

# 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 11, 2010, at the Department of Professional and Occupational Regulation, 9960 Mayland Drive, Richmond, Virginia, with the following members present:

Nico De León  
Stanley C. Harris  
Wiley V. Johnson, III

Staff present for all or part of the meeting were:

Gordon N. Dixon, Director  
Mark N. Courtney, Deputy Director of Licensing and Regulation  
Kathleen (Kate) R. Nosbisch, Executive Director  
Marian Brooks, Board Administrator  
Justin Garofalo, Board Administrator  
Amy Goobic, Administrative Assistant

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

Mr. Harris, Chair, called the meeting to order at 9:10 a.m.

Call to Order

Mr. Harris advised the Section of the emergency evacuation procedures.

Emergency  
Evacuation  
Procedures

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

Approval of  
Agenda

Ms. Nosbisch introduced Gordon Dixon, the new Director of DPOR. Mr. Dixon gave a brief biography, Section members and staff introduced themselves.

Introduction of New  
DPOR Director

There were no comments made to the Section.

Public Comment  
Period

Mr. Zoto was present to address the Section. Mr. Zoto thanked the Section for the opportunity to speak to them regarding his application to sit for the PE exam. Mr. Zoto gave a brief synopsis of his background and the occurrences that led to his request for an Informal Fact-Finding Conference.

File Number 2010-  
03775, Arian Zoto

Regarding File Number 2010-03775, Arian Zoto, the Section members reviewed the record of the Informal Fact-Finding Conference, which consisted of the application file, transcripts and exhibits and the summary and recommendation of the presiding Board member. Mr. De León moved to recommend the Board accept the recommendation of the presiding Board member and approve Mr. Zoto to sit for the PE examination under 18VAC10-20-210.3. Mr. Johnson seconded the motion which was unanimously approved by members: De León and Johnson.

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

Regarding File Number 2010-01680, George E. Young III, Mr. De León and Mr. Harris reviewed the Consent Order as seen and agreed to by Mr. Young. The Section concurred with the recommendation of the presiding Board member. Mr. De León moved to recommend the Board accept the Consent Order which cites the following violation of the Board's regulations: 18VAC10-20-740.D (Count 1). For this violation, Mr. Young agrees to the following monetary penalty: \$350.00 for the violation contained in Count 1 and Board costs in the amount of \$150.00, for a total of \$500.00.

**File Number 2010-01680, George E. Young III**

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

Mr. Allen Knapp, Virginia Department of Health Director of Onsite Sewage & Water Services, was present to address the Section regarding the emergency regulations for onsite sewage systems and potential engineering issues. Mr. Knapp reviewed the new regulations and explained how they might affect engineering regulations. He explained that VDH wants to insure that onsite sewage system plans are properly sealed by a PE if they are not under the exemption.

**Emergency Regulations for Onsite Sewage Systems**

Mr. Knapp explained that VDH will review plans and will contact the designer to ensure the plans are under the exemption if they are not sealed. VDH will notify DPOR if it suspects that the plans may be the practice of engineering. Mr. Knapp suggested a 'memorandum agreement' between the agencies.

Mr. De León nominated Mr. Johnson to serve as Section Chair. Mr. Harris seconded the motion which was unanimously approved by members: De León, Harris & Johnson.

**Election of Section Chair**

Section members were presented with tentative meeting dates for 2011. The Section members did not have any conflicts with the dates as presented.

**Consideration of  
2011 Meeting Dates**

The Section was provided with the DPOR response to VDOT regarding their signing/sealing implementation discussed at the March 23, 2010, APELSCIDLA Board meeting. At that meeting, representatives from VDOT asked the Board to review their list of documents that require a PE seal. Ms. Nobsch presented the recommendations from the Landscape Architect Section regarding the VDOT list. The PE Section agreed with VDOT's requirements on a majority of the items, and agreed with the LA Section on their recommended change under "Scheduling and Contracts," to 'Licensed Professional consistent with original scope of work' instead of solely a PE. Ms. Nobsch informed the Section that she would present their recommendations to the full board for discussion at the June 17, 2010, meeting.

**Discussion of VDOT  
Signing/Sealing  
Implementation**

The Section recessed from 10:37 a.m. until 10:54 a.m.

**Recess**

Discussion was held on comity applicants that have graduated from an ABET accredited engineering program in a foreign country and passed the NCEES FE and/or PE exam in a foreign country. Mr. Courtney suggested that, as the Department doesn't have comity with other countries, the applicants be treated as exam applicants and not comity applicants. The Section agreed by consensus with Mr. Courtney's suggestion.

**Comity Applications**

The Section members discussed "related science" degrees specifically *construction management* and *building construction* degree programs. By consensus, the Section members agreed that these degree programs have been, and will continue to be, evaluated on a case-by-case basis to determine if they contain adequate science and math coursework to qualify as a "related science" degree program.

**"Related Science"  
Degrees**

The Section agreed the topic should be discussed during regulatory review.

Mr. Johnson gave a brief report of the NCEES NE/SE Zone meeting attended by himself and Ms. Nobsch.

**NCEES Update**

Ms. Nobsch informed the Section that she has been asked to chair the site selection committee for the 2014 NCEES NE Zone meeting. Additionally, she has submitted an RFP to the Convention & Visitors Bureaus of Alexandria and Norfolk for the 2015 Annual meeting. Ms. Nobsch will also send the RFP to the city of Richmond.

Ms. Nobsisch informed the Section that they would need to vote on a funded delegate for the NCEES Annual Meeting. Mr. Johnson moved to nominate Ms. Nobsisch as the funded delegate. Mr. De León seconded the motion which was unanimously approved by members: De León, Harris and Johnson.

The Section was also provided with various announcements and memorandums from NCEES.

The Section recessed from 11:25 a.m. until 11:40 a.m.

Recess

The Section members were provided draft copies of the Professional Engineers section of the regulations with recommended changes discussed at the March 10, 2010 meeting. The Section reviewed the licensing section and discussed further revisions and clarifications, including "related science" degrees, math requirements and acceptance of citizenship in lieu of TOEFL.

Regulatory Review

Section members also reviewed and discussed the draft regulations of the April 12, 2010, meeting of the Regulatory Review Committee, as well as recommendations made at the LA Section and CID Section meetings. Mr. Johnson, chair of the Regulatory Review Committee, will present the section recommendations at the next Committee meeting.

There was no other business.

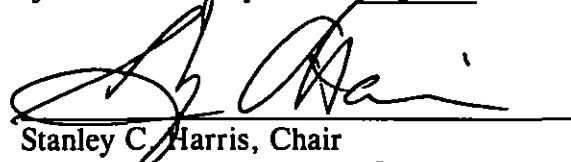
Other Business

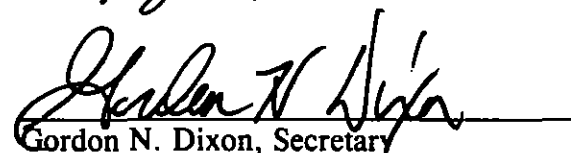
Conflict of Interest forms were completed by all members present.

Conflict of Interest  
Forms

There being no further business, the meeting was adjourned at 2:00 p.m.

Adjourn

  
Stanley C. Harris, Chair

  
Gordon N. Dixon, Secretary

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

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

1. Name: Wiley V. "Bif" Johnson, III
2. Title: Board Member
3. Agency: Professional Engineers Section/APELSCIDLA Board
4. Meeting/IFF Date: Section Meeting May 11, 2010
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:

\_\_\_\_\_

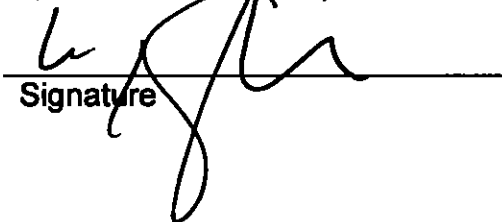
I am able to participate in this transaction fairly, objectively, and in the public interest.

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

5-11-10

**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 11, 2010

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

[Handwritten Signature]

Date

5/11/2010

**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 11, 2010

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:

ASME, VSPE

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

5/11/10  
Date