

# 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 12, 2009, at the Department of Professional and Occupational Regulation, 9960 Mayland Drive, Richmond, Virginia, with the following members present:

Nico De León  
Stanley C. Harris

Board member Wiley V. Johnson, III, was not present at the meeting.

Staff present for all or part of the meeting were:

Jay W. DeBoer, Director  
Mark N. Courtney, Deputy Director of Licensing and Regulation  
Kathleen "Kate" R. Nosbisch, Executive Director  
Earlyne Perkins, Legal Analyst  
Amy Goobic, Administrative Assistant

Steven Jack was present from the Office of the Attorney General.

Mr. Harris, Chair, called the meeting to order at 9:04 a.m.

Call to Order

Mr. Harris requested the section observe a moment of silence for APELSCIDLA Board member Bill Spell, Landscape Architect, who passed away April 17, 2009.

Moment of Silence  
For Bill Spell

Ms. Nosbisch 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 and Harris.

Approval of  
Agenda

There were no comments made to the Section members.

Public Comment  
Period

Mr. Singh was present and addressed the Section regarding the monetary penalty and one year probation period that was recommended. Mr. Singh requested the Section waive the probation of one year.

**File Number 2009-00527, Harkirat Singh**

Regarding **File Number 2009-00527, Harkirat Singh**, Mr. De León reviewed the record of the Informal Fact-Finding Conference, which consisted of the application file, transcripts and exhibits and the summary and concurred with the recommendation of the presiding Board member. Mr. De León recommends the Board accept the Summary of the Informal Fact Finding Conference, which cites the following violation of the Board's regulations; 18VAC10-20-700.A.

Ms. Perkins informed the Section that Mr. Singh had no prior violations. Mr. De León recommends that the Board accept the recommended sanctions as contained in the Summary of the Informal Fact Finding Conference: \$500.00 and license probation of one year. During that probation, any infraction of the Board's regulations will result in the imposition of license suspension.

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

A letter from Mr. Awni was provided to the Section members stating that he felt his degree in architecture should be approved as a related science, coupled with his years of experience, he should be approved to take the PE exam.

**File Number 2009-03357, Muhammad Awni**

Regarding **File Number 2009-03357, Muhammad Awni**, Mr. De León reviewed the record of the Informal Fact-Finding Conference, which consisted of the application file, transcripts and exhibits and the summary and concurred with the recommendation of the presiding Board member. Mr. De León recommends the Board accept the Summary of the Informal Fact Finding Conference, that Mr. Awni's application be approved for the FE exam under 18VAC10-20-190.5. and that he apply for the PE under 18VAC10-20-210.5 after successfully completing the FE exam.

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

Regarding **File Number 2009-02293, Brendan Thomas Lawrence**, Mr. De León reviewed the Consent Order as seen and agreed to by Mr. Lawrence. 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: 18VAC10-20-20.A. For this violation, Mr. Lawrence agrees to the following monetary penalty: \$150.00 in Board costs. In addition,

**File Number 2009-02293, Brendan Thomas Lawrence**

Mr. Lawrence agrees not to retake the FE exam until at least October 25, 2010.

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

Regarding File Number 2009-02653, Travis John Keys, Mr. Harris reviewed the Consent Order as seen and agreed to by Mr. Keys. Mr. Harris concurred with the recommendation of the presiding Board member. Mr. Harris recommends the Board accept the Consent Order which cites the following violations of the Board's regulations: 18VAC10-20-750.B (Count 1) and 18VAC10-20-750.C (Count 2). For these violations, Mr. Keys agrees to the following monetary penalty: \$250.00 for the violation contained in Count 1; no penalty for the violation contained in Count 2; and Board costs in the amount of \$150.00, for a total of \$400.00.

**File Number 2009-02653, Travis John Keys**

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

Ms. Nosbisch gave a brief report on the 2009 NCEES NE Zone Meeting and read a letter from NCEES Executive Director Jerry Carter, thanking the Board for their efforts.

**Discussion of NCEES Topics**

Ms. Nosbisch informed the Section of the 2009 NCEES Engineering Award winners. Virginia Tech Charles E. Via Jr. Department of Civil and Environmental Engineering was awarded \$7,500 for their Land Development Design Initiative submission. Ms. Nosbisch read an email from Section Member Bif Johnson on his participation in the NCEES Award presentation to Virginia Tech.

Ms. Nosbisch informed the Section of a letter received from the West Virginia Board of Registration for Professional Engineers, announcing that their Board President Joe Timms, is under consideration for the position of NCEES President-Elect.

Ms. Nosbisch informed the Section of the FE and PE exam results from 2001 through 2008. The results had been obtained at the request of the National Society of Professional Engineers.

**FE and PE Exam Results 2001-2008**

Ms. Nosbisch presented the Section response to an email received from Jerry Carter, NCEES Executive Director regarding the Certified Energy Manager stamp. The section determined they had no jurisdiction over the matter, but would take action if necessary.

**Response to NCEES Executive Director Regarding CEM Stamp**

Discussion was held regarding the Washington Accord Program. Mr. De León moved to use guidelines established by NCEES. Mr. Harris seconded the motion which was unanimously approved by members: De León and Harris.

**Washington Accord Programs**

Discussion was held regarding applicants for EIT that have a Masters Degree in engineering with a non-engineering undergraduate degree. Section members agreed that the applications would have to be treated on a case-by-case basis to determine if the coursework criterion was met.

**Discussion of Masters Degree with Non-Engineering Undergraduate Degree**

Dr. Sharon Lovell, Interim Dean, College of Integrated Science and Technology, Dr. Jonathan Spindel, Assistant Dean, College of Integrated Science and Technology, Dr. Pauline Cushman, Interim Head, Department of Integrated Science and Technology, Mr. Paul Henriksen, Student Coordinator, Department of Integrated Science and Technology attended the meeting, presenting an overview of the JMU ISAT curriculum.

**Discussion of JMU ISAT Curriculum**

Mr. De León stated that the Section would need all members present to proceed with discussion, and added that the presentation from faculty offered the Section a better understanding of the program. It was determined that the Section would take the information under advisement and discuss at the next Section meeting scheduled for August 5, 2009.

Steven Jack, of the Attorney General's office, and Section members discussed the application review process. The discussion centered on whether or not the Board could conduct personal interviews to be included in the application review process. Mr. Jack informed the Section that the interviews could not be confidential; however, could be conducted as part of an IFF.

**Other Business**

Ms. Nosbisch informed the Section about recent concerns regarding the use of LEED designation. There is no license required as a prerequisite for taking the LEED test, and after passing, the LEED designation can be used after the person's name. This may be confusing to the public as the designation does not take the place of licensure.

Ms. Nosbisch informed the Section that a motion was needed to select a funded delegate to attend the 2009 NCEES Annual Meeting. Mr. De León moved to have Ms. Nosbisch be the funded delegate. Mr. Harris seconded the motion which was unanimously approved by members: De León and Harris.

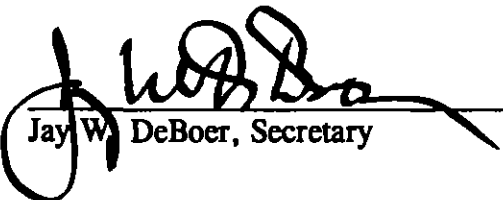
Mr. Harris commented on the 2009 NE Zone Meeting, complimenting and thanking Ms. Nosbisch and staff for their hard work.

Conflict of Interest forms were completed by all members present.

**Conflict of Interest  
Forms**

There being no further business, the meeting was adjourned at 10:17 a.m. **Adjourn**

  
\_\_\_\_\_  
Stanley C. Harris, Chair

  
\_\_\_\_\_  
Jay W. DeBoer, Secretary

**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 12, 2009

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  
\_\_\_\_\_

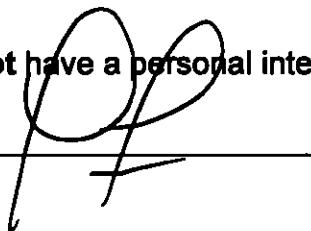
I am able to participate in this transaction fairly, objectively, and in the public interest.

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

5/12/09

**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 12, 2009

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

None

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.

Stanley C. Harris  
Signature

5/12/2009  
Date