



December 2017

Georgia Board of Professional Engineers & Land Surveyors

Board Matters

NOTE FROM THE CHAIRMAN

Ethics? *Do we need ethics – in Politics – in Engineering/Land Surveying – in Life?*

In Politics, well this is anyone’s guess. In Engineering/Land Surveying – I hope so, we all have Laws and Rules to follow and if not, we are subject to disciplinary actions. In Life – I hope you do, we should all strive to live an ethical life. Ethics is an interesting subject and it seems like most people have different answers to ethical questions. Several definitions of the word – Ethics;

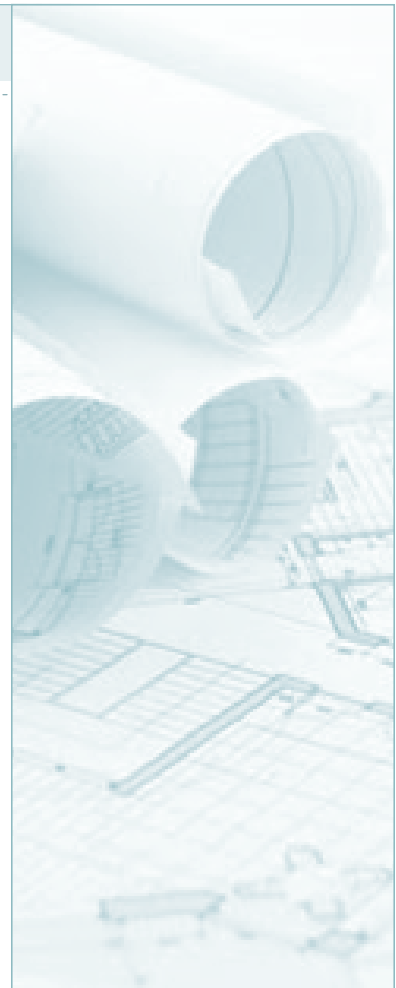


*William Womack, PE
Board Chair*

one is the “moral principles that govern a person’s behavior,” second is “moral principles that govern a person or groups behavior,” and the third is “rules of behavior based on ideas about what is morally good or bad.” Does this sound like something in your life, both personally and professionally?

This year I have given an Ethics talk to two Professional Groups. In doing my research for the presentation, I approached this subject on a slightly different slant than the normal ethics’ presentations that I have attended in the past. Mine is based on a review of the various Codes of Ethics from NSPE, NCEES, IEEE and the Laws and Rules of the State of Georgia for Professional Engineers and Land Surveyors. There are some important similarities between all the Ethics Codes and the Georgia Laws and Rules. Each have as one of its’ fundamental canons – **“the protection of the Health, Safety and Welfare of the Public”**. This typically appears at the very first of each of the Codes of Ethics and in our Laws and Rules. All the Codes for Engineers and Land Surveyors state that they conduct themselves honorably, responsibly, ethically and lawfully.

I came across an article in the September 5/12, 2016 edition of Engineering News Record by Mr. Jon A. Schmidt where he states, and I quote **“I advocate treating ethics as something that is integral to practice, not supple-**



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BOARD MEMBERS

- William Womack, PE, Board Chair
- Dan Davis, PE, Vice Chair
- Mark E. Chastain, LS
- Russ Pennington, PE
- Elmo A. Richardson, PE, LS
- Darien Sykes, PE
- Neil Wyche, PE
- Taylor P. Wright, PE
- Julianne Busbee, Consumer Member
- Darren Mickler, Executive Director



NOTE FROM THE CHAIRMAN (CONTINUED)

mental to it.” I believe this is a great statement that we all should strive to achieve in our practices and in life. In an article by Mr. Paul Kedrosky titled An Engineering Theory of the Volkswagen Scandal that was about the emissions scandal with the diesel engines and the computer codes that allowed the emission testing to pass, even though the engine did not actually pass. In this case, it was not just a couple of engineers who took it upon themselves to re-write the computer codes at one time, but many engineers who wrote a few lines of code each year for several years. So ethically did any one engineer do something wrong or was it a case where changes were made, a little at a time, until the engine finally failed? This led me to the Challenger Shuttle explosion in January of 1986. We all remember that day in 1986 (if you are old enough), what a sight on television to see the shuttle explode. Following the investigations, a Sociologist named Diane Vaughan talked about a term she called the “**normalization of deviance.**” This is a tendency to slowly and progressively create rationales that justify ever-riskier behaviors. In the case of the Challenger, each launch got away with a lower temperature launch (than the ratings of the “O” Rings) than the previous launch. The engineers justified this by saying the lower temperature was not sufficiently different from the last launch and therefore it was not a problem. Therefore, making

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STATS

Licenses Issued

October 2016 - August 2017

- Professional Engineer — 1,061
- Engineer Firm — 178
- Engineer In-Training — 297
- Land Surveyor — 19
- Land Surveyor Firm — 17
- Land Surveyor In-Training — 2

the deviant behavior acceptable. BUT it was not acceptable in January of 1986.

As Engineers and Land Surveyors, we all must make decisions based on our experience and technical training and we know not every decision is “black or white.” Some are gray. We, as professionals in our fields, must always strive to make decisions in both our professional and personal lives that are “right” and “ethical.” I like to say – look in the mirror every morning and you should like what you see, that is what you want in life.

BOARD LAW, RULES & POLICY

SEALING OF DOCUMENTS: A BRIEF REVIEW OF RULE 180-12

All Professional Engineers and Registered Land Surveyors in Georgia are guided and governed by Georgia Law, and the Board Rules and Board Policies, all of which are available on the Georgia Secretary of State website (<http://sos.ga.gov/index.php/licensing/plb/22>). For this newsletter, we have chosen to highlight and bring your attention to Board Rule 180-12 regarding the Sealing of Documents. While we urge all registrants to frequently review and refresh their memory of this Rule and others, following are some brief reminders of Rule 180-12:

- A registrant is required to seal and sign all original final documents which are issued to a client or public agency; for engineering documents, the date of the signature shall be placed immediately under the seal and signature. The sealing of documents by the registrant shall certify that the work was performed under the direct supervisory control of the registrant on a daily basis.

OUR BOARD



William Womack, PE
Board Chair
(Electrical)



Dan Davis, PE
Vice Chair
(Civil)



Mark E. Chastain, LS
(Survey)



Russ Pennington, PE
(Civil)



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Darien Sykes, PE
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Neil Wyche, PE
(Mechanical)



Taylor P. Wright, PE
(Civil)



Julianne Busbee
Consumer Member



Darren Mickler
Executive Director

BOARD LAW, RULES & POLICY (CONTINUED)

- No registrant shall issue an incomplete, preliminary, in-progress, or for review document unless the document displays the 1) date of issue, and 2) a notation in bold lettering, such as “PRELIMINARY,” “NOT FOR CONSTRUCTION,” “NOT FOR RECORDING PURPOSES,” or “FOR REVIEW ONLY.”
- Seals, signatures and dates shall be placed on original documents such that the seal, signature and date will be reproduced when copies are made.
- Documents containing more than one sheet shall be sealed, signed and dated on the first or title page by all registrants responsible for work therein. Each drawing sheet, whether bound or unbound, shall be sealed and signed by the registrant(s) responsible for the work on that sheet.
- Each document that is sealed and signed shall contain the name, address and contact information of the firm or sole practitioner certifying that work.
- Documents that are transmitted electronically beyond the direct control of the registrant shall have the computer generated seal removed from the original file unless it is signed with an electronic signature, authenticated as described in 180-12-.02 (9), or unless it is a scan or photocopy of an original document.

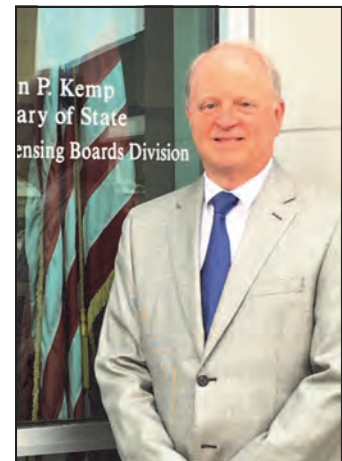
Again, all registrants are urged to frequently read and familiarize themselves with the Georgia Law, Board Rules and Board Policies governing the practice of Engineering and Land Surveying. Violations of Rule 180-12 are periodically filed with the Georgia PELS Board, followed by sanctions and fines issued to registrants by the Board.

MEMBER HIGHLIGHT

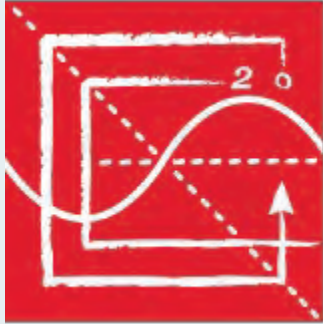
Neil Wyche has served on the Georgia PELS Board since 2014 and represents the Mechanical Engineering discipline.

Neil earned a degree in Chemical Engineering from the Georgia Institute of Technology (1976) and worked several years in the industrial sector. His consulting career includes Newcomb & Boyd in Atlanta and NBP Engineers in Macon. His experience with NBP Engineers spanned 32 years with engineering practice focused in the commercial, institutional, and higher education markets.

Neil resides in Macon, Georgia with his wife Robin, an elementary school educator. In the past, Neil served on the ACEC Board and is active in ASHRAE. Personal time includes sports activities and traveling with family. He is also the proud dad of two daughters who are both recent graduates of Georgia Tech!



Neil Wyche, PE



NCEES NEWS

The National Council of Examiners for Engineering and Surveying (NCEES) is comprised of 70 licensing boards, which include all states as well as the District of Columbia, Guam, the Northern Mariana Islands Puerto Rico, and the US Virgin Islands. NCEES is divided into four zones – Western, Central, Northeast and Southern – with Georgia included in the Southern zone. Typically, each zone holds two meetings a year including the annual meeting and a zone interim meeting. In April 2017, the Northeast and Southern zones held a combined interim meeting cohosted by the Virgin Islands and Delaware boards. The joint meeting was held in St. Thomas, US Virgin Islands, and the delegates from the Georgia Board were Darien Sykes, Dan Davis, and Taylor Wright.

The primary purpose of the meeting was to provide the opportunity for representatives from the individual licensing boards to hear reports from NCEES board, CEO, committees and task forces, and to collaborate with peers from other states. The leadership and committee reports also provide an opportunity for delegates to hear issues that will become motions at the annual meeting, ask questions and be able to report back to the Georgia board for further discussion. A time was allotted for delegates from each zone to provide individual board updates, which was an excellent opportunity to hear how other boards deal with the same issues that are seen in Georgia. In addition, elections were held for zone President and Vice President and a candidate for NCEES Treasurer was nominated.

Other notable topics from the interim meeting included:

“Decoupling” – Some states are allowing an applicant who has passed the FE exam to apply to take the PE exam prior to achieving the full experi-

ence requirements by “decoupling” the exam from the experience requirements. This movement is intended to encourage more engineering graduates to pursue licensing without reducing the requirements for licensing, since an applicant would not become fully licensed until the experience requirement is met. Decoupling is not currently being considered in Georgia, but has been an important issue since 2014 when NCEES model law was changed to allow states to decouple experience from timing of the exam.

Law Enforcement – Delegates from individual boards met to share thoughts and experiences with regards to law enforcement and disciplinary actions. Some boards who have dedicated investigators discussed how they are utilizing the internet and social media for proactive investigations. Another subject discussed was “piling on,” which refers to disciplinary actions taken against an individual for a violation that occurred in and was actioned by another board.

Impact of BIM on Licensure – The discussion centered around digital signatures, but also included a larger discussion about the future of our industry and how NCEES will adapt to digital changes.

2017 Annual Meeting – The NCEES Annual Meeting will be held on August 23 in Miami. The Georgia board was represented by William Womack, Neil Wyche, and Darren Mickler.



DATES OF INTEREST

Board Meeting	October 10
Board Meeting	December 12

Georgia Board of Professional Engineers & Land Surveyors

237 Coliseum Drive
Macon, Georgia 31217
Phone: 478.207.1450
www.sos.ga.gov/plb/pels



DISCIPLINARY ACTIONS (SEP 2016 – DEC 2017)

- **Kenneth Nutt** (PELS150042). Violation of a previous Consent Order. There were 14 violations from 2 surveys completed in 2014 regarding minimum technical standards. The Board voted to accept a Public Consent Order with a \$7,000.00 fine.
- **Anthony Paul Stanley** (PELS150046). Surveyor listed as in re-sponsible charge of a surveying company while employed full-time at another location. The Board voted to accept a Public Consent Order with a \$250.00 fine.
- **Giles Newton Branch** (PELS160018). Unlicensed practice. Respondent used a fraudulent stamp for a set of plans in GA with a SC Certificate of Authorization. The Board voted to accept a Cease and Desist Order.
- **Mike Cook** (PELS170010). Respondent operating a land surveying company without a license. The Board voted to accept a Cease and Desist Order.
- **Appalachian Surveying Company, Inc., William F. Rolader** (PELS170041). Misconduct in NC. Respondent failed to provide adequate tie and failed to accurately locate easements as well as improvements where crossing or forming a boundary. The Board voted to accept a Consent Order.
- **Alan E. Money** (PELS170060). Resulted from self-reporting Consent Order in AZ. Respondent failed to apply sufficient technical knowledge and skill to a set of stamped engineering plans. The Board voted to accept a Consent Order.
- **James R. McDougald** (PELS150023, PELS170034, PELS170035, PELS170069, PELS, 180017) Voluntary Surrender of License
- **Property Enterprises** (PELS170031) Respondent was offering land surveying services without being licensed. The Board voted to accept a Cease and Desist order.

HOUSEKEEPING

NOTES FROM THE EXECUTIVE DIRECTOR

Please join me in welcoming Ashley Foust to the team as Licensing Analyst. Ashley worked for the Secretary of State's Professional Licensing Board Division for two years, most recently as supervisor in the Call Center.

The PE exam and the SE Vertical will be given on October 27 and the SE Lateral exam will be given on October 28. Remember the Fundamentals of Engineering exam, the Fundamentals of Surveying exam, the PE Chemical exam and the PS exam are administered year round via computer based testing at approved Pearson VUE test centers. Learn more about exams at www.ncees.org.

Each registrant is responsible for informing the Board within 30 days of a change in his/her address. Address changes require the registrant's full name, license type and number, old address, new address, social security number, date of birth, and office telephone number. You may change your address using the online feature at <https://secure.sos.state.ga.us/mylicense>. Changes may also be faxed to 866-888-9718 or submitted in writing to the Georgia Board of Professional Engineers and Land Surveyors, 237 Coliseum Drive, Macon, GA 31217. It is incumbent for all registrants to maintain current mailing and email addresses with the Board in order to receive renewal notices and information of changes to regulations pertaining to the practice of engineering and land surveying. A new address on letterhead or envelope is not construed as a request to change an address.

Do you have questions about digital signatures? See the August 2017 issue of NCEES Licensure Exchange at <http://ncees.org/august-2017-licensure-exchange/>.