

**PROFESSIONAL ENGINEER & LAND SURVEYOR
SECTION MEETING**

MINUTES

The Professional Engineer and Land Surveyor Sections of the Virginia Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects (APELSCIDLA Board) met on May 6, 2015, at the Department of Professional and Occupational Regulation, 9960 Mayland Drive, Richmond, Virginia, with the following members present:

Doyle B. Allen (LS)
Charles F. Dunlap (LS)
Wiley V. Johnson, III (PE)
Christopher M. Stone (PE)
Andrew M. Scherzer (LA)
Michael Zmuda (LS)

Board member Carolyn Langelotti was not present at the meeting.

Board staff present for all or part of the meeting were:

Kathleen (Kate) R. Nosbisch, Executive Director
Marian Brooks, Board Administrator
Tonia Harrison, Board Administrator
Amy Goobic, Administrative Assistant

Agency staff present for all or part of the meeting were:

Jay W. DeBoer, Director
Mark N. Courtney, Senior Director for Regulatory and Public Affairs

No representative was present from the Office of the Attorney General.

Mr. Dunlap, Chair, called the meeting to order at 9:32 a.m.

Call to Order

Mr. Dunlap advised the Section members of the emergency evacuation procedures.

**Emergency Evacuation
Procedures**

Mr. Johnson moved to approve the agenda. Mr. Zmuda seconded the motion which was unanimously approved by members: Allen, Dunlap, Johnson, Stone, Scherzer and Zmuda.

**Approval of
Agenda**

There was no public comment.

Public Comment Period

Section members were provided copies of correspondence between the Board and the Department of Environmental Quality (DEQ) regarding the Storm Water Management regulations and the requirement for a professional to seal record drawings. Section members also reviewed the minutes from the discussion held during the March 17, APELSCIDLA Board meeting. At the Board meeting March 17, representatives from DEQ were in attendance

**Language for DEQ
Storm Water
Management
Regulations**

to address the Board's concerns with the requirement for a professional to sign drawings that they may not have had personal supervision and control over. DEQ was receptive to having the Board draft alternative language so that the regulation did not violate the Board's regulations.

Discussion was held on concerns with the language as written including, violating Board regulations, financial implications and insurance liability. Section members discussed adding language to the storm water regulations in the form of a statement/note attached to a plan, similar to the statement added by the Department of General Services (DGS) to the Construction and Professional Services Manual (CPSM) regarding seals on record drawings (DEB Notice 071708). The Sections agreed by consensus to have an appropriately worded statement drafted by staff, for review by the PE, LS and LA sections. The draft language will be presented at the June 15 full board meeting.

Ms. Nobsch provided examination statistics for informational purposes:

PE and LS Exam Stats

- October PE exam – 378 took the exam, 208 passed - 55%;
LS exam – 15 took the exam, 11 passed – 73%;
Virginia state specific LS exam – 23 took the exam, 8 passed – 35%
- 2014 FE exam – 976 took the exam, 601 passed – 62%
- 2014 LS exam – 28 took the exam, 14 passed – 50%

Ms. Nobsch also provided regulant counts as of May 1:

- PE – 27,644
- LS – 1,303
- LSB – 91
- LS Photogrammetrist – 141

Ms. Nobsch also provided the Landscape Architect count as Mr. Scherzer was in attendance: 882.

Discussion was held on the Land Surveyor apprenticeship program. Ms. Nobsch informed the Sections that the list of apprenticeship programs is not current, and should be updated. Ms. Nobsch stated that a Land Surveyor Apprentice Advisory Committee had been used in the past in establishing the list of acceptable programs and suggested forming a committee to discuss and ensure the list is accurate.

**Land Surveyor
Apprentice program**

Ms. Nobsch informed the Sections that, as the host state for the NCEES Annual meeting in Williamsburg, NCEES has asked the Board to have members provide two invocations at the meeting.

NCEES Update

Ms. Nobsch stated that the land surveyor exam will transition to computer-based testing October 2016. Ms. Nobsch also informed the Sections that NCEES has concerns regarding administering the state specific exams, and has determined that it is not feasible for them to convert the exams in 55 jurisdictions to computer-based testing. Discussions have been held on how

to resolve. Ms. Nobsisch stated that she will reach out to states that have CBT for their state exams. Mr. Allen stated that there were discussions at a recent Colonial States Boards of Surveyor Registrations meeting regarding the administration of state specific exams, and that the general consensus was that each state would have to administer their own.

Ms. Nobsisch informed the Sections that Mr. Dunlap has submitted a request for appointment to the Southern Zone Committee as a member or alternate member. She further informed the Sections that she received correspondence from the Kentucky Board requesting support of Jim Riney, PE/PS for Southern Zone Assistant Vice President and that Gary Thompson, NCEES Treasure, was running for a second term.

Ms. Nobsisch provided Section members with a letter from the American Society of Civil Engineers (ASCE) regarding ASCE's position that significant progressive engineering experience should be necessary to pass the PE exam. Discussion was held on the need for applicants to have experience prior to taking the exam; some boards are looking eliminating the requirement. The APELSCIDLA Board continues to require four years of progressive engineering experience.

Ms. Nobsisch reminded the Section members of the dates for the NCEES Annual meeting – August 19-22, in Williamsburg. Ms. Nobsisch commented that as the Southern/Western Zone meeting is the final Zone meeting prior to the annual meeting, any issues will have final vetting there. The Sections will have final discussions on items for the annual meeting at the August 12 combined Section meeting.

Ms. Nobsisch provided a handout containing advertising materials from a surveying company (company information redacted), in which the surveying company offered perks for using their surveying services and advertised their pricing. Discussion was held as to whether this practice was in violation of the Board's regulations. Mr. DeBoer commented that, while it may not be a good business practice, advertising pricing is not a violation of the regulations. Mr. Dunlap stated that this type of marketing is seen frequently in Northern Virginia. Ms. Nobsisch stated that anyone can file a complaint against a company, and it will be investigated to determine if there was a violation of the Board's regulations.

Other Business

Discussion was held on the article regarding the use of Virginia orthographic maps and their inclusion in a database system created by Virginia Information Technologies Agency, written by Mr. Dunlap, and approved for use at the March 17 APELSCIDLA Board meeting. Ms. Nobsisch explained that after review by senior agency staff, the article may be better suited as a Guidance Document, in lieu of a newsletter article. Ms. Nobsisch stated that a Guidance Document holds more weight, and is posted on the Town Hall website. The Section agreed by consensus to have staff rewrite the article as a Guidance Document. Ms. Nobsisch stated the draft will be

presented to the full Board for approval at its June 15 meeting.

Ms. Nosbisch stated that as it is Public Service Week, she would like to acknowledge the ancillary sections that assist with the board's work: Exams, Information Systems (IS), Information Management (IM), Complaint Analysis & Resolution (CAR), Investigations, Administration and Finance.

Conflict of Interest forms were completed by all members present.

**Conflict of Interest
Forms**

There being no further business, the meeting was adjourned at 10:54 a.m.

Adjourn

Charles F. Dunlap, Chair

Jay W. DeBoer, Secretary