



The North Carolina Bulletin

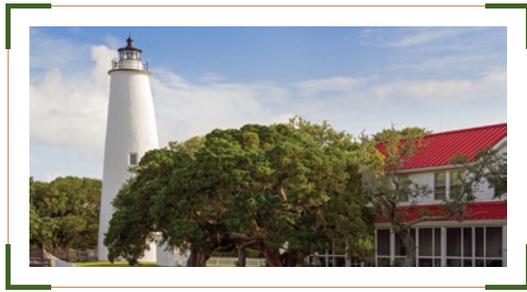
The Newsletter of the North Carolina Board of Examiners for Engineers and Surveyors

October 2014 Fall Issue



Inside this Issue

Board and Staff Directory	2	GIS Grandfathering Comes to a Close.....	6
On the Cover: Linn Cove Viaduct.....	3	Exam Change Notices	7
Recent Legislation: Session Law 2014-120	4	Renewals for 2015	8
NCEES Honors Cottingham for Service	5	Is Your Address Up To Date?.....	8
What is a Firm Change Form?	5	Paper Renewal Opt Out.....	8
Board Member Resigns.....	5	Disciplinary Actions.....	9
Exam Statistics and Dates	6	Board Meeting Notices	14



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.

Board Office

4601 Six Forks Road Suite 310
Raleigh, NC 27609

Telephone

(919) 791-2000

Facsimile

(919) 791-2012

Website

www.ncbels.org

Andrew L. Ritter *Executive Director*

Board Members – 2014

Willy E. Stewart, PE *Chair*
Teresa H. Ratcliff, PE, PhD *Vice Chair*
Linda A. Thurman, Public *Secretary*
Richard M. Benton, PLS
Carl M. Ellington, Jr., PLS
Nils W. Joyner, Jr., PLS
David L. Pond, PE
Andrew G. Zoutewelle, PLS
Public Member – Vacant

Committee Chairs – 2014

David L. Pond, PE *Engineering*
Richard M. Benton, PLS *Surveying*
Linda A. Thurman, Public *CPC*

Editing and Design

Lou Ann Buck *Editor/Content Manager*
Stephanie Bryant *Updates*
The Signature Agency *Graphic Design*

Board Staff Directory

Name Title	Email	Extension
Stephanie Bryant <i>Administrative Assistant</i>	sbryant@ncbels.org	100
Andrew L. Ritter <i>Executive Director</i>	aritter@ncbels.org	101
Mark D. Mazanek <i>Director of Business Licensure and Compliance</i>	mmazanek@ncbels.org	102
Shirley Ditt <i>Administrative Assistant</i>	sditt@ncbels.org	103
Martha Michalowski <i>CPC/Investigations Administration</i>	mmichalowski@ncbels.org	104
Laverne Barbour <i>Processor: Surveying Applications EI/SI Certifications</i>	lbarbour@ncbels.org	105
Lou Ann Buck <i>Director of Administration</i>	labuck@ncbels.org	106
Laura Parham <i>Processor: Professional Engineer Applications</i>	lparham@ncbels.org	107
Dawn Taylor <i>Administrative Assistant</i>	dtaylor@ncbels.org	108
David S. Tuttle <i>Board Counsel</i>	dstuttle@ncbels.org	111
William P. Casey <i>Board Investigator, Eastern Region</i>	wcasey@ncbels.org	104
Cathy W. Kirk <i>Board Investigator</i>	cwkirk@ncbels.org	104
Clyde Alston <i>Board Investigator</i>	calston@ncbels.org	104
Tina Curran <i>Board Investigator</i>	tcurran@ncbels.org	104
David J. Evans <i>Assistant Executive Director/Investigations</i>	djevans@ncbels.org	113
John Stone <i>Information Technology Systems Specialist</i>	jstone@ncbels.org	115
Chimene Link <i>Renewals</i>	clink@ncbels.org	116

Linn Cove Viaduct



Linn Cove Viaduct, a symbol of pride to architects and engineers for its marriage of beauty with utility and habitat protection, is considered one of the most challenging bridge constructions ever undertaken. The 1,243-foot concrete segmental bridge snakes around the ancient and ecologically sensitive slopes of Grandfather Mountain in North Carolina. The Black Rock area of the mountain – elevation 4,100 feet – is a large mass of cracked and loose boulders, entirely unsuited to conventional cut-and-fill road-building practices.

Supported by seven massive pillars, the Linn Cove Viaduct virtually floats in the air without disturbing the land below. To eliminate damage to the fragile environment, no access roads were built for transporting heavy equipment on the ground. All construction was done from the top down and no machinery was allowed more than 50 feet from the base of the piers. The only construction at ground level was the drilling of foundations for the seven permanent piers on which the viaduct rests. Exposed rock was covered to prevent staining from concrete, epoxy, or grout during construction. The only trees cut were those directly beneath the superstructure.

Linn Cove is only the second bridge in history (and the first in the United States) to be built in one-directional cantilever. In this case, the cantilever was the road itself.

The specification book on the bridge was 1,500 pages thick. Calculations of stress involved in the alignment of the piers, contortions of the curves, post tension, super elevation and the cantilever all came into play.

Designer Jean Muller summarized the complexity: “Horizontal alignment included spiral curves going into circular curves with radii as small as 250 feet curving in two directions. Only a small portion is on a horizontal tangent. No two of the 153 segments have the same dimensions, and only one segment in the entire bridge is straight.”[‡]

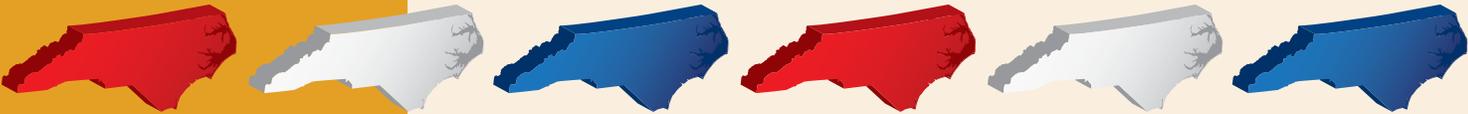
The segments were precast offsite and transported to the end of the cantilever. There, a custom stiff-leg crane placed on either edge of the existing structure lifted each 50-ton segment, swung it out and lowered it to within six inches of the cantilever end. Epoxy was then applied to the joint face and the segment was moved to the cantilever end where the temporary thread bars were installed and stressed.

The contractors developed a special heating system to heat joints for the work to continue through the winter. The concrete used in making the viaduct was tinted with an iron oxide pigment developed specifically for this project so that the color of the finished bridge would match the color of the one-billion-year-old boulders and cliffs that surround it.

Completed in November 1987 at a final cost of \$10 million, the viaduct was the last section of the Blue Ridge Parkway to be finished. Designed by Figg and Muller Engineers, Inc., the Linn Cove Viaduct has received more than a dozen design awards.

Sources:

- [*http://www.averycounty.com/visitor-info-main/play/mountain-heritage/linn-cove-viaduct](http://www.averycounty.com/visitor-info-main/play/mountain-heritage/linn-cove-viaduct)
- [*http://www.nps.gov/blri/historyculture/linn-cove-viaduct.htm](http://www.nps.gov/blri/historyculture/linn-cove-viaduct.htm)
- [*http://precast.org/2010/07/timeless-gem-of-the-blue-ridge-parkway/](http://precast.org/2010/07/timeless-gem-of-the-blue-ridge-parkway/)
- [*http://www.amusingplanet.com/2013/04/linn-cove-viaduct-most-environment.html](http://www.amusingplanet.com/2013/04/linn-cove-viaduct-most-environment.html)



Recent Legislation:

Session Law 2014-120

The Regulatory Reform Act of 2014, Senate Bill 734, was signed into law by the Governor on September 18, 2014 as Session Law 2014-120. Two portions of the bill directly impact the enforcement activities of the Board with respect to unlicensed practice and use of the title “engineer” by unlicensed individuals. Section numbers refer to the sections of the bill.

1. CLARIFY PROFESSIONAL ENGINEER EXEMPTION

SECTION 11.(a) Revisions by the legislature assure protection of the public safety by clarifying the exemptions from the requirement of a PE or PLS license for industry employees in 89C-25 (7a). Also, G.S. 89C-25(1) and (2) received clarifying language.

SECTION 11.(b) The revisions by the legislature assure protection of the public safety by clarifying requirements for a PE or PLS license for employees of government or public utility companies in 89C-19.

The updated G.S. 89C is now posted to our website with the revisions by the legislature. The pdf of 89C replaces the link to the General Assembly’s General Statutes, which will be restored when the revisions to 89C are published on their website. This is the link from our website under Rules/Laws: [North Carolina Engineering and Land Surveying Act](#) (NCGS 89C).

2. REFORM AGENCY REVIEW OF ENGINEERING WORK

Section 29 Key Provisions from the Session Law that can be viewed at [SL2014-120](#).

Section 29.(a)(3) Definition of Regulatory Authority. – The Department of

Environment and Natural Resources, the Department of Health and Human Services, and any unit of local government operating a program (i) that grants permits, licenses, or approvals to the public and (ii) that is either approved by or delegated from the Department of Environment and Natural Resources, the Department of Health and Human Services

Section 29(b) Standardize Certain Regulatory Review Procedures. – No later than December 1, 2014, each Regulatory Authority shall review and, where necessary, revise its procedures for review of Regulatory Submittals.

Section 29.(c) Informal Review. – No later than December 1, 2014, each Regulatory Authority shall create a process for each regulatory program administered by the Regulatory Authority for an informal internal review at the request of the Submitting Party in certain circumstances.

Section 29.(f) No later than March 1, 2015, DENR shall complete a pilot study on the Pretreatment, Emergency Response and Collection System (PERCS) wastewater collection system permitting program and the stormwater permitting program that includes developing recommendations for ensuring that work activities constituting the Practice of Engineering are conducted with the appropriate level of oversight.

Section 29.(h) No later than December 1, 2014, each Regulatory Authority and the Department of Transportation shall propose revisions to the Working Job Titles that will eliminate the public identification as “engineers” of persons reviewing Regulatory Submittals who are not Professional Engineers.

NCEES Honors Cottingham for Service



J. Richard Cottingham, P.E., P.L.S., of Seneca, South Carolina, has been awarded the NCEES Distinguished Service Award with Special Commendation for his dedicated service to the engineering and surveying professions. Cottingham received the organization's highest honor at its 93rd annual meeting, held

August 20–23, 2014, in Seattle, Washington.

Cottingham received the Distinguished Service Award in 2003 for his many contributions to NCEES, including serving as president, treasurer, and Southern Zone vice president. Since receiving this award, he has continued to serve his profession with distinction.

An emeritus member of the North Carolina Board of Examiners for Engineers and Surveyors, Cottingham remains committed to advancing licensure for engineers and surveyors. Appointed as a special consultant to assist the South Carolina Board of Registration for Professional Engineers and Surveyors, he



has served on two South Carolina board committees to find resolutions to changes introduced by the state architectural board that, potentially, would have negatively impacted the practice of engineering and the welfare of the public.

Cottingham has also continued his service to NCEES since 2003. For the past two years, he has been a member of the Public Outreach/Communications Task Force. He has also been a member of the Licensure Qualifications Oversight Group, the Engineering Practice Exam Task Force, and the Committee on Awards. Over the last 25 years, he has served on over 30 committees and task forces.

Committed to promoting licensure, Cottingham speaks to Clemson University engineering students about the importance of the P.E. license, as well as professional development and lifelong learning, each semester. He has taken part in ABET accreditation visits at universities in North Carolina and South Carolina. He serves on the Clemson University Civil Engineering Advisory Board and is an honorary member of national civil engineering honor society Chi Epsilon.

What is a Firm Change Form?

Business Firms currently licensed with the North Carolina Board of Examiners for Engineers & Surveyors that need to update their Business Firm Record may print and complete the appropriate change form from the Board website: <http://www.ncbels.org/businesses.html> and then mail or email it to the attention of the **Director of Business Licensure & Compliance** with the required fee (if applicable).

All firms are required to notify the Board of any changes in personnel, location or ownership within 30 days of the change by completing the appropriate change form

and submitting it to the Board office.

A Firm licensed with the Board may not change its name or the services being offered without first requesting approval from the NC Board of Examiners for Engineers & Surveyors. For information on how to request these changes, please e-mail or call the **Director of Business Licensure & Compliance**.

If you have additional questions, please contact **Director of Business Licensure & Compliance** Mark Mazanek at (919) 791-2000 x102 or by email at mmazanek@ncbels.org.

Board Member Resigns

Gary H. Pendleton, Public Member of the Board appointed in February, resigned on July 30. In August, he was appointed by Gov. Pat McCrory



to fill the NC House District 49 seat left vacant by the death of Rep. Jim Fulghum on July 19.

Board members and staff are available to speak at meetings of professional and technical societies, as well as community-based organizations. Requests should be made as far in advance as possible to Andrew Ritter, Executive Director, at the Board office.

EXAM STATS • DATES • NEWS

CBT Exam Statistics

January 1, 2014 through September 20, 2014

Fundamentals of Engineering

FE Examinees – 386
Passes – 293 Fails – 93 Pass Rate – 76%
Certified Engineer Interns – 41

Fundamentals of Surveying

FS Examinees – 18
Passes – 5 Fails – 13 Pass Rate – 28%
Certified Surveyor Interns – 3

April 2014 Exam Statistics

The results from the April 2014 administration of licensure exams have been received and processed by the Board. The results for the examinations are as follows:

Principles and Practice of Engineering (PE) 66.12% pass rate

Structural Engineering (SE)
Vertical Component 27.27% pass rate
Lateral Component 45.45% pass rate

Principles & Practice of Surveying (PS)

	<u>April 2014</u>	<u>July 2014</u>
Part A:	53% pass rate	-----
Part B:	78% pass rate	100% pass rate
Part C:	65% pass rate	40% pass rate

2015 Examination Dates

National examinations are to be conducted on the following dates:

<u>Examination Date</u>	<u>Deadline</u>
April 17, 2015	January 2, 2015 PE & PS Exams
October 30, 2015	August 1, 2015 PE & PS Exams

2015 FE & FS: Computer-based testing – See NCEES for complete details and scheduling at www.ncees.org.

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

Examination dates for Out-of-State Surveying Applicants

<u>Examination Date</u>	<u>Deadline</u>
January 26, 2015	November 1, 2014
July 20, 2015	May 1, 2015

GIS Grandfathering Comes to a Close

House Bill 301, legislation that waived the examination requirement for practicing GIS professionals to become licensed without examination, was signed into law in June 2013. The waiver expired on June 30, 2014.

Of the 58 total applicants that applied for licensure, there were 42 who became licensed as Professional Land Surveyors to practice in their areas of competence. The NC Board of Examiners congratulates those licensees.

EXAM CHANGE NOTICES

2015 PE/SE/PS/SS Exam Registration Changes

EXAM FEES

Exam Fees **must be paid online** to NCEES beginning with the April 2015 registration window.

It is advisable **NOT to register until you have been approved by the Board of Examiners**. If registration is CANCELLED or NOT APPROVED and has to be cancelled later, NCEES will retain a \$50 Processing Fee from your registration for cancellation.

Exam Fees and Re-Exam Fees will be paid directly to NCEES upon registration as follows:

Engineering

PE – (Professional Engineering)	\$350
SE – (Structural Engineering) – per component	\$500

Surveying

PS – (National portion only)	\$350
SS – (State Specific)	\$100
<i>(Laws only, Drainage only, or Laws + Drainage only)</i>	
PS + SS – (National + State Specific)	\$350
<i>(Applicant must put items in the cart together when checking out/paying, otherwise applicant will pay \$450)</i>	

- **Re-Exam applicants** must complete the NC RE-EXAM FORM on the NCBELS website and submit to the Board office by the NCBELS deadline for approval to retake the exam. In the absence of this form, NCEES registration will not be approved.
- The \$100 Application Fee will still be submitted to the NC Board of Examiners along with the application.

DEADLINE DATES

NCBELS January 2, 2015 for April exam
August 1, 2015 for October exam

NCEES registration deadlines are different for each exam period. Please see the website at www.ncees.org for current deadline dates.

Out-of-State Applicants applying for the Surveying exam in January and July will pay \$275 which includes the \$100 application fee.

Deadlines are: November 1, 2014 for January exam
May 1, 2015 for July exam

Notice of Future Changes to NCEES Exams

April 2015 Exam Changes

Structural Engineering (SE) 16-hour — The SE 16-hour exam will have revised design standards starting in April 2015.

PE Civil — The PE Civil exam will have revised specifications starting in April 2015. There will also be new design standards for the Civil Construction, Geotechnical, Structural, and Transportation modules starting in April 2015.

PE Agricultural and Biological Engineering — The PE Agricultural and Biological Engineering exam will have new specifications starting in April 2015. As a reminder, the PE Agricultural exam will **not** be administered in October 2014. It has been revised and renamed the PE Agricultural and Biological Engineering exam and will be administered starting in April 2015 and in every spring administration thereafter.

October 2014 Exam Notes

PE Petroleum — The PE Petroleum exam will have revised specifications starting in October 2014. The specifications are posted on the NCEES website.

Fall 2014 Exam Dates — The fall exams will be administered on **October 24 and 25, 2014**. The PS and PE exams and the Vertical Forces component of the SE exam will be administered only on Friday, October 24. The Lateral Forces component of the SE exam will be administered only on Saturday, October 25.

— Tim Miller, P.E., Director of Examination Services

Renewals for 2015

License renewals for 2015 begins on December 1. Licensees are encouraged to renew online as it is considerably faster than renewing by mail. Simply login to the [Licensees Only](#) section on the Board's website and enter your license number and PIN. If you do not know your PIN, follow the instructions in the **Licensees Only** section to receive it via e-mail. Also, the PDHs you reported the previous year can be viewed in the **Licensees Only** section. If you are a Professional Engineer and Professional Land Surveyor, you will only receive one renewal form for both licenses rather than two as in previous years

Is Your Address Up To Date?

Board Rules require licensees to update their business and residential addresses within 30 days of the change. The Board has discovered that many licensees make address changes with the US Postal Service, but not with the Board of Examiners for Engineers and Surveyors.

The vendor that prints the renewal forms uses the address change made with the US Postal Service so the licensee gets the renewal. As a result, the licensee sees the correct address on the form and assumes the Board record reflects the new address. However, that is not the case. It is the licensee's responsibility to make the address change via the Board's [website](#) or to notify Board staff of an address change. The Board will not change a licensee's address without the licensee making the request.

Board Rules 21 NCAC 56.0505(a) and 21 NCAC 56.0606(a) require Professional Engineers and Professional Land Surveyors to provide the Board the physical places of business and residential addresses, report compliance with continuing education requirements, and report criminal convictions or disciplinary actions. The licensee shall give notice to the Board of a change of business or residential address **within 30 days of the change**. Criminal convictions, including DWI but not including minor traffic offenses (offenses that are not a misdemeanor or felony) or any disciplinary actions in any jurisdiction on any license, must also be reported within 30 days of the conviction or disciplinary action. A *nolo contendere* plea is equated to a conviction for reporting purposes.

Paper Renewal Opt Out

In an effort to streamline the PE/PLS license renewal process and to be environmentally friendly, the Board offers a paper renewal opt out feature. To opt out of receiving paper renewal forms, login to the [Licensees Only](#) section on the Board's website using your license number and PIN and follow the opt out instructions. If you do not know your PIN, click [here](#) to recover it. The Board will continue to send e-mail notices when it's time to renew so keep your e-mail address up to date.

Disciplinary Actions 2014-2

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 at dstuttle@ncbels.org.

CASE NO. V2009-027

Suttles Surveying, P.A. [C-0648]
Marion, NC

VIOLATION: Sealing, labeling and issuing a "preliminary" survey that was to be recorded, was a failure to conduct the practice in order to protect the public health, safety and welfare and was a failure to recognize the primary obligation to protect the public in the performance of professional duties [.0701(b)].

BOARD ACTION: Reprimand (Appealed to Superior Court).

SUPERIOR COURT ACTION: Affirmed action of Board (Appealed to Court of Appeals).

COURT OF APPEALS ACTION: Affirmed action of Board (Appealed to Supreme Court).

SUPREME COURT ACTION: Discretionary review improvidently allowed (Court of Appeals decision stands).

CASE NO. V2009-064

Kenneth D. Suttles, PLS [L-2678]
Marion, NC

VIOLATION: Failing to communicate with respect to the cost and services to be provided and already provided, was a failure to be objective and truthful in all professional reports and statements, a failure to include all relevant and pertinent information in all professional statements and reports, and was the performance of services in an unethical manner [.0701(d)(1), .0701(g)]; entering into an agreement waiving the right to file a complaint with the Board, requiring withdrawal of any complaint already filed with the Board, and requiring that the terms of the dispute and settlement remain confidential, was a failure to conduct the practice in order to protect the public health, safety and welfare and was a failure to recognize the primary obligation to protect the public in the performance of professional duties, and was

the performance of services in an unethical manner [.0701(b), .0701(g)]; and sealing, labeling and issuing a "preliminary" survey that was to be recorded, was a failure to conduct the practice in order to protect the public health, safety and welfare and was a failure to recognize the primary obligation to protect the public in the performance of professional duties [.0701(b)].

BOARD ACTION: Suspend Land Surveying Certificate of Licensure for six months. (Appealed to Superior Court.)

SUPERIOR COURT ACTION: Affirmed action of Board (Appealed to Court of Appeals).

COURT OF APPEALS ACTION: Affirmed action of Board (Appealed to Supreme Court).

SUPREME COURT ACTION: Discretionary review improvidently allowed (Court of Appeals decision stands).

CASE NO. V2012-089

Residential Engineering Services, P.A. [C-2514]
Gibsonville, NC

VIOLATION: Failed to properly certify documents [.1103]; failed to include firm license number on document [.1103(a)(6)]; and failed to conduct practice in order to protect the public health, safety, and welfare by allowing its Professional Engineer to perform services outside his area of competence [.0701(b)].

BOARD ACTION: \$2500 civil penalty.

continued on next page

CASE NO. V2013-017

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

VIOLATION: Failed to conduct practice in order to protect the public health, safety and welfare by generating a boundary agreement on a map for recordation depicting changes to boundary lines without legal boundary line agreements [.0701(b)] (Map 1); failed to identify all reference sources, specifically, for the new lines and the 60 foot public right-of-way [.1602(f)] (Map 1); failed to report the results of a survey in a clear and factual manner as to whether nails shown on the map were found or set [.1602(f)] (Map 1); failed to note and date a revision [.1103(a)(7)] (Maps 2 & 3); and issued an inaccurate survey creating an encroachment on the adjoining property [.1602(a), (f)] (Maps 1, 2 & 3).

BOARD ACTION: Reprimand, \$1000 civil penalty, complete the Professional Ethics Course offered by New Mexico State University and the Secretary of State's Mappers Workshop.

CASE NO. V2013-043

Brooke T. Carpenter, PE [023249]
Gibsonville, NC

VIOLATION: Failed to properly certify documents [.1103] and violated an Order of the Board that restricted his license [G. S. 89C].

BOARD ACTION: \$5000 civil penalty and additional education including review of the Rules and Laws of the North Carolina Board of Examiners for Engineers and Surveyors; prepare a summary and make a presentation to the Board on the Rules and Laws, as well as an analysis as to procedures that may be implemented, by both the licensee and his firm, for the purpose of maintaining compliance with the Rules and Laws.

CASE NO. V2013-047

Anthony S. DiBona, PLS [L-3967]
Fuquay-Varina, NC

VIOLATION: Performed an inaccurate or substandard survey, failing to protect the public [.0701(b)]; failed to make adequate

investigation creating an encroachment on the adjacent property [.1602(a)]; failed to show encroachment on the survey [.1602(b), (f)]; failed to report the results of survey in a clear and factual manner [.1602(f)]; and failed to describe a monument as found or set [.1602(f)].

BOARD ACTION: Reprimand and complete the Professional Ethics Course offered by New Mexico State University.

CASE NO. V2013-048

James H. Holland, Jr., PLS [L-2680]
Chapel Hill, NC

VIOLATION: Failed to avoid a conflict of interest by accepting 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 the agreement of, in writing, all interested parties [.0701(e)(2)].

BOARD ACTION: Reprimand and complete the Professional Ethics Course offered by New Mexico State University.

CASE NO. V2013-049

David R. Day [PE 015984]
Asheville, NC

VIOLATION: Performed services outside area of competence [.0701(c)(3)] and violated an Order of the Board that restricted his license [G. S. 89C].

BOARD ACTION: Revoked Engineering Certificate of Licensure.

CASE NO. V2013-053

Thomas E. Holland, Sr., PE [008787]
Clover, SC

VIOLATION: Aided or abetted another person or firm to evade or attempt to evade the provisions of G.S. 89C [G.S. 89C-16].

BOARD ACTION: Reprimand and \$2000 civil penalty.

continued on next page

CASE NO. V2013-057

Myers A. Colvin, PE [019550]
Fayetteville, NC

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

BOARD ACTION: Reprimand and complete 30 PDHs related to building codes through NCDOT approved continuing education providers.

CASE NO. V2013-059

ARC Surveyors [F-1303]
Moravian Falls, NC

VIOLATION: Practiced or offered to practice land surveying prior to licensure in violation of G.S. 89C-24.

BOARD ACTION: Reprimand and \$1500 civil penalty.

CASE NO. V2013-062

Norman A. Cope, PE [011221]
Stanley, NC

VIOLATION: Produced a deficient, substandard and inaccurate report, failing to protect the public [.0701(b)]; and performed services outside area of competence [.0701(c)(3)].

BOARD ACTION: Reprimand, \$3000 civil penalty, and restrict practice from offering or practicing structural engineering, until such time as he evidences to the Board competency by passing the NCEES 16 hour Structural Exam.

CASE NO. V2013-074

Henry M. Hobson, PLS [L-2839]
Sparta, NC

VIOLATION: Failed to conduct practice in order to protect the public health, safety and welfare [.0701(b)]; failed to properly certify a document [.1103]; failed to provide adequate legend [.1604(d)(11)]; failed to describe monuments as set or found

[.1602(f)]; failed to provide proper certificate on survey [.1604(d)(12)]; and failed to make adequate investigation [.1602(a)].

BOARD ACTION: Reprimand and complete the Professional Ethics Course offered by New Mexico State University.

CASE NO. V2013-078

Kevin Giles [non-licensed]
Cary, NC

VIOLATION: Practiced or offered to practice engineering and used the "P.E." designation in North Carolina without being licensed in violation of G.S. 89C-23.

BOARD ACTION: Board issued letter to cause respondent to cease and desist offering or practicing engineering to include but not limited to property condition assessments that utilize engineering knowledge to evaluate building components or systems or make recommendations and to cease and desist from using the "P.E." designation in North Carolina until licensed with the Board.

CASE NO. V2013-079

Criterion Engineers, [non-licensed]
Portland, ME

VIOLATION: Practiced or offered to practice engineering and used the "P.E." designation in North Carolina without being licensed in violation of G.S. 89C-23, 24 and 55B.

BOARD ACTION: Board issued letter to cause respondent to cease and desist offering or practicing engineering to include but not limited to property condition assessments that utilize engineering knowledge to evaluate building components or systems or make recommendations.

continued on next page

CASE NO. V2013-080

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

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)]; and failed to accurately locate easements and improvements where crossing or forming a boundary [.1604(e)(8)].

BOARD ACTION: Reprimand and \$1000 civil penalty.

CASE NO. V2013-089

Stephen P. Maslan, PE [013961]
Overland Park, KS

VIOLATION: Suspension, revocation and placed on probation by another jurisdiction and violating G.S. 89C and the Board Rules [.0701(h)]; and failed to notify the Board of license discipline within 30 days [.0505(a)].

BOARD ACTION: Restrict practice to structural and civil engineering continuing as long as restricted by the Missouri Board; and this Board will suspend, revoke, or refuse to renew or reinstate license, if Missouri Board imposes such action as a result of violation of probation.

CASE NO. V2013-095

Rindt-McDuff Associates, Inc. [non-licensed]
Marietta, GA

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

BOARD ACTION: Board issued letter to cause respondent to cease and desist offering to practice or practicing engineering until licensed with the Board.

CASE NO. V2013-099

Kevin R. Alford, PE [022203]
Maggie Valley, NC

VIOLATION: Affixed seal to inadequate design documents [.0701(b)]; and failed to include firm license number on documents [.1103(a)(6)].

BOARD ACTION: Reprimand and \$1000 civil penalty.

CASE NO. V2013-105

Northwest Geoscience, P.C. [non-licensed]
High Point, NC

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

BOARD ACTION: Board issued letter to cause respondent to cease and desist offering to practice or practicing engineering and land surveying to include but not limited to "engineering geology" that requires engineering knowledge and is within the definition of engineering and is not "geology" (in support of engineering) as defined by G.S. 89E, until such time as the company becomes licensed with the Board. The matter was also referred to the North Carolina Board of Licensing of Geologists for consideration and appropriate action under G.S. 89E.

CASE NO. V2014-002

Jonathan L. Wayne, PLS [L-3391]
Wilmington, NC

VIOLATION: Failed to provide adequate tie [.1602(g), .1604(d)(9)]; failed to identify all reference sources [.1602(f)]; failed to accurately locate encroachments on the survey [.1602(b), (f)]; failed to describe monuments as set or found [.1602(f)]; failed to monument corners [.1602(d)]; failed to report the results of a survey in a clear and factual manner [.1602(f)]; and failed to exercise responsible charge and direct supervisory control [.0701(c)(3)].

BOARD ACTION: Reprimand and \$2000 civil penalty.

continued on next page

CASE NO. V2014-004

Thomas M. Lyngne [non-licensed]
Winston Salem, NC

VIOLATION: Used the word "engineer" in violation of licensing required by G. S. 89C-23.

BOARD ACTION: Board issued letter to cause respondent to cease and desist using the word "engineer" in violation of G. S. 89C-23 until licensed with the Board.

CASE NO. V2014-006

Charles Terry Smith [PLS L-4842]
Clinton, NC

VIOLATION: Failed to be completely objective and truthful in professional statements [.0701(d)(1)]; failed to cooperate fully with the Board in the course of an investigation [G.S. 89C-20]; failed to timely claim Board correspondence from Postal or delivery service [.0701(g)(2)]; failed to notify the Board of address change within 30 days [.0606(a)]; and his firm practiced or offered to practice land surveying in violation of G. S. 89C-24, 57C and 55B.

BOARD ACTION: Revoked Land Surveying Certificate of Licensure.

CASE NO. V2014-011

Recon Independent Assessments, LLC [non-licensed]
Casselberry, FL

VIOLATION: Practiced or offered to practice engineering in North Carolina without being licensed in violation of G.S. 89C-24, 57C and 55B.

BOARD ACTION: Board issued letter to cause respondent to cease and desist offering or practicing engineering to include but not limited to analysis or recommendations that utilize engineering knowledge or commissioning of engineered systems, including wall and roof systems, until such time as the company becomes licensed with the Board.

CASE NO. V2014-012

Jason M. Seaverson [PE 029231]
Fuquay Varina, NC

VIOLATION: Disciplined by another jurisdiction and violated G. S. 89C and the Board Rules [.0701(h)]; failed to notify of address change within 30 days [.0505(a)]; and failed to cooperate fully with the Board in the course of an investigation [G.S. 89C-20].

BOARD ACTION: Refused to renew Engineering Certificate of Licensure or suspend if renewed until reinstated in any state in which the license is suspended or revoked.

CASE NO. V2014-013

First American Title Insurance Company [non-licensed]
New York, NY

VIOLATION: Practiced or offered to practice land surveying in North Carolina without being licensed in violation of G. S. 89C-24 and 55B.

BOARD ACTION: Board issued letter to cause respondent to cease and desist offering or practicing land surveying to include but not limited to, issuing survey maps without clear and appropriately located additional qualifying statements as to the underwriting intent and restricted use of the data, until such time as the company becomes licensed with the Board.

CASE NO. V2014-014

Triangle AC Engineering [non-licensed]
Cary, NC

VIOLATION: Practiced or offered to practice engineering in North Carolina without being licensed in violation of G. S. 89C-24 and used the words "engineer" or "engineering" in violation of licensing required by G.S. 89C-23.

BOARD ACTION: Board issued letter to cause respondent to cease and desist offering or practicing engineering and using the words "engineer" or "engineering" until such time as the company becomes licensed with the Board.

continued on next page

CASE NO. V2014-021

William Graham Adams [non-licensed]
Charlotte, NC

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

BOARD ACTION: Board issued letter to cause respondent to cease and desist practicing or offering to practice engineering until licensed with the Board. Respondent also entered into Consent Order with the Board of Architecture in which he was reprimanded, paid a \$500 civil penalty, ordered to not offer or render engineering services, and reimbursed Board of Architecture its administrative costs.



Meeting Notices

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). 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.