

General Session Minutes
State Board of Registration for Professional Engineers
March 21, 2017

The West Virginia State Board of Registration for Professional Engineers met at their office in Charleston on Tuesday, March 21, 2017. Those present for all or part of the meeting were:

Edward L. Robinson	President
Bhajan S. Saluja	Vice-President
Garth E. Thomas	Secretary
Larry Nottingham	Member
L.A. Gates	Member
Lesley L. Rosier-Tabor	Executive Director
Aaron M. Armstrong	Board Investigator
Debra L. Hamilton	Legal Counsel

The meeting was called to order at 9:05am. Mr. Gates participated via teleconference.

The Board meeting minutes for January 25, 2017 were reviewed. A motion to approve the minutes was made by Dr. Nottingham, seconded by Mr. Saluja. Motion carried.

The Board budget summaries for January and February 2017 were received and reviewed, and the Board reviewed all PCard transactions for the same period. Ms. Rosier reviewed the ending balance as of February for the last three years and explained that this year's balance is the highest due to the increased revenue from the COA questionnaire project and because of the unique transition to the two-year renewal cycle. Ms. Rosier presented the addendum to renew the office lease and reported that the terms and conditions remain unchanged. Upon a motion by Mr. Saluja with a second by Mr. Thomas, the Board voted unanimously to renew the lease for five (5) years.

A motion to approve the budget, current expenditures, and purchasing card transactions was made by Mr. Thomas, seconded by Dr. Nottingham. Motion carried.

Ms. Rosier presented the Executive Director's report and addressed all Board questions and comments:

- For the April 2017 PE exam, there were 61 applications received and 58 registered with NCEES, 2 did not register with NCEES, and 1 applicant will take the Petroleum PE exam offered only in October.
- Mr. Saluja asked if the Board would still receive PE exam results once the PE exam moves to computer-based testing. Ms. Rosier assured him she would still have access to all exam information for WV candidates and that it would be very similar to her pulling FE CBT exam information from the NCEES website.

- Ms. Rosier discussed her recent continuing education presentation at the Huntington Engineers Club and the upcoming Board seminar and participation at the WV EXPO.
- Concerning the cloud-based licensing system and ongoing database upgrade project, Ms. Rosier reported the redundant local database back-up system is in place, implementation and acceptance is complete, and the project is ready to move into the maintenance phase. She has been working with both the vendor and the WV Purchasing Division to request a final contract extension so final payment can be made and the maintenance phase can begin.

A motion was made by Mr. Thomas, seconded by Mr. Saluja, to approve attendance and travel for Board members, staff and counsel to the activities as discussed and outlined in the Executive Director's report and the updated 2017 calendar. Motion carried.

Mr. Saluja made a motion to enter into Executive Session at 9:25am, seconded by Dr. Nottingham. Motion carried.

The Board President reported the details of the settlement and resolution of the following complaint, which was resolved via consent order: C2017-08. The consent order will be posted on the Board's website within a reasonable time.

These minutes reflect that, due to Mr. Gates recusal and Ms. Rosier's non-involvement in anything substantive related to C2017-16, C2017-17, C2017-18 and the related investigation, Mr. Gates' terminated his telephone connection and Ms. Rosier absented herself from the Board room during all discussion of these matters.

The Board recessed the Executive Session at 12:00pm for lunch and resumed in Executive Session at 12:55pm.

At the conclusion of the Executive Session, Dr. Nottingham moved to enter into General Session at 1:40pm. Seconded by Mr. Saluja, the motion carried, and the Board took the following action:

- Mr. Saluja made a motion, seconded by Dr. Nottingham, to dismiss related complaints C2017-12 and C2017-13. Motion carried.
- Mr. Thomas made a motion, seconded by Mr. Saluja, to provisionally dismiss C2017-14, contingent upon the firm, prior to the next meeting, qualifying for and obtaining the required COA. Motion carried.
- Mr. Saluja made a motion, seconded by Mr. Thomas, to move I2017-20 to complaint. Motion carried.
- Mr. Saluja made a motion, seconded by Mr. Gates, to move I2017-21 to complaint. Motion carried.
- Mr. Thomas made a motion, seconded by Mr. Saluja, to move I2017-22 to complaint. Motion carried.

Based on a motion by Dr. Nottingham, seconded by Mr. Saluja, the Board approved the following special case files:

- Alex Barker, Harry Cooke Jr., and Ronald Mayville

Mr. Saluja provided a report on his trip to the NCEES Board President's Assembly (BPA) in Atlanta, GA and noted that much of the discussion was centered on the PE exams moving towards CBT, as well as the new E3 Customer Management System which houses examinee registration, records, credential evaluations, exam verifications, CPC registry and the Enforcement Exchange.

The Board reviewed the upcoming NCEES NE Zone meeting summary and agenda.

The Board reviewed the revised NCEES Zone Meeting and Continuity Guidelines based on action taken by the Council at the 2016 Annual meeting which terminated the NCEES Nominations Committee as a standing committee. Ms. Rosier reported that this change and various other modifications to reflect current practice will be presented and voted upon at the upcoming Zone meeting.

The Board reviewed and discussed numerous NCEES leadership endorsement position requests received since the last meeting. These nominees will be presented for official nomination / election at both the upcoming NCEES Zone and Annual Meetings.

Ms. Rosier reported on the proposed NCEES Bylaw changes currently being considered, noting the Special Committee on Bylaws will propose these changes as motions at the 2017 Annual Meeting in August.

The Board discussed the NCEES issue of "decoupling" the experience and exam requirements currently in existence for the PE exam. Based on a motion by Mr. Thomas, seconded by Dr. Nottingham, the Board approved the concept of "decoupling" the experience and exam requirements in West Virginia and directed Board staff to begin to prepare the necessary paperwork for their review with possible submission to the legislature for consideration as early as 2018.

Ms. Rosier discussed the upcoming April 2017 PE exam administration and informed all Board members that they may serve as an official Board observer at this or any future PE exam administration if interested.

Ms. Rosier reported on the agency response to Senator Blair concerning his question about Board legal fees.

Counsel provided the Board an update on the legislative issues she was following at staff's request, including the status of bills of interest to licensing boards.

Ms. Rosier discussed the staff's progress on the renewal audit as well as the outcome of the Lapsed/Invalidation letters sent to all PEs and COAs. A total of 335 PE licenses turned to lapsed status as a result of not renewing and 127 COAs received invalidation pending

letters. Renewal audit letters were sent to 524 PEs, and Mr. Armstrong reported that 73% of the PEs have responded to the audit thus far.

The Board reviewed the agency's Corrective Action plan submitted to the WV Purchasing Division based on the inspection results reviewed at the January 2017 Board meeting.

Ms. Rosier presented the draft power point presentation for the Board's upcoming continuing education seminar at EXPO, including the order of speakers.

At the request of the Governor's office, and in accordance with WV Code §4-8-1, the Board directed the Executive Director to submit 3 names for the Governor's appointment of a professional engineer to the Capitol Building Commission.

The Board reviewed the upcoming calendar of events. At the request of Mr. Thomas, the Board directed Ms. Rosier to change the fall Board meeting dates from Tuesdays to Wednesdays to accommodate Mr. Thomas's fall teaching schedule and to make the appropriate changes to the required online meeting notices with the WV Secretary of State's office.

Upon motion by Dr. Nottingham, seconded by Mr. Gates, the Board voted to adjourn the meeting. The next Board meeting will be May 15, 2017 in Charleston. The Board members will be compensated one day per diem plus travel expenses.

Edward L. Robinson, P.E.
Board President

Garth E. Thomas, P.E.
Board Secretary