



**NORTH CAROLINA BOARD OF EXAMINERS  
FOR ENGINEERS AND SURVEYORS**

4601 Six Forks Rd Suite 310  
Raleigh, North Carolina 27609

April 27, 2016

Carl M. Ellington, Jr., PE  
Chair

Richard M. Benton, PLS  
Vice-Chair

Andrew G. Zoutewelle, PLS  
Secretary

Jonathan S. Care, Public

Nils W. Joyner, Jr., PLS

David L. Pond, PE

Teresa H. Ratcliff, PE, PhD

Stacey A. Smith, PE

Linda A. Thurman, Public

Andrew L. Ritter  
Executive Director

The Honorable Pat McCrory  
Governor of North Carolina  
20301 Mail Service Center  
Raleigh, North Carolina 27699-0301

Dear Governor McCrory:

Section 89C-12 of the General Statutes requires that the North Carolina Board of Examiners for Engineers and Surveyors report to you its transactions for the preceding year.

The summary report of transactions and activities for the Board Fiscal Year 2015 (December 1, 2014 – November 30, 2015) has been prepared and is enclosed for your information and review.

The audit is in the process of being prepared by Bernard Robinson & Company, LLP and will be sent under separate cover.

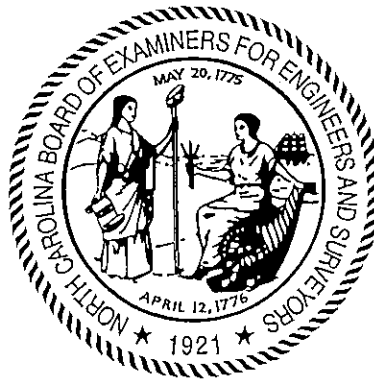
For the Board,

Andrew L. Ritter  
Executive Director

ALR/sd

CERTIFIED MAIL -- Return Receipt Requested

cc: Secretary of State Elaine F. Marshall  
Mr. Joseph Harrison Moore, Jr., Legislative Research Assistant



# **NORTH CAROLINA BOARD OF EXAMINERS FOR ENGINEERS AND SURVEYORS**

**2015 ANNUAL REPORT**

**TO**

**THE HONORABLE PAT McCRORY  
THE GOVERNOR OF NORTH CAROLINA**

## REPORT TO THE GOVERNOR

### Board Membership

The North Carolina Board of Examiners for Engineers and Surveyors is organized under the provisions of "*The North Carolina Engineering and Land Surveying Act*," Chapter 89C of the North Carolina General Statutes (G.S. 89C). Section 89C-4 provides that the Board shall have the duty of administering the provisions of G.S. 89C, and shall consist of four Professional Engineers, three Professional Land Surveyors, and two Public Members, appointed by the Governor of the State of North Carolina. Members of the Board serve for staggered 5-year terms, and no member may be appointed for more than two (2) full terms.

The current members of the Board and the dates of expiration of their terms of appointment are as follows:

#### Engineering Appointees:

David L. Pond	December 2018
Teresa H. Ratcliff, PhD	December 2015
Carl M. Ellington, Jr.	December 2016
Stacey A. Smith	December 2019

#### Land Surveying Appointees:

Nils W. Joyner, Jr.	December 2015
Richard M. (Mike) Benton	December 2017
Andrew (Andy) G. Zoutewelle	December 2018

#### Public Member Appointee:

Linda A. Thurman	December 2019
Jonathan S. Care	December 2018

### Board Meetings

By Statute, the Board is required to hold at least two regular meetings each year, and meetings at such other times as are required. The Board has found that, in order to conduct its business in a proper and timely manner, meetings are generally required each month of the year.

During Fiscal Year 2015 (December 1, 2014 through November 30, 2015), the Board held seven (7) meetings which were attended by Board members for the purpose of transacting the business of the Board, in accordance with an agenda prepared for each meeting. During each meeting, when required, the Engineering and Land Surveying Committees met separately to consider matters relating to engineering and land surveying, respectively. These matters include review of applications for licensure, review of examination results, and any other matters relating solely to the respective professions. Three board conference calls were conducted to approve consent agendas.

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The year 2015 was a very exciting year for the Board in several different and very distinct areas. The Board elected Nils Joyner PLS as Chair of the Board for a second term in his last year on the Board. Gary Pendleton who was appointed as a public member by Governor McCrory in 2014 resigned from the Board as he was appointed as a House Member of the North Carolina General Assembly. Stacey Smith was appointed by Governor McCrory as a PE member of the Board to replace Wily Stewart who did not seek reappointment. The Board also had several members active in National Council of Examiners for Engineer and Surveyors activities and committees. Mike Benton was appointed and served on the Future of Surveying Task Force. Terri Hemlinger Ratcliff was appointed and served on the NCEES Advisory Committee for Council Activities. Andy Zoutwelle was appointed to the NCEES Committee for Examinations for Professional Surveyors and Executive Director Andrew Ritter was appointed to the NCEES Future Reserves Task Force. Emeritus Board Member Gary Thompson was elected to the NCEES Board of Directors and is serving a two year position as NCEES Board Treasurer.

The Board was also involved in several General Assembly driven initiatives in 2015. The Board introduced its own legislation to amend Chapter 89C to allow PE exam applicants to “decouple”. This would allow a PE applicant to take the PE exam prior to having four years experience as is now required. The applicant would still have to have four years experience to become a licensed professional engineer but would be allowed to take the exam whenever they felt ready. The bill cleared the NC House with unanimous support and is waiting on the Senate to take it up. This change was put into the national model law two years prior. In addition, the Board was involved in several mandated studies. One with NC DENR to study inundation mapping and one with the NCGA PED that is looking at NC Occupational Licensing Boards.

The Board also completed the transition to computer based testing as the NCEES FE and FS exams are now only via computer based testing. FE and FS applicants no longer apply with the Board to be seated prior to taking those exams and instead make application for the EI and SI certifications after passing the NCEES exams. The Board continued with its outreach programs with the universities and professional societies to assist with this transition.

The Board and its staff members participated as program speakers for PENC, ACEC-NC, NCSS, ASHRAE, ASME, ASCE, NCSU, numerous technical colleges, and state and local agencies. The Board participated in the Annual and Southern Zone meetings of the National Council of Examiners for Engineers and Surveyors. The Board also attended meetings of the Council of Licensure for Enforcement and Regulation and the Federation of Associations of Regulatory Boards. The Board also continues its program of licensure promotion. Board staff and Board members gave license promotion seminars to students at NCSU, Duke University, UNC-Charlotte, North Carolina A&T and to numerous community college programs.

The Board continues to take an aggressive approach with respect to the enforcement of the provisions of G. S. 89C and its role in protecting the public. The Board's violation section increased its productivity in 2015 as the Board now employs four full-time investigators. The Board also continues its proactive and educational approach to enforcement activities. The Board staff has given presentations and programs on the Board laws and rules and enforcement activities to code officials, inspection officials, Register of Deeds, affiliated trade associations and licensees across North Carolina.

## Licensure

At the end of Fiscal Year 2015 (November 30, 2015), a total of 24,696 Professional Engineers, 2,598 Professional Land Surveyors and 3,722 Businesses were licensed with the Board.

### LICENSURE STATISTICS - FISCAL YEAR 2015

(December 1, 2014 - November 30, 2015)

#### APPLICATIONS

Engineering Applications.....	1,123
Surveying Applications.....	<u>35</u>
Total Applications.....	1,158

#### EXAMINATIONS

Engineering Exam II - Principles & Practice (8 hrs. written) .....	614
Surveying Exam II - Principles & Practice (6 hrs NCEES and/or 2 hrs State) .....	<u>51</u>
Total Examinations.....	665

#### LICENSURES

Professional Corporations.....	104
Limited Liability Companies.....	124
Business Firms.....	24
Chapter 87.....	15
Professional Engineers licensed by exam.....	356
Professional Engineers licensed by comity.....	793
Professional Land Surveyors licensed by exam.....	<u>50</u>
Total Licensed.....	1,466

#### DECEASED

Deceased.....	28
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### LICENSURE AS OF NOVEMBER 30, 2015

Professional Engineers.....	24,696
Professional Land Surveyors.....	2,598
Firms.....	3,722

# EXAMINATION RESULTS

Fiscal Year 2015 (December 1, 2014 - November 30, 2015)

	<u>Total</u>	<u>Passed</u>	<u>Failed</u>	<u>Percent Passed</u>
<u>Engineering Examination II -</u>				
<u>Principles &amp; Practice</u>				
Spring 2015	288	160	128	55.6%
Fall 2015	<u>326</u>	<u>197</u>	<u>129</u>	60.4%
Total Fiscal Year 2015	614	357	257	58.1%
<u>Surveying Examination II -</u>				
<u>Principles &amp; Practice (NCEES and/or State)</u>				
Jan. 2015 (State Only)	7	7	0	100%
Spring 2015	23	18	5	78.3%
July 2015 (State Only)	9	7	2	77.8%
Fall 2015	<u>12</u>	<u>5</u>	<u>7</u>	41.7%
Total Fiscal Year 2015	51	37	14	72.6%

## HISTORICAL DATA

(Past 10 Fiscal Years)

	<u>2006</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>
<b>APPLICATIONS</b>										
Engineer	1,764	1,998	2,163	2,105	2,004	2,096	2,153	2,106	1,343	1,123
Surveyor	<u>209</u>	<u>123</u>	<u>135</u>	<u>128</u>	<u>98</u>	<u>110</u>	<u>103</u>	<u>31</u>	<u>96</u>	<u>35</u>
Totals	1,973	2,121	2,298	2,233	2,102	2,206	2,256	2,137	1,439	1,158
<b>EXAMINATIONS</b>										
Engineer (Exam II)	1,859	1,839	1,823	1,961	1,798	1,839	1,877	1,851	631	614
Surveyor (Exam II)	<u>150</u>	<u>231</u>	<u>292</u>	<u>276</u>	<u>200</u>	<u>197</u>	<u>261</u>	<u>121</u>	<u>83</u>	<u>51</u>
Total	2,009	2,070	2,115	2,237	1,998	2,036	2,138	1,972	714	665
<b>LICENSURE</b>										
Exam -- Eng.	361	367	385	379	427	374	395	352	397	356
Exam -- LS	48	43	58	94	54	58	67	58	42	49
GIS -- LS	0	0	0	0	0	0	0	0	37	1
Comity -- Eng	<u>775</u>	<u>806</u>	<u>873</u>	<u>812</u>	<u>730</u>	<u>822</u>	<u>775</u>	<u>711</u>	<u>791</u>	<u>793</u>
Totals	1,184	1,216	1,316	1,285	1,211	1,254	1,237	1,121	1,267	1,199

## VIOLATIONS ACTIVITY FISCAL YEAR 2015

### I SUMMATION

During Fiscal Year 2015 Review Committees considered 104 alleged violations of Chapter 89C of the North Carolina General Statutes. All cases were investigated and processed through the Review Committees and recommendations as to the disposition of the cases were made to the full Board.

The violation case origins and dispositions for Fiscal Year 2015 were as follows:

#### Case Load - 2015

A. Cases carried over from 2014	75
B. New cases recorded in 2015	<u>113</u>
<b>Total case load for 2015</b>	<b>188</b>

#### Case Dispositions for 2015

A. Case load for 2015	188
B. Cases closed in 2015	88
Cases carried over to 2016	100

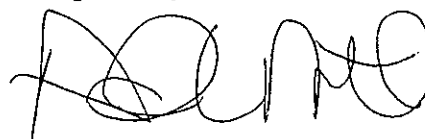
Disciplinary actions completed by the Board during the year resulted in:

Three (3) revocations of license; one (1) voluntary and permanent surrender of license; one (1) refusal to renew or reinstate license; one (1) suspension of license until the licensee complies with the CPC audit, reprimand, \$2500 civil penalty and future CPC audits; one (1) suspension of license until the licensee complies with the Order, \$2000 civil penalty and ethics course; one (1) reprimand, restriction of practice, \$5000 civil penalty and ethics course; one (1) reprimand, \$2000 civil penalty and future CPC audits; three (3) reprimands, \$2000 civil penalty and ethics course; one (1) reprimand and \$2000 civil penalty; one (1) reprimand, \$1000 civil penalty and ethics course; two (2) reprimands and \$1000 civil penalty; one (1) reprimand, \$500 civil penalty and ethics course; one (1) reprimand, \$500 civil penalty and future CPC audits; two (2) reprimands and restriction of practice; two (2) reprimands and ethics course; two (2) reprimands and future CPC audits; two (2) reprimands; fifteen (15) notices of non-compliance letters; and one (1) consent agreement.

## II VERIFICATION

A. Cases carried over from 2014 to Fiscal Year 2015	75
B. New cases recorded in Fiscal Year 2015	113
C. Total case load for Fiscal Year 2015	188
D. Cases closed during Fiscal Year 2015	88
E. Cases carried over from 2015 to Fiscal Year 2016	100
F. Disciplinary Actions during Fiscal Year 2015	42
G. Cases considered by Review Committees during Fiscal Year 2015	104

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'A. Ritter', with a stylized, cursive script.

Andrew L. Ritter  
Executive Director