

# 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 August 4, 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  
Earlyne Perkins, Legal Analyst

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

Mr. Johnson, Chair, called the meeting to order at 9:08 a.m.

Call to Order

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

Emergency  
Evacuation  
Procedures

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

Approval of  
Agenda

There were no comments made to the Section.

Public Comment  
Period

Regarding File Number 2010-03739, Stephen Phillip Maslan, Mr. De León and Mr. Johnson reviewed the Consent Order as seen and agreed to by Mr. Maslan. 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 violations of the Board's regulations: 18VAC10-20-750.A (Count 1); and 18VAC10-20-C (Count 2). For these violations, Mr. Maslan agrees to the following monetary penalty: \$200.00 for the violation contained in Count 2 and

File Number 2010-  
03739, Stephen  
Phillip Maslan

Board costs in the amount of \$150.00, for a total of \$350.00. There was no monetary penalty for the violation contained in Count 1.

In addition, for violation of Count 1, Mr. Maslan agrees to probation of his license. During this probation, Mr. Maslan agrees to:

- (1) Not be in violation of any rules and regulations of the Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers & Landscape Architects for transactions occurring after the effective date of this order; and
- (2) Comply with the terms of the probation assigned by the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects outlined in Count 1 of the Report of Findings.

This probation shall run concurrently with the above-referenced probation period in Missouri.

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

Mr. Johnson recused himself from the meeting.

Regarding File Number 2010-04033, J. W. Warwick, Mr. De León reviewed the Consent Order as seen and agreed to by Mr. Warwick. 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: 18VAC10-20-790.A.2 (Count 1). For this violation, Mr. Warwick agrees to the following penalties: revocation of license for the violation contained in Count 1, and Board costs in the amount of \$150.00.

**File Number 2010-04033, J. W. Warwick**

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

Ms. Nosbisch reported that Mr. Johnson and Mr. Stephenson, Land Surveyor, would be joining her at the 2010 NCEES Annual Meeting in Denver, August 18-21. Ms. Nosbisch also reminded the Section of the meeting scheduled for August 11, 2010, to discuss motions that will be presented at the annual meeting.

**NCEES Update**

The Section members were provided draft copies of the regulations with recommended changes discussed at the June 17, 2010, Regulatory Review Committee meeting. The Section discussion included the term "gratis services," that was recommended to be added into 18VAC10-20-720, by a Committee representative. The Section recommended striking the term "gratis services." Discussion was also held of "use of seal," including 'wet' signatures on cover sheets and current technology for transmitting files. Mr. Garofalo presented language regarding the "use of seal" from the NCEES Model Regulations for the Section to consider.

**Regulatory Review**

Ms. Nosbisch presented correspondence received regarding EIT designees working at VDOT. The letter was signed by VA State Professional Engineers Society, which does not appear to be a legitimate organization.

**Other Business**

Mr. Johnson gave a brief update on the APELSCIDLA / VDOT Traffic Engineering Committee meeting held on July 9, 2010.

The Section recessed from 11:00 a.m. to 11:05 a.m.

**Recess**

The Section viewed, "Henry's Daughters," a video on engineering ethics from the National Institute for Engineering Ethics. Discussion was held on the accompanying study guide questions.

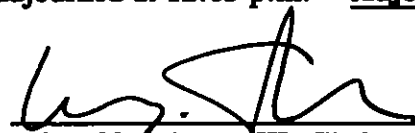
**Engineering Ethics Video**

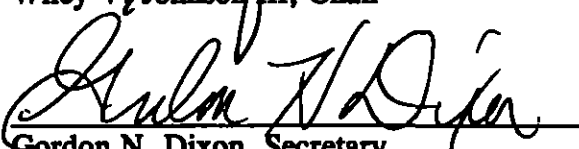
Conflict of Interest forms were completed by all members present.

**Conflict of Interest Forms**

There being no further business, the meeting was adjourned at 12:05 p.m.

**Adjourn**

  
\_\_\_\_\_  
Wiley V. Johnson III, 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 August 4, 2010

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

#8 - Personal relationship of individual  
associated in the matter.

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.

Wiley V. Johnson, III  
Signature

8/4/10  
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 August 4, 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, USPE

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

8/4/2010  
Date

**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 August 4, 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

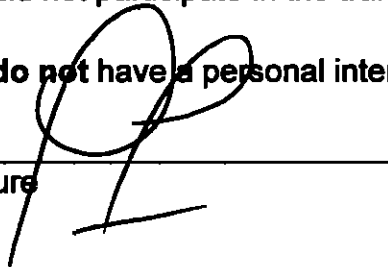
I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

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

Signature



Date

8/4/2010