



# APELSCIDLA Board Welcomes New Board Members



**John L. Combs**

Mr. Combs has been a professional engineer in Virginia since 1973. He received his BS in 1967 from the U. S. Military Academy at West Point and his ME Civil Engineering from the University of Virginia in 1973. Since 1979 when he co-founded Resource International, Ltd., he has provided professional engineering services throughout the United States. He is a past Chair of the Hanover County Planning Commission and currently serves on the Board of the Bell Creek (Hanover County) Community Development Authority. He also is a member of several business, community and professional organizations.



**Paul deC. Holt, Jr.**

Mr. Holt has been in the engineering and surveying field for 44 years. He obtained his Virginia Land Surveyor license in 1993 and his Land Surveyor B in 1998, he is also licensed in North Carolina. His work experience includes MMM Design Group from 1966 to 1986 as an engineering designer, Hayes Seay Mattern and Mattern from 1986 to 1997 as an engineering designer and licensed Land Surveyor, and Patton Harris Rust & Associates 1997 to the present. He is the former Survey Director in the Norfolk Office of Patton Harris Rust & Associates and is currently a Senior Project Manager. Mr. Holt is a member of the Virginia Association of Surveyors, North Carolina Surveyors Society and the Society of American Military Engineers.

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# Guidance Document Regarding Topographic Surveys

## Approved by the Board

At its meeting on March 22, 2011, the Board approved the publication of a guidance document regarding the use of topographic surveys in Virginia. It explains the application of the relevant statutes and regulations regarding topographic surveys. The document explains the requirements for signing the survey statement, clarifies the standard by which surveys must be done, and emphasizes professionals' requirement to use only regulated topographic surveys. The guidance document can also be found on our website and on the TownHall website.

[www.dpor.virginia.gov](http://www.dpor.virginia.gov)

[www.townhall.virginia.gov](http://www.townhall.virginia.gov)

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## Guidance Document

To: Regulants & Other Members of the Public

From: Virginia Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers, and Landscape Architects (APELSCIDLA Board)

Re: Requirements for Topographic Surveys in Virginia

### Purpose

The purpose of this document is to clarify 18VAC10-20-382.B.11 of the Board's regulations, performance standards for conducting topographic surveys, and the use of unregulated topographic surveys.

### Statement Requirement for Surveys

Currently, Board regulations require that a certification statement be included with all topographic surveys:

#### 18VAC10-20-382.B.11

"A statement, in the following form, shall be shown on or contained in plats, maps, or digital geospatial data including metadata:

This \_\_\_\_\_ (provide description of the project) was completed under the direct and responsible charge of, \_\_\_\_\_ (Name of Surveyor or Surveyor Photogrammetrist) from an actual  Ground or  Airborne (check the one that is applicable) survey made under my supervision; that the

imagery and/or original data was obtained on \_\_\_\_\_ (Date); and that this plat, map, or digital geospatial data including metadata meets minimum accuracy standards unless otherwise noted."

The statement indicates that the "Name of Surveyor or Surveyor Photogrammetrist" is required. The individuals authorized to perform topographic surveys are land surveyors and surveyor photogrammetrists licensed pursuant to 54.1-400 (et seq.) of the *Code of Virginia*. However, licensed architects and professional engineers are also authorized by Virginia statute to perform topographic surveys provided the survey is incidental to the architectural or engineering project, respectively:

#### § 54.1-401. Exemptions.

"The following shall be exempted from the provisions [surveyor license] of this chapter:

1. Practice of professional engineering and land surveying by a licensed architect when such practice is incidental to what may be properly considered an architectural undertaking.
2. Practice of architecture and land surveying by a licensed professional engineer when such practice is incidental to an engineering project."

It is the intent of the Board's regulations that the statement required by 18VAC10-20-382.B.11 of the Board's regulations be signed by whichever professional completed the survey- surveyor, surveyor photogrammetrist, architect, or professional engineer.

### Survey Performance Standard

Board regulations also require that any licensed professional, authorized to perform a survey, must perform the survey to the standards contained in 18VAC10-20-382 of the Board's regulations:

#### 18VAC10-20-730.C

"The professional shall adhere to the minimum standards and requirements pertaining to the practice of his own profession, as well as other professions if incidental work is performed."



## Guidance Document Continued

When a licensed surveyor or surveyor photogrammetrist performs a topographic survey, or if an architect or professional engineer performs a topographic survey incidental to an architectural or engineering project, respectively, he must seal, sign, and date the survey per Board regulations:

### **18VAC10-20-382.A**

“The minimum standards and procedures set forth in this section are to be used for topographic surveys performed in the Commonwealth of Virginia pursuant to Chapter 4 (§ 54.1-400 et seq.) of Title 54.1 of the Code of Virginia. The application of the professional's seal, signature and date as required by these regulations shall be evidence that the topographic survey is correct to the best of the professional's knowledge and belief, and complies with the minimum standards and procedures.”

Board regulations also require a seal, signature, and date even in situations where a license is not required:

### **18VAC10-20-760.B.4**

“The seal of each professional responsible for each profession shall be used and shall be on each document that was prepared under the professional's direction and for which that professional is responsible. If one of the exemptions found in § 54.1-402 of the Code of Virginia is applicable, a professional licensed or certified by this board shall nevertheless apply his seal to the exempt work.”

### **Use of Unregulated Topographic Surveys**

The *Code of Virginia* requires that a topographic survey be performed by a professional who is duly licensed by the Board. Topographic surveys used in the design, modification, construction of improvements to real property, or for flood plain determination must be sealed, signed, and dated by the licensed professional who performed the survey or directly supervised the person who performed the survey. A topographic survey that is not sealed, signed, and dated by a professional must only be used for general information pursuant to Virginia statute:

§ 54.1-402.C Further exemptions from license requirements for architects, professional engineers, and land surveyors.

(third paragraph) “Any person not licensed pursuant to subsection B of § 54.1-404 or 54.1-406 preparing documentation pursuant to subsection C of § 54.1-402 shall note the following on such documentation: “Any determination of topography or contours, or any depiction of physical improvements, property lines or boundaries is for general information only and shall not be used for the design, modification, or construction of improvements to real property or for flood plain determination.”

### **Summary**

The excerpts from Virginia statutes and Board regulations are provided above for your convenience to help you locate the text from the administrative and positive law that establishes the Board's authority. To conclude the information above, the following summaries of this document are provided:

1. Although the Board's regulations indicate that the survey statement requires the “Name of Surveyor or Surveyor Photogrammetrist”, the architect or engineer who performed the survey, or directly supervised the individual who performed the survey, must place his name on the statement required by the regulations.
2. Surveys must be performed to the standards established in the Board's regulations whether the survey is performed by a licensed surveyor, surveyor photogrammetrist, architect, or professional engineer as indicated in this document. All surveys, regardless of whether exempt from statutory licensure requirements, must be sealed, signed, and dated by the professional who performed the survey or directly supervised the individual who performed the survey.
3. Any professional licensed by the Board, who utilizes a topographic survey to perform professional work, must ensure that the survey is sealed, signed, and dated properly as indicated above. Professionals whose work includes the use of unregulated (unsealed, unsigned, and undated) topographic surveys are in violation of the Board's regulations.



## NCIDQ Launches Free Online Continuing Education Registry for Active Certificate Holders

The National Council for Interior Design Qualification, Inc. (NCIDQ) has just launched a new online continuing education registry service for active Certificate holders. The online registry is tied to a Certificate holder's MyNCIDQ account and is available at no additional cost.

Available now, the new registry replaces the 15-year old paper-based continuing education registry, which requires participants to mail in forms and pay \$12 to add each class they take into their registry. The paper-based system will be available to anyone until June 30, 2011. After that date, NCIDQ will no longer add any items to the registry, but the transcripts will still be available until June 30, 2012.

NCIDQ developed this online service as a benefit for active Certificate holders, who have long requested that NCIDQ provide them with a convenient and affordable way to track their continuing education. The online system provides the Certificate holder the flexibility to enter their courses upon completion and view and print their updated registry instantly. Certificate holders enter the course name, date, presenter and amount of credit. They will also provide information on the course content and identify the domain, such as health & safety, welfare, general knowledge, etc.

"NCIDQ is committed to providing our Certificate holders with resources they can use immediately," says NCIDQ Executive Director Jeffrey F. Kenney. "Our new online registry gives our active Certificate holders control of their continuing education information. Now, they no longer have to wait for a course to be posted to their account or pay a per-course fee. This registry provides 24/7 access at no cost to the user. We believe this new benefit adds an additional level of value to the NCIDQ credential."

Active Certificate holders who wish to use the new online registry can start adding courses right away by signing in to their MyNCIDQ account and clicking on the appropriate link under "Continuing Education Registry" on the left side. Certificate holders who are inactive (meaning they have not paid the annual renewal fee) can take advantage of this benefit by reinstating their Certificate to active status through their MyNCIDQ account.

*Reprinted from NCIDQ News Release March 2011*

### APELSCIDLA Regulant Counts as of March 1, 2011

Architects	6,909
Professional Engineers	26,068
Land Surveyors	1,606
Interior Designers	483
Landscape Architects	816
APELSCIDLA Businesses	3,343



## NCIDQ Introduces Amnesty Program for Certificate Holders; New Benefits at Substantially Lower Fee

The National Council for Interior Design Qualification, Inc. (NCIDQ) has just announced an amnesty program for NCIDQ Certificate holders whose Certificate status is inactive. Individuals may reinstate their Certificate status for a flat fee of \$90 through the end of this year.

Before the amnesty program was enacted on March 7, inactive Certificate holders who wished to reinstate their active status would have been charged a \$45 annual fee, a reinstatement fee, plus an additional \$45 for each year they were inactive up to a \$260 cap. The \$90 amnesty fee represents considerable savings.

NCIDQ's Certificate renewal program began in 1987 as an optional program for Certificate holders. Those who elect to support NCIDQ through Certificate renewal receive additional benefits such as newsletters and the option to participate on committees. Each year, participants in the renewal program complete their renewal and payment online through their personal MyNCIDQ account, accessed through NCIDQ's Web site. The 2011 renewal fee is \$45.

"The amnesty program provides a way for those who have not participated in the last few years or who became Certificate holders before this program was instituted to regain their active status at a nominal price," explains NCIDQ President Patty Blaser. "Keeping your Certificate in an active status remains completely optional, but we hope that offering this limited-time amnesty will provide a new layer of professional benefits but reduce some of the financial burden in a challenging economy."

One of the newest reasons to maintain an active Certificate is the online continuing education registry that is now free through MyNCIDQ. The online system provides the Certificate holder the flexibility to enter their courses upon completion and view and print their updated transcript instantly. Now, Certificate holders no longer have to wait for a course to be posted to their account or pay a per-course fee.

Certificate holders wishing to take advantage of the amnesty program can reinstate their Certificate by visiting [www.ncidq.org](http://www.ncidq.org) and clicking on the "Sign in to MyNCIDQ" link at the top of the page. Every Certificate holder already has an account; please do not create a new account. If you don't know your user name or password or are unsure how to access your account, please contact our Customer Service Team at (202) 721-0220 from 9 a.m. to 5 p.m. ET Monday through Friday.

*Reprinted from NCIDQ News Release March 2011*

**2011**

**National Engineers Week**

*February 20-26*

**National Surveying Week**

*March 20-26*

**National Architecture Week**

*April 11-17*

**Landscape Architecture Month**

*April*



## NCARB Appoints Michael J. Armstrong

### New CEO

The National Council of Architectural Registration Boards (NCARB) has selected Michael Armstrong, currently a senior vice president at the International Code Council (ICC), as its next chief executive officer, effective June 2011. Armstrong has spent over two decades in executive roles in nonprofit, government, and for-profit organizations. During his four years at ICC, Armstrong's leadership has included oversight of their testing and certification programs, along with the administration of various activities ranging from communications and marketing to membership, chapter relations, and continuing education.

"The Search Committee was immediately impressed with the breadth of Mike's experience in a variety of settings, his adaptability to different audiences, and the ease and confidence in which he presented himself," said NCARB President/Chair of the Board Kenneth J. Naylor, AIA, NCARB, LEED AP. "He's a personable, engaging professional with excellent executive credentials to take NCARB to the next level."

The CEO position of NCARB is the primary executive staff position, reporting directly to the Board of Directors. In it Armstrong will have overall responsibility for leadership and management of the organization, in partnership with the president and the Board.

Throughout Armstrong's career he has had ongoing interaction with the architect community. He has worked as a city attorney supporting planning and land use issues, headed national programs to promote disaster risk reduction, and held senior staff positions at the ICC where he partnered with architects to develop codes.

First Vice President/President-Elect, and Search Committee Chair Scott C. Veazey, AIA, NCARB, adds, "Mike brings a diverse set of credentials and skills that will significantly benefit the Council. He will partner with the Board, staff, and Member Boards as we move forward with the implementation of our strategic plan. He's not an architect, but that perspective is very well represented within our staff and volunteers. His unique strengths speak to the needs of the Council at this time."

"I have spent most of my career dedicated to the various aspects of building safety, including working with the architect community," Armstrong said. "I'm committed to building upon NCARB's strong reputation for integrity, precision, and commitment to building safety. Working with NCARB's staff, Board, Member Boards, and customers we can move smartly into the next chapter of this vital organization."

Armstrong's credentials also include political party and campaign management along with training in conflict resolution. He has been a volunteer in historic preservation efforts in

Washington, DC, and taught as an adjunct professor at The George Washington University.

Armstrong received a Bachelor of Science in Journalism and Bachelor of Arts in English from the University of Colorado at Boulder, and Juris Doctorate from the Pepperdine University School of Law in Malibu, CA. He is licensed to practice law in Colorado and before the U.S. Supreme Court, and serves on the Board of the Association of State Floodplain Managers Foundation. Armstrong has authored a number of articles for professional journals, participated in interviews with national and local media, and appeared as a keynote speaker or panelist for various national conferences and forums along with testifying before committees of the U.S. Congress.

*Reprinted from NCARB Press Release March 29, 2011*

## RESOURCE CORNER

NATIONAL COUNCIL OF  
EXAMINERS FOR ENGINEERING AND  
SURVEYING  
[WWW.NCEES.ORG](http://WWW.NCEES.ORG)

NATIONAL COUNCIL OF  
ARCHITECTURAL REGISTRATION BOARDS  
[WWW.NCARB.ORG](http://WWW.NCARB.ORG)

NATIONAL COUNCIL OF INTERIOR  
DESIGN QUALIFICATION  
[WWW.NCIDQ.ORG](http://WWW.NCIDQ.ORG)

COUNCIL OF LANDSCAPE  
ARCHITECTS REGISTRATION BOARDS  
[WWW.CLARB.ORG](http://WWW.CLARB.ORG)

FOLLOW THESE  
ORGANIZATIONS ON  
FACEBOOK AND  
TWITTER





# Disciplinary Actions

The following is a summary of actions taken against regulants by the APELSCIDLA Board. Although every effort is made to ensure that the information is correct, before making any specific decisions based upon this information, you should check with the Board of office to ensure accuracy.

## ARCHITECTS

### FILE NUMBER 2010-01087, Richard Morris

**VIOLATION**— Mr. Morris failed to sign pages of drawing which contained solely his work; failed to include his name, address and project name on the drawings; and failed to ensure all regulated disciplines affixed a seal, original signatures and date.

**BOARD ACTION**—Final Opinion and Order imposing \$550.00 in fines .

**REGULATION VIOLATED**—18VAC10-20-760.B.1; 18VAC10-20-760.B.2 and 18VAC10-20-760.B.4.

**EFFECTIVE DATE**—February 7, 2011

## LAND SURVEYORS

### FILE NUMBER 2010-03145, J.E. Sears, Jr.

**VIOLATION**— Mr. Sears failed to date two final house location surveys.

**BOARD ACTION**— Consent order imposing \$750.00 in fines and board costs.

**REGULATION VIOLATED**— 18VAC10-20-380.C.17.

**EFFECTIVE DATE**—March 22, 2011

### FILE NUMBER 2010-05686, George E. Walters

**VIOLATION**— Mr. Walters prepared a plat of survey in August 2009 and then a corrective plat in December 2009. The seal on the August plat did not conform to the Boards regulations; incorrectly delineated property boundary; failed to contain indication as to where boundary was in relation to the traverse line ;and failed to show correct owner of record at time of

survey. Mr. Walters failed to seal the corrective December plat and failed to show correct owner of record at time of survey. Both the August and December surveys failed to show distance to the nearest intersection; worksheets did not show closure calculations; and there was a failure to conduct proper search of land records or utilize available data from other known sources to aid in the establishment of the correct boundaries

**BOARD ACTION**— Consent Order imposing \$3,050.00 in fines and board costs.

**REGULATIONS VIOLATED**—18VAC10-20-760.B.6; 18VAC10-20-370.B; 18VAC10-20-370.C.3; 18VAC10-20-370.D.1; 18VAC10-20-370.D.2.b; 18VAC10-20-370.D.2.c; 18VAC10-20-370.D.2.e; 18VAC10-20-370.D.2.f AND 18vac10-20-370.d.2.J.

**EFFECTIVE DATE**—March 22, 2011

## PROFESSIONAL ENGINEERS

### FILE NUMBER 2011-01593, David M. Hesterlee

**VIOLATION**— Mr. Hesterlee failed to notify the Board within 30 days that he received disciplinary action in another jurisdiction.

**BOARD ACTION**— Consent Order imposing \$300.00 in fines and board costs.

**REGULATION VIOLATED**— 18VAC10-20-750.C

**EFFECTIVE DATE**—March 22, 2011

### FILE NUMBER 2011-02462, Richard W. McCoy

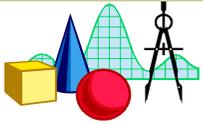
**VIOLATION**— Mr. McCoy failed to notify the Board within 30 days that he received disciplinary action in another jurisdiction.

**BOARD ACTION**— Consent Order imposing \$450.00 in fines and board costs.

**REGULATIONS VIOLATED**— 18VAC10-20-750.B and 18VAC10-20-750.C.

**EFFECTIVE DATE**— March 22, 2011

*Disciplinary Action Continued Page 8*



## NCEES Chooses Pearson VUE for FE, FS Exam Delivery

NCEES has selected electronic testing company Pearson VUE for computer-based delivery of the Fundamentals of Engineering and Fundamentals of Surveying exams. The NCEES Board of Directors voted to approve the electronic testing company at its February 18–19 meeting.

The first CBT exams will likely be released in mid-2013 and delivered through Pearson VUE's owned-and-operated network of Pearson Professional Centers and other select locations as determined by NCEES.

The FE and FS exams are the first step in the process of becoming a licensed professional engineer or professional surveyor. More than 50,000 examinees currently take these exams each year.

The state licensing boards that compose NCEES voted in August 2010 to begin administering the two exams via computer-based testing at the earliest feasible date. The decision followed a prolonged study by a special task force convened to research the issue.

"We've been interested in CBT for a long time but knew that to transition such a large program successfully, we had to choose the right partner," said Jerry Carter, executive director of NCEES. "Pearson VUE has taken a very collaborative approach to the process—asking questions to make sure they are addressing our unique needs and guiding us through the process so we can maximize the security, test development, and candidate service benefits that will be possible as a result of this transition.

"There is much work to be done, but we're both committed to an end product that will not only add new layers of security to protect the licensure process and the public it serves, but will also offer greater candidate convenience and provide more uniformity in testing conditions," Carter added.

Pearson VUE is a global leader in computer-based testing, with the world's most comprehensive and secure network of testing centers across 165 countries. It provides testing services for academic, government, and professional testing programs, including licensure exams for the National Council of State Boards of Nursing and the National Association of Boards of Pharmacy, as well as the Graduate

Management Admissions Test (GMAT). Pearson VUE is part of Pearson plc, the largest commercial testing company and education publisher in the world.

"In engineering and surveying, precision is key. NCEES exam candidates value accuracy and efficiency, so we're honored that NCEES has placed its trust in Pearson VUE to deliver on that expectation," said Robert Whelan, president and CEO of Pearson VUE. "We're committed to exceeding their requirements and validating that they made the right decision in choosing Pearson VUE for CBT."

*Reprinted from NCEES Press Release February 28, 2011*

**Visit the Town Hall website for up-to-date  
information on regulatory actions, board  
meetings and much, much more.**

<http://www.townhall.virginia.gov>



### **Disciplinary Actions cont.**

**FILE NUMBER 2011-01663, John Franklin Germ**

**VIOLATION**— Mr. Germ failed to notify the Board within 30 days that he and his firm received a reprimand and monetary penalty in another jurisdiction.

**BOARD ACTION**— Consent Order imposing \$150.00 in board costs.

**REGULATIONS VIOLATED**— 18VAC10-20-750.B and 18VAC10-20-750.C

**EFFECTIVE DATE**— March 22, 2011

# 2011 Calendar of Meetings

May	4 Landscape Architect Section	Aug	4 Landscape Architect Section
	5 Interior Designers Section		10 Land Surveyor Section
	11 Professional Engineers Section	Sept	28 APELSCIDLA Board Meeting
	12 Land Surveyor Section	Oct	26 Landscape Architect Section
	17 Architect Section		27 Architect Section
June	16 APELSCIDLA Board Meeting	Nov	8 Professional Engineers Section
July	27 Architect Section		9 Land Surveyor Section
Aug	1 Professional Engineers Section		16 Interior Designers Section
	3 Interior Designers Section	Dec	15 APELSCIDLA Board Meeting

## APELSCIDLA Board Members

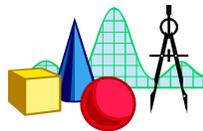
<u>Architects</u>	<u>Prof. Engineers</u>	<u>Land Surveyors</u>	<u>Landscape Architects</u>	<u>Interior Designers</u>
James R. Boyd	John L. Combs	Paul deC. Holt, Jr.	Vaughn B. Rinner**	Lorri B. Finn
J. Everette Fauber III*	Nico De León	Nancy McIntyre	Andrew M. Scherzer	Cameron C. Stiles
Michael F. LeMay	Wiley V. Johnson III	W.R. Stephenson, Jr.		

\* Chair \*\* Vice-Chair

## Board Staff

Kate Nosbisch—Executive Director  
 Justin Garofalo—Board Administrator  
 Ramona Norris—Licensing Specialist  
 Tonia Burrell—Licensing Specialist  
 Patty Cordero—Licensing Specialist

Marian Brooks—Board Administrator  
 Amy Goobic—Administrative Assistant  
 Joan Leonard—Licensing Specialist  
 Toni Spencer—Licensing Specialist



All Regulators ● Architects ● Professional Engineers ● Land Surveyors ● Landscape Architects ● Interior Designers