PROFESSIONAL ENGINEERS SECTION MEETING

MINUTES

The Professional Engineers Section of the Virginia Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects (APELSCIDLA Board) met on May 12, 2009, at the Department of Professional and Occupational Regulation, 9960 Mayland Drive, Richmond, Virginia, with the following members present:

Nico De León
Stanley C. Harris

Board member Wiley V. Johnson, III, was not present at the meeting.

Staff present for all or part of the meeting were:

Jay W. DeBoer, Director
Mark N. Courtney, Deputy Director of Licensing and Regulation
Kathleen "Kate" R. Nosbisch, Executive Director
Earlyne Perkins, Legal Analyst
Amy Goobic, Administrative Assistant

Steven Jack was present from the Office of the Attorney General.

Call to Order

Mr. Harris, Chair, called the meeting to order at 9:04 a.m.

Moment of Silence For Bill Spell

Mr. Harris requested the section observe a moment of silence for APELSCIDLA Board member Bill Spell, Landscape Architect, who passed away April 17, 2009.

Emergency Evacuation Procedures

Ms. Nosbisch advised the section of the emergency evacuation procedures.

Approval of Agenda

Mr. De León moved to approve the agenda. Mr. Harris seconded the motion which was unanimously approved by members: De León and Harris.

Public Comment Period

There were no comments made to the Section members.

File Number 2009-00527, Harkirat Singh

Mr. Singh was present and addressed the Section regarding the monetary penalty and one year probation period that was recommended. Mr. Singh requested the Section waive the probation of one year.

Regarding **File Number 2009-00527, Harkirat Singh,** Mr. De León reviewed the record of the Informal Fact-Finding Conference, which consisted of the application file, transcripts and exhibits and the summary and concurred with the recommendation of the presiding Board member. Mr. De León recommends the Board accept the Summary of the Informal Fact Finding Conference, which cites the following violation of the Board's regulations; 18VAC10-20-700.A.

Ms. Perkins informed the Section that Mr.Singh had no prior violations. Mr. De León recommends that the Board accept the recommended sanctions as contained in the Summary of the Informal Fact Finding Conference: $500.00 and license probation of one year. During that probation, any infraction of the Board's regulations will result in the imposition of license suspension.

As the presiding Board member, Mr. Harris was not present during the presentation, discussion, or vote.

File Number 2009-03357, Muhammad Awni

A letter from Mr. Awni was provided to the Section members stating that he felt his degree in architecture should be approved as a related science, coupled with his years of experience, he should be approved to take the PE exam.

Regarding **File Number 2009-03357, Muhammad Awni,** Mr. De León reviewed the record of the Informal Fact-Finding Conference, which consisted of the application file, transcripts and exhibits and the summary and concurred with the recommendation of the presiding Board member. Mr. De León recommends the Board accept the Summary of the Informal Fact Finding Conference, that Mr. Awni's application be approved for the FE exam under 18VAC10-20-190.5. and that he apply for the PE under 18VAC10-20-210.5 after successfully completing the FE exam.

As the presiding Board member, Mr. Harris was not present during the presentation or discussion.

File Number 2009-02293, Brendan Thomas Lawrence

Regarding **File Number 2009-02293, Brendan Thomas Lawrence,** Mr. De León reviewed the Consent Order as seen and agreed to by Mr. Lawrence. Mr. De León concurred with the recommendation of the presiding Board member. Mr. De León recommends the Board accept the Consent Order which cites the following violation of the Board's regulations: 18VAC10-20-20.A. For this violation, Mr. Lawrence agrees to the following monetary penalty: $150.00 in Board costs. In addition,

Mr. Lawrence agrees not to retake the FE exam until at least October 25, 2010.

As the presiding Board member, Mr. Harris was not present during the presentation or discussion.

File Number 2009-02653, Travis John Keys

Regarding **File Number 2009-02653, Travis John Keys,** Mr. Harris reviewed the Consent Order as seen and agreed to by Mr. Keys. Mr. Harris concurred with the recommendation of the presiding Board member. Mr. Harris recommends the Board accept the Consent Order which cites the following violations of the Board's regulations: 18VAC10-20-750.B (Count 1) and 18VAC10-20-750.C (Count 2). For these violations, Mr. Keys agrees to the following monetary penalty: $250.00 for the violation contained in Count 1; no penalty for the violation contained in Count 2; and Board costs in the amount of $150.00, for a total of $400.00.

As the presiding Board member, Mr. De León was not present during the presentation or discussion.

Discussion of NCEES Topics

Ms. Nosbisch gave a brief report on the 2009 NCEES NE Zone Meeting and read a letter from NCEES Executive Director Jerry Carter, thanking the Board for their efforts.

Ms. Nosbisch informed the Section of the 2009 NCEES Engineering Award winners. Virginia Tech Charles E. Via Jr. Department of Civil and Environmental Engineering was awarded $7,500 for their Land Development Design Initiative submission. Ms. Nosbisch read an email from Section Member Bif Johnson on his participation in the NCEES Award presentation to Virginia Tech.

Ms. Nosbisch informed the Section of a letter received from the West Virginia Board of Registration for Professional Engineers, announcing that their Board President Joe Timms, is under consideration for the position of NCEES President-Elect.

FE and PE Exam Results 2001-2008

Ms. Nosbisch informed the Section of the FE and PE exam results from 2001 through 2008. The results had been obtained at the request of the National Society of Professional Engineers.

Response to NCEES Executive Director Regarding CEM Stamp

Ms. Nosbisch presented the Section response to an email received from Jerry Carter, NCEES Executive Director regarding the Certified Energy Manager stamp. The section determined they had no jurisdiction over the matter, but would take action if necessary.

Washington Accord Programs

Discussion was held regarding the Washington Accord Program. Mr. De León moved to use guidelines established by NCEES. Mr. Harris seconded the motion which was unanimously approved by members: De León and Harris.

Discussion of Masters Degree with Non-Engineering Undergraduate Degree

Discussion was held regarding applicants for EIT that have a Masters Degree in engineering with a non-engineering undergraduate degree. Section members agreed that the applications would have to be treated on a case-by-case basis to determine if the coursework criterion was met.

Discussion of JMU ISAT Curriculum

Dr. Sharon Lovell, Interim Dean, College of Integrated Science and Technology, Dr. Jonathan Spindel, Assistant Dean, College of Integrated Science and Technology, Dr. Pauline Cushman, Interim Head, Department of Integrated Science and Technology, Mr. Paul Henriksen, Student Coordinator, Department of Integrated Science and Technology attended the meeting, presenting an overview of the JMU ISAT curriculum.

Mr. De León stated that the Section would need all members present to proceed with discussion, and added that the presentation from faculty offered the Section a better understanding of the program. It was determined that the Section would take the information under advisement and discuss at the next Section meeting scheduled for August 5, 2009.

Other Business

Steven Jack, of the Attorney General's office, and Section members discussed the application review process. The discussion centered on whether or not the Board could conduct personal interviews to be included in the application review process. Mr. Jack informed the Section that the interviews could not be confidential; however, could be conducted as part of an IFF.

Ms. Nosbisch informed the Section about recent concerns regarding the use of LEED designation. There is no license required as a prerequisite for taking the LEED test, and after passing, the LEED designation can be used after the person's name. This may be confusing to the public as the designation does not take the place of licensure.

Ms. Nosbisch informed the Section that a motion was needed to select a funded delegate to attend the 2009 NCEES Annual Meeting. Mr. De León moved to have Ms. Nosbisch be the funded delegate. Mr. Harris seconded the motion which was unanimously approved by members: De León and Harris.

Mr. Harris commented on the 2009 NE Zone Meeting, complimenting and thanking Ms. Nosbisch and staff for their hard work.

Conflict of Interest forms were completed by all members present. **Conflict of Interest Forms**

There being no further business, the meeting was adjourned at 10:17 a.m. **Adjourn**

Stanley C. Harris, Chair

Jay W. DeBoer, Secretary

STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

1. Name: Nico De León

2. Title: Board Member

3. Agency: Professional Engineers Section/APELSCIDLA Board

4. Meeting/IFF Date: Section Meeting May 12, 2009

5. I have a personal interest in the following transaction:

None

Nature of Personal Interest Affected by Transaction:

None

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

Engineering

☑ I am able to participate in this transaction fairly, objectively, and in the public interest.

or

☐ I did not participate in the transaction.

6. ☐ I **do not** have a personal interest in any transactions taken at this meeting.

Signature

5/12/09
Date

STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

1. Name: Stanley C. Harris

2. Title: Board Member

3. Agency: Professional Engineers Section/APELSCIDLA Board

4. Meeting/IFF Date: Section Meeting May 12, 2009

5. I have a personal interest in the following transaction:
None

Nature of Personal Interest Affected by Transaction:

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

☑ I am able to participate in this transaction fairly, objectively, and in the public interest.

or

☐ I did not participate in the transaction.

6. ☑ I **do not** have a personal interest in any transactions taken at this meeting.

Signature

5/12/2009
Date

ARCHITECTS SECTION MEETING

MINUTES

The Architects Section of the Virginia Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects (APELSCIDLA Board) met on May 5, 2009, at the Department of Professional and Occupational Regulation, 9960 Mayland Drive, Richmond, Virginia, with the following members present:

John S. Clark, Jr.
James R. Boyd

Board member J. Everette Fauber, III, was not present at the meeting.

Staff present for all or part of the meeting were:

Jay W. DeBoer, Director
Mark N. Courtney, Deputy Director of Licensing and Regulation Division
Kathleen Nosbisch, Executive Director
Marian H. Brooks, Program Administrator
Amy Goobic, Administrative Assistant
Earlyne Perkins, Legal Analyst

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

Call to Order

Finding a quorum present, Ms. Nosbisch, Executive Director, called the meeting to order at 9:20 a.m. Ms. Nosbisch informed the section that Mr. Fauber, Chair would not be in attendance for the meeting and asked for a motion for acting chair. Mr. Boyd moved that Mr. Clark chair the meeting due to the absence of Mr. Fauber. Mr. Clark seconded the motion which was unanimously approved by members: Boyd and Clark.

Moment of Silence For Bill Spell

Mr. Clark requested the section observe a moment of silence for APELSCIDLA Board member Bill Spell, Landscape Architect, who passed away April 17, 2009.

Emergency Evacuation Procedures

Ms. Nosbisch advised the section of the emergency evacuation procedures.

Approval of Agenda

Mr. Boyd moved to approve the agenda as written. Mr. Clark seconded the motion which was unanimously approved by members: Boyd and Clark.

Public Comment Period

There were no comments made to the section.

File Number 2008-03470, Robert R. Hollendonner

Regarding **File Number 2008-03470, Robert R. Hollendonner,** the section members reviewed the record of the Informal Fact-Finding Conference, which consisted of the investigative file, transcripts and exhibits, and

Summary of the Informal Fact-Finding Conference. Mr. Boyd moved to recommend that the Board accept the Summary of the Informal Fact-Finding Conference as to the facts, which cites the following violation of the Board's regulations: 18VAC10-20-790.A.3. Mr. Clark seconded the motion which was unanimously approved by members: Boyd and Clark.

Ms. Perkins informed the section that Robert R. Hollendonner had no prior violations. Mr. Boyd moved to recommend that the Board accept the recommended sanctions as contained in the Summary of the Informal Fact-Finding Conference: $1,000.00. Mr. Clark seconded the motion which was unanimously approved by members: Boyd and Clark

Discussion of 2008 & 2009 NCARB Prize Winners

Ms. Nosbisch informed the section of the 2008 and 2009 grand prize winning architecture programs for the NCARB Prize for Creative Integration of Practice and Education in the Academy. The grand prize winning educational institution architecture departments received $25,000.

Discussion of NCARB 2009 Annual Meeting

Mr. Clark moved to have Mr. Boyd attend the 2009 NCARB Annual Meeting as the funded delegate. Mr. Boyd seconded the motion which was unanimously approved by members: Boyd and Clark. Ms. Nosbisch informed the section that Mr. Fauber would be attending as an NCARB funded delegate and that she would be attending as a Member Board Executive, funded by Region 2.

Discussion of Prometric Test Center Closures

Ms. Nosbisch provided test center closure information to the section. Discussion was held regarding the number of Prometric Test Centers in Virginia. Ms. Nosbisch will provide section members with a list of testing sites in Virginia

Other Business

Ms. Nosbisch provided information to the section from NCARB on its achievement of LEED-Silver certification from the U.S. Green Building Council, as well as their new IDP requirements which will be rolled out as "IDP 2.0," to be implemented beginning July 1, 2009.

Mr. Boyd had questions regarding the standard letter sent to complainants from the Compliance and Investigations Division of DPOR. Mr. Courtney explained that the letter had been rewritten recently incorporating language regarding civil penalties for non-compliance.

Discussion was held on the issue of the new regulation notices sent to licensees. Mr. Boyd indicated it might be beneficial to incorporate some type of 'test' for licensees to be knowledgeable of State and Board regulations, which may result in fewer complaints.

Conflict of Interest Forms

Conflict of Interest forms were completed by all members present.

Adjourn

There being no further business, the meeting was adjourned at 9:45 a.m.

John B. Clark, Jr., Acting Chair

Jay W. DeBoer, Secretary

STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

1. Name: James R. Boyd

2. Title: Board Member

3. Agency: Architects Section/APELSCIDLA Board

4. Meeting/IFF Date: Section Meeting May 5, 2009

5. I have a personal interest in the following transaction:

_____

_____

Nature of Personal Interest Affected by Transaction:

_____

_____

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

_____

☒ I am able to participate in this transaction fairly, objectively, and in the public interest.

or

☐ I did not participate in the transaction.

6. ☐ I **do not** have a personal interest in any transactions taken at this meeting.

Signature

MAY 5, 2009
Date

STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

1. Name: John S. Clark, Jr.

2. Title: Board Member

3. Agency: Architects Section/APELSCIDLA Board

4. Meeting/IFF Date: Section Meeting May 5, 2009

5. I have a personal interest in the following transaction:

_____

_____

Nature of Personal Interest Affected by Transaction:

_____

_____

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

_____

☐ I am able to participate in this transaction fairly, objectively, and in the public interest.

or

☐ I did not participate in the transaction.

6. ☒ I **do not** have a personal interest in any transactions taken at this meeting.

John S. Clark — 5/5/09

Signature — Date