

NORTH CAROLINA BOARD OF EXAMINERS FOR ENGINEERS AND SURVEYORS

December 9, 2020

Raleigh, North Carolina

Board Chair, Bobbie Shields, gavelled the North Carolina Board of Examiners into session at 9:01 a.m. on Wednesday, December 9, 2020 to conduct the regular order of business. Attendance was as follows:

Present:

Bobbie Shields, PE, Chair
John M. Logsdon, PLS, Vice-Chair
Carl M. Ellington, Jr., PE, Secretary
Andrew G. Zoutewelle, PLS
Dennis K. Hoyle, PE, PLS
Carol W. Salloum, Public
Jonathan S. Care, Public
Richard M. Benton, PLS
Cedric D. Fairbanks, Ph.D., PE

Absent:

1. Ethics Awareness and Conflict of Interest Reminder – Chair

Chair Shields 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 matter involved. There were no conflicts noted.

Ms. Salloum joined the meeting at 9:02 a.m.

2. Consent Agenda – Executive Director

Chair Shields introduced the Consent Agenda. Mr. Benton made a motion to approve the Consent Agenda as presented. Mr. Care seconded the motion. A vote was taken, and the Consent Agenda was unanimously approved by those in attendance at the time the vote was taken.

The Consent Agenda included: Comity and Initial Licensure Applications; Firm Applications for 3 Professional Corporations, 4 Professional Limited Liability Companies, and 1 d/b/a Request; Minutes; Retired Status Requests; Review Committee Agenda; CPC Consent Agenda; and a Settlement Conference Recommendation.

Mr. Zoutewelle joined the meeting at 9:06 a.m.

3. Committee Reports – Committee Chairs

Engineering Committee – Chair Hoyle

Professional “Opinion” Question from Nicholas Lutzweiler, PE – This question was originally posed to David Tuttle, the Board Counsel. Through a communication exchange, Mr. Tuttle provided Mr. Lutzweiler with his professional opinion. The matter was then addressed to the Engineering Committee. Mr. Hoyle advised the Board that upon review of the matter, the committee is in agreement with Mr. Tuttle’s opinion and had nothing further to add. Mr. Tuttle to relay the committee’s determination that the matter was in compliance with the Department of Insurance.

Sunstar Engineering Americas, Inc. – Determine if services offered are engineering. Following discussion with Board staff, the company agreed to use an assumed name. Secondly, the committee addressed the issue of the type of manufacturing done by the company. The committee determined that what they were offering was not within engineering services.

Mr. Hoyle thanked Mr. Tuttle and Mr. Evans for their support over the past year.

Surveying Committee – Chair Logsdon

Contract GIS – Item is the result of an inquiry from the Secretary of State's Office concerning an individual seeking to create a new business entity. Mr. Tuttle had initially provided guidance and directed individual to informational resources. After review, the committee directed Mr. Tuttle to prepare a more formal communication to caution the individual to observe the statutes and regulations when contemplating a business relationship with GIS as it relates to surveying.

Town of Harrisburg Discussion – Mr. Logsdon informed the Board that the committee discussion resulted in a determination that an investigation should be initiated. In a motion coming out of committee, Mr. Logsdon motioned to initiate actions against two professional engineers. Mr. Tuttle confirmed that the charges would fall under .0701(b), failing to conduct practice in order to protect the public health, safety, and welfare; and .0701(d)(1), failing to be objective and truthful in all professional reports, statements, or testimony. A vote was taken, and the motion was unanimously approved.

Mr. Logsdon expressing his appreciation for the staff, gave special thanks to Mark Mazanek, David Tuttle, and Andrew Ritter for their participation and input in all the committee meetings.

4. NCEES – Executive Director

Mr. Ritter informed the Board that the NCEES Zone Interim Meeting has been canceled due to the impact of COVID-19. A Zoom version of the interim meeting is being developed to complete other zone business usually completed during the meeting. Details are forthcoming. Our Board was scheduled to host the Annual Meeting in April 2021, but the meeting has been officially canceled and NC taken out of rotation until notified otherwise by the NCEES Site Selection Committee. Additionally, the NCEES Board President's Assembly Meeting will be conducted via Zoom.

5. Board Secretary Report – Board Secretary and Executive Director

Mr. Ellington informed the Board that he had reviewed the budget. He informed the Board that he had requested that Mr. Ritter also share the draft budget with Mr. Logsdon for his input and stated that he anticipates budget approval. Mr. Ellington expressed his appreciation for the opportunity to serve in the role of the Board Secretary. Mr. Ellington then requested that Mr. Ritter give an overview of the proposed budget. Mr. Ritter gave an overview and expressed his budget planning methodology. He described how COVID-19 impacted items that were generally very consistent from year to year. He expressed his concerns regarding the impact of the virus on renewals. Such impact, he predicted, would be evident in the upcoming months. Further, Mr. Ritter explained that there are no special projects planned for the upcoming budget. Following discussion regarding budgetary opportunities, the topic was suggested as a planning session item. Staff is directed to gather information to give a property report in October at the planning session.

Chair Shields entertained a motion. Mr. Ellington made a motion coming out of the Finance Committee to approve the 2021 Budget. A vote was taken, and the 2021 Budget was unanimously approved.

6. Adoption of NCBEES Policy Manual – Vice-Chair

Mr. Logsdon expressed his appreciation for comments and suggestions from fellow Board Members, staff, and the auditor. He informed the Board that all comments and suggestions have been incorporated, reviewed, and approved. After asking if there were any other changes, upon hearing none, he made a motion to approve the policy manual. The motion was seconded by Mr. Care. A vote was taken and the NCBEES Policy Manual was unanimously approved.

7. Violations Activity – Assistant Executive Director

Mr. Evans presented the Violations Report with data current as of December 9, 2020 and informed the Board that 106 cases had been opened for fiscal year 2020 and 99 cases had been closed. He provided information regarding the stage of completion of the 81 cases currently open as of December 1, 2020 and informed the Board that the average number of days from case open to investigation complete is currently 119 days. Mr. Evans informed the Board that there was a notable increase in the number of non-licensed cases.

There was a brief discussion regarding a growing concern as it relates to licensees who repeatedly violate the Rules and the trend toward an increase in non-licensed activities. Mr. Evans will compile data and report back to the Board at the January meeting.

8. Applications – Director of Business Licensure

O'Brien & Gere Engineers, Inc. has requested to be allowed to change their name to Ramboll America Engineering Solutions, Inc. Mr. Mazanek explained the details of the request. Following discussion, Chair Shields asked for staff recommendation. Mr. Mazanek provided details to support his view and stated that he had discussed the matter with both Mr. Tuttle and Mr. Ritter and, based on the foregoing, was comfortable making a recommendation to approve the request.

Mr. Benton made a motion to approve the name change. Ms. Salloum seconded the motion. The Board voted and the motion was unanimously approved.

9. 2021 Committee Appointments – Vice-Chair

Mr. Logsdon advised the Board that Mr. Fairbanks will chair the Engineering Committee, Mr. Zoutewelle will chair the Surveying Committee, and Ms. Salloum will chair the CPC Committee with Mr. Shields and Mr. Benton as members. Ms. Salloum will continue to act as the public member for the Engineering Committee and Mr. Care will act as the public member for the Surveying Committee. Mr. Shields thanked the members for their participation.

10. Old Business – Executive Director

Mr. Ritter provided an update regarding renewals. He stated that the numbers indicate that the renewals are on par with the previous year. He will provide weekly updates but does not anticipate much variance. Lastly, Mr. Ritter informed the Board that the January Board meeting will only be one day since the respondent who was scheduled for hearing in January cannot attend due to health concerns. The Board meeting will be held January 13, 2021. A separate hearing is scheduled for March.

Mr. Zoutewelle expressed appreciation to Mr. Shields for chairing the Board during the past year. Mr. Shields thanked everyone for their confidence and support.

Mr. Benton made a motion to adjourn. The Board adjourned at 10:27 a.m. The Board is next scheduled to meet on January 13, 2021.

Respectfully submitted,



Dennis K. Hoyle, PE, PLS
Secretary

Approved by the Board in Session

Date: February 10, 2021

NORTH CAROLINA BOARD OF EXAMINERS FOR ENGINEERS AND SURVEYORS

November 18, 2020

Raleigh, North Carolina

Board Chair, Bobbie Shields, gaveled the North Carolina Board of Examiners into session at 9:02 a.m. on Wednesday, November 18, 2020 to conduct the regular order of business. Attendance was as follows:

Present:

Bobbie Shields, PE, Chair
John M. Logsdon, PLS, Vice-Chair
Carl M. Ellington, Jr., PE, Secretary
Andrew G. Zoutewelle, PLS
Dennis K. Hoyle, PE, PLS
Carol W. Salloum, Public
Jonathan S. Care, Public
Richard M. Benton, PLS
Cedric D. Fairbanks, Ph.D., PE

Absent:

1. Ethics Awareness and Conflict of Interest Reminder – Chair

Chair Shields 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 matter involved. Mr. Ellington recused himself from matters of the consent agenda.

2. Consent Agenda – Executive Director

Chair Shields introduced the Consent Agenda. Mr. Benton made a motion to approve the Consent Agenda as presented. Ms. Salloum seconded the motion. A vote was taken, and the Consent Agenda was unanimously approved.

The Consent Agenda included: Request for Board Authorized Case Opening; Firm Applications for 10 Professional Corporations, 13 Professional Limited Liability Companies, 4 Business Firms, 2 Chapter 87 Corporation, 3 d/b/a Requests, and 5 Name Change Requests; Minutes; Retired Status Requests; and Review Committee Agenda.

Chair Shields turned the meeting over to Vice-Chair Logsdon to continue with part two of the Planning Session.

3. Planning Session II – Vice-Chair Logsdon

A. Copyright Policy

Mr. Logsdon noted some economic facets of the surveying profession that some surveyors have expressed a belief could be enhanced through the use of copyrights. He then opened the topic for discussion. Following a robust discussion, Mr. Logsdon suggested the development of a policy or guideline regarding the use of a copyright notice. Members then discussed the benefits of including the engineering profession in the effort. Mr. Logsdon will develop a draft to be circulated to both the Surveying Committee and to the Engineering Committee for consideration.

B. Responsible Charge Discussion

Mr. Logsdon turned the meeting over to Mr. Care to lead the discussion on the topic of responsible charge. Mr. Care noted that the topic had been tackled previously without moving forward. He recalled that there was a focus on the employment status of the individual under responsible charge. Discussion ensued with some members expressing a willingness to explore a more action/task focused position, rather than placing the emphasis on an individual's specific employment status. Pros and cons were discussed for each scenario with input from Board Members and staff in attendance. Mr. Logsdon suggested a third planning session with input from key staff along with input from the full Board. Mr. Logsdon and Mr. Care will keep the topic in focus.

C. Firm Names

Mr. Logsdon turned the meeting over to Mr. Hoyle for a discussion of the Board's practices related to approval of firm name requests. Mr. Hoyle detailed the results of his review of historical data as he informed the members how such review of the actions of the last 10 years helped him to understand why certain actions were taken in the majority of the cases. He also highlighted examples of manufacturing complexities that appeared evident in the Board's decisions. The topic was then opened for discussion. The members discussed the various intricacies that play a role in the final determinations and factors that may have resulted in the occasional outlier. Mr. Logsdon emphasized the need to ensure the avoidance of the appearance of arbitrary and capricious determinations.

The Board took a break at 10:52 a.m. and reconvened at 11:00 a.m. Mr. Zoutewelle announces his need to leave the meeting. The meeting will start with item B – Responsible Charge which was skipped.

D. Board Elections – The Board officers, confirmed at the October planning session, acknowledged before technical difficulties ended the audio feed.

- Board Chair – Mr. John M. Logsdon
- Vice-Chair – Mr. Jonathan S. Care
- Board Secretary – Mr. Dennis K. Hoyle

At 11:58 a.m. the Board went into closed session for a personnel matter. The Board returned from closed session at 1:20 p.m. and immediately adjourned.

The Board is next scheduled to meet on December 9, 2020.

Respectfully submitted,



Dennis K. Hoyle, PE, PLS
Secretary

Approved by the Board in Session

Date: February 10, 2021

NORTH CAROLINA BOARD OF EXAMINERS FOR ENGINEERS AND SURVEYORS

October 14, 2020

Raleigh, North Carolina

Board Chair, Bobbie Shields, gavelled the North Carolina Board of Examiners into session at 1:03 p.m. on Wednesday, October 14, 2020 to conduct the regular order of business. Attendance was as follows:

Present:

Bobbie Shields, PE, Chair
John M. Logsdon, PLS, Vice-Chair
Carl M. Ellington, Jr., PE, Secretary
Andrew G. Zoutewelle, PLS
Dennis K. Hoyle, PE, PLS
Carol W. Salloum, Public
Jonathan S. Care, Public
Richard M. Benton, PLS
Cedric D. Fairbanks, Ph.D., PE

Absent:

1. Ethics Awareness and Conflict of Interest Reminder – Chair

Chair Shields 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 matter involved.

2. Consent Agenda – Executive Director

Chair Shields introduced the Consent Agenda. Mr. Zoutewelle made a motion to approve the Consent Agenda as presented. Mr. Benton seconded the motion. A vote was taken, and the Consent Agenda was unanimously approved.

The Consent Agenda included: Request for Board Authorized Case Openings; Comity, Initial Licensure and Licensure Reinstatement applications; Firm Applications for 14 Professional Corporations, 13 Professional Limited Liability Companies, 1 Chapter 87 Corporation, 3 Requests for use of d/b/a, and 4 Name Change Requests; CPC Consent Agenda; Retired Status Requests; and Review Committee Agenda.

Chair Shields directed the meeting to the Planning Session phase. He noted that the Planning Session is a platform for discussion without motions or votes. He reiterated the items assigned at the October 2019 Planning Session before turning the meeting over to Vice-Chair Logsdon. There was clarification that there would be motions and votes for nominations of Board officers. It was noted that Lori Daniels, the internal auditor would be joining at 2:00 p.m.

3. Planning Session – Vice-Chair Logsdon

A. Board Calendar

Mr. Logsdon requested input for the 2021 calendar. Mr. Ritter presented the option of multiple 2-day meetings to clear the backlog of hearings. He proposed six meetings, two conference calls, and a planning session. Vice-Chair Logsdon initiated a discussion regarding currently planned NCEES activities, the Board's hosting of the 2012 meeting, and other regional and national meetings. Following discussion, members agreed to move forward on the assumption that meetings would be held as planned. The calendar will be added as an item under the November consent agenda.

B. 100-Year Anniversary

Discussion ensued around a proposed two-night event to celebrate the 100th anniversary of the Board. It was suggested to schedule the event for the third or fourth quarter of 2021. Various venues are considered but none determined. The list of invitees is considered and is planned to include past executive directors. The attendance is expected to be approximately 60 individuals. Mr. Ritter will provide four or five options and report back.

C. Renewal Process

Mr. Logsdon introduced the topic of the current renewal process. He mentioned statutory considerations which require renewals be mailed. He noted the significant cost associated with the current handling of the renewal process. Mr. Logsdon asked Mr. Ritter to provide a historical perspective and some data to be considered. Mr. Ritter informed the Board that the annual renewal effort is at a cost of approximately fifty thousand dollars. He informed the Board that the statute requires renewals to be mailed out by November 30th of each year. He further detailed staff efforts to minimize the number of actual renewal notices which need to be mailed. Such efforts include multiple emailed notices. He explained that any efforts to modify the process will have no impact 2020 budget due to the proximity to the November 30th date. Extensive discussion ensued. Members considered factors such as the number of online renewals, late penalties, and the methods and effectiveness of emailed reminders.

In an effort to ascertain whether there is flexibility to modify the process to make it more economical, while staying within the confines of the statute, Mr. Logsdon read N.C. G.S. 89C and noted the requirements contained therein. Mr. Logsdon suggests the possibility of an AG ruling. Mr. Ritter states that he has an upcoming executive director's meeting. He will seek input from the group and report back.

D. Board of Elections

Mr. Logsdon returned the gavel to Chair Shields to officiate the election process. Chair Shields opened the floor for discussion of the nomination process, noting the impact of the Corona Virus. Following discussion, the Board moved forward with nominations. Chair Shields formally opened the floor for nominations.

- Mr. Zoutewelle nominated Mr. Hoyle for the position of Board Secretary. Mr. Care seconded the motion. Mr. Zoutewelle motioned to close nominations.
- Mr. Zoutewelle nominated Mr. Jonathan Care for the position of Vice-Chair. Mr. Benton seconded the motion. Mr. Logsdon motioned to close nominations.
- Chair Shields acknowledged that Mr. Logsdon was being considered for the position of Board Chair. He asked if there were any other nominations for the position of Board Chair. Hearing none, Mr. Care motioned to close nominations.

Chair Shields noted that there was only one name nominated per position and asked how the Board would like to proceed. Mr. Benton made a motion to accept all nominations. Ms. Salloum seconded the motion to accept all nominations. A vote was taken, and the nominations were unanimously approved. The 2021 Officers were elected as follows:

- Board Chair – Mr. John M. Logsdon
- Vice-Chair – Mr. Jonathan S. Care
- Board Secretary – Mr. Dennis K. Hoyle

At 2:12 p.m. the Board took a break and reconvened at 2:25 p.m.

E. Internal Audit – Vice-Chair Logsdon

Mr. Logsdon introduced Ms. Lori Daniels, the internal auditor. Mr. Logsdon provided background regarding the engagement letter and how certain items agreed to in the engagement letter prompted the audit in an effort to make sure the items agreed to were accurate. Ms. Daniels provided an oral summary of the audit. Notably, she spoke about the segregation of duties and the unique challenges of such segregation of duties in a small organization. The resulting draft of the policy manual was discussed, and it was noted that the Board operates as an organization with a repeatable organizational structure. Improvements in efficiencies geared toward reduction of the storage of papers and improvements for automated tracking were recommended. Ms. Daniels suggested formalizing controls to translate and transfer knowledge for unexpected personnel changes.

Board members will review and finalize the policy manual for adoption. Mr. Logsdon will modify language delegating duties from the Board Secretary to the Executive Director and report back to the Board. Changes suggested by Board members should be directed to Mr. Logsdon.

4. Miscellaneous

Mr. Logsdon will circulate a proposal regarding the Board's copyright policy.

Mr. Care will research the topic of responsible charge and the principal of an employee versus borrowed servant.

Mr. Benton made a motion to adjourn. The Board adjourned at 3:58 p.m. The Board is next scheduled to meet on November 18, 2020.

Respectfully submitted,



Carl M. Ellington, Jr., PE
Secretary

Approved by the Board in Session

Date: December 9, 2020

NORTH CAROLINA BOARD OF EXAMINERS FOR ENGINEERS AND SURVEYORS

September 16, 2020

Raleigh, North Carolina

Board Chair, Bobbie Shields, gavelled the North Carolina Board of Examiners into session at 9:07 a.m. on Wednesday, September 16, 2020 to conduct the regular order of business. The meeting was conducted via video conference. Member attendance was as follows:

Board Members Present:

Bobbie Shields, PE, Chair
John M. Logsdon, PLS, Vice-Chair
Carl M. Ellington, Jr., PE, Secretary
Andrew G. Zoutewelle, PLS
Dennis K. Hoyle, PE, PLS
Jonathan S. Care, Public
Carol W. Salloum, Public
Richard M. Benton, PLS
Cedric D. Fairbanks, Ph.D., PE

Absent:

Guest Present:

James Spielberg, DSM
Brendon Blair, Renew Central

1. Ethics Awareness and Conflict of Interest Reminder – Chair

Chair Shields 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. Mr. Zoutewelle informed the Board that he had a conflict related to the Declaratory Ruling agenda item.

Chair Shields informs the Members that Mr. Ellington has requested that item 6, the Board Secretary Report, is moved to follow the Consent Agenda.

2. Consent Agenda – Executive Director

Chair Shields introduced the Consent Agenda and entertained a motion for acceptance. Mr. Benton motioned to approve the Consent Agenda as presented. Mr. Zoutewelle seconded the motion. A vote was taken, and the Consent Agenda was unanimously approved.

The consent agenda included: a Request for Board Authorized Case Openings; Comity, PE and PLS Reinstatement, and Initial Licensure; Firm Applications for 23 Professional Corporations, 30 Professional Limited Liability Companies, 2 Business Firms, 1 Chapter 87 Corporation, 4 Name Change Requests, 3 Requests to Use Individual's Name in Company Title, and 4 Requests for use of d/b/a; Minutes; Retired Status Requests; Review Committee Agenda; and Approval of CPC Sponsor Applications.

3. Declaratory Ruling – DSM Engineering Plastics, Inc. – Board Counsel

Mr. Zoutewelle, recused from the Declaratory Ruling, temporarily leaves the meeting by turning off his video feed. Chair Shields turns the meeting over to Board Counsel, David Tuttle, for introduction of the matter. Mr. Tuttle welcomed Mr. Spielberg, attorney for DSM Engineering Plastics, Inc., and summarized restrictions contained in G.S. 89C as it relates to the use of the word "engineering" in a business name. Mr. Tuttle detailed efforts between the staff and Mr. Spielberg to resolve the issue prior to the request for a declaratory ruling. He stated that those efforts resulted in a determination that the core issue is a naming issue which staff determined could be resolved by use of a d/b/a. However, DSM Engineering Plastics, Inc. considered such remedy to be a hardship that would negatively impact DSM's global operations. Mr. Tuttle further explained the options available to DSM when requesting a declaratory ruling, he noted the company's patience and consideration of the ruling and noted that company is not seeking an oral hearing at this time. Mr. Tuttle turns the matter back over to Chair Shields. Chair Shields opened the matter for discussion.

Extensive discussion ensued related to the Board's ability to interpret G.S. 89C without arriving at an arbitrary and capricious result. It was determined that the first order of business was to determine if the Members were in agreement to issue a declaratory ruling. Mr. Logsdon made a motion to issue a declaratory ruling as to whether the company can use the word "engineering" in the company name. The motion was seconded by Mr. Care. The Board voted and it was unanimously approved to issue a declaratory ruling. Discussion resumed with a focus on the ruling. Note: Mr. Fairbanks temporarily left the meeting. Mr. Logsdon made a motion to deny the request of DSM Engineering Plastics, Inc. to use the word "engineering" in its business name. Mr. Care seconded the motion for discussion. After additional discussion and input by Board Counsel, David Tuttle, as requested by the Board; a vote was taken. Mr. Fairbanks was absent from discussion and vote. Members voted and it was determined by a vote of four to three to deny the request of DSM Engineering Plastics, Inc. to use the word "engineering" in its business name. Mr. Tuttle will draft the declaratory ruling for Board review and input prior to issuing. The draft is to include references to G.S. 89C and address the lack of legislative remedy for the issue of economic impact. Mr. Ritter states that statutory consideration will be added to the planning session.

Mr. Zoutewelle returns to the meeting. Chair Shields directs the meeting to the Violations item.

4. Committee Reports

Engineering Committee – Chair Hoyle

Electronic Signature – Mr. Hoyle informed the Board that the committee sought guidance from and agreed with Board Counsel, David Tuttle, regarding the challenges to the validity of the questioned electronic signature process. Mr. Tuttle explained that his efforts, in this case as with every case when his input is requested to substantiate an electronic signature process, included substantial efforts to understand and determine the process' integrity to be consistently reliable, certifiable, and a process which conforms to the high standards for individuals in the engineering and surveying professions. In this case such efforts included discussions with the software vendor. Following discussion, Mr. Tuttle assured the Members that efforts to assist the requestor is ongoing and it is expected that the eventual outcome will be positive. Per Mr. Hoyle, the committee agrees with Mr. Tuttle's assessment.

Synoptic Engineering – Mr. Hoyle reported that Synoptic Engineering, LLC requested a nonobjection letter. He asked Mr. Tuttle to clarify the issue for the Board. There was a brief discussion. Mr. Mazanek, as had been directed by the committee, will offer the company the option of using a d/b/a that does not include the word "engineering." No action is required by the Board.

Resident Professional in Office – As an information item, Mr. Hoyle informed the Board that Mr. Tuttle has written an article to help clarify the issues of a "Resident Professional in Office" in the current environment. Both the Surveying Committee and the Engineering Committees are reviewing the matter.

Surveying Committee – Chair Logsdon

Exam Transition - Mr. Logsdon informed the Board that the transition from paper and pencil exams to computer-based testing is complete. He also shared that there has also been an increase in the number of applicants for the surveying exam. The first of the computer-based exams are scheduled for October 5th and October 26th. Mr. Logsdon explained how the State Specific Exam will manage Part B (laws, rules, and regulations) and Part C (drainage). Both parts are being combined in the computer-based version. Historically, applicants were required to pass both Part B and Part C and there have differences in the pass/fail rate between Part B and Part C. Applicants generally have a higher pass rate for Part B. Applicants who have passed Part B but not Part C will be permitted to take the paper and pencil Part C. However, this exception will only be available to those applicants until December 31, 2021. Those individuals are not precluded from taking the computer-based exam.

Map Reviews – Mr. Logsdon stated that staff and the Surveying Committee reviewed examples and criteria to ensure consistent determinations.

Mecklenburg Surveyors Meeting – Mr. Zoutewelle attended this meeting and returned with discussion topics related to the use of copyrights to avoid old surveys ending up on MLS and erroneously relied on as representing current conditions. Mr. Logsdon reminded the Board that this issue had been reviewed by an outside counsel who indicated that some elements of a survey are subject to copyright while other elements, such as information on a map, are not. Mr. Logsdon will draft a statement for review by both committees and presentation to the Board for approval.

The committee also addressed the issue of the use of GIS maps by sheriff's departments to settle property disputes. In one instance, a GIS map was used to determine that a driveway encroached on another's property and resulted in the rightful owner being charged with trespass. Mr. Benton and Mr. Care will co-author a newsletter article to address the issues associated with unlicensed individuals relying upon and identifying property lines using sources other than actual surveys. Board Counsel, David Tuttle, has been provided with contact information for the individual who questioned such practices and will inform the individual of the progress and proposed efforts to address the matter.

Resident Professional in Office – The committee reviewed a draft article by Board Counsel, David Tuttle. Committee members are in agreement with Mr. Tuttle's positions and interpretations. The committee discussed the possibility of revisions to the Board Rules to permit resident licensees to be the responsible licensee for multiple NC locations as is currently permitted for out-of-state locations.

Mr. Ritter provided information regarding the logistics of the upcoming surveying exams and praised the efforts of Stephanie Bryant, whose duties were recently expanded to include oversight of the surveying applicants and licensees. Ms. Bryant's independent efforts directly impacted the increase in the number of applicants to take the exam.

5. NCEES Activities – Executive Director

Mr. Ritter gave an update regarding the Zone Meeting. He noted that everything was approved. He informed the Board that our Board's candidate, Mr. Zoutewelle, did not secure the position; however, it is anticipated that he will seek the VP position in the Spring. All committee meetings will be virtual for the next year. Member Board Assembly Meeting may or may not occur. The 2021 Zone Meeting is still slated to occur but obstacles to finalizing the arrangements include hesitancy of vendors to sign agreements that far in the future. Mr. Brendon Blair, public guest, asked "what type of vendors are you looking for?" Mr. Blair was acknowledged and informed that hotel vendors are being sought. Discussion ensued regarding the pandemic's impact to the Board's opportunity to host the 2021 zone meeting. Mr. Ritter noted that the PE Exam has also been adversely impacted. It was canceled for April; however, the exam is scheduled to be hosted two consecutive days in October. 270 applicants are scheduled for a Thursday and 350 for the Friday. The Corey Convention Center in Greensboro has agreed to host permitting the booking of multiple 25 person rooms which aligns with the current North Carolina guidelines.

Chair Shields directs the meeting to item 3.

6. Board Secretary Report – Executive Director and Board Secretary

Mr. Ellington, stating that he had received and reviewed the December 2019 – July 2020 financials, informed the Board that the line items were tracking on schedule in the current environment. He asked Mr. Ritter to provide details regarding slight variances between actual and projected budget figures. Mr. Ritter informed the Board that staff was watching renewal activity closely to ascertain the effects of Covid-19, especially for firm renewals. Income is tracking on target while expenses remain down. Mr. Ellington asks Mr. Logsdon to provide a status of the auditor's report. Mr. Logsdon informed the Board that, due to time constraints, he was unable to finalize the draft policy manual prior to the meeting and, as such, he would like the policy manual to be added as a planning session topic for group input.

Chair Shields directs the meeting back to item three (3) of the Consent Agenda. He asks Mr. Tuttle to introduce and provide insight into the procedures for the Declaratory Ruling for DSM Engineering Plastics, Inc. Upon review, it was determined that this was a timed item, scheduled for 10:00 a.m. Attention is directed to Committee Reports.

7. Violations Activity – Assistant Executive Director

Mr. Evans presented the Violations Report with data current as of September 16, 2020 and informed the Board that 67 cases had been opened for fiscal year 2020 and 62 cases had been closed. He provided information regarding the stage of completion of the 78 cases open as of September 8, 2020 and informed the Board that the average number of days from case open to investigation complete is remains at 130 days. Notably, Mr. Evans advised that there was a significant increase in the number of cases related to unlicensed practice.

8. Applications – Director of Business Licensure & Compliance

Mr. Mazanek introduced the special request for continued use of the company. Mr. Benton made a motion to approve the request. Ms. Salloum seconded the motion. A vote was taken, and the request was unanimously approved by all present.

Mr. Fairbanks returns to the meeting following the vote.

9. Old Business – Executive Director

Mr. Ritter requests the Mr. Ellington take the gavel since both the Chair Shields and Mr. Logsdon are up for reappointment. Mr. Ellington officiated. Mr. Care made a motion to for the Board to support the reappointment efforts of both Chair Shields and Mr. Logsdon. Both members indicated their desire to serve for a second term. Ms. Salloum seconded the motion. A vote was taken, and it was unanimously approved to submit letters to the Governor in support of the reappointments. Chair Shields reclaimed the gavel.

10. New Business – Executive Director

Mr. Ritter advised that New Business would include items of new business, old business, and informational items. Chair Shields yielded to Mr. Logsdon to discuss the planning session. Mr. Logsdon noted the below topics scheduled for the planning session:

- Finalization of the internal audit policy manual
- Copyright issue – Engineers and Surveyors
- Use of the building's large conference room

Following discussion, a virtual planning session was agreed to. Staff is directed to find avenue for moving forward with hearings. Mr. Tuttle informed the Board that the annual records policy will need to be signed by Mr. Ritter and Chair Shields and would require a motion. Ms. Salloum made a motion to permit Mr. Ritter and Chair Shields to sign. Mr. Fairbanks seconded the motion. Following a vote, the motion was unanimously approved.

11. Informational Items - Executive Director

Mr. Benton made a motion to adjourn. Ms. Salloum seconded the motion. The Board adjourned at 12:10 p.m. The Board is next scheduled to meet on October 14, 2020.

Respectfully submitted,



Carl M. Ellington, Jr., PE
Secretary

Approved by the Board in Session

Date: November 18, 2020

NORTH CAROLINA BOARD OF EXAMINERS FOR ENGINEERS AND SURVEYORS

July 15, 2020

Raleigh, North Carolina

Board Chair, Bobbie Shields, gavelled the North Carolina Board of Examiners into session at 9:01 a.m. on Wednesday, July 15, 2020 to conduct the regular order of business. The meeting was conducted via video conference. Member attendance was as follows:

Present:

Bobbie Shields, PE, Chair
John M. Logsdon, PLS, Vice-Chair
Carl M. Ellington, Jr., PE, Secretary
Andrew G. Zoutewelle, PLS
Dennis K. Hoyle, PE, PLS
Jonathan S. Care, Public
Carol W. Salloum, Public
Richard M. Benton, PLS
Cedric D. Fairbanks, Ph.D., PE

Absent:

1. Ethics Awareness and Conflict of Interest Reminder – Chair

Chair Shields 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. There were no conflicts or appearances of conflict identified.

2. Consent Agenda – Executive Director

Chair Shields introduced the Consent Agenda and entertained a motion for acceptance. Mr. Benton made a motion to approve the Consent Agenda as presented. Mr. Care seconded the motion. A vote was taken, and the Consent Agenda was unanimously approved.

The consent agenda included: a Request for Board Authorized Case Openings; Firm Applications for 11 Professional Corporations, 30 Professional Limited Liability Companies, 4 Business Firms, 3 Chapter 87 Corporations, 3 Name Change Requests, 4 Requests to Use Individual's Name in Company Title, and 3 Requests for use of d/b/a; CPC Sponsor Application; Retired Status Requests; and Review Committee Agenda.

3. Committee Reports

Chair Shields introduced the Committee Reports topic. The Chairs of the CPC, Engineering, and Surveying Committees each informed the Board of no report for each respective meeting. Mr. Ritter interjected to let the record show that Mr. Logsdon had submitted his Surveying Committee minutes to be attached to the May minutes.

4. Board Secretary Report – Executive Director and Board Secretary

Mr. Ellington stated that he had reviewed the June budget, informed the Board that he found everything to be in order, and requested that Mr. Ritter provide an overview. Mr. Ritter informed the Board that revenue was slightly down due to small decreases in the numbers for firm and individual renewals. This was offset by a decrease in expenditures for staff and Board travel. Mr. Ritter provided explanations for the slight variances between actual and budgeted revenue and expenditures. He stated that the meeting with the internal auditor had been rescheduled from early July to August due to the auditor experiencing a medical emergency.

Mr. Ritter and Mr. Logsdon provided some details regarding the outcome of the internal audit and offered some possibilities as to how the recommendations could impact the Board and staff. Chair Shields sought clarification as to whether the findings of the auditor, the draft manual, would be more of a guidance document or a policy document. Mr. Ellington stated that he would defer to Mr. Logsdon and Mr. Ritter and asked that they review and prepare a presentation for the Board. Mr. Logsdon stressed the need to preserve internal processes and procedures to ensure a smooth and continuous flow of business in the event of unplanned turnover with executive staff, and the need to identify statute-driven matters, determine which matters can be delegated to staff and level of oversight the Board should retain. Mr. Ritter provided examples

of financial related tasks that may need to be implemented and included. Ms. Salloum has requested all financials. Going forward Mr. Ritter will send financials to Ms. Salloum and Mr. Fairbanks for each month.

5. Violations Activity – Assistant Executive Director

Mr. Evans presented the Violations Report with data current as of July 9, 2020 and informed the Board that 53 cases had been opened for fiscal year 2020 and 54 cases had been closed. He provided information regarding the stage of completion of the 53 cases opened as of that date and informed the Board that the average number of days from case open to investigation complete is currently 130 days.

Mr. Care, noting the large number of repeat offenders under the unlicensed category, asked staff to determine the feasibility of involving the attorney general to see if there are any remedies available to the review committees. Mr. Tuttle was consulted regarding the protections afforded to non-licensed individuals. Mr. Tuttle informed the Board that there is no obligation to keep info/case details confidential as is the case when dealing with licensed entities. Mr. Benton would like to pursue legislative changes in order to have more oversight of unlicensed practice. He directs staff to gather information regarding the possibility. Mr. Ritter stated that there are a number of states that have enacted some protections. After further discussions, it is determined that the issue should be a planning session topic.

Mr. Evans resumed reporting regarding violations and agreed to adjust the line graph chart to assist with readability.

5. NCEES Activities – Executive Director

Mr. Ritter noted that the current copy of the June Licensure Exchange was included for review. He informed the Board that the second item required the Board to vote on the 2020 Annual Meeting Ballot. Chair Shields entertained a motion to designate Mr. Ritter as the individual to complete and return the ballot. Mr. Benton made the motion. Mr. Hoyle seconded the motion. A vote was taken, and it was unanimously approved that Mr. Ritter would complete and return the ballot. Chair Shields lead a vote to determine the Board's disposition of each NCEES item follows:

- President-Elect – Mr. Benton made a motion to accept the Western Zone's nomination of Brian Robertson, P.E., Colorado for the office of president-elect. Mr. Hoyle seconded the motion. The Board voted and motion was unanimously approved.
- NCEES Treasurer – Mr. Care made a motion to check the box by the name of Andrew Zoutewelle for the office of NCEES Treasurer. Ms. Salloum seconded the. The Board voted and motion was unanimously approved by all who voted. Mr. Zoutewelle abstained from voting.
- Secretary-Treasurer – There is one candidate for secretary-treasurer. Mr. Benton made a motion to check the box by the name of Chris Ramseyer, Ph.D., Oklahoma. Mr. Fairbanks seconded the motion. The Board voted and the motion was unanimously approved.
- Motions for Council Vote endorsed by the NCEES Board of Directors.
 - Approval of the 2019 Annual Meeting Minutes – Mr. Benton made a motion to select “yes” that the 2019 annual meeting minutes be approved and published. Mr. Hoyle seconded the motion. The Board voted and the motion was unanimously approved.
 - Special Committee on Bylaws – Ms. Salloum moved to check “yes” that amendments to Bylaws Motions 1 - 5 be amended as shown on their respective pages of the Action Items and Conference Reports. Mr. Zoutewelle seconded the motion. The Board voted and the motion was unanimously approved.
 - Board of Directors Motion 1 – Ms. Salloum made a motion to select “yes” to approve the application of the American Society of Plumbing Engineers to become a member of the NCEES Participating Organizations Liaison Council (POLC). Mr. Hoyle seconded the motion. Following discussion, the Board voted, and the motion was unanimously approved.
 - Board of Directors Motion 2 – Mr. Fairbanks made a motion to select “yes” to ratify the proposed amendment to the NCEES Zone Meeting and Continuity Guidelines as shown on page 30 to the Action Items and Conference Reports to clarify that only member boards may make nominations.

- Budget Motion 1 and Budget Motion 2 – Mr. Zoutewelle made a motion to select “yes” to Board Motions 1 and 2 to approve the operating budget and the capital budget shown on pages 37-42, and page 43, respectively. Mr. Ellington seconded the motion. Following brief discussion during which Mr. Ritter clarified the motion was simply to approve the budget and Mr. Zoutewelle noted that the budget included funding for the new staff position for a marketing professional for surveying. A vote was taken, and the motion was unanimously approved.

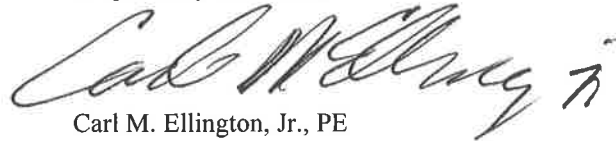
6. Informational Items - Executive Director

Mr. Ritter initiated a discussion regarding the handling of hearings and settlement conferences in light of the continuing pandemic. Chair Shields requested a motion to determine the effectiveness of video conferences for settlement conferences. Mr. Care motioned. Mr. Logsdon seconded the motion. Following discussion, Mr. Benton made a motion to amend the motion to “direct staff to seek volunteers to have settlement conferences by Zoom in order to determine the effectiveness of video conferences.” A vote was taken, and the amended motion was unanimously approved.

Chair Shields encouraged Board Member participation in the upcoming virtual NCEES Annual Meeting scheduled for August 27, 2020. Members must register to call in. Mr. Ritter gave an update regarding the upgrades to the Board Room. It was agreed that due to the delays the September meeting will be in Zoom format.

Mr. Ellington made a motion to adjourn. Mr. Benton seconded the motion. The Board adjourned at 10:39 a.m. The Board is next scheduled to meet on September 16, 2020.

Respectfully submitted,



Carl M. Ellington, Jr., PE
Secretary

Approved by the Board in Session

Date: September 16, 2020

NORTH CAROLINA BOARD OF EXAMINERS FOR ENGINEERS AND SURVEYORS

May 20, 2020

Raleigh, North Carolina

Board Chair, Bobbie Shields, gaveled the North Carolina Board of Examiners into session at 9:01 a.m. on Wednesday, May 20, 2020 to conduct the regular order of business. The meeting was conducted via video conference. Member attendance was as follows:

Present:

Bobbie Shields, PE, Chair
John M. Logsdon, PLS, Vice-Chair
Carl M. Ellington, Jr., PE, Secretary
Andrew G. Zoutewelle, PLS
Dennis K. Hoyle, PE, PLS
Jonathan S. Care, Public
Carol W. Salloum, Public
Richard M. Benton, PLS
Cedric D. Fairbanks, Ph.D., PE

Absent:

1. Ethics Awareness and Conflict of Interest Reminder – Chair

Chair Shields 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. There were no conflicts or appearances of conflict identified.

2. Consent Agenda – Executive Director

Chair Shields introduced the Consent Agenda and entertained a motion for acceptance. Mr. Benton made a motion to approve the Consent Agenda as presented. Mr. Care seconded the motion. A vote was taken, and the Consent Agenda was unanimously approved.

The consent agenda included: a Request for Board Authorized Case Openings; Firm Applications for 23 Professional Corporations, 47 Professional Limited Liability Companies, 2 Business Firms, 7 Name Change Requests, 1 Request to be Resident for Multiple Companies, 7 Requests to Use Individual's Name in Company Title, and 1 Request for use of d/b/a; CPC Sponsor Application; Retired Status Requests; Review Committee Agenda; and Engineering Committee Revision to Board Policy BP 1405-2.

3. NCEES Activities – Executive Director

Mr. Ritter gave an update regarding NCEES matters and informed the attendees that due to COVID-19, the National Meeting for 2020 has been canceled. He shared information gleaned from the Executive Director's Meeting with NCEES' CEO David Cox. The Annual Meeting is still scheduled to take place, but the format is planned to be webinar based. All exams are canceled until June 1, 2020 at which time the Pearson View Test Center is expected to reopen. Computer-based exams are expected to be back online in June and paper/pencil format is expected to resume in October with double the attendance expected. Mr. Zoutewelle provided his perspective as to the pandemic's impact to NCEES. The 2022 Southern Zone Joint Meeting with the Central Zone will be held in Oklahoma City.

Mr. Ritter pointed out that information was included regarding the nomination of Robert "Bob" Stockton, PE, for the office of NCEES Treasures for 2020-22; however, Mr. Stockton passed away recently leaving a void as he was the presumptive victor. Mr. Zoutewelle and two other candidates will vie for the position. Mr. Benton formally nominated Mr. Zoutewelle to run for the office. Ms. Salloum seconded the motion. The Board voted, and Mr. Zoutewelle was unanimously nominated to run for the position of NCEES Treasurer.

Mr. Ritter provided an update regarding the 2021 Southern Zone Meeting. NCBELS will host the meeting in Asheville next April at the Renaissance. Plans are being developed for optional activities.

4. Committee Reports

Chair Shields introduced the topic of Committee reports and requested updates of the respective committee chairs.

CPC Sponsor Applications (Care)

- 1) Jet Filter Systems' application was approved via the Consent Agenda.
- 2) The committee discussed procedures for Board guidance; PE and PLS CPC audits; and Sponsor audits during the ongoing pandemic.

Engineering Committee – Chair (Hoyle)

NEW BUSINESS

1. On-site Wastewater Treatment Systems (Informational): Mr. Hoyle advised that through work with Board Counsel, David Tuttle, it was determined that the Board policy regarding when a PE is needed does not need to be reissued.
2. Matrix Design Group – The committee reviewed a request for a non-objection letter. The issue was whether the company was engaging in engineering. The Engineering Committee will not recommend the issuance of a non-objection letter. Pending review by Surveying Committee.
3. Electric and Communication Utility – G.S. 89C Interpretation. In response to an inquiry by Gregory Booth, the committee considered whether engineering needs to be done in advance of any construction or whether an engineering certificate be provided after construction is complete. (Not related to sealed design drawings.) Committee concurred. Engineering should precede construction.

OLD BUSINESS

1. Action taken - May 13, 2020 to the following Board Policies:

- A. BP-0607-2 - 3D Modeling Policy – Reviewed – Engineering and Surveying
- B. BP-1005-3 - Engineering Surveys – Reviewed – Engineering and Surveying
- Minor revision
- C. BP-1112-1- Elevated Recreational Facilities – Reviewed – Engineering and Surveying
- D. BP-1405-1 - Roofing Systems – Reviewed
- E. BP-1405-2 - Inspections of Residential Buildings Reviewed – Engineering and Surveying
- Minor revision
- F. BP-1603-1 - Design/Installation of Petroleum Storage Tanks – Reviewed
- G. BP-1709-2 - Spill Prevention Control and Counter Measure Plans – Reviewed
- H. BP-9906-1 - Truss Placement – Commercial – Reviewed

2. Standing Agenda Items

- A. Annual Rules review per G. S. 150B-19.1(b)/Proposed statute changes
- B. Engineering Committee Outreach

3. Monitored Items

- A. Copyright issue
- B. Interior Design Profession Act – Draft
- C. Farm Bill Amendment (SB 315 – G. S. 89C – Revision)
- D. NTSB Safety Recommendations
- E. ASCE Utility Engineering and Surveying Institute

Surveying Committee – Chair (Logsdon)

New Business

1. Matrix Design Group, Inc. – Committee recommended that staff issue non-objection letter

2. Certification Qualifiers – Committee will make decisions on a case-by-case basis at this time. The committee determined that, for the current case, a certificate was not deemed to be appropriate. The committee also advised that a Report of Survey would be required. It was noted that if the certification includes accuracy, then the surveyor must do sufficient work in the field to verify the DTM information. Mr. Tuttle to prepare a response.
3. DTM Certification – In this case the committee advised a Report of Survey would be required. If the certification includes accuracy, then the surveyor must do sufficient work in the field to verify the DTM information. Mr. Tuttle will prepare a response.
4. Subdivision Question – The Committee reviewed and approved an amended response.
5. Real Estate Matter – The Committee declined to take the suggestion for NCBEES to include in the policies a requirement for a reference to G.S. 136. Staff was directed to prepare a response. Further, the Committee has determined that if the public or private nature of the street is a factor, the PLS must investigate and cite the supporting documents as the source of the information.
6. Rule Interpretation Question – Railroad Issue #1 - Committee advised that the rule should be acknowledged but in this case a note in the plat would be sufficient. Issue #2 - Duke Power Lease Agreement. It was determined that the termination language in this document is not the same as in the railroad information. Staff to respond.
7. Gary as Vice Chair of GICC – Informational Item
8. Jeff Lucas Definition of Surveying – No action required

Old Business

1. Online State Exam Update
2. Review of Board Policies
3. Minimum Requirements for an Airborne Survey
4. GICC Work Group – Committee Information
5. Copyright
6. ASCE Utility Engineering and Surveying Institute
7. Review of Draft Board Rule Change .0701(c)(3)

5. Board Secretary Report – Executive Director and Board Secretary

Mr. Ellington provided an overview of the March and April 2020 monthly reports. Mr. Ritter provided a historical prospective of how applications typically behave during turbulent economies and provided an update regarding the internal and external audits.

6. Violations Activity – Executive Director

Mr. Evans presented the Violations Report with data current as of May 20, 2020 and informed the Board that 37 cases had been opened for fiscal year 2020 and 35 cases had been closed. He provided information regarding the stage of completion of the 75 cases opened as of that date and informed the Board that the average number of days from case open to investigation complete is currently 131 days. Due to COVID-19 there was no Board outreach activity since February.

7. Applications – Director of Business Licensure

PCB Engineering Professional Association of the Carolinas – Following discussion, Mr. Benton made a motion to deny approval of the non-objection letter. Ms. Salloum seconded the motion. The Board voted and the motion was unanimously approved.

Engineered Retaining Walls, LLC – Mr. Benton made a motion to approve the non-objection letter. Ms. Salloum seconded the motion. Discussion ensued. The Board voted. Two members opposed. The motion was approved.

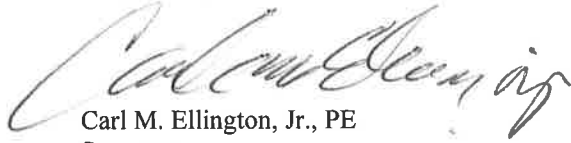
Engineered Networks – Following extensive discussion, Mr. Care made a motion to deny the non-objection letter. Mr. Hoyle seconded the motion. The Board voted. The motion to deny the non-objection letter was unanimously approved.

8. Informational Items - Executive Director

Mr. Ritter initiated a discussion regarding future Board activity during the pandemic. Following discussion, Mr. Zoutewelle made a motion that if the stay-at-home order were lifted, in-person meetings could resume but there would be an allowance for individuals to participate remotely. Mr. Benton seconded the motion. The Board voted. The motion was approved. Questions regarding hearings and settlement conferences are to be revisited at the July meeting.

Mr. Benton made a motion to adjourn. The Board adjourned at 12:05 p.m. The Board is next scheduled to meet on July 15, 2020.

Respectfully submitted,



Carl M. Ellington, Jr., PE
Secretary

Approved by the Board in Session

Date: July 15, 2020

NORTH CAROLINA BOARD OF EXAMINERS FOR ENGINEERS AND SURVEYORS

March 4, 2020

Raleigh, North Carolina

Board Chair, Bobbie Shields, gaveled the North Carolina Board of Examiners into session at 10:32 a.m. on Wednesday, March 4, 2020 to conduct the regular order of business. Attendance was as follows:

Present:

Bobbie Shields, PE, Chair
John M. Logsdon, PLS, Vice-Chair
Carl M. Ellington, Jr., PE, Secretary
Andrew G. Zoutewelle, PLS
Dennis K. Hoyle, PE, PLS
Jonathan S. Care, Public
Richard M. Benton, PLS
Cedric D. Fairbanks, Ph.D., PE

Absent:

Carol W. Salloum, Public

1. Ethics Awareness and Conflict of Interest Reminder – Chair

Chair Shields 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. There were no conflicts or appearances of conflict identified.

2. Consent Agenda – Executive Director

Chair Shields introduced the Consent Agenda and entertained a motion for acceptance. Mr. Zoutewelle made a motion to approve the Consent Agenda as presented. Mr. Hoyle seconded the motion. A vote was taken, and the Consent Agenda was unanimously approved.

The consent agenda included: a Request for Board Authorized Case Openings; Comity, Initial Licensure, and PE Reinstatement Applications; Firm Applications for 5 Professional Corporations, 9 Professional Limited Liability Companies, 2 Business Firms, 1 Chapter 87 Corporation, 2 Name Change Requests, and 1 Request for d/b/a; November and December Minutes; CPC Sponsor Applications; Retired Status Requests; Review Committee Agenda; and Settlement Conference Agenda.

3. Committee Reports

Chair Shields introduced the topic of Committee reports and requested updates of the respective committee chairs.

CPC Sponsor Applications (Care)

- 1) Three Oaks Engineering and Johnson Controls Continuing Education Programs were approved via the Consent Agenda.
- 2) 2019 Board Planning Session CPC Directives addressed the topics:
 - a. Should the Board consider changes to G. S. C to give the Board the ability to give grants?
 - Committee Recommendation: The committee provided material for consideration and advised the Board that the committee recommends taking steps to gain approval of changes to G.S. 89C to permit certain engineering and land surveying organizations to be eligible for grants by the Board. The topic will be revisited at a later date after the Board Members have time to review the materials. Looking forward, the committee notes that should the requested change be approved, there may need to be changes to Board policies and rules.
 - b. Credit for Outreach Activities
 - Committee Recommendation: The committee wants to encourage outreach activities but believes PDH credits for such activities must be limited to no more than 3 PDHs. The language of such limitation is to be consistent with NCEES Model Law. This committee

recommendation will require revisions to Board rules. Necessary revisions to be included in the next round of rulemaking.

c. Sponsor Renewal Fee

- Committee Recommendation: Committee requests that language in .1713(a) is revised to allow flexibility for the Board to have sponsors but not require Board to have sponsors by changing the phrase from “The Board shall” to “The Board may.”
- 3) NCEES UPLG Committee “self-study” for CPC credit - Model Rules has a provision which allows self-study. Chair Shields provided historical perspective and informed the Board that there were a number of UPLG Committee participants with concerns about allowing self-study to count as CPC credit. It is noted that CPC guidelines do not permit self-study. Modifications were made to the language to bring in line with NCEES Model Rules allowing the UPLG to recommend that the NCEES Education Committee review the definition of self-study.
- 4) Texas Tech University, Murdough Center for Engineering Professionalism, Engineering Ethics course for Professional Land Surveyors. Staff directed to contact Texas Tech University to see if the university is willing to make adjustments to its ethics course that would make the Texas Tech ethics course an option for land surveyors.

Engineering Committee – Chair (Hoyle)

NEW BUSINESS

1. NCGS 133-1.1 - Certain buildings involving public funds to be designed, etc. by architect or engineer (Informational Item) Question from Scott Hensley, PE. Statute puts monetary thresholds on public works projects when a design professional is required. Mr. Tuttle responded on 1/24/2020.
2. Live Remote Inspections - NC Code Officials Qualification Board Paper (Informational Item) Cliff Isaac, PE with NCDOI provided information to Mr. Tuttle. Pertains to use of smart phones, etc. for permit holder to demonstrate code compliance without inspector being physically present. Mr. Tuttle suggests it may have application for the Board’s interpretation of responsible charge.
3. Statewide Uniform Requirement of Inspection Procedures for Solar Photovoltaic Systems Installed on Residential Rooftops - NCDOI Paper (Informational) Cliff Isaac, PE with NCDOI provided information to Mr. Tuttle. Paper is directed towards inspectors and installers. It also addresses when a design professional is required.
4. PE Application Review – J. L. Keaton, PLS (20 Year/FE Waiver Request) Committee needs to evaluate whether applicant has 20 years of progressive engineering experience. Provided suggestions as to approach to gain needed experience.
5. PE Application Review – J. L. Edwards, PLS (20 Year/FE Waiver Request) Committee needs to evaluate whether applicant has 20 years of progressive engineering experience. Provided suggestions as to approach to gain needed experience.

OLD BUSINESS

1. Review Board Policies

- A. BP-0607-2 - 3D Modeling Policy, Committee will consider Policy on 3D Modeling when it receives the ASCE Memorandum of Understanding regarding ASCE Utility Engineering and Surveying Institute.
- B. BP-1005-3 - Engineering Surveys, Committee will consider Policy on Engineering Surveys when it receives the ASCE Memorandum of Understanding regarding ASCE Utility Engineering and Surveying Institute.
- C. BP-1112-1- Elevated Recreational Facilities

D. BP-1405-1 - Roofing Systems

E. BP-1405-2 - Inspections of Residential Buildings, Mr. Tuttle recommends that revised "NCDOT Guidance Paper: Acceptance of Licensed Architect or Licensed Engineer Inspections" not be tied to the Policy.

F. BP-1603-1 - Design/Installation of Petroleum Storage Tanks

G. BP-1709-2 - Spill Prevention Control and Counter Measure Plans

H. BP-9906-1 - Truss Placement - Commercial

2. ASCE Utility Engineering and Surveying Institute

Committee requested this item be moved to old business to determine whether a newsletter article was in order once the Board Policies were reviewed. Shields provided ASCE Memorandum of Understanding, which has been uploaded to ShareFile.

3. Standing Agenda Items

A. Annual Rules review per G. S. 150B-19.1(b)/Proposed statute changes

- 8 Year Experience Requirement [G. S. 89C-13(a1)(3)]
- Long Established Practice [G. S. 89C-13(a)(a3)]

B. Engineering Committee Outreach

4. Monitored Items

A. Copyright Issue, Copyright questions sent to attorney Arlene Hanks on 2/10/2020/letter uploaded to ShareFile.

B. Interior Design Profession Act Draft As of 4/30/2019, HB 858 referred to Committee on Finance.

C. HB 675 - Session Law 2019-174 - Request from NCDOT for Board Comment 2/11/2020, NCDOT updated its "Guidance Paper: Acceptance of Licensed Architect or Licensed Engineer Inspections." The Paper is uploaded to ShareFile and has been posted to the Board's web site replacing the earlier version. Perhaps there could be a newsletter article to highlight the guidelines, and inspections in general. Item can probably be removed from agenda after March 4, 2020 meeting.

D. Farm Bill Amendment (SB 315 - G. S. 89C-25 Revision), This Bill did not pass but may come back up.

E. HB 268 - Session Law 2019-151 & On-Site Wastewater Task Force, Smith provided final Task Force report, which has been uploaded to ShareFile. Item can be removed from agenda after March 4, 2020 meeting.

F. NTSB Safety Recommendations. Mr. Tuttle sent follow-up email to Representative Arp's office about the possibility of obtaining an AG's opinion [G. S. 89C-25(7a)].

G. Review Draft Board Rule Change - .0701(c)(3) - Committee appointed Shields to serve in place of Smith. Shields, Logsdon, and Tuttle to work on draft language for the Board's consideration.

Surveying Committee – Chair (Logsdon)

New Business

- Policy Revision - BP 1005-4

Wetlands policy discussed. For restricted use areas on properties with wetlands, monuments are not required to be set at every turning point but it is required that the area be surveyed and tied to the outside boundary line in a manner sufficient to allow future surveyors to retrace.

Chair Shields entertained a motion to revise BP 1005-4 to include an item “C” to provide instructions in cases where a survey exhibit is applicable. Discussion ensued. A vote was taken. The motion to revise BP 1005-4 was unanimously approved.

- Survey Regarding Restructuring of PS Exam – NCEES Exam to be divided into five modules:
 - Core professional surveyors’ exam
 - Boundary
 - Public lands surveying system
 - Mapping science
 - Incidental drainage design

Prior to beginning work to customize modules for surveying exams, NCEES has requested that each board review the module choices and make a determination regarding the likelihood of use of each module due to the particular needs of each state. Following discussion, a vote was taken to determine those in favor of the committee’s recommendations. Eight members were in favor of the recommendation and one member voted against the recommendation. The recommendation was approved.

The committee will recommend to NCEES that for North Carolina, the core professional surveyors’ exam module, followed by either the boundary module or the mapping science module, is essential. The committee will not recommend that the public lands surveying system module be required for North Carolina land surveyors. Although not being recommended as an essential exam module, for the incidental drainage design module, the committee is exploring the need for a separate module or whether, for North Carolina, it would be more practical to integrate key incidental drainage design questions into those modules being recommended for North Carolina.

For the foreseeable future, North Carolina will continue to have a state specific exam.

- The committee reported, as an informational item, regarding a question from a surveyor concerning data received from an external source. In a situation where “surveyor 2” receives, from an external source, raw topographic data gathered by “surveyor 1” and is tasked with creating a digital terrain model; what certification should be used by surveyor 2 for the digital terrain model? The committee determined that a field check of the model is required before surveyor 2 can certify that the points on the model meet the 95% competency requirements, but that other factors must also be considered. Discussions are continuing.
- The committee reviewed Mr. Tuttle’s completed responses to address licensee items from the last meeting’s review list.

Old Business

- Review of Board Policies
- Minimum Requirements for an Airborne Survey
- GICC Work Group-Committee Information
- Copyright
- ASCE Utility Engineering and Surveying Institute
- Review of Draft Board Rule Change .0701(c)(3)

Task Force Report

- Review procedures that the Board uses in disciplinary procedures. Task Force members: Logsdon (Chair), Care, Ellington, Salloum.

Members Logsdon and Care recently meet with Doug Hanna. Of particular interest is the timeframe between review committee recommendation and settlement conferences, and the timeframe between settlement conference and hearing in cases that do not settle. Additionally, the task force is considering what information the Board could provide to the respondent to make the settlement conference more productive. If a case is going to hearing, is there additional information that the

Board should provide to respondent? Mr. Hanna is to prepare a memorandum for circulation to other members of the task force. Periodic updates will be made to the Board.

The Board broke for lunch at 12:18 p.m. and reconvened at 12:50 p.m. Mr. Benton was excused from the remainder of the meeting.

4. NCEES Activities – Executive Director

Mr. Ritter presented various NCEES matters, including the February edition of the NCEES Licensure Exchange and he shared a reminder regarding the Southern Zone Secretary/Treasurer nominations; a follow up request from Mr. Paul J. Tyrell, a civil engineer in Massachusetts, who seeks support of his nomination for Treasurer; information regarding the 2020 Zone Interim Meeting scheduled for April 23 – 25, 2020 in Houston, Texas; and information regarding the 2020 NCEES Annual Meeting scheduled for August 26 – 29, 2020 in Chicago, Illinois. Mr. Ritter solicited funded delegates. Logsdon, Hoyle, and Salloum.

5. Board Secretary Report – Executive Director and Board Secretary

Mr. Ellington provided an overview of the December 2019 and January 2020 monthly reports. He explained variances and relayed that the budget is tracking as expected. Mr. Ritter stated that the auditors start the external audit within two weeks. He gave an update regarding the internal audit and informed the Board that he found the process to be of value. It is anticipated that both the external and the internal audit reports will be available for the May Board meeting.

6. Violations Activity – Executive Director

Mr. Evans presented the Violations Report with data current as of February 26, 2020. Advising the Board that 22 cases had been opened for fiscal year 2020 and 22 cases closed thus far for 2020. He provided information regarding the stage of completion of the 74 cases opened as of that date and informed the Board that the average number of days from case open to investigation complete is currently 103 days. 2020 Board Outreach activity data was provided and there was data provided regarding firm inquiries as of the current data period.

7. Old Business - Executive Director

Mr. Tuttle provided an update regarding the adoption of proposed rules for review by the Rules Review Commission. The comment period has ended without any comments or objections. It is anticipated that the rules will have an effective date of May 1st. Chair Shields entertained a motion to adopt the rules. Mr. Ellington motioned to adopt the rules. Mr. Logsdon seconded the motion. Discussion ensued. A vote was taken. The motion was unanimously approved.

8. New Business - Executive Director

Mr. Ritter advised the Board that action was required on Mr. Ellington's February 11, 2020 Review Committee item. Mr. Fairbanks has a conflict and is recused from voting on this item. Mr. Zoutewelle moved to accept the Review Committee action to Close the case. A vote was taken, and the motion was approved.

Governor Cooper's proclamation: National Engineers Week is proclaimed for February 16 through February 22, 2020.

Mr. Ritter provided data for 2020 renewal for engineers and surveyors. The renewal data supports an overall increase of two percent.

Mr. Ritter informed the Board of the well-received contributions of Board Members and staff during the North Carolina Surveyors Society Meeting. Mr. Evan and Mr. Benton gave a three-hour program on ethics and enforcement and, Mr. Zoutewelle and Mr. Logsdon gave an hour-long presentation on current Board policies and Board activities. Mr. Ritter and Mr. Benton gave a lunch time presentation to an audience of approximately two hundred attendees. Former Board Member Linda Thurman and three others participated in a panel discussion that tackled the issue as to why there are so few women in the field of surveying.

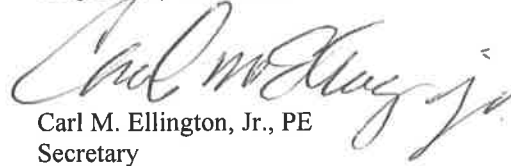
Mr. Ritter sought input from the Board Members regarding a possible hearing in May and the possibility of needing to have a two-day meeting.

Upgrades to Audio Video Conference System is planned. Mr. Ritter advised the Board that he has proposals from three vendors that would greatly update the capabilities of the system. He advised that Mr. Ellington has reviewed and approved the staff recommendation. Chair Shields entertained a motion to update the Audio Video Conference System. Mr. Ellington moved to approve the motion. Mr. Logsdon seconded the motion. Discussion ensued and cost, need, and current maintenance costs for the old system were explored. The capabilities of how the enhanced system could benefit the Board activities were explored. A vote was taken and the motion to upgrade the system was approved. Next Chair Shields entertained a motion to establish the funding level for the system. Following discussion, Mr. Zoutewelle made a motion to move ahead with Unified Technology as the vendor and allocate a budget not to exceed \$50,000. Mr. Logsdon amended the motion. Mr. Ellington seconded the amended motion. A vote was taken and the motion to move ahead with Unified Technology as the vendor with an allocated budget of \$50,000, and staff latitude for budget variance of plus or minus ten percent before seeking approval from the Board Secretary is unanimously approved.

Mr. Ritter to update.

Mr. Ellington made a motion to adjourn. The Board adjourned at 2:49 p.m. The Board is next scheduled to meet on May 20, 2020.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Carl M. Ellington, Jr.", is written over the typed name and title.

Carl M. Ellington, Jr., PE
Secretary

Approved by the Board in Session

Date: July 15, 2020

NORTH CAROLINA BOARD OF EXAMINERS FOR ENGINEERS AND SURVEYORS

February 12, 2020

Raleigh, North Carolina

Board Chair Bobbie Shields called the teleconference call meeting of the North Carolina Board of Examiners into session at 7:31 a.m. on Wednesday, February 12, 2020. Board members on the conference call were:

Board Members on Teleconference Call:

Bobbie Shields, PE, Chair
John M. Logsdon, PLS, Vice-Chair
Carl M. Ellington, Jr., PE, Secretary
Andrew G. Zoutewelle, PLS
Richard M. Benton, PLS
Carol W. Salloum, Public Member
Jonathan S. Care, Public Member
Dennis K. Hoyle, PE, PLS

Absent:

Cedric D. Fairbanks, PhD, PE

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 Shields 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 appearances of conflict were identified.

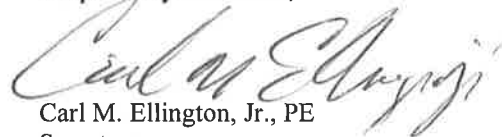
2. Consent Agenda – Chair

Chair Shields presented the Consent Agenda. Mr. Zoutewelle moved to approve the Consent Agenda as presented. Ms. Salloum seconded the motion. A vote was taken, and the Consent Agenda was unanimously approved.

The Consent Agenda consisted of a Request for a Board Authorized Case Opening; Comity, Initial Licensure, and PE Reinstatement; Consent Agenda for Firm Applications & Firm Requests: Applications for 6 Professional Corporations, 13 Professional Limited Liability Companies, 3 Name Change Requests, 1 Chapter 87 Corporation, and 1 d/b/a Request; Requests for Retired Status; and 1 Settlement Committee Agenda

Chair Shields entertained a motion to adjourn. Mr. Benton motioned to adjourn. The Board formally adjourned Wednesday, February 12, 2020 at 7:33 a.m. The Board is next scheduled to meet Wednesday, March 4, 2020.

Respectfully submitted,



Carl M. Ellington, Jr., PE
Secretary

Approved by the Board in Session

Date: March 4, 2020

NORTH CAROLINA BOARD OF EXAMINERS FOR ENGINEERS AND SURVEYORS

January 15, 2020

Raleigh, North Carolina

Board Vice-Chair, Bobbie Shields, gavelled the North Carolina Board of Examiners into session at 11:07 a.m. on Wednesday, January 15, 2020 to conduct the regular order of business. Attendance was as follows:

Present:

Bobbie Shields, PE, Vice-Chair
Carl M. Ellington, Jr., PE, Secretary
John M. Logsdon, PLS
Andrew G. Zoutewelle, PLS, Chair
Dennis K. Hoyle, PE, PLS
Carol W. Salloum, Public
Jonathan S. Care, Public
Richard M. Benton, PLS (by phone for Board Election)
Cedric D. Fairbanks, Ph.D., PE

Absent:

Richard M. Benton, PLS

1. Ethics Awareness and Conflict of Interest Reminder – Vice-Chair

Vice-Chair Shields 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 Vice-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 appearances of conflict were identified.

2. Board Elections – Executive Director

During the October Board Meeting, with the expectation that Mr. Smith would be confirmed for a second term following the expiration of his first term on December 31, 2019, he was elected to the position of Board Chair. He was scheduled to begin those duties effective January 1, 2020. However, Mr. Smith's term expired on December 31, 2019 making it necessary for the newly elected Vice-Chair to assume the duties of the Chair until a new Chair was elected. Nominations were opened for the position of Chair. Mr. Benton called in to participate in the election by phone.

Mr. Shields was nominated, his nomination seconded, and a vote was taken. Mr. Shields was unanimously elected to fill the position of Board Chair for 2020.

3. Public Hearing and Comments for Amendments to Rules – Chair

Chair Shields announced the commencement of the Public Hearing for Amendments to Rules published in NC Register Volume 34, Issue 12, Pages 1147 through 1158. A Speaker's List was in place. Chair Shields introduced all Board Members in attendance and sought to acknowledge speakers in attendance. There were none. Chair Shields explained that notice was given in accordance with G.S.150B-21.2 and that the proceeding was an informal proceeding, but definite rules would be observed. As there were no speakers in attendance, the proceeding was concluded. Chair Shields announces that the public comment period will end by close of business on February 14, 2020.

4. Consent Agenda – Executive Director

Chair Shields introduced the Consent Agenda and entertained a motion for acceptance. Mr. Zoutewelle made a motion to approve the Consent Agenda as presented. Mr. Care seconded the motion. A vote was taken, and the motion was unanimously approved.

The consent agenda included: Request for Board Authorized Case Openings; Comity and Initial Licensure, PE and PLS Reinstatement; CPC Committee, Firm Applications for 9 Professional Corporations, 10 Professional Limited Liability Companies, 1 Business Firm, 1 Name Change Request, and 3 Summaries of d/b/a; CPC Sponsor Applications; Retired Status Requests; and Review Committee Agenda.

Following the approval of the Consent Agenda, Chair Shields presented Mr. Zoutewelle with a gift on behalf of the Board for his service as Board Chair for 2019. Mr. Zoutewelle opened the gift and expressed his appreciation for the gift, for the experience of serving as Board Chair, and the experience of working with fellow Board Members and staff.

5. NCEES Activities – Executive Director

Mr. Ritter acknowledged the presence of the Board's two new Board Members. Mr. Cedric Fairbanks and Mr. Jonathan Care made brief self-introductions.

Mr. Ritter presented various items emanating from the NCEES, including a copy of the NCEES Licensure Exchange and an announcement from Mr. Paul J. Tyrell, a civil engineer in Massachusetts. He is a nominee of the Massachusetts Board of Registration of Professional Engineers and Land Surveyors for the position of Treasurer for the NCEES. He is seeking the support of the Southern Zone. Mr. Ritter also shared information, the delegate form, and the meeting summary for the upcoming NCEES Zone Interim Meeting. The meeting is scheduled for April 23-25, 2020.

6. Committee Reports

Chair Shields introduced the topic of committee reports and turned the meeting over to the chairs to respective committees.

Engineering Committee – Chair (Hoyle)

NEW BUSINESS

1. Kaufmann Engineering – The Committee reviewed affidavit to determine if services could be considered engineering. Firm to use assumed name.
2. D. Mantone - PE Comity Application - Approved
3. Joel T. Billingsley - PE Comity Application Review – Applicant requests to be licensed without having taken the Principles and Practice of Engineering examination. Mr. Ritter gave historical perspective for early NCEES input. Applicant to seek input from NCEES as to applicability of 1968 exam.
4. DSM Plastics Engineering, Inc. - Reviewed services to determine if engineering.

Old Business

1. Annual Rules review per G. S. 150B-19.1(b)/Proposed statute changes (Standing agenda item - keep under old business.)
 - a. 8 Year Experience Requirement [G. S. 89C-13(a1)(3)]
 - b. Long Established Practice [G. S. 89C-13(a)(a3)]
2. Review Board Policies – Noted policies were reviewed.
 - a) BP-1012-01 - Subsurface Utilities Location Data Policy
 - b) BP-1005-3 - Engineering Surveys
 - c) BP-1012-1 - Subsurface Utilities Location Data Policy
 - d) BP-0607-2 - 3D Modeling Policy
 - e) **BP-0512-1 - Audiovisual System Design – Reviewed – 01/15/2020**
 - f) **BP-0501-1 - Commissioning Policy – Reviewed – 01/15/2020**
 - g) **BP-0507-1 - Commissioning Validation – Reviewed – 01/15/2020**
 - h) BP-1003-1 - Construction Staking
 - i) BP-1603-1 - Design/Installation of Petroleum Storage Tanks
 - j) BP-1112-1- Elevated Recreational Facilities

- k) BP-0709-1 - Fire Alarm System Design
- l) BP-0607-1 - Information Transport System Design
- m) BP-1405-2 - Inspections of Residential Buildings
- n) BP-0501-2 - Responsible Charge for Equipment – Reviewed – 01/15/2020**
- o) BP-1405-1 - Roofing Systems
- p) BP-1709-2 - Spill Prevention Control and Counter Measure Plans
- q) BP-1005-1 - Stair Design and Structural Shop Drawings – Reviewed – 01/15/2020**
- r) BP-1005-2 - Stream Restoration Services – Reviewed – 01/15/2020**
- s) BP-9906-1 - Truss Placement - Commercial
- t) BP-0512-2- Truss Placement – Residential

Mr. Zoutewelle made a motion to accept policies noted to have been reviewed January 5, 2020. Mr. Logsdon seconded the motion. The Board voted and the motion was unanimously approved.

- 3. Engineering Committee Outreach – open for discussion.
- 4. Copyright Issue – Will be uploaded to Sharefile once available.
- 5. Interior Design Profession Act Draft – Monitoring
- 6. HB 675 - Request from NCDOT for Board Comment - Monitoring
- 7. Farm Bill Amendment (SB 315 - G. S. 89C-25 Revision) Continued monitoring as failed bill may be revisited.
- 8. HB 268 - Session Law 2019-151 & On-Site Wastewater Task Force Mr. Smith will remain the Board's representative on the Task Force. The Task Force has concluded its meetings and is currently preparing a final report back to the legislature with the conclusions and recommendations.
- 9. ASCE Utility Engineering and Surveying Institute – Pending review of Board Policies. Possible newsletter article.
- 10. Plitt Package Engineer - D. Tuttle and M. Mazanek to follow-up with Plitt and advise that services reviewed can be the practice of engineering and that they can't use "Engineer" in the company name. Update at March Board Meeting.
- 11. NTSB Safety Recommendations – Board Counsel to draft memo regarding application of exemption [G. S. 89C-25(7a)]. Updates will be posted to Sharefile.
- 12. Review Draft Board Rule Change .0701(c)(3) – Mr. Logsdon and Mr. Tuttle to work on draft language for the Board's consideration.

Surveying Committee – Chair (Logsdon)

New Business:

- 1. Exam Question Review of Non-Approved Questions
- 2. Exam Questions MUST have
- 3. Map Review
- 4. Subdivision Question
- 5. Policy Revision

Items 1 – 5 were covered. Review of these items resulted in discussions regarding the possibilities of whether staff could review maps that were clearly deficient. The goal is to shorten the map review process.

6. High Water Mark
7. Certified Acreage Question

Old Business – Mr. Logsdon informed the Board of the following additional Old Business items discussed during the work session.

1. Review of Board Policies
2. Minimum Requirements for an Airborne Survey
3. GICC Work Group-Committee Information
4. Copyright
5. ASCE Utility Engineering and Surveying Institute
6. Review of Draft Board Rule Change .0701(c)(3)

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

Mr. Ritter presented various NCEES items including the Licensure Exchange and Paul Tyrell's notification of his nomination to run for Treasure of NCEES. The election will be held in August at the Annual Meeting. Mr. Ritter also shared information regarding the 2020 NCEES Zone Interim Meeting and Funded Delegate Notification. Bobbie Shields, Carol Salloum, and Dennis Hoyle will attend as funded delegates.

8. Board Secretary Report -- Executive Director and Board Secretary

Mr. Ellington provided an overview of the report and explained resources available for Board members to stay abreast of budget expenditures. Mr. Ellington further explained his role as Board Secretary and encouraged each member who has not yet served in the role to do so.

- Mr. Ritter and Mr. Ellington provided a review of budget performance as of December 6, 2020.

9. Violations Activity – Executive Director

Mr. Evans presented the FY2019 Violations data along with information regarding the six cases opened in FY2020. 107 cases were opened in 2019. The Board conducted 19 Review Committee Meetings. Mr. Evans further informed the Board that 99 cases had closed during FY2019. He provided information regarding the stage of completion of the open cases as of that date, the average number of days from case open to investigation complete, currently 92 days. There were 264 firm inquiries.

Applications – Special Agenda Items for Board Approval – Director of Business Licensure & Compliance

- Mr. Mazanek introduced the request of DSM Engineering Plastics, Inc. – Firm seeks Board's approval for a Certificate of Authority to use their legal name.
 - Following discussion, a motion was made to disapprove the request for a non-objection letter. The motion was seconded. The Board voted and the motion was unanimously approved.
 - The Board directed staff to deny the request.

10. Old Business - Executive Director

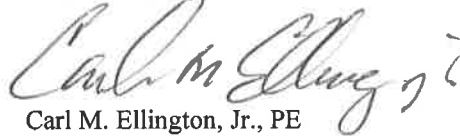
Mr. Ritter asked for the Board's approval to change the date of the Board Meeting scheduled for May 13, 2020. He requested that the meeting be rescheduled for May 20, 2020. A motion was made to change the May meeting date to May 20, 2020. The motion was seconded. The Board voted and the motion was unanimously approved.

11. New Business - Executive Director

Mr. Ritter gave control of the meeting to Mr. Tuttle to provide an update regarding the Electronic Records and Imaging Policy. Mr. Tuttle summarized the contents and explained that the document required signatures. After discussion, the Board approved signatures by Mr. Ritter, Mr. Stone, and Mr. Miranda in order that the document may be submitted to the NC Department of Natural and Cultural Resources – Division of Archives and Records.

A motion to adjourn was made and seconded. The Board adjourned at 3:19 p.m. The Board is next scheduled to meet by conference call on February 12, 2020.

Respectfully submitted,



Carl M. Ellington, Jr., PE
Secretary

Approved by the Board in Session

Date: March 4, 2020