

**PROFESSIONAL ENGINEER & LAND SURVEYOR
SECTION MEETING**

MINUTES

The Professional Engineer and Land Surveyor Section of the Virginia Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects (APELSCIDLA Board) met on January 23, 2023, at the Department of Professional and Occupational Regulation, 9960 Mayland Drive, Richmond, Virginia, with the following members present:

Doyle B. Allen (LS)
Vickie Anglin (LS)
James Kelly (PE)
Vinay Nair (PE)
Christopher M. Stone (PE)
Michael Zmuda (LS)

Staff present for all or part of the meeting were:

Stephen Kirschner, Licensing & Regulatory Programs Division Deputy Director
Kathleen (Kate) R. Nosbisch, Executive Director
Bonnie Davis, Regulatory Operations Administrator
Breanne Henshaw, Licensing Operations Administrator
Anthony Sharpenstein, Licensing Specialist

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

Members of the Public present for all or part of the meeting were:

Georg Dahl, Virginia Society of Professional Engineers (VSPE) STEM and Educational
Outreach Lead for Tidewater/Hampton Roads Chapter

Thomas Roberts, PE, CFM, VLWA

Mr. Kelly, Chair, called the meeting to order at 10:03 a.m.

Call to Order

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

**Emergency
Evacuation
Procedures**

Mr. Allen moved to approve the agenda. Mr. Stone seconded the motion which was unanimously approved by members: Allen, Anglin, Kelly, Nair, Stone, and Zmuda.

**Approval of
Agenda**

Mr. Roberts discussed the use of lidar systems and metadata in relation to his viewpoint that professional engineers should have the ability to perform certified flood plane management for dam breaking inundation zone maps.

**Public Comment
Period**

Mr. Dahl, VSPE Executive Director, thanked the Section members for the change to question ten of the Professional Engineer Reference Form. The question previously asked about the “business relationship” and now only asks about the “relationship” between the applicant and the individual providing the reference.

Mr. Dahl asked that the Board consider making this change to the reference forms used by the other professions within the APELSCIDLA Board.

Ms. Nosbisch read a letter submitted to the Board on behalf of Dr. William Knocke, Associate Department Head and Graduate Program Director of the Department of Civil and Environmental Engineering with Virginia Tech. This letter was also contributed to by Ms. Betsy Dulin, prior ABET program evaluator, and Mr. Jim Lowe, prior Board member of the APELSCIDLA Board. Dr. Knocke indicated an alumnus of Virginia Tech submitted a professional engineer application to the Board and the Board was not willing to accept the applicant's master's in environmental engineering degree as one year of experience towards the four-year requirement. Dr. Knocke is concerned that the Board did not accept this information due to the master's program not being ABET accredited and per the Board's regulations, that is not a requirement for the master's degree. Dr. Knocke referred to 18VAC10-20-240.B. of the regulations and indicated the ABET accreditation is not a requirement per the Board's regulations. Dr. Knocke would like to Board to consider changing how they approach applications with a master's degree that is not accredited by ABET. After reading the letter, Ms. Nosbisch informed the Board that the master's program at Virginia Tech was ABET accredited until 2011, when a business decision was made to discontinue maintaining the accreditation.

Ms. Anglin informed the Section members that the use of lidar systems is not a part of the Board's regulations, but is addressed under statute § 54.1-402.C. Ms. Anglin and other Section members provided background information regarding the reason this section was included within statute. In addition, the Section members discussed the health, safety, and welfare of the public in regards to using remote sensing products and how overlap can occur, which does not provide an accurate image as shadows of buildings can be included or other discrepancies. The Section members agreed that this is a legislative issue that would need to be addressed during the General Assembly if Mr. Roberts would like to do so.

Use of Lidar Systems

Mr. Roberts indicated he did not agree with the Section members and asked no action to be taken at this time. Mr. Roberts stated he will bring federal, state, and other officials to the next Board meeting where he will provide additional information on this topic. Mr. Roberts also indicated that he will find where the information is listed on the DPOR website and provide it to the Board for review.

Ms. Nosbisch informed the Section members that the letter included in the agenda was provided by Mr. Dahl at the November 15, 2022, APELSCIDLA Board meeting. Mr. Stone informed the Section members that this is a Code of Virginia discussion and is not a regulatory issue. Mr. Dahl stated he recognized that this issue lies within the Code of Virginia and VSPE will bring their concerns to the legislature.

Registered Design Professionals and Accessory Use Structures

Ms. Nosbisch informed the Section members that Board staff will bring a sample of the reference form to the February 8, 2023, Board meeting for input from other sections. The sample reference form will have a change to the question regarding "business relationship" and the sample will state the term, "relationship" as listed

Reference Form

on the Professional Engineer Reference form.

The Section members considered the prospect of adding the term “four-year” to regulation 18VAC10-20-210.B.1. due to questions Board staff receive about the degree requirement. The Section members discussed the regulation and pointed to regulation 18VAC10-20-160., which are the definitions for professional engineers and the four-year requirement is listed under the definition titled, “Approved engineering program.” By consensus, this regulation will be tabled until regulatory review is conducted. Mr. Stone recommended review of statute, before completing a line-by-line regulatory review as this will assist the Board in deciding what legislation may be considered for DPOR’s legislative package in advance of reviewing regulations. During discussion, Mr. Stone agreed to be Chair of the Statutory Review Committee and Ms. Anglin agree to represent the land surveyors. Mr. Kirschner encouraged the Section members to consider the ABET accreditation as part of the regulatory review, in addition to discussing the continuing education requirement for the professions overseen by the APELSCIDLA Board.

Regulation
18VAC10-20-210

The Section members discussed house bill 2180 and senate bill 1213, which is an agency bill that was submitted for universal licensing in Virginia. Mr. Kirschner informed the Section members that services defined as professional services will be exempt from the universal licensing bill. The professional services include architects, professional engineers, land surveyors, and landscape architects.

Other Business

The Section members also discussed senate bill 1480, which would deregulate landscape architects and certified interior designers. Mr. Kelly advised the Section members that if the bill is approved, then the Board may need to consider what aspects of certified interior design work and landscape architect work might require an architect of professional engineer’s involvement to protect the health, safety, and welfare of the public. Ms. Nobsch and Mr. Kelly informed the Section members that this is also an agency bill that is supported by the administration and therefore supported by the Board. If any of the Board members wish to discuss this bill, they must do so a private citizen and not as a member of the Board.

Ms. Nobsch informed the Board members of the Statement of Economic Interest (SOEI) form that must be completed by February 1, 2023.

Conflict of Interest forms and travel vouchers were completed by all Section members present.

Conflict of
Interest / Travel
Vouchers

There being no further business, the meeting was adjourned at 11:56 a.m.

Adjourn



Jim Kelly, Chair

A handwritten signature in black ink, consisting of a large, stylized initial 'D' followed by a horizontal line that extends to the right and ends in a small upward tick.

Demetrios Melis, Secretary

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

1. Name: Christopher Stone
2. Title: Board Member
3. Agency: Professional Engineers Section/APELSCIDLA Board
4. Meeting/IFF Date: PE/LS Section Meeting January 23, 2023

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:

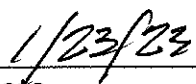
I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

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


Signature


Date

STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

1. Name: Mike Zmuda
2. Title: Board Member
3. Agency: Land Surveyors Section/APELSCIDLA Board
4. Meeting/IFF Date: PE/LS Section Meeting January 23, 2023

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

n/a

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

1/23/23

Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

1. Name: James L. Kelly
2. Title: Board Member
3. Agency: Professional Engineers Section/APELSCIDLA Board
4. Meeting/IFF Date: PE/LS Section Meeting January 23, 2023

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

1/23/23

Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Vinay Nair
2. Title: Board Member
3. Agency: Professional Engineers Section/APELSCIDLA Board
4. Meeting/IFF Date: PE/LS Section Meeting January 23, 2023

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

N/A

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:

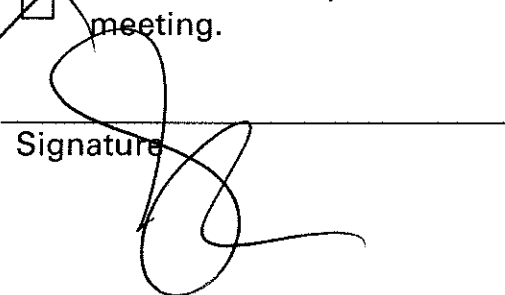
I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

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

Signature



Jan 23, 2023

Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

1. Name: Vickie McEntire Anglin
2. Title: Board Member
3. Agency: Land Surveyors Section/APELSCIDLA Board
4. Meeting/IFF Date: PE/LS Section Meeting January 23, 2023

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.

V. M. Anglin
Signature

1/23/23
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Doyle B. Allen
2. Title: Board Member
3. Agency: Land Surveyors Section/APELSCIDLA Board
4. Meeting/IFF Date: PE/LS Section Meeting January 23, 2023

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.

Doyle B. Allen
Signature

1/23/23
Date