

General Session Minutes
State Board of Registration for Professional Engineers
July 18, 2017

The West Virginia State Board of Registration for Professional Engineers met at their office in Charleston on Tuesday, July 18, 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 9am.

The Board meeting minutes for May 15, 2017 were reviewed. A motion to approve the minutes was made by Dr. Nottingham, seconded by Mr. Gates. Motion carried.

The Board budget summaries for May and June 2017 were received and reviewed, and the Board reviewed all PCard transactions for the same period. Ms. Rosier discussed the ending balance as of June 2017, which is the end of the fiscal year, and reviewed the Board's historical 15-year summary of revenue/expense comparisons and year-end balances for the benefit of the new Board members. Ms. Rosier reported the FY2018 Board budget documents and expenditure schedule were completed electronically via WVOASIS on June 19, 2017. President Robinson inquired about the 'Bank Cost' line item on the expenditure schedule, and Ms. Rosier explained that item covers payment to the WV State Treasurer's Office to cover the credit card transaction fees paid to the bank for allowing the agency to accept credit cards for renewal payments.

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

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

- Pass rate for the April 2017 PE exam was exactly 50%. Additionally, the pass percentage was identical between first-time examinees and repeat takers, 11/22 and 16/32, respectively.
- Ms. Rosier provided the Board with an NCEES E3 database online demonstration, highlighting the information readily available to Board and staff.
- Due to the upcoming transition to the CBT PE exam, staff will need to update the PE approval letter and customize it for accuracy. Ms. Rosier reported that

- the first CBT PE exam application (Chemical) has already been received and is being processed.
- Ms. Rosier discussed some new online features being planned with the software developer for the Board database, which could include fields showing the registrants their last renewal date and PDH carryover hours. These enhancements will allow for sending a post-card type renewal notice for future renewal cycles.
 - Ms. Rosier confirmed the attendance of 3 Board members and 2 staff to the NCEES annual meeting to be held August 23-26, 2017.

A motion was made by Mr. Saluja, seconded by Mr. Gates, 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.

Prior to entering into Executive Session, the Board Investigator reported the details of the settlement of complaint C2017-09. The consent order will be posted on the Board's website within a reasonable time.

Mr. Saluja made a motion to enter into Executive Session at 10:10am, seconded by Mr. Gates. Motion carried.

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 I2017-26, Mr. Gates and Ms. Rosier absented themselves from the Board room during all discussion of these matters.

The Board recessed the Executive Session at 11:30am for a presentation and Q&A session with NCEES Board of Directors' representative Roy Shrewsbury, PS, NE Zone Vice President. Some issues of mutual interest between the PE and Surveyors Boards were also discussed. Immediately following lunch, the meeting resumed in Executive Session at 12:35pm.

At the conclusion of the Executive Session, Dr. Nottingham moved to enter into General Session at 1:47pm. Seconded by Mr. Thomas, the motion carried, and the Board took the following action:

- Mr. Thomas made a motion, seconded by Mr. Gates, to dismiss complaint C2017-21. Motion carried.
- Mr. Thomas made a motion, seconded by Dr. Nottingham, to move I2017-26 to complaint. Motion carried.
- Dr. Nottingham made a motion, seconded by Mr. Thomas, to move I2017-28 to complaint. Motion carried.

On motion by Dr. Nottingham, seconded by Mr. Thomas, the Board approved the following special case file:

- James Basinger, Zachary Grosel, Richard Halteman, Ryan Hanemann, and Eric Hobson.

The Board reviewed the MBA Report of the most recent NCEES Board of Directors Meeting. Ms. Rosier discussed the NCEES annual meeting agenda and highlighted the issues to be brought before the Council on both the consent agenda and non-consent agenda. The Board also reviewed the NCEES officer nominations.

The Board discussed the NSPE Board update and reviewed other State Board actions.

Ms. Rosier provided the Board with a nationwide update concerning the issue of PE exam 'de-coupling' and discussed the plan to submit Legislative rules for consideration during the 2019 Legislative session.

The Board discussed the recently passed SB602 regarding registering and indexing of fictitious names used by sole proprietors, individuals, or general partnerships. They also reviewed President Robinson's recent response to the request from Delegate Howell, Chairman for House Committee on Government Organization, regarding certain licensees.

Ms. Rosier indicated the likelihood that procedural rules for PLLCs would be filed in the next few months and that proposed Legislative rules regarding exam application deadlines would be filed next summer along with the changes addressing de-coupling.

The Board received official correspondence stating that Governor Justice has reappointed Dr. Larry Nottingham to serve on the Board until June 30, 2022. President Robinson, followed by all present in the meeting room, congratulated Dr. Nottingham on the reappointment.

The Board reviewed the required BRIM Loss Control Questionnaire and conducted their annual Safety Committee meeting in accordance with BRIM's Standards of Participation letter dated May 10, 2017. In addition, the Board provided staff with their signed confidentiality statements for inclusion in the BRIM submission.

Ms. Rosier discussed the staff's upcoming COA renewal plans and schedule, as well as the 2018 newsletter needs.

The Board reviewed the upcoming calendar of events, and Ms. Rosier highlighted that the September and November meetings are scheduled for on Wednesdays.

Upon motion by Dr. Nottingham, seconded by Mr. Gates, the Board voted to adjourn the meeting at 2:00 pm. The next Board meeting will be September 20, 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