

General Session Minutes
State Board of Registration for Professional Engineers
January 25, 2017

The West Virginia State Board of Registration for Professional Engineers met at their office in Charleston on Wednesday, January 25, 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. President Robinson introduced and welcomed new board member Dr. Larry Nottingham.

The Board meeting minutes for November 2, 2016 were reviewed. A motion to approve the minutes was made by Mr. Saluja, seconded by Mr. Thomas. Motion carried, with Mr. Nottingham abstaining.

The Board budget summaries for October, November, and December 2016 were received and reviewed and the Board reviewed all PCard transactions for the same period. Ms. Rosier explained that the current agency account balance was at its highest due to the recent collection of license renewal fees and that within the next 1-2 years the balance would level out now that the biennial renewal transition is complete. Ms. Rosier addressed all Board member questions and shared the updated purchasing card (PCard) internal controls and policies and procedures. Ms. Rosier informed the Board that the agency PCard cannot currently be used for travel expenses until the state auditor's office transitions our agency to PCard travel implementation by the E-Travel unit in the PCard Division.

A motion to approve the budget, current expenditures, the updated PCard internal controls, and purchasing card transactions was made by Mr. Gates, seconded by Dr. Nottingham. Motion carried.

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

- Ms. Rosier reported a 63.6% pass rate for the October 2016 PE exam.
- Ms. Rosier discussed the State Auditor's Required Seminar and her attendance at the NCEES Member Board Administrator (MBA) meeting.
- Ms. Rosier reported that she and Mr. Armstrong provided Dr. Nottingham a comprehensive 3-hour Board orientation session on January 5, 2017.

- Mr. Armstrong discussed his recent attendance at the NCEES Law Enforcement Committee meeting.
- Ms. Rosier reviewed the NCEES NE Zone meeting dates and requested Board members confirm their attendance.
- Ms. Rosier discussed the WV EXPO plan, to include the PE Board booth and continuing education seminar. Ms. Rosier informed the Board that the seminar will be 1.5 hours this year, as WVSPE has decided to hold their own seminar.
- Ms. Rosier reported that the Board's newsletter and engineering law booklet was sent out to all registrants and COA holders. This mailing also included official renewal notification for all active WV PEs and Retired PEs whose license was to expire on 12/31/2016.

A motion was made by Mr. Gates, seconded by Mr. Thomas, 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 10:50am, seconded by Dr. Nottingham. Motion carried.

The Board President reported the resolution of the following complaint: C2017-06. The consent order will be posted on the Board's website within a reasonable time.

Mr. Gates recused himself from all discussion of I2017-15 and the Board also granted Ms. Rosier's request to not be involved in any discussions or proceedings concerning I2017-15 and all complaints emanating from that investigation. Both Mr. Gates and Ms. Rosier left the room during all discussion of I2017-15.

The Board recessed Executive Session at 11:50am for lunch and then examinee interviews for PE Exam repeat takers. At the conclusion of the examinee interviews, Mr. Thomas made a motion, seconded by Dr. Nottingham, to allow both examinees to sit for the April 2017 PE Exam. Motion carried. The Board re-entered Executive Session at 1:40pm.

At the conclusion of the Executive Session, Mr. Saluja moved to enter into General Session at 4:10pm. Seconded by Mr. Gates, the motion carried, and the Board took the following action:

- Mr. Thomas made a motion, seconded by Mr. Saluja, to move I2017-04 to complaint. Motion carried.
- Mr. Gates made a motion, seconded by Mr. Saluja, to move I2017-16 to complaint. Motion carried.
- Dr. Nottingham made a motion, seconded by Mr. Gates, to move I2017-18 to complaint. Motion carried.
- Mr. Gates made a motion, seconded by Mr. Saluja, to notice consolidated complaints C2016-18 and C2017-07 for hearing during the May meeting. Motion carried.
- Mr. Thomas made a motion, seconded by Dr. Nottingham, to file three (3) complaints related to I2017-15, two naming individual PEs as respondents and the third naming both a PE and his firm. Motion carried.

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

- Leo Arbaugh, Montez Love, and Peter Collat

Ms. Rosier presented the NCEES Board Presidents' Assembly (BPA) agenda. Mr. Saluja indicated he will attend the BPA and Mr. Robinson noted an interest in the NCEES President's topic concerning a new outreach initiative.

The Board discussed the NCEES Distinguished Service Award for the NE Zone, reviewed the draft agenda for the upcoming NE Zone meeting, and reviewed the NCEES President-Elect and Treasurer's Endorsement Request.

Mr. Thomas led a discussion to update the Board concerning the ABET-proposed revisions to EAC criteria 3 and 5.

Ms. Rosier informed the Board that the 2017-2018 NCEES Committee Preference Survey has been emailed to all members and all who wish to be considered for such a committee appointment must answer the survey prior to February 28th.

The Board discussed the Legislative Rule change process and Ms. Rosier shared with the Board the first day of the 2017 Legislative session would be February 8, 2017. The Board has submitted no changes to its statute or rules for legislative consideration.

The Board directed staff to start sending an acknowledgement letter to all future third-party complainants stating that the complaint has been received and served.

The Board reviewed Mr. Plymale's resignation letter and received Governor Tomblin's letter appointing Dr. Nottingham to Mr. Plymale's unexpired term.

Ms. Rosier reported that 520 WV PEs had yet to renew their license and that upon completion of the renewal cycle staff will conduct the required continuing education audit.

Ms. Rosier presented the WV Division of Purchasing Inspection report and reported that the overall agency score was 91.4%. A corrective action plan to correct any issues identified in that report will be submitted in February.

Ms. Rosier discussed the Board's upcoming participation in EXPO and the Board President requested each of our three new Board members provide a brief presentation during the seminar. The Board President as well as lead staff and counsel will also provide Board updates to the participants.

Mr. Plymale's departure created a vacancy in the office of Vice-President so the Board President called for the election of a new VP. Mr. Gates moved the nomination of Mr. Saluja as Vice-President and further moved that Mr. Thomas assume Mr. Saluja's duties as Secretary. The motion was seconded by Dr. Nottingham and carried.

The Board reviewed the upcoming calendar of events. Ms. Rosier emphasized that the May meeting has been moved up one day due to a conflict and is now scheduled for Monday, May 15, 2017. Upon motion by Dr. Nottingham, seconded by Mr. Saluja, the Board voted to adjourn the meeting. The next Board meeting will be March 21, 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