



The North Carolina Bulletin

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

November 2022 Fall Issue



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The North Carolina Bulletin

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

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PLS License Experience Requirement Changes Effective July 1, 2022

As a result of Senate Bill 219 being ratified, the experience requirements to become a Professional Land Surveyor changed effective July 1, 2022.

Professional Land Surveyor (PLS) License Surveying Experience Requirements

Education	Total Years of Experience Required for PLS License
B.S. Degree in Surveying or Equivalent Curriculum (Minimum 45 semester hours of surveying or surveying related courses)	2
Associate's Degree in Surveying Technology (Minimum 20 semester hours of surveying or surveying related courses)	5
High School Diploma or Equivalent & Completion of Land Surveyor Apprenticeship	7
High School Diploma or Equivalent	9

Per Board Rule 21 NCAC 56.0601(b), the Board can consider experience that was not under the direct supervision of a practicing PLS.

For additional information, visit Current Board News on the website.

Renewals for 2023

There have been changes to the license renewal process beginning with the 2023 license renewal, which starts on December 1, 2022.

The Board will no longer mail paper license renewal forms.

The Board will e-mail your 2023 renewal notice on December 1, 2022, to the e-mail you have listed in the NCBELS Licensee Portal.

The Board will send multiple Constant Contact e-mail notices during the renewal process to notify you to renew. Please be sure your e-mail address is up to date. You can make changes to your e-mail through the Licensee Portal on the Board's web site (www.ncbels.org).

Licensees can renew their PE and PLS licenses online and pay by credit card or complete the renewal online and select the pay by check option. If you use the pay by check option, the renewal is not complete until payment is processed by the Board.

For questions about license renewals, please contact Stephanie Bryant (sbryant@ncbels.org).

DISTRIBUTION OF COPIES OF OLD SURVEY PLATS

By NCBELS Surveying Committee

The Board continues to receive questions concerning the distribution of old survey maps. This occurs in two situations: (1) the surveyor is asked for a copy of a map he or she previously certified, or (2) the surveyor is in possession of map performed by other surveyors who are retired or deceased. Specifically, the Board has been asked what can be done to assure that a surveyor does not assume additional liability by distributing old maps (e.g., to prevent the renewal of a statute of limitations). The Board is not in a position to advise surveyors on professional liability matters: those questions should be addressed to an attorney with experience in professional malpractice claims. Furthermore, this discussion does not address issues of certification of maps when there have been alterations to the map: for a good discussion of that situation, see Andy Zoutewelle's article "Recertification of Survey Plats" in the [Board's Fall 2015 newsletter](#).



A surveyor, by signing and sealing a plat, certifies that the plat was prepared in conformity with applicable statutes and regulations, and the information is correct as of the date of certification. Certainly, the physical condition of property can change over time: monuments can be destroyed, buildings can be constructed or removed, grading can alter the topography. Nonetheless, the information contained in an old plat can be beneficial to the public, by depicting the locations of monuments and other conditions at an earlier date. Furthermore, the Board encourages the exchange of information between surveyors: even if the map may not reflect current conditions, an older map often contains information, such as monuments that have been lost or destroyed, that can assist a current surveyor in re-establishing boundary lines.

The Board Rules include exceptions to the certification requirements, which appear in Board Rule 21 NCAC 56.1103(c). None of these exceptions specifically apply to the situation where a surveyor is merely distributing a copy of an old, signed and sealed map. In particular:

"Preliminary Plat - Not for recordation, conveyances, or sales."

This statement cannot apply to a plat that has been signed, sealed and issued at an early time. Such a plat is, in fact, a final plat that has been certified, not a preliminary plat. Application of this statement to an old map would violate the Board rules requiring maps to be clear and factual and licensees to protect the public health, safety and welfare.

"Final Drawing - For Review Purposes Only." This statement may be used when a client or reviewing agency requires a signed and sealed map to review as part of an approval process. This statement indicates that, while the map is complete, it may change as a result of comments received. This statement does not apply to old maps that have been signed and sealed and issued as the final work product.

Not a Certified Document - This document originally issued and sealed by [name of licensee] [license number] on [date of sealing]. This document shall not be considered a certified document." This statement has limited use and applies when a surveyor has an unsigned map in his possession, but has evidence that the map had been signed and sealed by the original surveyor. By contrast, when the surveyor is asked for a copy of an old signed and sealed map, that map is, in fact, a certified document, and adding this statement cannot "uncertify" it.

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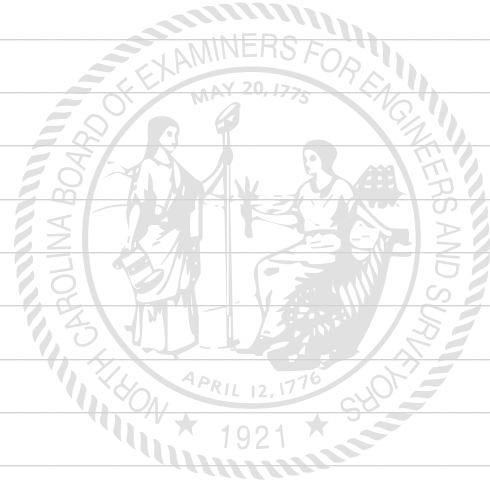
“Not a Certified Document as to the Original Document but Only as to the Revisions.” The use of this statement applies only where a surveyor has made additions or revisions to a previously certified and issued map, and should not be used in situations where the surveyor is merely distributing a copy of a previously certified map, with no alterations, additions or revisions.



There is nothing in the Board Rules that would prevent a surveyor from distributing true and accurate, unaltered copy of an old map, whether originally prepared by the surveyor or by another surveyor. Although none of the exceptions to certification in the Board Rules apply to distributing old maps, a surveyor can include a statement to clarify that an old map may not accurately reflect current conditions. The following statement would not violate any Board Rules, but should not include the signature and seal of the surveyor distributing the copy:

“Archival Copy - This is a copy of the original document, only. No representation is made as to current accuracy.”

Finally, a surveyor should take care when distributing an old plat or other report of survey (especially including information in digital format), if the surveyor has specific knowledge that the recipient intends to use the information inappropriately, such as for design purposes on a new project.



BOARD HONORS DEPARTING MEMBERS

This spring, the Board held a Farewell Celebration for outgoing members for the years ending 2019 and 2020. Among those recognized were Stacey A. Smith, PE, Linda A. Thurman, Bobbie Shields, PE and Carl M. Ellington, Jr., PE.



Stacey Smith and Jonathan Care

Mr. Smith began his term in January 2015 to fill the Board vacancy created by the departure of Willy E. Steward, PE. He served through December 2019. Mr. Smith served as Vice Chair in 2019 and Board Secretary in 2017.



Linda Thurman and Jonathan Care

Ms. Thurman began her first term in February 2010 to fill the expired seat of Public Member, Doris M. Rodgers. She was reappointed for her second term, which ran from January 2015 to December 2019. Ms. Thurman served as the first ever Public Member Board Chair in 2018. She also served as the Vice Chair in 2017 and Board Secretary in 2014.



Bobbie Shields and Jonathan Care

Mr. Shields was appointed in February 2016 to fill the Board vacancy created by the expiration of the second term of Teresa H. Ratcliff, PE, PhD. Mr. Shields served through December 31, 2020. Mr. Shields served as Board Chair in 2020.



Carl Ellington and Jonathan Care

Mr. Ellington was appointed in February 2012 to fill the Board vacancy created by the expiration of the term of John S. Tunstall, PE. Mr. Ellington served a second full-term January 2017 expiring in December 2021. Mr. Ellington served as Board Chair in 2016. He also served as the Vice Chair in 2015 and Secretary in 2020.

Vinod "Vinnie" K. Goel Named New NCBELS Board Member

Vinod "Vinnie" K. Goel, PhD, PE, was appointed by Governor Roy Cooper on January 1, 2022, to fill the vacancy created by the expiration of the term of Carl M. Ellington Jr. on December 31, 2021. Dr. Goel's term will expire on December 31, 2026.

Vinnie holds a BS in Civil Engineering, MTech in Design Engineering, and a PhD in Engineering Management. He has been managing A1 Consulting Group and its predecessor companies in North Carolina since 1992, when he moved his family from Baltimore, Maryland. He is married to Vibha Goel who is an Architect with NC State Construction Office. They have two children, daughter Dr. Nikita Goel, and son Nitin Goel.

Dr. Goel currently resides in Morrisville from where he is managing his businesses and philanthropic organizations.



Vinod K. Goel, PhD, PE

Ritter Awarded at NCEES Meeting



Left to Right: Andy Zoutewelle, NCEES Southern Zone Vice President; Andrew Ritter, NC Board Executive Director; Jeff Pike, NCEES Awards Committee Chair



The National Council of Examiners for Engineering and Surveying (NCEES) at their April 2022 meeting honored Andrew Ritter for his dedicated service to the organization and the engineering and surveying professions with the Distinguished Service Award. Andrew has been with the NC Board of Examiners since 1993 and has been the Executive Director since 2001.

NCEES Moves Computer-Based Testing Transition of PE Civil Exam

The Principles and Practice of Engineering (PE) Civil exam is moving to computer-based testing (CBT), with appointments available year-round at Pearson VUE test centers beginning April 1, 2022. The exam was offered for the last time in pencil-and-paper format in October 2021. Registration for the April 2022 CBT exam opened November 1, 2021.

NCEES originally planned to complete the PE Civil exam's transition to CBT format in 2023 but fast-tracked the change as part of its response to COVID-19. After the April 2020 pencil-and-paper exam administration was canceled because of the coronavirus pandemic, NCEES added an extra day to the October 2020 administration and began exploring the possibility of moving the PE Civil exam to CBT earlier than planned.

"Under the current COVID-19 guidelines, fewer examinees can be in the exam room at the same time, so we began discussions with Pearson VUE about transitioning the PE Civil exam from 2023 to an earlier date," explained NCEES Chief Officer of Examinations Tim Miller, P.E. "This new format will give examinees more flexibility about when and where they take the exam."

For more information on the PE Civil exam and the transition of NCEES licensing exams to CBT format, visit ncees.org/cbt.

BOARD ACTIONS

The following summaries represent actions taken by the Board. Penalties vary depending upon the specific circumstances of each case. Space limitations preclude full reporting of all circumstances. The range of disciplinary actions includes: issuing a reprimand; suspend, refuse to renew, refuse to reinstate, or revoke the certificate of licensure; require additional education; or, as appropriate, require reexamination; or levy a civil penalty not in excess of \$5,000 for any engineer or \$2,000 for any land surveyor. Questions or requests for information concerning specific cases should be directed to David S. Tuttle, Board Counsel, at (919) 791-2000, extension 111 or via email at dstuttle@ncbels.org.

CASE NO. V2019-001

David E. Miller [PE No. 015845 – Revoked]
Raleigh, NC

VIOLATION: Failed to conduct practice in order to protect the public health, safety and welfare [.0701(b)]; produced deficient, substandard or inaccurate reports, failing to protect the public [.0701(b)]; failed to be completely objective and truthful and failed to include all relevant and pertinent information in professional reports and statements [.0701(d)(1)]; issued inadequate design documents and/or provided inadequate design recommendations, failing to protect the public [.0701(b)]; and failed to certify or mark as preliminary plan and failed to include address [.1103(a), (c)].

BOARD ACTION: Revoked Engineering Certificate of Licensure.

CASE NO. V2019-002

Weston Lyall, PE [027885]
Holly Ridge, NC

VIOLATION: Produced or affixed certification to deficient, substandard or inadequate plans, specifications or design data, failing to protect the public health, safety and welfare [.0701(b)].

BOARD ACTION: Reprimand and \$5,000 civil penalty.

CASE NO. V2019-098

John L. Plummer, Jr. [PE No. 022920 – Suspended]
Huntersville, NC

VIOLATION: Failed to conduct practice in order to protect the public health, safety and welfare [.0701(b)]; affixed certification to inadequate design documents, failing to protect the public [.0701(b)]; and failed to properly certify document [.1103(a)(3)] by using a facsimile signature.

BOARD ACTION: Reprimand, \$2,000 civil penalty and ethics course. Second Decision and Order issued to suspend Engineering Certificate of Licensure for failing to comply with first Decision and Order.

CASE NO. V2020-004

Steven S. Grasley, PE [042231]
Cleveland, OH

VIOLATION: Affixed certification to an inadequate design document, failing to protect the public [.0701(b)]; made a representation of being capable of providing architectural services or an Architect by certifying an “A” sheet [G.S. 83A, .0701(b)]; and failed to properly certify document [.1103] by using a facsimile signature.

BOARD ACTION: Reprimand and \$1,000 civil penalty.

CASE NO. V2020-031

Mark S. Warren, PE [015488]
Charlotte, NC

VIOLATION: Aided and abetted another to evade, or attempt to evade, the provisions of G. S. 89C [G. S. 89C-16]; affixed seal to work not done under direct supervisory control or responsible charge [.0701(c)(3)]; and failed to properly certify plans by using a facsimile signature [.1103(a)(3)].

BOARD ACTION: Reprimand, \$5,000 civil penalty and ethics course.

CASE NO. V2020-069

Athan M. Parker, PE [043250]
Emerald Isle, NC

VIOLATION: Failed to be completely objective and failed to include relevant and pertinent information in professional statements [.0701(d)(1)] and issued an inadequate report [.0701(b)].

BOARD ACTION: Reprimand, \$1,000 civil penalty and ethics course.

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CASE NO. V2020-091

Aaron T. Guess [Non-licensed]
Orlando, FL

VIOLATION: Practiced or offered to practice engineering without a license as required by G.S. 89C-23 and presented or attempted to use the certificate of licensure or seal of another in violation of G.S. 89C-23.

BOARD ACTION: Issued letter to place individual on notice that practicing or offering to practice engineering in North Carolina without a license and presenting or attempting to use the certificate of licensure or seal of another are violations of G.S. 89C-23.

CASE NO. V2020-092

Story Homes Construction, LLC [Non-licensed]
Orlando, FL

VIOLATION: Practiced or offered to practice engineering without a license as required by G.S. 89C-23, 24, 57D, and 55B.

BOARD ACTION: Issued letter to place the company on notice that practicing or offering to practice engineering in North Carolina without being licensed, is a violation of G.S. 89C-23, 24, 57D, and 55B.

CASE NO. V2020-094

John P. Wille, PE [024901]
Charlotte, NC

VIOLATION: Failed to conduct practice in order to protect the public health, safety and welfare [.0701(b)]; failed to be completely objective and truthful in professional reports and statements [.0701(d)(1)]; affixed seal to work not done under direct supervisory control or responsible charge [.0701(c)(3)]; and failed to properly certify plans by using facsimile signature [.1103(a)(3)].

BOARD ACTION: Reprimand, \$3,000 civil penalty and ethics course.

CASE NO V2020-095

Richard W. Benson, PE [012548]
Charlotte, NC

VIOLATION: Affixed certification to inadequate design documents, failing to protect the public [.0701(b)]; produced a deficient, substandard or inaccurate report, failing to protect the public [.0701(b)]; failed to properly certify documents by using a facsimile

signature [.1103(a)(3), (b)(3)]; licensee's firm practiced or offered to practice engineering without a license in violation of G.S. 89C-23, 24; knowingly associated with a firm that is not properly licensed [.0701(g)(1)]; failed to include address on plans [.1103(a)(6)]; affixed seal to work not done under direct supervisory control or responsible charge [.0701(c)(3)]; and practiced outside area of competence [.0701(c)(3)].

BOARD ACTION: Reprimand, \$2,500 civil penalty, restricted practice from electrical engineering, and ethics course.

CASE NO. V2020-100

Jeffrey L. Harvey, PE [037405]
Hendersonville, NC

VIOLATION: Failed to conduct practice in order to protect the public health, safety, and welfare [.0701(b)]; accepted compensation, financial or otherwise, from more than one party for services on the same project, or for services pertaining to the same project, without disclosing the circumstances, and obtaining an agreement, in writing, by all interested parties [.0701(e)(2)]; failed to inform employer or client, and any reviewing agency, of any business association, interests or circumstances which could influence judgment or the quality of services [.0701(e)(1)]; affixed seal to work not done under direct supervisory control or responsible charge [.0701(c)(3)]; and produced deficient, substandard or inaccurate reports, failing to protect the public [.0701(b)].

BOARD ACTION: Reprimand and ethics course.

CASE NO. V2020-102

James E. Sutton, PE [036844]
Raleigh, 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 and statements [.0701(d)(1)]; and affixed seal to work not done under direct supervisory control or responsible charge [.0701(c)(3)].

BOARD ACTION: Reprimand, \$2,500 civil penalty and ethics course.

CASE NO. V2020-104

James A. Clancy [PE No. 032152 – Suspended]
National Park, NJ

VIOLATION: Disciplined by other jurisdictions [G.S. 89C, .0701(h)] and failed to notify the Board of license discipline within 30 days as required [.0505(a)].

BOARD ACTION: Suspended Engineering Certificate of Licensure until proof of reinstatement, or eligibility to be reinstated, by the Kentucky State Board of Licensure for Professional Engineers and Land Surveyors.

CASE NO. V2020-106

R. Gehrig Austin, Jr., PE [033233]
Iron Station, NC

VIOLATION: Affixed certification to inadequate design documents, failing to protect the public [.0701(b)]; affixed seal to work not done under direct supervisory control or responsible charge [.0701(c)(3)]; aided or abetted another to evade or attempt to evade the provisions of G.S. 89C [G.S. 89C-16]; knowingly associated with a person and firm that are not properly licensed to offer or perform engineering services [.0701(g)(1)]; failed to properly certify documents [.1103(a)(3)] by using a facsimile signature; failed to include address on documents [.1103(a)(6)]; and represented self as being capable of providing architectural services or as an Architect [G.S. 83A, .0701(b)] by certifying an "A" sheet.

BOARD ACTION: Reprimand, \$1,000 civil penalty and ethics course.

CASE NO. V2021-004

Rodney Cameron [Non-licensed]
Florence, SC

VIOLATION: Practiced or offered to practice engineering without a license as required by G.S. 89C-23.

BOARD ACTION: Issued letter to place individual on notice that practicing or offering to practice engineering in North Carolina without being licensed with the Board is a violation of G.S. 89C-23.

CASE NO. V2021-009

Eric S. Tomczak, PE [032291]
Wilmington, NC

VIOLATION: Affixed certification to inadequate design documents, failing to protect the public [.0701(b)] and failed to properly certify documents by using a facsimile signature [.1103(a)(3)].

BOARD ACTION: Reprimand.

CASE NO. V2021-021

David C. Poovey II, PLS [L-3762]
Denver, NC

VIOLATION: Failed to report the results of a survey as a map or report of survey [.1602(f)]; failed to avoid conflicts of interest and accepted compensation, financial or otherwise, from more than one party for services pertaining to the same project, without disclosing the circumstances and getting written agreement by all interested parties [.0701(e)(2)]; failed to provide adequate tie [.1602(g), .1604(d)(9)]; failed to describe monuments as set or found [.1602(f)]; and failed to include the firm license number on document [.1103(a)(6)].

BOARD ACTION: Reprimand and \$1,000 civil penalty.

CASE NO. V2021-035

Jeffrey L Green, PLS [L-3972]
Eagle Springs, NC

VIOLATION: Affixed seal to Elevation Certificates and surveys not done under his direct supervisory control or responsible charge [.0701(c)(3)]; aided or abetted another to evade, or attempt to evade, the provisions of G.S. 89C [G.S. 89C-16]; knowingly associated with, or permitted the use of his name, by a person, which he knew or had reason to believe, is not properly licensed [.0701(g)(1)] to practice land surveying in North Carolina; and failed to cooperate fully with the Board in the course of an investigation [G.S. 89C-20] by not providing requested project documentation.

BOARD ACTION: Reprimand, \$2,000 civil penalty and ethics course.

CASE NO. V2021-036

Samuel A. Greenberg, PE [016977]
Apollo Beach, FL

VIOLATION: Produced a deficient, substandard or inaccurate report, failing to protect the public [.0701(b)]; affixed certification to inadequate design documents, failing to protect the public [.0701(b)]; and failed to exhibit competency by not getting adequate requirements and scope for the project [.0701(c)(3)].

BOARD ACTION: Reprimand, \$5,000 civil penalty and ethics course.

CASE NO. V2021-041

Quality Home Consultants, Inc. [Non-licensed]
Hendersonville, NC

VIOLATION: Practiced or offered to practice engineering without a license as required by G.S. 89C-23, 24 and 55B.

VIOLATION: Issued letter to place the company on notice that practicing or offering to practice engineering in North Carolina without being licensed with the Board is a violation of G.S. 89C-23, 24 and 55B.

CASE NO. V2021-042

Christopher Lee Gibson [Non-licensed]
Old Fort, NC

VIOLATION: Practiced or offered to practice engineering without a license as required by G.S. 89C-23.

BOARD ACTION: Issued letter to place the individual on notice that practicing or offering to practice engineering in North Carolina without a license is a violation of G.S. 89C-23.

CASE NO. V2021-045

Raymond H. Cathey, PE [004842]
Charlotte, NC

VIOLATION: Issued a deficient, substandard or inaccurate report, failing to protect the public [.0701(b)] and failed to be objective and truthful and failed to include all relevant and pertinent information in a report [.0701(d)(1)].

BOARD ACTION: Reprimand, \$5,000 civil penalty and ethics course.

CASE NO. V2021-048

John J. Jennings, PLS [L-3052]
Hurdle Mills, NC

VIOLATION: Failed to conduct practice in order to protect the public health, safety and welfare [.0701(b)]; failed to provide adequate tie [.1602(g), .1604(d)(9)]; certified a plat which does not comply with the requirements of G.S. 47-30; failed to show names of adjacent land owners, lot designation, or legal reference [.1604(d)(7)]; failed to identify all reference sources, to include source for road right-of-way [.1602(f)]; and failed to report the results of a survey in a clear and factual manner as to adjoiner and right-of-way [.1602(f)].

BOARD ACTION: Reprimand and \$1,000 civil penalty.

CASE NO. V2021-053

Jeffrey S. Fitch, PE [041134]
Beaverton, OR

VIOLATION: Convicted of a felony [G.S. 89C-21(a)(3)] and failed to report it to the Board within 30 days [.0505(a)].

BOARD ACTION: Reprimand.

CASE NO. V2021-054

Harold F. Wiedeman, PE [017871]
Norcross, GA

VIOLATION: Submitted false information on a license renewal [G.S. 89C-23, .0701(d)(1)]; disciplined by another jurisdiction [G.S. 89C, .0701(h)]; failed to notify the Board of license discipline within 30 days as required [.0505(a)]; and failed to provide a physical residential address as required [.0505(a)].

BOARD ACTION: Reprimand.

CASE NO. V2021-056

Home Inspection Professionals – H.I., LLC [Non-licensed]
Bridgeton, NC

VIOLATION: Practiced or offered to practice engineering without a license as required by G.S. 89C-23, 24, 57D, and 55B.

BOARD ACTION: Issued letter to place the company on notice that practicing or offering to practice engineering in North Carolina without being licensed is a violation of G.S. 89C-23, 24, 57D, and 55B.

CASE NO V2021-057

Wesley G. Fox, PLS [L-3874]
Taylorsville, NC

VIOLATION: Performed inaccurate or substandard surveys, failing to protect the public [.0701(b)]; failed to report the results of surveys in a clear and factual manner [.1602(f)]; failed to identify all reference sources [.1602(f)]; and created an encroachment on the adjoining property by showing a right-of-way without legal basis [.0701(b), .1602(f)].

BOARD ACTION: Reprimand and \$1,000 civil penalty.

CASE NO. V2021-062

Barrett C. Crook, PE [027540]
Kitty Hawk, NC

VIOLATION: Failed to conduct practice in order to protect the public health, safety and welfare [.0701(b)]; failed to perform services in an ethical and lawful manner [.0701(g)]; affixed seal to work done under direct supervisory control or responsible charge [.0701(c)(3)]; representation of self as being capable of providing architectural services or as an Architect [G.S. 83A, .0701(b)] by certifying "A" sheets; and failed to properly certify documents [.1103(a)(3), (6)] by using a facsimile signature and for failing to provide address, firm name or firm number.

BOARD ACTION: Reprimand, \$5,000 civil penalty and ethics course.

CASE NO. V2021-070

David V. Day [Non-licensed]
Harlington, TX

VIOLATION: Practiced or offered to practice engineering without a license as required by G.S. 89C-23.

BOARD ACTION: Issued letter to place the individual on notice that practicing or offering to practice engineering in North Carolina without being licensed with the Board is a violation of G.S. 89C-23.

CASE NO. V2021-071

CASA Engineering, LLC [Non-licensed]
Harlington, TX

VIOLATION: Practiced or offered to practice engineering without a license as required by G.S. 89C-23, 24, 57D, and 55B and used the word "Engineering" in its name in violation of licensing required by G.S. 89C-23.

BOARD ACTION: Issued letter to place the company on notice that practicing or offering to practice engineering in North Carolina without being licensed is a violation of G.S. 89C-23, 24, 57D, and 55B and it's using the words "engineer" or "engineering" in violation G.S. 89C-23.

CASE NO. V2021-072

RDK Engineers N.C., Inc. [C-3240]
Cary, NC

VIOLATION: Submitted false information when making application to renew its certificate of licensure [G.S. 89C-23, .0701(d)(1)] and failed to have a resident professional in responsible charge of each office [.0901].

BOARD ACTION: Reprimand and \$1,000 civil penalty.

CASE NO. V2021-077

Kevin E. Williams [Non-licensed]
Charlotte, NC

VIOLATION: Practiced or offered to practice engineering without a license as required by G.S. 89C-23.

BOARD ACTION: Issued letter to place the individual on notice that practicing or offering to practice engineering in North Carolina without being licensed with the Board is a violation of G.S. 89C-23.

CASE NO. V2021-078

Williams Land Design & Development, LLC [Non-licensed]
Charlotte, NC

VIOLATION: Practiced or offered to practice engineering without a license as required by G.S. 89C-23, 24, 57D, and 55B.

BOARD ACTION: Issued letter to place the company on notice that practicing or offering to practice engineering in North Carolina without being licensed is a violation of G.S. 89C-23, 24, 57D, and 55B.

CASE NO. V2021-079

R. Alan Wilson, PLS [L-3987]
Greensboro, NC

VIOLATION: Performed inaccurate or substandard surveys, failing to protect the public [.0701(b)], to include restricting use from reasonably intended parties by statements on the maps; failed to conform to the Standards of Practice for Land Surveying in North Carolina [.1600], to include the topographic survey requirements [.1606] and certification statement [.1606(h)]; failed to include line type in legend or on the line [.1604(d)(11)(H)]; failed to describe monument as set or found [.1602(f)]; failed to include firm license number on documents [.1103(a)(6)]; failed to properly sign by using facsimile signatures [.1103(a)(3)]; and failed to describe revisions [.1103(a)(7)]. Additionally, failed to meet the topographic survey requirements; there is no benchmark labeled; elevations are said to be based on information the city provided; there are no control points labeled on vertical datum or metadata; no north arrow; and there are no control corners labeled on a map.

BOARD ACTION: Reprimand and \$1,000 civil penalty.

CASE NO. V2021-081

Jan J. Hartman [PE No. 045104 – Revoked]
Hamilton Square, NJ

VIOLATION: Convicted of a felony [G.S. 89C-23(a)(3)] and failed to report it to the Board within 30 days as required [.0505(a)].

BOARD ACTION: Revoked Engineering Certificate of Licensure.

CASE NO. V2021-082

John L. Wilson [PE No. 016934 – Archived]
Harrison, AR

VIOLATION: Revocation by another jurisdiction [G.S. 89C, .0701(h)].

BOARD ACTION: The Board refuses to reinstate Engineering Certificate of Licensure.

CASE NO. V2021-083

James W. Huggins [PE No. 025573 – Revoked]
Bolivia, NC

VIOLATION: Professional Engineer's license revoked by another jurisdiction [G.S. 89C, .0701(h)].

BOARD ACTION: Revoked Engineering Certificate of Licensure (combined with Case No. V2022-016).

CASE NO. V2021-087

Donald E. Blevins, Jr., PLS [L-4758]
Bell, FL

VIOLATION: Practiced or offered to practice land surveying on an expired certificate of licensure [G.S. 89C-16, 23] and failed to have an adequate tie [.1602(g), .1604(d)(9)] or north arrow [.1604(d)(1)] on the map.

BOARD ACTION: Reprimand and \$500 civil penalty.

CASE NO. V2021-088

John L. Plummer, Jr. [PE No. 022920 – Revoked]
Huntersville, NC

VIOLATION: Failed to be completely objective and truthful in professional reports or statements [.0701(d)(1)] and failed to cooperate fully with the Board in the course of an investigation [G.S. 89C-20].

BOARD ACTION: Revoked Engineering Certificate of Licensure (Combined with Case Nos. V2022-001/031/045).

CASE NO. V2021-092

Sylvia E. Higdon, PLS [L-4369]
Bryson City, NC

VIOLATION: Map 1: Failed to make adequate investigation [.1602(a)]; failed to clearly indicate and note source of lines not actually surveyed [.1604(b)]; and failed to sign and seal a survey not marked as preliminary [.1103]. Map 2: Failed to provide tie to geodetic monument within 2,000 feet [.1602(g), .1604(d)(9)]; and failed to report the results of a survey in a clear and factual manner by incorrectly identifying township and in legend for lines not surveyed [.1602(f)].

BOARD ACTION: Reprimand and \$2,000 civil penalty (Combined with Case No. V2021-107).

CASE NO. V2021-094

RWK, PA [C-1771]
Garner, NC

VIOLATION: Failed to conduct practice to protect the public [.0701(b)] by setting incorrect preliminary corner monument, and then failing to respond and communicate to a member of the public and to timely correct.

BOARD ACTION: Reprimand.

CASE NO. V2021-101

Alexander F. Zuendt [PE No. 039367 – Revoked]
Greer, SC

VIOLATION: Disciplined by other jurisdictions, including Florida and Oklahoma, to include a permanent restriction from practicing engineering in electrical power and mechanical HVAC [G.S. 89C, .0701(h)]; failed to report disciplinary actions within 30 days as required [.0505(a)]; and failed to cooperate fully with the Board in the course of an investigation [G.S. 89C-20].

BOARD ACTION: Revoked Engineering Certificate of Licensure and if reinstated, permanently restricts the practice from electrical power and mechanical HVAC engineering.

CASE NO. V2021-106

Charles R. Piratzky, PLS [L-2813]
Garner, NC

VIOLATION: Failed to conduct practice to protect the public [.0701(b)] by setting incorrect preliminary corner monument, and then failing to respond and communicate to a member of the public and to timely correct.

BOARD ACTION: Reprimand.

CASE NO. V2021-107

Sylvia E. Higdon, PLS [L-4369]
Bryson City, NC

VIOLATION: Failed to report the results of a survey in a clear and factual manner [.1602(f)] as to indicating existing corners as set iron pins and not labeling adjoiner property and correct road name; failed to clearly indicate and note source of lines not actually surveyed [.1604(b)] for tie line; and failed to sign and seal a survey not marked as preliminary [.1103].

BOARD ACTION: Reprimand and \$2,000 civil penalty (Combined with Case No. V2021-092).

CASE NO. V2021-108

HICAPS, Inc. [Non-licensed]
Greensboro, NC

VIOLATION: Practiced or offered to practice engineering without a license as required by G. S. 89C-23, 24 and 55B.

BOARD ACTION: Issued letter to place the company on notice that practicing or offering to practice engineering without a license is a violation of G.S. 89C-23, 24, and 55B.

CASE NO. V2021-113

Aquatics H2O, LLC [Non-licensed]
Boiling Springs, SC

VIOLATION: Practiced or offered to practice engineering without a license as required by G.S. 89C-23, 24, 57D and 55B and presented or attempted to use the certificate of licensure or seal of another in violation of G.S. 89C-23.

BOARD ACTION: Issued letter to place company on notice that practicing or offering to practice engineering without a license is a violation of G.S. 89C-23, 24, 57D and 55B and presenting or attempting to use the certificate of licensure or seal of another is a violation of G.S. 89C-23.

CASE NO. V2021-114

Tammy D. Ellis [Non-licensed]
Boiling Springs, SC

VIOLATION: Practiced or offered to practice engineering without a license and presented or attempted to use the certificate of licensure or seal of another in violation of G.S. 89C-23.

BOARD ACTION: Issued letter to place the individual on notice that practicing or offering to practice engineering without a license and presenting or attempting to use the certificate of licensure or seal of another is a violation of G.S. 89C-23.

CASE NO. 2022-001

John L. Plummer, Jr. [PE No. 022920 – Revoked]
Huntersville, NC

VIOLATION: Failed to be completely objective and truthful in professional reports or statements [.0701(d)(1)]; produced a deficient, substandard, or inaccurate report, failing to protect the public [.0701(b)]; and failed to cooperate fully with the Board in the course of an investigation [G.S. 89C-20].

BOARD ACTION: Revoked Engineering Certificate of Licensure (Combined with Case Nos. V2021-088, V2022-031/045).

CASE NO. V2022-006

James W. Gilpin, PE [019241]
Davidson, NC

VIOLATION: Relinquished Professional Engineer's license in another jurisdiction as a result of discipline [.0701(h)]; submitted false information on license renewal form [G.S. 89C-23, .0701(d)(1)]; failed to comply with annual CPC requirements [.1703, .1712]; and failed to maintain adequate CPC records [.1706].

BOARD ACTION: Reprimand, \$2,000 civil penalty, and CPC audit for the next three years that he renews as current.

CASE NO. V2022-007

Jack T. Phipps, PE [041984]
Frisco, TX

VIOLATION: Submitted false information on renewal form [G.S. 89C-23, .0701(d)]; disciplined by another jurisdiction [G.S. 89C, .0701(h)]; and failed to notify the board of license discipline within 30 days [.0505(a)].

BOARD ACTION: Reprimand.

CASE NO. V2022-011

C. Eugene Bobbitt III, PLS [L-2664]
Henderson, NC

VIOLATION: Map 1: Performed a substandard survey, failing to protect the health, safety and welfare of the public [.0701(b)]; failed to report the results of a survey in a clear and factual manner as to whether the survey was for a proposed recombination or reference the legal basis for the recombination, failing to denote total distances versus subtotal distances on surveyed lines, as to area, and failing to describe a monument as found or set

[.1602(f)]; failed to provide an adequate legend [.1604(d)(11)] depicting all symbols and lines not to otherwise labeled; failed to accurately locate a roadway and right-of-way where crossing or forming boundary lines [.1604(d)(8)]; failed to locate an apparent watercourse on boundary [.1604(d)(8)]; and failed to comply with GPS certification [.1607(b)]. Map 2: Failed to report the results of a survey in a clear and factual manner as to right-of-way source and widths [.1602(f)]. Map 3: Failed to provide adequate legend [.1604(d)(11)] depicting all line types not otherwise labeled.

BOARD ACTION: Reprimand, \$1,000 civil penalty and require mapping or Standards of Practice education.

CASE NO. V2022-016

James W. Huggins [PE No. 025573 – Revoked]
Bolivia, NC

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

BOARD ACTION: Revoked Engineering Certificate of Licensure (Combined with Case No. V2021-083).

CASE NO. V2022-024

Todd Reyling, PE [047477]
Smithton, IL

VIOLATION: Submitted false information on a license renewal form [G.S. 89C-23, .0701(d)] and failed to notify Board of license discipline within 30 days [.0505(a)].

BOARD ACTION: Reprimand.

CASE NO. V2022-031

John L. Plummer, Jr. [PE No. 022920 – Revoked]
Huntersville, NC

VIOLATION: Failed to be completely objective and truthful in professional reports or statements [.0701(b)(1)] and failed to cooperate fully with the Board in the course of an investigation [G.S. 89C-20].

BOARD ACTION: Revoked Engineering Certificate of Licensure (Combined with Case Nos. V2021-088, V2022-001/045).

CASE NO. V2022-045

John L. Plummer, Jr. [PE No. 022920 – Revoked]
Huntersville, NC

VIOLATION: Failed to conduct practice in order to protect the public health, safety and welfare [.0701(b)]; failed to be completely objective and truthful in professional statements [.0701(d)(1)]; and failed to cooperate fully with the Board in the course of an investigation [G.S. 89C-20].

BOARD ACTION: Revoked Engineering Certificate of Licensure (Combined with Case Nos. V2021-088, V2022-001/031).

MEMBER NOTES

Address Changes

Per Board Rule [21 NCAC 56.0505(a), .0606(a)], you are required to provide the physical places of business and residential addresses. You can still provide a PO Box for your mailing address. You can log in to the [Licensee Portal](#) section on the Board's website at anytime to update your addresses and e-mail. Also, you are required to give notice to the Board of a change of business or residential address within 30 days of the change.

Board Meetings

Meetings of the NC Board of Examiners for Engineers and Surveyors 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).

Business Firm Questions?

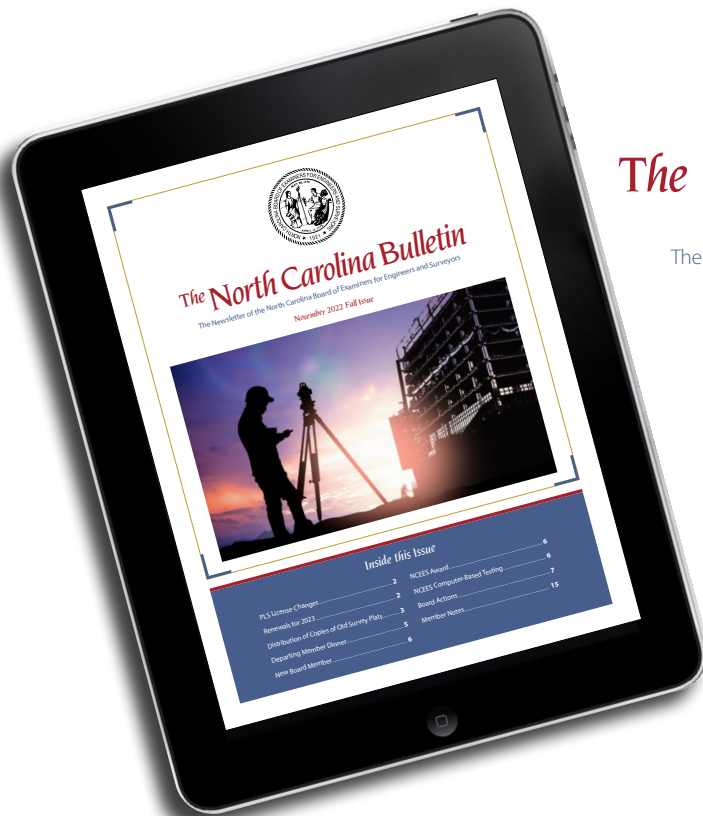
For any business firm questions, contact: Mark Mazanek, Director of Firm Licensure, via email to firms@ncbels.org or by phone at (919) 791-2000 x102.





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