

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 7, 2013, at the Department of Professional and Occupational Regulation, 9960 Mayland Drive, Richmond, Virginia, with the following members present:

John L. Combs
Wiley V. Johnson, III
Carolyn B. Langelotti

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

Kathleen (Kate) R. Nosbisch, Executive Director
Amy Goobic, Administrative Assistant

Agency staff present for all or part of the meeting:

Gordon N. Dixon, Director
Mark N. Courtney, Senior Director, Regulatory & Public Affairs
Kristin Clay, Legal Analyst

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

Mr. Combs, Chair, called the meeting to order at 9:35 a.m.

Call to Order

Mr. Combs reviewed the emergency evacuation procedures.

**Emergency Evacuation
Procedures**

Mr. Johnson moved to approve the agenda as amended. Ms. Langelotti seconded the motion which was unanimously approved by members: Combs, Johnson and Langelotti.

**Approval of
Agenda**

Mr. Bob Marshall, AOSE, was present to address agenda item number 8, Update on WWWOSSP Work Group. Mr. Marshall stated that he was a member of the work group, and was interested in hearing the update provided by Mr. Johnson, also a member of the work group. Mr. Marshall stated that he did not think the work group accomplished what they set out to do.

Public Comment Period

Ms. Nosbisch introduced agency staff in attendance, Caroline Pruett and Steve Kirschner from the Adjudication Section.

Mr. Dixon provided background information for the discussion on the application review process. Mr. Dixon stated that the agency is further exploring the concept of a sub-committee to assist the PE Section in reviewing applications, not only with regards to the volume of applications but also the diversity of disciplines, streamlining the process while remaining in compliance.

**Application Review
Process**

Mr. Dixon asked Mr. Courtney to discuss concerns regarding the sub-committee with the Attorney General's office. Mr. Courtney stated that in speaking with the AG's office, it is within the authority of the Board to create a sub-committee, but that there are several policy issues that would need to be addressed including: the qualifications of the committee members, vetting candidates and training. Mr. Courtney also noted that there would need to be an agreement for committee members to sign, to include privacy and non-disclosure statements. He further noted that the review process would likely involve an initial review of the application by a committee member, then a second review by a Board member, this to keep the Board involved in the review process.

Mr. Dixon suggested a draft document be formalized with the qualifications, policies, standards and training requirements to be presented for consideration at the June 11 APELSCIDLA Board meeting. The Section agreed by consensus.

Regarding **File Number 2012-02503, Robert Alan Walz**, the Board members reviewed the record of the Informal Fact-Finding Conference, which consisted of the investigation, transcripts, exhibits, and the Summary of the Informal Fact-Finding Conference as well as the recommendation of the presiding board member. Mr. Johnson recommended that the Board accept the Summary of the Informal Fact-Finding Conference which cites the following violations of the Board's regulations: 18VAC10-20-790.A.7 (Count 1-two violations); 18VAC10-20-750.B (Count 2 – two violations); 18VAC10-20-750.C (Count 3 – two violations); 18VAC10-20-740.C (Count 4); and 18VAC10-20-795 (Count 5). Mr. Combs seconded the motion which was unanimously approved by members: Combs and Johnson.

File Number 2012-02503, Robert Alan Walz

Mr. Johnson moved to recommend that the Board accept the recommended sanctions as contained in the Summary of the Informal Fact-Finding Conference: \$2,500 and revocation of license for the violations contained in Count 1; \$200 for the violations contained in Count 2; \$2,500 and revocation of license for the violations contained in Count 3; \$1,000 and revocation of license for the violation contained in Count 4; \$250 for the violation contained in Count 5; for a total monetary penalty of \$6,450 and revocation of license. Mr. Combs seconded the motion which was unanimously approved by members: Combs and Johnson.

As the presiding Board member, Ms. Langelotti was not present for the discussion or vote.

Section members reviewed the updated Candidate Information Bulletin provided by PCS. The Section agreed by consensus to approve the updated version.

Discussion of Candidate Information Bulletin

Mr. Johnson provided an update on the Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals

Update on WWWOOSP Work

(WWWOSSP) Work Group. The work group consisted of several stakeholders and met April 25 to discuss issues with onsite sewage systems. Mr. Johnson reported that the most significant item from the meeting was an announcement by Allen Knapp, Division Director of Onsite Sewage and Water Services, Virginia Department of Health (VDH), that VDH is working towards transitioning the onsite sewage systems to the private sector AOSE. Mr. Johnson further reported that discussion was held on changes that are being made to onsite systems during the construction process without consulting the original designer. Mr. James Slusser, AOSE, was present and provided comment to the Section regarding changes made to onsite sewage systems by contractors. Mr. Slusser stated that the designer of a system may have more knowledge of surrounding conditions (soil, sediment, erosion, etc.) that may affect the system and therefore includes certain design items for a reason. Contractors often make changes, as they only have to comply to the minimum requirements, additionally; code officials only have to look for the minimum requirements. Mr. Johnson stated that discussion was also held on packaged systems

Group

Mr. Johnson stated that the minutes of the meeting will be reviewed at the WWWOSSP Board meeting July 13. The WWWOSSP Board will also discuss whether the work group should continue to meet.

Mr. Johnson stated that no resolution or recommendations came from the meeting and feels that it would be valuable to continue the discussion. The Section agreed by consensus.

Ms. Nosbisch provided updates from NCEES. Computer-based testing (CBT) for the FE and FS exams will begin January 2014, with registration to begin November 4, 2013. The CBT for the FE and FS exams will be offered at Pearson Professional Centers and Pearson Vue Test Center Selects. NCEES is working with 20 schools to have Select Centers open on campus.

NCEES Update

Ms. Nosbisch reported that she is working the agency's Exam Section and Jerry Carter, Executive Director, NCEES, regarding the application options available to the Board for FE and FS applicants. At its March 20 meeting, the APELSCIDLA Board agreed upon Option 2, which has the Board manually approve examinees for each exam attempt. Ms. Nosbisch informed the Section that upon further review, Option 1 may prove to be more beneficial to applicants and the Board. With Option 1, the applicant can register with NCEES, attest they met the requirements of the state selected, the Board can indicate if they require EAC, ETAC or ASAC educated examinees. If the applicant does not meet the requirement, it will fall back to a manual approval. The applicant may take the exam three times per year, and the applicants would be spread out due to year round testing. Examinee registrant information provided will be matched against information in the NCEES database, examinees that do not match will go to the Board for manual approval. Ms. Nosbisch stated that Jerry Carter

recommends using pass/fail, which the NCES Board voted for. She further stated that there is nothing in the regulations which states that a numeric score must be used, therefore she suggests the Board use pass/fail. The Section agreed by consensus.

The FE and FS exams will be transitioning from an 8-hour exam to 6 hours, and the cost was initially \$250, however there will be discussion at the annual meeting to reduce the exam to \$225. Additionally, beginning in April 2014, the 16-hour Structural Exam will have revised design standards and the Civil Exam will have revised design standards for the Civil Structural and the Transportation modules. Ms. Nosbisch also informed the Section that beginning with registration for the 2014 exams in November, NCEES will no longer collect Social Security numbers from potential examinees when they register.

Ms. Nosbisch reported that she received correspondence requesting endorsement of Skip Harclerode, from Maryland, as candidate for the office of President-elect of NCEES for the 2013-14 year.

Ms. Nosbisch informed the Section that the NCEES Annual meeting will be held August 22-24, in San Antonio. Mr. Johnson and Ms. Langelotti both stated they were available to attend.

There was no other business.

Other Business

Conflict of Interest forms were completed by all members present.

**Conflict of Interest
Forms**

There being no further business, the meeting was adjourned at 10:47 a.m.

Adjourn

John L. Combs, Chair

Gordon N. Dixon, Secretary