty.

CASE NO. V2012-053

Charles E. Brown III, PLS [L-2456]
Elizabeth City, NC

VIOLATION:

Map 1

Failed to provide legend [.1604(d)(11)]; failed to describe monuments as set or found [.1602(f)]; failed to provide adequate tie [.1602(g), .1604(d)(9)]; and failed to monument corners [.1602(d)].

Map 2

Failed to conduct his practice in order to protect the public health, safety and welfare [.0701(b)]; failed to provide adequate tie [.1602(g), .1604(d)(9)]; failed to provide legend [.1604(d)(11)]; failed to monument corners [.1602(d)]; and failed to tie to geodetic monument within 2000 feet [.1602(g)].

BOARD ACTION: Reprimand and require proof within 12 months of passing Part B of the State portion of the Surveying Principals and Practice Exam II.

CASE NO. V2012-054

Marc C. Gibson, PE [27424]
Charlotte, NC

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

to properly certify documents by not signing and sealing documents and by using a scanned signature [.1103].

BOARD ACTION: Reprimand and \$5000 civil penalty.

CASE NO. V2012-066

William F. Rolader, PLS [L-2846]
Mountain City, GA

VIOLATION: Failed to conduct his practice in order to protect the public health, safety and welfare [.0701(b)] by creating a subdivision without performing fieldwork.

BOARD ACTION: Reprimand and \$500 civil penalty.

CASE NO. V2012-067

Robert M. Grasso, unlicensed
d/b/a Land Planning Collaborative, P.A.
Asheville, NC

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

BOARD ACTION: Issued a letter to cause respondent and his corporation to cease and desist offering to practice or practicing engineering, to include but not limited to stormwater drainage and road design, until such time as he and his corporation become licensed with the NC Board and referred to Board of Landscape Architects.

CASE NO. V2012-069

Estes Design, Inc., unlicensed
Charlotte, NC

VIOLATION: Practiced or offered to practice engineering in NC in violation of G.S. 89C-24 and 55B.

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

CASE NO. V2012-085

Kanya Mukoko, unlicensed
d/b/a Pelco Engineering Consultants
Charlotte, NC

VIOLATION: Respondent and his firm practiced or offered to practice engineering without a license and used the word "engineering" in violation of G.S. 89C-23, 24 and 55B.

BOARD ACTION: Issued letter to cause respondent to cease and desist offering or practicing engineering until licensed with the NC Board, and require respondent to appear for an administrative conference to explain this and one other investigative case, if and when he applies to become licensed as a PE in NC.

CASE NO. V2012-091

LandScience, Inc., unlicensed
Miami, FL

VIOLATION: Corporation practiced or offered to practice engineering in violation of 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 until such time as the company becomes licensed with the NC Board.



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.