

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 4, 2004, at the Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia, with the following members present:

Richard N. Davenport
Stanley C. Harris
Ronald G. Helton

Staff present for all or part of the meeting were:

Mark N. Courtney, Executive Director
Marian H. Brooks, Program Administrator
Trisha L. Henshaw, Administrative Assistant

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

Mr. Helton, Chair, called the meeting to order at 9:11 a.m.

Call to Order

Mr. Davenport moved to approve the agenda as written. Mr. Harris seconded the motion which was unanimously approved by members: Davenport, Harris, and Helton.

Approval of
Agenda

Public Comment Period – No comments were made to the Section members.

Public Comment

The Section members discussed correspondence that was received regarding confusion among regulants of the Board as to who may prepare a Chesapeake Bay Preservation Act compliance plan. The Section members were provided with the responses agreed to by the Sections and recommended by the APELSCIDLA Board at its March 10, 2004, meeting. At that meeting, the Board requested that each of the Sections review this issue again for discussion at the June 10, 2004, meeting. After discussion, Mr. Davenport moved to recommend to the Board adoption of the following response:

Discussion of
Chesapeake Bay
Preservation Act
Compliance
Plans

"The APELSCIDLÁ Board has reviewed your documentation and has determined that work associated with the Chesapeake Bay

Preservation Act may involve the practice of engineering, land surveying, and landscape architecture depending on the exact nature of the work being performed. Further, review of this issue in the past has also revealed that this work may be incidental to other professional work and has determined that architects are competent to perform some of the types of calculations required by the Act. The issue of which professional is authorized to perform such work is dependent on the type of work being performed, applicable statutes, regulations and ordinances, as well as the competency of the individual practitioner.

"As in any activity involving the practices of architecture, engineering, land surveying (pursuant to § 54.1-400 so A and B land surveyors are both competent to perform such work), certified interior design, and landscape architecture, if there is a question about the specific competence of an APELSCIDLA Board regulant, then this issue should be specifically addressed at that time through inquiries and complaints to this Board.

"As to the issue of 'redesigning' by the County officials, we would obviously need to know the specifics of individual instances. It is not unusual for regulatory authorities and agencies to request revisions to plans, specifications, reports, and permit applications. However, generally speaking, the professional who has the responsibility, authority, and accountability must concur with each of these revisions."

Mr. Davenport further moved to recommend that the following be incorporated into the Board's response.

Point out § 54.1-410 of the *Code of Virginia* and indicate that if a regulant of the APELSCIDLA Board is not adhering to the required standards, or does not appear to be competent in work they have undertaken, then a complaint needs to be filed with the Board.

Mr. Harris seconded the motion which was unanimously approved by members: Davenport, Harris, and Helton.

The Section members reviewed proposed constitution and bylaw amendments that will be considered at the National Council of Examiners for Engineering and Surveying (NCEES) Annual Meeting in August.

**Discussion of
NCEES Items**

Mr. Harris provided a report from the NCEES Northeast Zone Meeting held in April in Portland, Maine. Mr. Harris indicated that several

proposed constitution and bylaw amendments were discussed, including issues related to committee membership, examination scoring, and examination administration. Additionally, the report of the NCEES Engineering Licensure Qualifications Task Force was discussed at the Zone meeting. Mr. Harris stated that other items of discussion were a national identification number assigned by NCEES for use by boards to obtain examination/license information, the issue of calculators for use in the examination, changes to the engineering curriculum, and examination security/administration.

The Section members discussed the upcoming elections for Chair and Vice-Chair of the APELSCIDLA Board.

Election of Officers

Mr. Davenport moved that Mr. Helton be nominated as Chair of the Section for the term beginning July 1, 2004, to June 30, 2005, provided he is reappointed. Mr. Harris seconded the motion which was unanimously approved by members: Davenport, Harris, and Helton.

Mr. Davenport discussed an item that he would like to have considered at the June 10, 2004, APELSCIDLA Board meeting; specifically, potential legislative items for the 2005 session of the General Assembly.

Other Business

The Section members were provided with recent news releases from the Accreditation Board for Engineering and Technology (ABET).

Mr. Courtney discussed the status of the proposed regulations that were adopted at the March Board meeting. Mr. Courtney indicated that a concern has been raised by the Department of Planning and Budget regarding a proposed change to the requirements for certification as a landscape architect, and this matter may be discussed in further detail at the June 10, 2004, Board meeting.

Conflict of Interest forms were completed by all members present.

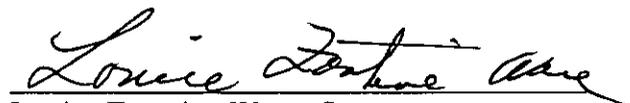
Conflict of Interest Forms

There being no further business, the meeting was adjourned at 10:20 a.m.

Adjourn



Ronald G. Helton, Chair



Louise Fontaine Ware, Secretary

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

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

1. Name: Richard N. Davenport
2. Title: Member
3. Agency: APELSCIDLA Board
4. Transaction: Board Meeting on May 4, 2004
5. Nature of Personal Interest Affected by Transaction: _____

NONE

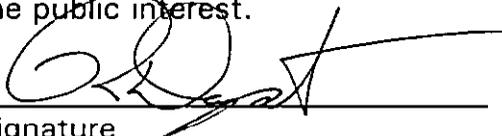
6. I declare that:

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

USPE, USPE

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

Signature



Date

4 MAY 04

**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: Member
3. Agency: APELSCIDLA Board
4. Transaction: Board Meeting on May 4, 2004
5. Nature of Personal Interest Affected by Transaction: NONE

6. I declare that:

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

VSPB ASME

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


Signature

5/4/04
Date

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

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

1. Name: Ronald G. Helton
2. Title: Member
3. Agency: APELSCIDLA Board
4. Transaction: Board Meeting on May 4, 2004
5. Nature of Personal Interest Affected by Transaction: N/A

6. I declare that:

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

ACEC VSPE

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

R. G. Helton
Signature

5/4/04
Date