



# The North Carolina Bulletin

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

October 2012 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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# The Genesis of Computer-Based Testing

## What is CBT?

CBT stands for **computer-based testing**. In 2014, the Fundamentals of Engineering (FE) and Fundamentals of Surveying (FS) exams will be offered solely on computer. Traditional pencil-and-paper exams will be retired. To increase access to exams, all examinees will complete their exams at their local Pearson VUE testing center.

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

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

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

## Which exams are transitioning?

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

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

## FE exam specifications for 2014

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

The creation of NCEES exam specifications focuses on developing and administering a content survey and analyzing the survey results. This is a detailed process in which each step contains checks and balances to ensure that the resulting exams are fair to the candidates based on

the coursework that they take in their engineering curriculum and to provide the state licensing boards with an adequate measure of each candidate's minimum competency to begin the licensure process.

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

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

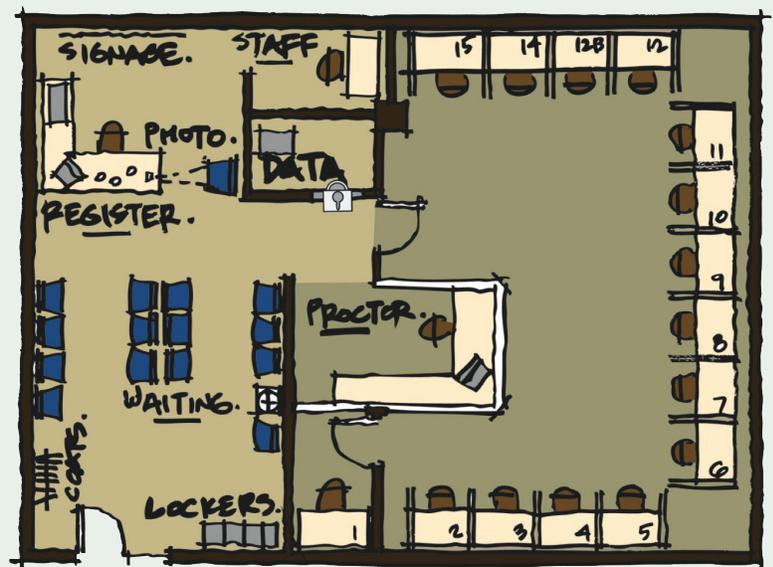


Image courtesy of Pearson VUE

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

*continued on page 4*

### Major domains for the FE exams beginning in 2014

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

FE Chemical	FE Civil	FE Electrical & Computer	FE Environmental	FE Industrial	FE Mechanical	FE Other Disciplines
Mathematics	Mathematics	Mathematics	Mathematics	Mathematics	Mathematics	Mathematics & Advanced Engineering Mathematics
Probability & Statistics	Probability & Statistics	Probability & Statistics	Probability & Statistics	Engineering Sciences	Probability & Statistics	Probability & Statistics
Engineering Sciences	Computational Tools	Ethics & Professional Practice	Ethics & Professional Practice	Ethics & Professional Practice	Computational Tools	Chemistry
Computational Tools	Ethics & Professional Practice	Engineering Economics	Engineering Economics	Engineering Economics	Ethics & Professional Practice	Instrumentation & Data Acquisition
Materials Science	Engineering Economics	Properties of Electrical Materials	Materials Science	Probability & Statistics	Engineering Economics	Ethics & Professional Practice
Chemistry	Statics	Engineering Sciences	Environmental Science & Chemistry	Modeling & Computations	Electricity & Magnetism	Safety, Health & Environmental
Fluid Mechanics/Dynamics	Dynamics	Circuit Analysis (DC & AC Steady State)	Risk Assessment	Industrial Management	Statics	Engineering Economics
Thermodynamics	Mechanics of Materials	Linear Systems	Fluid Mechanics	Manufacturing, Production & Service Systems	Dynamics, Kinematics & Vibrations	Statics
Material/Energy Balances	Materials	Signal Processing	Thermodynamics	Facilities & Logistics	Mechanics of Materials	Dynamics
Heat Transfer	Fluid Mechanics	Electronics	Water Resources	Human Factors, Ergonomics & Safety	Material Properties & Processing	Strength of Materials
Mass Transfer & Separation	Hydraulics & Hydrologic Systems	Power	Water & Wastewater	Work Design	Fluid Mechanics	Materials Science
Chemical Reaction Engineering	Structural Analysis	Electromagnetics	Air Quality	Quality	Thermodynamics	Fluid Mechanics & Dynamics of Liquids
Process Design & Economics	Geotechnical Engineering	Control Systems	Solid & Hazardous Waste	Systems Engineering	Heat Transfer	Fluid Mechanics & Dynamics of Gases
Process Control	Transportation Engineering	Communications	Groundwater & Soils		Measurements, Instrumentation & Controls	Electricity, Power & Magnetism
Safety, Health & Environmental	Environmental Engineering	Computer Networks			Mechanical Design & Analysis	Heat, Mass & Energy Transfer
Ethics & Professional Practice	Construction	Digital Systems				
	Surveying	Computer Systems				
		Software Development				

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

### FS exam specifications for CBT / 2014

The current specifications for the Fundamentals of Surveying (FS) exam will change in January 2014 in conjunction with the exam's transition to computer-based testing (CBT). In 2010, NCEES announced a move toward CBT. The final pencil-and-paper exam will be offered in October 2013.

All FS exams administered before CBT will use the exam specifications currently available on the Exams portion of the NCEES website.

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

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

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

2014 FS Exam Domains
Mathematics
Basic Sciences
Spatial Data Acquisition & Reduction
Survey Computations & Computer Applications
Statistics & Adjustments
Geodesy
Boundary & Cadastral Survey Law
Photogrammetry & Remote Sensing
Survey Processes & Methods
Geographic Information Systems (GIS)
Graphical Communication & Mapping
Professional Communication
Business Concepts

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

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



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

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

deliberately with each conversion to ensure that the exam continues to reliably measure professional competence.”

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

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

Over 25,000 candidates took the PE exam in the past year, which included October and April administrations. Over 1,200 examinees took the PS exam during the same period.

## *NCEES moving administration date, updating specifications for PE Industrial exam*

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

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

“The exam will not change for the October 2012 administration,” explained Tim Miller, P.E., the director of exam

services at NCEES. “We’ll offer the exam at the same time we have been, and we’ll use the current exam specifications. But in April 2013, we’ll begin holding the exam at a new time and using the updated specifications.”

The new specifications are available online at [ncees.org](http://ncees.org). Updated study materials will be published in October 2012.

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## *PE Civil exam changes in April 2013*

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

## *NCEES introducing new PE exam in Software Engineering*

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

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

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

Groups representing software engineers have long maintained that software engineering should be licensed because it is increasingly practiced in areas that reach

into the everyday lives of the general public, such as traffic control systems and the electrical grid. An IEEE Computer Society survey of software engineers indicated that two-thirds of those employed in the industry support a licensure exam for their profession.

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

For more information on the PE Software exam, visit [ncees.org/exams](http://ncees.org/exams). Registration for the April 2013 exam administration is scheduled to open mid-December 2012. The exam specifications – the test blueprint of knowledge areas to be tested and their relative weights of emphasis – are available online at [ncees.org/exams](http://ncees.org/exams). IEEE is planning to publish study materials for the exam later this year.

## *PS to become closed-book exam in April 2013*

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

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

“There were two reasons to go to a closed-book exam: to increase the security of the exam and to prepare for the possibility of the PS transitioning to a computer-based

format,” explained NCEES Director of Exam Services Tim Miller, P.E. “A closed-book exam will prevent candidates from copying exam content into their references or bringing in prohibited items. It will also make for an easier transition if the PS exam moves to a computer-based format at computer testing centers, where space for references is limited.”

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

## *New developments in aftermath of Deepwater Horizon disaster emphasize role of licensure in ethical engineering practice*

With the arrest of former BP engineer Kurt Mix putting the Deepwater Horizon disaster back in the headlines, it is important to remember the vital role that the licensing of engineers plays in protecting the American public, not just from technical incompetence but also from unethical practices.

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

Most of the media reports about Mix are referring to him as an engineer. Individuals such as Mix practice engineering in the private sector every day without a license under licensure

exemptions. While state laws may not always require a license, NCEES is committed to advancing licensure for engineers to better protect the public from incompetent or unethical practice.

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

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

# Exams

» Stats

» Dates

» News

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## April 2012 Exam Statistics

The results from the April 2012 administration of the licensure exams have been received and processed by the Board. The results for the examinations are as follows:

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

	April 2012	July 2012
Part A:	51.35% pass rate	-----
Part B:	82.93% pass rate	100.00% pass rate
Part C:	61.90% pass rate	90.00% pass rate

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## 2013 Examination Dates

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

April 12 & 13, 2013      Deadline: January 2, 2013

October 25 & 26, 2013      Deadline: August 1, 2013

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

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

January 28, 2013      Deadline: November 1, 2012

July 22, 2013      Deadline: May 1, 2013

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

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## Rules & Laws 2012 Available for Purchase

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



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

## Surveying Education: Experience Changes

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

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

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

### 2013 SURVEYING LICENSURE REQUIREMENTS

Education	Experience in Years		
	Exam I	+Yrs.	Exam II
BS Surveying (45 semester hrs: survey courses)	0	2 (2)	2 (2)
AAS Degree Surveying Technology (20 semester hrs: survey courses)	4 (2)	4 (2)	8 (4)
High School Diploma or Equivalent	10 (6)	6 (3)	16 (9)

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

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

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### Need a Speaker?

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



## Board Enters into Partnership with Professional Engineers Board of The Bahamas

The NC Board of Examiners for Engineers and Surveyors and the Professional Engineers Board of the Commonwealth of The Bahamas (PEB) executed an historic Memorandum of Understanding (MOU) on May 11, 2012, at Nassau, New Providence, Bahamas. Travelling to Nassau to sign the MOU were Board Chair David L. Pond, PE; Executive Director Andrew L. Ritter; and NCEES Executive Director Jerry Carter.

Board Chair David Pond stated: "The North Carolina Board is both privileged and proud to enter into this historic relationship with the Bahamas Board. Engineering has become a global profession and this MOU is an indicator of that. The State of North Carolina looks forward to this newly-formed partnership and is excited about working with the Commonwealth of the Bahamas for many years to come."

PEB Chair Michael Moss noted: "NCEES was contacted by Michelle Gomez, a member of the Bahamas Board, to determine if the two organizations could enter into an agreement that would facilitate the licensure process for Bahamian candidates." The NCEES PE exam is considered



Seated, left to right: David L. Pond, PE, NC Board Chair; Michael Moss, C. Eng., PE, PEB Chair; Andrew Ritter, NC Board Executive Director; and an unidentified PEB representative.

Standing, left to right: Cyprian Gibson, C. Eng., PE and Melanie Roach, C. Eng., PE, PEB Board members; Jerry Carter, NCEES Executive Director; and Freeman Duncanson, PEB Registrar.

the international engineering benchmark for licensure. To ensure the security and integrity of the PE examinations, NCEES has instituted a policy requiring a minimum population of candidates per exam administration at each exam site. The number of potential candidates as projected by the PEB did not reach this minimum threshold. Since NCEES policy restrictions precluded an agreement between NCEES and PEB, the PEB subsequently contacted the NC Board to investigate the possibility of entering into a relationship that would allow Bahamian candidates to take the NCEES PE exam.

Chairman Moss further stated: "The NC Board recently amended their Statute to allow applicants with foreign experience to be considered for licensure. This allowed the NC Board to consider the request from the Bahamas Board. As a consequence, Bahamian Engineers, through application to the Bahamas Board, will be allowed to sit [for] the NCEES licensure examination administered by the NC Board. This is the first time the NC Board has entered into this type of relationship and as such truly makes it an historical accomplishment." Chairman Moss also said that "the new MoU will enable engineers [in the country] to further their expertise in a more convenient way."

## Board Honors Departing Member

On September 19, the Board held a Farewell Dinner for outgoing member John S. Tunstall, PE. Mr. Tunstall was appointed in August 2007 and chaired the Engineering Committee in 2010. His term expired on December 31, 2011. He continued to serve until February 27, 2012 when his successor was appointed.



Those in attendance at the festivities at a local Raleigh restaurant included nine current Board members and several staff members. Memories and stories were shared by Board Chair David L. Pond and Board members Dr. Teresa H. Ratcliff and Nils W. Joyner, Jr. Mr. Pond presented a plaque to Mr. Tunstall and thanked

him for his service. Mr. Tunstall spoke about his tenure as a Board member and how much it had meant to him.

Good fellowship and excellent food were enjoyed by all as Mr. Tunstall was honored by his peers.

## New Board Member

When the Spring 2012 issue of the *NewsBulletin* was published in April, the official picture of new Board member Carl M. Ellington, Jr., PE, who had been appointed to the Board in February, was not available.



Mr. Ellington is pictured at left.

## Disciplinary Actions 2012-2

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

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

### **CASE NO. V2010-019 and V2010-054**

David R. Day, PE [15984]  
Asheville, NC

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

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

### **CASE NO. V2011-009**

Claude L. Whitfield, PLS [L-0770]  
Goldsboro, NC

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

BOARD ACTION: Suspended his Surveying Certificate of Licensure until he passes Part B of the state portion of the Principles and Practice of Surveying exam and he must

provide proof of passing the Professional Ethics Course offered by New Mexico State University.

### **CASE NO. V2011-025**

Robert Davis, Jr., PE [19978]  
Florence, SC

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

BOARD ACTION: Reprimand.

### **CASE NO. V2011-030**

Douglas L. Jenkins, PE [28803]  
Linden, NC

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

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

### **CASE NO. V2011-042**

Johnny J. Williams, PLS [L-3170]  
Beulaville, NC

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

BOARD ACTION: Reprimand.

**CASE NO. V2011-051**

Kevin R. Adams, PE [17224]  
Kernersville, NC

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

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

**CASE NO. V2011-053**

Daniel W. Donathan, PLS [L-1192]  
Winston-Salem, NC

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

BOARD ACTION: Reprimand.

**CASE NO. V2011-063**

Scott M. Westmoreland, PE [27444]  
Hiddenite, NC

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

BOARD ACTION: Reprimand and \$1500 civil penalty.

**CASE NO. V2011-065**

Master-Bilt  
New Albany, MS

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

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

**CASE NO. V2011-071**

Linwood J. Jones, PLS [L-1381]  
Garner, NC

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

BOARD ACTION: Reprimand and \$2000 civil penalty.

**CASE NO. V2011-073**

John F. Germ, PE [10255]  
Chattanooga, TN

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

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

**CASE NO. V2011-077**

John M. Riley, PE [8233]  
Winston-Salem, NC

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

BOARD ACTION: Reprimand, \$5000 civil penalty and require proof within six months of the date of the Decision and Order of passing the Engineering Ethics Intermediate Course offered by the Murdough Center for Engineering Professionalism, Texas Tech University.

**CASE NO. V2011-083**

Ram Jack of Charlotte, LLC [unlicensed]  
Huntersville, NC

VIOLATION: Practiced or offered to practice engineering in NC in violation of G.S. 89C-24, 57C and 55B.

BOARD ACTION: Issued letter to cause respondent to cease and desist practicing or offering to practice engineering in NC, to include but not limited to the analysis and recommendations of initial repair, until licensed with the NC Board.

**CASE NO. V2011-084**

Danny M. Padgett, PLS [L-2639]  
Sneads Ferry, NC

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

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

**CASE NO. V2011-090**

Quality Plus Services, Inc. [D-0197]  
Petersburg, VA

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

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

**CASE NO. V2011-092**

Hobbs, Upchurch & Associates, P.A. [C-0454]  
Southern Pines, NC

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

BOARD ACTION: Reprimand and \$5000 civil penalty.

**CASE NO. V2011-093**

Yonkers Industries, Inc. [unlicensed]  
Cary, NC

VIOLATION: Practiced or offered to practice engineering in NC without being licensed with the NC Board [G.S. 89C-23, 24 and 55B].

BOARD ACTION: Issued letter to cause respondent to cease and desist practicing or offering to practice engineering in NC, to include but not limited to project support services, start-up, commissioning and validation support services for the building or engineered systems, until licensed with the NC Board.

**CASE NO. V2011-100**

James R. Hughes, PLS [L-3515]  
Burnsville, NC

VIOLATION: Failed to make adequate investigation [.1602(a)]; performed an inaccurate or substandard survey, failing to protect the public [.0701(b)]; and failed to conduct his practice in order to protect the public health, safety and welfare [.0701(b)].

BOARD ACTION: Reprimand and require proof of passing, within three months of date of Decision and Order, the Professional Ethics Course offered by New Mexico State University.

**CASE NO. V2011-101**

G. Ray Wilson, PLS [L-3541]  
Pinetops, NC

VIOLATION: Certified to an actual survey of lines not surveyed [.1602(a)]; failed to report the results of a survey in a clear and factual manner [.1602(f)]; failed to examine most recent deeds and recorded plats of subject and adjacent properties [.1602(c)]; failed to make adequate investigation creating an encroachment on the adjacent property [.1602(a)]; failed to provide an adequate legend as to lines [.1604(d)(11)]; failed to include bargraph on map [.1604(d)(11)]; and failed to show names of adjacent land owners, lot designation, or legal reference [.1604(d)(7)].

BOARD ACTION: Reprimand and \$2000 civil penalty.

**CASE NO. V2011-103**

Marvin E. Gobles [unlicensed]  
Elkhart, IN

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

BOARD ACTION: Issued letter to cause respondent to cease and desist practicing or offering to practice engineering in NC, to include but not limited to producing letters of engineering analysis, opinions or recommendations and not referencing work of any licensed NC PE, or using the PE title for work in NC, until licensed with the NC Board.

**CASE NO. V2012-004**

James T. Bradley, PLS [L-3399]  
Gasburg, VA

**VIOLATION:**

Map 1 – failed to report the results of a survey in a clear and factual manner [.1602(f)] by not showing boundary conflict, conflict with note as to whether an actual survey was performed and by showing approximate state line.

Map 2 – failed to report the results of a survey in a clear and factual manner [.1602(f)] by showing approximate state line and failed to provide an adequate legend [.1604(d)(11)].

BOARD ACTION: Reprimand.

**CASE NO. V2012-005**

Pelco Engineering Consultants  
Charlotte, NC

VIOLATION: Practiced or offered to practice engineering and used the word “engineering” in NC without being licensed with NC Board [G.S. 89C-23, 24 and 55B].

BOARD ACTION: Issued letter to cause respondent to cease and desist practicing or offering to practice engineering, or using the word “engineering” in the company name in NC until such time as the company becomes licensed with the NC Board.

**CASE NO. V2012-007**

Thomas Threlkeld [unlicensed]  
Gastonia, NC

VIOLATION: Practiced or offered to practice land surveying in NC without being licensed with the NC Board [G.S. 89C-23].

BOARD ACTION: Issued letter to cause respondent to cease and desist practicing or offering to practice land surveying in NC until licensed with the NC Board.

**CASE NO. V2012-008**

C. T. Clayton, Sr., PE [8955]  
Coats, NC

VIOLATION: Failed to be completely objective and truthful in professional statements [.0701(d)(1)]; produced deficient work product (drawing and report), failing to protect the public [.0701(b)]; and his firm changed its title, or operated under an assumed name, without Board approval [.0902(a), (c)].

BOARD ACTION: Reprimand and \$3000 civil penalty.

**CASE NO. V2012-009**

Brent H. Whitfield, PLS [L-3589]  
Wallace, NC

VIOLATION: Failed to conduct his practice in order to protect the public health, safety and welfare [.0701(b)] by presenting a preliminary map to the court; failed to sign and seal surveys not marked as preliminary [.1103]; failed to properly reference north arrow [.1604(d)(1)]; failed to report the results of a survey in a clear and factual manner [.1602(f)]; failed to show names of adjacent land owners, lot designation, or legal reference [.1604(d)(7)]; failed to provide legend [.1604(d)(11)]; and failed to note and date a revision [.1103(a)(7)].

BOARD ACTION: Reprimand and \$1000 civil penalty.

**CASE NO. V2012-011**

William G. Bradley, PLS [L-2653]  
Mills River, NC

VIOLATION: Failed to show an easement on a survey [.1602(b), (f)]; failed to report the results of a survey in a clear and factual manner [.1602(f)]; and failed to provide an adequate legend [.1604(d)(11)].

BOARD ACTION: Reprimand, \$2,000 civil penalty and require proof of completing section on boundary surveying as determined by the Board at the February 2013, NC Society of Surveyors Institute.

**CASE NO. V2012-014**

Eddie Deaver [unlicensed]  
Cornelius, NC

VIOLATION: Practiced or offered to practice engineering and used the word “engineer” in NC without being licensed by the NC Board [G. S. 89C-23].

BOARD ACTION: Issued letter to cause respondent to cease and desist practicing or offering to practice engineering to include but not limited to providing analysis, opinions or recommendations that require engineering knowledge, or using the word “engineer” in NC until licensed with the NC Board.

**CASE NO. V2012-016**

James L. Overton, Sr., PLS [L-3339]  
Elizabeth City, NC

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

BOARD ACTION: Reprimand.

**CASE NO. V2012-019**

Perry C. Patrick, Jr., PE [9099]  
Memphis, TN

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

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

**CASE NO. V2012-020**

Ryan E. Caya, PE [32770]  
Concord, NC

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

BOARD ACTION: Reprimand.

**CASE NO. V2012-024**

Jason J. Daughenbaugh [unlicensed]  
d/b/a Cary Turf, Inc. and Green Level Environmental Landscapes  
Apex, NC

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

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

**CASE NO. V2012-027**

Lindsley Waterproofing, Inc. [unlicensed]  
Durham, NC

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

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

**CASE NO. V2012-072**

Roger L. Blue, PE [16250]  
Charlotte, NC

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

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



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