



The North Carolina Bulletin

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

October 2013 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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NCBELS Gathers Info on BIM and EDT

By Gary W. Thompson, PLS



It is important for NCBELS to stay up-to-date with advanced technologies and tools that are being used by its licensees. Consequently, the Board has created the Building Information Modeling (BIM) and Electronic Signature task forces to study these issues in order to ensure that rules and policies are in place so that licensees can use these tools in a manner that protects the health, safety, and welfare of the public.

Professional exams

As you are well aware, I am very excited about Computer Based Testing (CBT) and the opportunities it offers for exam development. Beginning in January 2014, the Fundamentals of Engineering (FE) and Fundamentals of Surveying (FS) exams will only be available via CBT at Pearson Vue test centers. For those of you who would like to take either of these exams in the paper and pencil format for old times' sake and have already registered for the October 26 testing date, you are good to go. As for those of you who held off on registering for the last FE and FS exams in the paper and pencil format, the registration has already closed. Consequently, you will get to experience CBT firsthand and wonder why we didn't start CBT years earlier.

As for the Principles and Practice of Engineering (PE) and the Principles and Practice of Surveying (PS) exams, the National Council of Examiners for Engineering and Surveying (NCEES) will make the transition to CBT for these exams as soon as feasible.

If you have questions about CBT or on the engineering and surveying exams, please visit the following online resources:

- Notice of initiation of computer-based testing [http://](http://cbt.ncees.org/notice-of-initiation-of-computer-based-testing/)

cbt.ncees.org/notice-of-initiation-of-computer-based-testing/

- CBT FAQ (<http://cbt.ncees.org/cbt-faq/>)
- Where will I take my exam? (<http://cbt.ncees.org/where-will-i-take-my-exam/>)
- North Carolina exam registration (<http://ncees.org/exams/state-pages/north-carolina-exam-registration/>)
- Application forms (<http://www.ncbels.org/applications.html>)

If these resources do not answer your questions, you are always welcome to contact:

- NCBELS: <http://www.ncbels.org/contact.html>
- NCEES: <http://ncees.org/supplemental-pages/contact-us/>

In June of 2013, Governor McCrory signed into law [H301](http://www.ncleg.net/Sessions/2013/Bills/House/PDF/H301v4.pdf) (<http://www.ncleg.net/Sessions/2013/Bills/House/PDF/H301v4.pdf>), which made several changes to 89C, including the following:

- Reorganized the statute language for taking the FE/FS and PE/PS exams.
- Deleted references to the length of the exam and to the exam being in writing in order to allow for CBT.
- Aligned application requirements with NCEES model law.
- Waived the examination requirement for those presently performing surveys defined in [21 NCAS 56.1608](#) who meet certain education and experience requirements. The waiver (grandfathering) will be in effect until July 1, 2014.

Note: The application packet for GIS grandfathering can be found on the NCBELS Application Forms webpage (<http://www.ncbels.org/applications.html>):

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Application Packet for GIS Grandfathering

- **Mapping Science Grandfathering Checklist** (<http://www.ncbels.org/forms/Mapping%20Science%20Grandfathering%20Checklist.pdf>)
- **Application for Licensure as Professional Surveyor** (<http://www.ncbels.org/forms/PLSApplication.pdf>)
- **Reference Form** (<http://www.ncbels.org/forms/LSRef.pdf>)

Gratitude for assistance

My time serving on the Board will end at the close of the year. These past nine years have been the most rewarding and educational period of my professional career due to working with dedicated people. Over the years, I have had the opportunity to work with the Board's Professional Engineers, Professional Surveyors, public members, and outstanding support staff members. The Board's executive director, Andrew Ritter, and its other support staff members have assisted the Board and its licensees in order to ensure that the Board conducts its business in a manner that protects the health, safety, and welfare of the public.

In many states, it is not as easy to access the licensing board as it is in North Carolina. I am very proud of the manner that staff assists licensees when they have a question about a statute, rule, or policy. In addition, NCBELS staff members are very active in providing educational outreach to Professional Engineers and Professional Surveyors by speaking at workshops and attending numerous professional society meetings.

Words cannot describe my gratitude for the NCBELS staff members who assisted me and other Board members. I would also like to thank my fellow Board members whom I have served with over the years. It has been an honor to serve with you.

Condolences to the family of James L. Wright, PLS

In closing, I would like to offer my condolences to the family of James L. Wright, PLS. Jim passed away this year. When I began my career, Jim was a mentor to me. I will always be grateful for the knowledge and guidance that Jim provided to me.



State Representative L. Dean Arp, Jr., PE, (fourth from left) is shown with Board members at the July meeting.

Board Recognizes State Representative Arp

At the June 10 Board meeting, State Representative L. Dean Arp, Jr. was introduced by Executive Director Andrew Ritter. Rep. Arp – a Professional Engineer from Union County – had sponsored the recent Board legislation which had been signed into law on June 12. Both the Board members and the Executive Director expressed their appreciation for Rep. Arp's hard work and significant efforts on behalf of the Board. Rep. Arp also spoke briefly about the legislative process at the meeting.

House Bill 301: Statutory Changes Become Law in June 2013

On June 12, 2013 Governor McCrory signed House Bill 301 into law. This bill made several changes to G.S. 89C. Primarily, House Bill 301 made technical changes to the statute by reorganizing and deleting references to written examinations to allow for electronic examinations in both FE/FS and PE/PS categories. Computer-based testing (CBT) will be used exclusively for both the FE and FS exams beginning in January 2014. These technical changes did not alter the requirements for taking any exam but the changes do align application requirements with Model Law. A copy of House Bill 301 may be found here: <http://www.ncleg.net/Sessions/2013/Bills/House/PDF/H301v4.pdf>

The new legislation also waives the examination requirement until July 1, 2014 for presently practicing GIS professionals who meet certain education and experience criteria. After July 1, 2014, the waiver (also referred to as grandfathering) expires and GIS practitioners must then meet the same licensure requirements that apply to all land surveying applicants. A copy of the Application Packet for GIS Grandfathering (three components: Checklist, Application and Reference Form) may be found here: <http://www.ncbels.org/applications.html>

NCEES Honors N.C. Professional Land Surveyor Gary Thompson for Service

Gary Thompson, PLS, of Clayton, North Carolina, has been awarded the NCEES Distinguished Service Award for his dedicated service to the engineering and surveying professions. Thompson received the honor at the 92nd NCEES annual meeting, held August 21–24, 2013, in San Antonio, Texas.



NCBELS Board Chair Gary Thompson, PLS, receives the NCEES Distinguished Service Award from Gene Dinkins, President of NCEES.

Thompson has been a member of the North Carolina Board of Examiners for Engineers and Surveyors since 2004 and is currently serving his second term as board chair. His contributions to NCEES include serving as chair of the Committee on Examination Policy and Procedures and the Committee on Examinations for Professional Surveyors. Since 2006, he has been a volunteer on the NCEES surveying exam development committee. At the NCEES annual meeting, he was elected to serve as the 2013-15 NCEES treasurer.

Thompson is an active member of several other professional organizations, including the National Geospatial Advisory Committee. He is chief of the North Carolina Geodetic Survey and chair of the North Carolina Boundary Commission as well as past president of the National Society of Professional Surveyors and the North Carolina Society of Surveyors. In 2013, he completed the required training to become an ABET program evaluator.

Computer-Based Testing: Latest Update on CBT from NCEES

Over the past several months, NCEES has made several key decisions regarding CBT and the processes that support it.

- Registration for computer-based FE/FS exams opens November 4, 2013.
- Registration for the April 2014 pencil-and-paper PE/PS exams opens December 2, 2013.
- Examinees registering for a computer-based exam must pay the exam fee directly to NCEES using a VISA or MasterCard credit or debit card.
- The first available appointments for computer-based exams will be January 2, 2014.
- The computer-based FE and FS exams will be administered during four testing windows throughout the year: January-February, April-May, July-August, and October-November. Registration will be open year-round. Seating will be available during the open testing windows only.
- NCEES will post the results of computer-based exams 7-10 days after an examinee takes an exam. NCEES will notify examinees by email that their results are available through their MyNCEES accounts. When an examinee logs in, he or she will see either "Pass" or "Fail" on the screen.

To address the anticipated increase in calls to NCEES regarding CBT and other NCEES issues, NCEES has created a new department called Client Services which will consist of six client services representatives who will act as the first line of communication for NCEES. In addition to phone communication, this group will use a chat feature to address questions posed from users

on the NCEES website. Examinees who have questions about the CBT process or other NCEES services may reach the Client Services department by phone at 800-250-3196 or through the chat feature available on the "Contact Us" portion of the NCEES website. Representatives are available Monday through Friday from 8 am to 5 pm Eastern time.

—Jerry T. Carter, Chief Executive Officer



NCEES
advancing licensure for
engineers and surveyors

Exams

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April 2013 Exam Statistics

The results from the April 2013 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)	75.29% pass rate
Principles & Practice of Engineering (PE)	56.11% pass rate
Fundamentals of Surveying (FS)	43.75% pass rate
Principles & Practice of Surveying (PS)	

	<u>April 2013</u>	<u>July 2013</u>
Part A:	63.63% pass rate	-----
Part B:	64.00% pass rate	100.0% pass rate
Part C:	68.29% pass rate	100.0% pass rate

2014 Examination Dates

National examinations are to be conducted on the following dates:

<u>Examination Date</u>	<u>Deadline</u>
April 11, 2014	January 1, 2014 PE & PS Exams
October 24, 2014	August 1, 2014 PE & PS Exams

2014 FE & FS: Computer-based testing – See NCEES for complete details and scheduling at www.ncees.org.

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

Examination dates for Out-of-State Surveying Applicants

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

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

Continuing Professional Competency



In 1994 the North Carolina Board of Examiners for Engineers and Surveyors adopted requirements for Continuing Professional Competency (CPC). The rules governing CPC are in Section .1700 of the Board Rules and can be found on the Board's website at <http://www.ncbels.org/rulesandlaws.html>. While the North Carolina Board has had CPC requirements in place for almost 20 years the CPC Committee of the Board wanted to revisit the topic to raise awareness for not only licensees, but also approved Sponsors given the recent revocation of a Sponsor.

An audit of a continuing education provider revealed that the Sponsor was awarding 8 Professional Development Hours (PDHs) for correspondence courses, some of which would only take the average professional one hour to complete. While the nature of the courses may have been acceptable, the Sponsor should not have been awarding 8 PDHs. Additionally, licensees should only claim what it actually took them to complete a course, not to exceed the number of PDHs the education provider is awarding. The CPC Committee is very concerned that licensees would claim an inflated number of PDHs for courses that did not warrant it. As a result of the audit, the Board revoked the Sponsor status of the company. The results of the audit also revealed that hundreds of licensees had taken courses from this continuing education provider in just 2012. The Board requests that licensees report such egregious abuses of the CPC Rules. A licensee who wishes to remain anonymous can report suspected problems to the Board via its CPC Feedback link on the Board's web page.

Unless otherwise exempted, every licensee shall meet the CPC requirements for professional development as a condition for licensure renewal. Licensees shall obtain 15 PDHs during the renewal period. If a licensee exceeds the annual requirement in any renewal period, a maximum of 15 PDHs may be carried forward into the subsequent renewal period.

For those who possess both a Professional Engineer and Professional Land Surveyor's license the number of PDHs required remains 15.

The licensee must obtain a minimum of one-third of the required PDHs in each field. The remaining one-third may be obtained in either field at the sole discretion of the licensee.

Selection of courses and activities, which meet the requirements of the Board Rules, is the responsibility of the licensee. Licensees

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may select courses other than those offered by Sponsors (for complete list of Sponsors <http://www.ncbels.org/CPC/SCL.pdf>), bearing in mind that the Board has final authority with respect to approval of courses, Sponsors, credit, PDH value and methods of earning credit. Care should be taken when choosing courses for PDH credit because post-evaluation could result in non-acceptance by the Board. To determine whether a particular course or activity meets the requirements licensees must be able to explain how the CPC activity will maintain, improve, or expand the skills and knowledge relevant to their field of practice.

Licensees may obtain CPC credit for the following:

- (1) Completion of college courses;
- (2) Completion of continuing education courses, seminars, or workshops;
- (3) Completion of correspondence, televised, Internet, videotaped, audiotaped, and other courses or tutorials provided an exam is required for completion. No exam is required for attendance at a webinar presentation if attendance is documented. (The licensee can only claim credit based upon one PDH for each hour assigned to the course, provided such hours are a reasonably estimated time for an average professional to complete the course.);

- (4) Presenting or attending seminars, in-house courses, workshops, or professional or technical presentations made at meetings, conventions or conferences;
- (5) Teaching or instructing in items (1) through (4);
- (6) Authoring published papers, articles, or books;
- (7) Active participation in professional or technical societies as defined in Board Rule .1705(f);
- (8) Patents; and
- (9) Authoring exam questions accepted for use in the engineering or surveying exams.

It is important to note that item (9) does not require the licensee to attend a Board sponsored exam writing workshop in order to submit questions. Two PDHs can be earned for each surveying question approved by the Board for the state specific examination and may be submitted at any time. Licensees interested in participating in the Board's surveying exam writing workshop should notify the Executive Director (aritter@ncbels.org). Licensees interested in volunteering to participate in engineering and surveying exam development for the National Council of Examiners for Engineering and Surveying (NCEES) should visit the NCEES web page for information (www.ncees.org).

Licensees should not claim credit for activities such as executive coaching; mentoring; estate or financial planning; basic computer software classes including Word, Excel, Access, PowerPoint and Outlook; sightseeing tours; visiting vendor/exhibitor displays; sales presentations; self-study; personal improvement; general business meetings; regular employment activities; and research or company procedure and policy workshops. For further information refer to CPC Frequently Asked Questions found under Continuing Education on the Board's website.

It is the responsibility of the licensee to maintain, for a period of three years, the following records to be used to support credits claimed:

- (1) A log showing the type of activity claimed, title or specific subject, sponsoring organization, location, duration, date, instructor's or speaker's name, PDH credits earned, and other information on a form as prescribed by the Board (Briefly explain how the CPC activity will maintain, improve, or expand the skills and knowledge relevant to your field of practice); and
- (2) Attendance verification records in the form of completion certificates or other documents supporting evidence of attendance.

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A CPC activity log can be printed from the Board's website by clicking on "Blank Activity Log" at <http://www.ncbels.org/cpclog.html>. As an alternative, the licensee may choose to use the online CPC log provided on the Board's website in the "Licensees Only" section. A licensee can access this area using their license number and PIN. Click the "CPC Log" and simply fill in the information under "Add PDH." Many licensees are under the impression that maintaining their CPC log online will keep them from being audited. Actually, the Board does not monitor the online CPC log. It is there for the convenience of the licensee only.

Compliance with annual CPC requirements is determined through an audit process conducted by the Board. Individuals are flagged for audit through a random selection process or as the result of information made available to the Board. Individuals selected for audit shall provide the Board with the requested documentation to avoid possible disciplinary action.

A licensee may be exempt from the professional development requirements for the following reasons:

- (1) New licensees by way of examination or comity are exempt for their first renewal period.
- (2) If currently licensed by and in good standing (license is not suspended or revoked) with the Board a licensee who is serving in the armed forces of the United States and who is eligible for an extension of time to file a tax return pursuant to G.S. 105-249.2 is granted a waiver of the mandatory continuing education requirements for the time period disregarded pursuant to the Internal Revenue Code 26 U.S.C. 7508. Section .1707(2) of the Board Rules details the waiver request process.
- (3) The Board shall exempt a licensee if the Board determines that the licensee is experiencing physical disability, illness, or other extenuating circumstances that prevent the licensee from obtaining PDHs. Supporting documentation must be furnished to the Board.
- (4) Licensees who renew their license as "Inactive" and are no longer providing professional engineering or land surveying services are exempt from obtaining PDHs. In the event such a person elects to return to active practice of professional engineering or land surveying, PDHs must be earned in accordance

with the requirements of Board Rule .1708 before returning to active practice for each year exempted not to exceed the annual requirement for two years.

The North Carolina Board of Examiners for Engineers and Surveyors is charged with administering the provisions of The North Carolina Engineering and Land Surveying Act (G.S. 89C), which includes promoting the general welfare and protecting the public by safeguarding life, health and property. Continuing Professional Competency plays a major role in ensuring the welfare and protection of the citizens of North Carolina. Please feel free to contact Martha Michalowski at the Board office with any questions concerning CPC requirements, courses or Sponsors (mmichalowski@ncbels.org).



MEMBERSHIP NOTICES

Renewals for 2014

License renewals for 2014 begin 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 receive only one renewal form for both licenses rather than two as in previous years.

Paper Renewal Opt Out

In an effort to streamline the PE/PLS license renewal process and to be environmentally friendly, the Board has added 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 (<https://www.member-base.net/ncbels-vs/login.aspx?ReturnUrl=%2fncbels-vs%2fdefault.aspx>) using your license number and PIN and follow the opt out instructions. If you do not know your PIN, click here <https://www.member-base.net/ncbels-vs/RequestPIN.aspx> 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.

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 login to the **Licensees Only** 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.

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.

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.

Rules & Laws 2012 Available in Print

The bound, full-color, printed version of this publication may be purchased for \$12.50 at the Board office: 4601 Six Forks Road, Suite 310, Raleigh, NC 27609.

VIOLATION

Continuing Professional Competency (CPC) Sponsor

Geographic Information Systems
Sponsor No. S-0331

VIOLATION: Failed to conduct programs in accordance with the standards of CPC activities [21 NCAC 56.1700] and the Sponsor Agreement [21 NCAC 56.1713] by assigning credit to be earned in Professional Development Hours (PDHs) that are in excess of a reasonably estimated time for an average professional to complete the courses [21 NCAC 56.1705(d)].

BOARD ACTION: Revocation of Geographic Information Systems as an approved Sponsor of CPC activities and courses.

Disciplinary Actions 2013-2

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

CASE NO. V2012-031

Kendall E. Gaskins, PLS [L-3824]
Vanceboro, NC

VIOLATION: Failed to identify all reference sources [.1602(f)]; failed to report the results of a survey in a clear and factual manner by not showing other possible boundary lines [.1602(f)]; and failed to include all relevant and pertinent information in a report or statement by not referencing will [.0701(d)].

BOARD ACTION: Reprimand

CASE NO. V2012-051

William C. Credle, PLS [L-4277]
Durham, NC

VIOLATION: Failed to identify all reference sources [.1602(f)]; failed to provide adequate tie [.1602(g), .1604(d)(9)]; inadequate scale [.1604(d)(11)]; failed to monument corners [.1602(d)]; certified a plat which does not comply with the requirements of G.S. 47-30, specifically, no G.S. 47-30 certification; failed to protect the public by not establishing control corners required by G.S. 39-32.1 [.0701(b)]; failed to report the results of a survey in a clear and factual manner [.1602(f)]; and failed to indicate title source [.1604(d)(11)].

BOARD ACTION: Reprimand and require an additional 15 PDHs of surveying courses related to Standards of Practice for Land Surveying in North Carolina [.1600] and G.S. 47-30 as approved by the Board.

CASE NO. V2012-062

Christopher G. Dudek, PE [8624]
E. Berlin, PA

VIOLATION: Failed to include address on a document [.1103(a)(6)]; failed to properly certify a document [.1103] by using a facsimile signature and failing to include date of signing; and failed to certify calculations [.1103].

BOARD ACTION: Reprimand and \$500 civil penalty.

CASE NO. V2012-063

David T. Upchurch, PE [9570]
Southern Pines, NC

VIOLATION: Failed to conduct practice in order to protect the public health, safety and welfare [.0701(b)] and failed to comply with state regulations applying to a project to protect the public [.0701(b)].

BOARD ACTION: Reprimand and \$2500 civil penalty.

CASE NO. V2012-065

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

VIOLATION: Failed to properly certify documents [.1103].

BOARD ACTION: Reprimand and \$1500 civil penalty.

CASE NO. V2012-088

Mohammad E. Zamani, PLS [L-4325]
Mint Hill, NC

VIOLATION: Performed an inaccurate or substandard survey, failing to protect the public [.0701(b)]; issued an inaccurate survey creating an encroachment on the adjoining property [.1602(a), (f)]; and certified a plat which does not comply with the requirements of G.S. 47-30.

BOARD ACTION: Reprimand

CASE NO. V2012-094

Buddy Lovette, unlicensed
Moravian Falls, NC

VIOLATION: Practiced or offered to practice land surveying without being licensed as required by G.S. 89C-23.

BOARD ACTION: Issued letter to cause respondent to cease and desist offering or practicing land surveying to include but not limited to measuring property lines, locating property corners, setting property corners, providing mapping, determining acreage and writing property descriptions until licensed with the Board.

CASE NO. V2012-100

Howard E. Stocks, PLS [L-4250]
Ocean Isle Beach, NC

VIOLATION:

Map 1

Failed to show an encroachment on a survey [.1602(b), (f)]; failed to show a drainage easement on a survey [.1602(b), (f)]; and certified to an actual survey of lines not surveyed [.1602(a)].

Map 2

Failed to show an encroachment on a survey [.1602(b), (f)]; failed to monument corner [.1602(d)] or failed to describe monument as set or found [.1602(f)]; and failed to identify all reference sources [.1602(f)] (to revise right-of-way).

Map 3

Failed to identify all reference sources [.1602(f)] (to revise right-of-way).

Failed to report the results of a survey as a map or report of survey [.1602(f)] (marking property lines in the field and for

legal description for new easement).

BOARD ACTION: Reprimand

CASE NO. V2012-101

Southeast Foundation Repair, Inc., unlicensed
Clinton, NC

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

BOARD ACTION: Issued letter to cause respondent to cease and desist offering or practicing engineering to include but not limited to assessing, recommending repair and pricing prior to determination by a Professional Engineer until the company becomes licensed with the Board.

CASE NO. V2012-110

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

VIOLATION: Failed to conduct practice in order to protect the public health, safety and welfare [.0701(b)]; failed to identify all reference sources [.1602(f)] for easements; failed to provide adequate legend [.1604(d)(11)] as to line weights; failed to accurately locate all apparent easements and water courses where crossing boundary [.1604(d)(8)]; and failed to note and describe revisions [.1103(a)(7)].

BOARD ACTION: Reprimand and require proof of completing a course on the Standards of Practice or other course acceptable to the Board.

CASE NO. V2013-002

Eric L. Exley, PE [28655]
Steubenville, OH

VIOLATION: Suspended by another jurisdiction and violated G.S. 89C and the Board Rules [.0701(h)] and failed to notify the Board of a disciplinary action within 30 days [.0505(a)].

BOARD ACTION: Refuse to renew, or suspend if renewed, his Engineering Certificate of Licensure until he furnishes proof of eligibility for reinstatement in other state.

CASE NO. V2013-010

C. Gregory Bagley, PE [12276]
Fuquay-Varina, NC

VIOLATION: Failed to properly certify documents [.1103] and his corporation practiced or offered to practice engineering in violation of G.S. 89C-24 and 55B.

BOARD ACTION: Reprimand and require proof within six months of date of Decision and Order of passing the Engineering Ethics Intermediate Course offered by the Murdough Center of Texas Tech University.

CASE NO. V2013-011

Robert F. Nelson, Jr., PE [21862]
Richmond, VA

VIOLATION: Submitted false information on the renewal form [G.S. 89C-23, .0701(d)(1)] and failed to notify the Board of a license discipline within 30 days [.0505(a)].

BOARD ACTION: Reprimand and require proof within six months of date of Decision and Order of passing the Engineering Ethics Intermediate Course offered by the Murdough Center of Texas Tech University.

CASE NO. V2013-012

C. Gregory Bagley, PLS [L-3025]
Fuquay-Varina, NC

VIOLATION: Failed to describe monuments as set or found [.1602(f)]; failed to provide adequate tie [.1602(g), .1604(d)(9)]; failed to use the revised title "Professional Land Surveyor" [G.S. 89C-3(9), .1102]; failed to report the results of a survey in a clear and factual manner [.1602(f)]; and practiced on an expired certificate of licensure [G.S. 89C-16, 23].

BOARD ACTION: Reprimand and \$1500 civil penalty.

CASE NO. V2013-013

Frederick A. House, PE [24740]
Kitty Hawk, NC

VIOLATION: Produced a deficient, substandard or inaccurate report, failing to protect the public [.0701(b)]; affixed his seal to inadequate design documents, failing to protect the public [.0701(b)]; and practiced outside area of competence [.0701(c)(3)].

BOARD ACTION: Reprimand, \$2000 civil penalty, and restrict practice from stream restoration design and stream stabilization, until such time as he satisfies the Board by education, training or experience that he is competent.

CASE NO. V2013-015

John D. Lowery, PLS [L-4530]
Waxhaw, NC

VIOLATION: Failed to identify all reference sources [.1602(f)]; failed to accurately locate all apparent rights-of-way on boundary [.1604(d)(8)]; failed to indicate ratio of precision [.1603]; and failed to make adequate investigation [.1602(a)].

BOARD ACTION: Reprimand and \$1000 civil penalty.

CASE NO. V2013-028

Joseph M. Little, unlicensed
Raleigh, NC

VIOLATION: Practiced or offered to practice engineering without a license as required by G.S. 89C-23 and used the word "engineer," or its derivatives, in violation of licensing required by G.S. 89C-23.

BOARD ACTION: Issued letter to cause respondent to cease and desist offering to practice or practicing engineering to include but not limited to structural design, civil design, and construction administration, or representing as providing engineering services or being an engineer until licensed with the Board. In addition, as an applicant to take the PE exam, he is required to sit for a personal interview by Board members prior to being seated for the exam as provided for in Board Rule .0502(g).

CASE NO. V2013-029

Little Environments, LLC, unlicensed
Raleigh, NC

VIOLATION: Practiced or offered to practice engineering without being licensed as required by G.S. 89C-24, 57C and, 55B and used the word "engineer," or its derivatives, in violation of licensing required by G.S. 89C-23.

BOARD ACTION: Issued letter to cause respondent to cease and desist offering to practice or practicing engineering, to include but not limited to structural design, civil design, and construction administration, or representing as providing engineering services or having engineers.

CASE NO. V2013-030

William L. Toney, Jr., PE [28242]
Lewisburg, WV

VIOLATION: License restricted by another jurisdiction violating G.S. 89C and the Board Rules [.0701(h)]; submitted false information on renewal form [G.S. 89C-23, .0701(d)(1)]; and failed to notify the Board of license discipline within 30 days [.0505(a)].

BOARD ACTION: Reprimand, \$1000 civil penalty, and restriction of practice from doing HEC-RAS and other hydraulic/hydrological studies until such time as the restriction is removed in the other jurisdiction.

CASE NO. V2013-032

Comtech, Inc., unlicensed
Fayetteville, NC

VIOLATION: Practiced or offered to practice engineering without being licensed as required by G.S. 89C-24 and 55B.

BOARD ACTION: Issued letter to cause respondent to cease and desist offering to practice or practicing engineering, to include but not limited to roof designs and truss placement plans, until such time as the company becomes licensed with the Board.

CASE NO. V2013-034

Jerry W. Dunn, unlicensed
Fuquay-Varina, NC

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

BOARD ACTION: Issued letter to cause respondent to cease and desist using the word "engineer," or its derivatives including "Consulting Engineer" and "Consulting Engineers," in North Carolina until licensed with the Board.

CASE NO. V2013-037

R. Curtis Gaines, PLS [L-4868]
Lenoir, NC

VIOLATION: Failed to report an encroachment on the adjacent property [.1602(a)] and failed to provide adequate tie [.1602(g), .1604(d)(9)].

BOARD ACTION: Reprimand

CASE NO. V2013-044

Michael J. Howington, unlicensed
Apex, NC

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

BOARD ACTION: Issued letter to cause respondent to cease and desist offering or practicing engineering to include but not limited to electrical designs, until licensed with the Board. Referred respondent to the North Carolina Board of Examiners for Electrical Contractors to determine compliance with its Rules and Statutes as to authority to do the work and the adequacy of the work.

