

MINUTES
South Carolina Board for Registration of
Professional Engineers and Surveyors
Board Meeting
9:30 a.m., July 19 and 20, 2011
Synergy Business Park
110 Centerview Drive, Kingstree Building, Room 108
Columbia, South Carolina

Call to Order

Chairman Andy Kinghorn, P.E., called the meeting to order on July 19, 2011, at 9:35 a.m. Board Members present were Theresa Hillard Hodge, P.E.; Thurl M. Amick, Sr., PLS; Nancy W. Cottingham; Gene L. Dinkins, P.E., PLS; Charles M. Joye, II, P.E.; M.L. Love, Jr., P.E.; and Cecil Huey, Jr., P.E. Miller L. Love, P.E., and Charles M. Joye were excused for July 20, 2011 for previous engagements.

Statement of public notice

Mr. Kinghorn stated public notice of this meeting was properly posted at the S. C. Board of the Registration for Engineers and Surveyors office, Synergy Business Park, Kingstree Building and provided to all requesting persons, organizations, and news media in compliance with Section 30-4-80 of the South Carolina Freedom of Information Act.

Approval of the May 17, 2011, Meeting Minutes

Motion: To approve the minutes of the Board meeting held on May 17, 2011. Amick/Love/Approved.

Approval of Agenda

There were no changes to the agenda.

Application Hearings (Also Recorded by Court Reporter)

a. David B. Thomas -- Application Hearing

Mr. Thomas appeared before the Board for an application hearing after his request for a waiver of the Fundamentals of Engineering Exam because Veteran's Points were added by Georgia to pass the exam and acceptance into Technology Degree Program. This matter was recorded by a court reporter in order to produce a verbatim transcript should one be necessary.

Motion: To enter into Executive Session. Hodge/Amick/Approved

Return to Public Session

Motion: To return to Public Session. Love/Hodge/Approved

Motion: To accept Mr. Thomas into Technology Degree program upon passing the Fundamentals of Engineering Exam. Dinkins/Amick/Approved.

b. Frank Hahne – Reinstatement (Gene Dinkins was recused)

Mr. Hahne appeared before the Board for an application hearing for reinstatement of his Professional Engineer's license that expired on June 30, 2010. This matter was recorded by a court reporter in order to produce a verbatim transcript should one be necessary.

Motion: To enter into Executive Session. Love/Hodge/Approved

Return to Public Session

Motion: To return to Public Session. Love/Hodge/Approved

Motion: To reinstatement Mr. Hahne's Professional Engineer's license with Letter of Caution. Joye/Amick/Approved.

c. Reynold Davenport – CE Audit Compliance (Miller L. Love, Jr. was recused)

Mr. Davenport appeared before the Board for an application hearing to request the Board accept his Professional Development Hours he submitted for the Continuing Education Audit. This matter was recorded by a court reporter in order to produce a verbatim transcript should one be necessary.

Motion: To enter into Executive Session. Hodge/Cottingham/Approved

Return to Public Session

Motion: To return to Public Session. Love/Hodge/Approved

Motion: To accept Mr. Davenport's Professional Development Hours and reinstate his Professional Engineer's license. Amick/Hodge/Approved.

d. Jerry Byrd – Reinstatement – Compliance with Order

Mr. Byrd appeared before the Board for acceptance of his Professional Development Hours in accordance with the Board's January 2011 Order. This matter was recorded by a court reporter in order to produce a verbatim transcript should one be necessary.

Motion: To enter into Executive Session. Amick/Hodge/Approved

Return to Public Session

Motion: To return to Public Session. Dinkins/Hodge/Approved

Motion: To accept Mr. Byrd's Professional Development Hours and reinstate his Professional Engineer's license. Amick/Cottingham/Approved.

Office of General Counsel – Hearings

a. Zimmerman Evans & Leopold – Case No. 2010-22

Zimmerman Evans & Leopold appeared before the Board for a disciplinary hearing for violation of Section 40-22-110(A)(2),(4), and (5) of the South Carolina Code of Laws. This matter was recorded by a court reporter in order to produce a verbatim transcript should one be necessary.

Motion: To enter into Executive Session. Dinkins/Love/Approved

Return to Public Session

Motion: To return to Public Session. Love/Cottingham/Approved

Motion: To levy a fine against Zimmerman Evans & Leopold and the firm's engineer in responsible charge, Charles Drown, in the amount of \$500 and issue a public reprimand for violation of 40-22-110(A)(2),(4), and (5) of the South Carolina Code of Laws Hodge/Joye/Approved 5 – 3.

a. Arvin V. Thornburg – Case No. 2010-27

This case was presented to the Board for consideration of a request for retirement of Mr. Thornburg's Professional Engineer and Surveyor's license. Mr. Thornburg was not present for this hearing. This matter was recorded by a court reporter in order to produce a verbatim transcript should one be necessary.

Motion: To accept Mr. Thornburg's retirement from the practice of engineering and surveying. Joye/Hodge/Approved.

Investigations – Steve Freshley, Chief Investigator, OIE

Investigative Review Committee Report – Steve Freshley

Mr. Freshley reported five active cases in OIE as of today. The oldest is 119 days old and the newest is 19 days old. Mr. Dinkins recused himself from voting in this matter.

Motion: To accept Investigative Report Committee Report except for Case 2010-5.
Joye/Amick/Approved.

Office of General Counsel – Liliann Gray

Ms. Gray reported that there might be one disciplinary hearing in September.

There being no further business, the meeting adjourned at 4:45 p.m. to be reconvened on July 20 for an Application Hearing and continuation of Board business.

Respectfully submitted

Missy D. Jones
Program Assistant