

General Session Minutes
State Board of Registration for Professional Engineers
November 17, 2020

The West Virginia State Board of Registration for Professional Engineers met at their office in Charleston on Tuesday, November 17, 2020. Those present for all or part of the meeting were:

Bhajan S. Saluja	President
Garth E. Thomas	Vice-President
Larry C. Nottingham	Secretary
Edward L. Robinson	Member
L.A. Gates	Member
Lesley L. Rosier-Tabor	Executive Director
Aaron M. Armstrong	Board Investigator
Edward Eagloski	Board Counsel
Tiffany Coleman	Administrative Assistant

The meeting was called to order at 9:00am. The Board met in a larger conference room on the 11th floor of the office building to ensure social distancing. The Board meeting minutes for September 22, 2020 were reviewed. A motion to amend the draft minutes was made by Dr. Nottingham, seconded by Mr. Thomas. Motion carried. A motion to approve the minutes as amended was then made by Dr. Nottingham, seconded by Mr. Thomas. Motion carried.

The Board budget summaries for September and October 2020 were received and reviewed, and the Board reviewed the Pcard transactions for the months of September and October. Ms. Rosier reported a \$1.41M ending balance prior to the PE renewal season. Ms. Rosier discussed recent updates by the WV State Treasurer's Office moving to a new EPay/EGov platform and that there is one more round of beta testing to ensure the Board's renewal system remains compatible with the new payment gateway.

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

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

- Ms. Rosier reported that she and Board Administrator Sue Rubenstein participated in a number of virtual trainings/seminars hosted by the WV State Auditor's Office and the Purchasing Division since the last Board meeting.
- Ms. Rosier reminded the Board that as of April 1, 2020, with implementation of 2020 legislative "decoupling" changes, all PE applicants now register directly with NCEES and apply to the WV PE Board only after passing the PE exam.
- Ms. Rosier reported that staff conducted a successful WVSPE / ASCE-Northern Branch training seminar via Zoom on October 21, 2020.

- Ms. Rosier reported that 78 examinees registered directly with NCEES for the October PE paper-and-pencil exam administration in West Virginia. Examinees were tested over a 2-day period in Fairmont (32) and Charleston (46) to ensure proper COVID 19 protocols and social distancing.
- Ms. Rosier reported on her attendance as an observer for the first day of the paper-and-pencil PE exam testing at the Four Points Sheraton testing site in Charleston, WV on October 22, 2020.
- The Board reviewed the Performance Evaluation & Research Division's Regulatory Board Review policy concerning the required State Auditor's seminar attendance for Board members continuing to serve on expired terms.
- Ms. Rosier reported the required 2020 Annual Licensing Board Seminar hosted by the WV State Auditor was successfully conducted as a virtual event on October 27, 2020. President Saluja, Mr. Eagloski, and 3 staff members participated in this all-day meeting.
- The Board reviewed the 2021 NCEES Board Presidents' Assembly agenda to be held virtually on January 29, 2021.

A motion was made by Dr. Nottingham, 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 calendar. Motion carried.

Prior to entering into Executive Session, the Board Investigator provided the details of the settlement of complaints C2020-27, C2021-01, and C2021-05. The consent orders will be posted on the Board's website within a reasonable timeframe.

Mr. Robinson made a motion to enter into Executive Session at 9:30am, seconded by Mr. Thomas. Motion carried.

It is noted that Mr. Robinson left the room at the appropriate times as to not be part of any discussion or decision making relative to I2021-05 and I2021-11. At 11:40am, Mr. Robinson made a motion, seconded by Mr. Thomas, to move into General Session. The motion carried, and the Board took the following action:

- Mr. Gates made a motion, seconded by Mr. Thomas, to move I2021-11 to complaint. Motion carried. Furthermore, Mr. Gates made a motion, seconded by Mr. Thomas, to receive and file complaint C2021-10, and set said complaint for a hearing on 5/17/21. Motion carried.
- Dr. Nottingham made a motion, seconded by Mr. Thomas, to dismiss C2021-06. Motion carried.
- Dr. Nottingham made a motion, seconded by Mr. Robinson, to move I2021-10 to complaint. Motion carried. Furthermore, Dr. Nottingham made a motion, seconded by Mr. Robinson, to receive and file complaint C2021-08, and set said complaint for a hearing on 5/17/2021. Motion carried.
- Mr. Robinson made a motion, seconded by Dr. Nottingham, to move I2021-12 to complaint. Motion carried. Furthermore, Mr. Robinson made a motion,

seconded by Dr. Nottingham, to receive and file complaint C2021-09, and set said complaint for a hearing on 5/17/2021. Motion carried.

- Regarding I2021-09, Mr. Robinson made a motion, seconded by Dr. Nottingham, to authorize counsel to sign and file the agreed order in Kanawha County Circuit Court. Motion carried.

The Board acted upon the special case files as follows:

- Mr. Robinson made a motion, seconded by Mr. Gates, to approve the PE comity application for John Andrzejczek. Motion carried.
- Dr. Nottingham made a motion, seconded by Mr. Robinson, to approve the PE comity application for David DeLoach. Motion carried.
- Mr. Thomas made a motion, seconded by Dr. Nottingham, to approve the PE comity application for Clifford Runkel. Motion carried.

The Board reviewed the 2020-2021 NCEES National Service Awards call for nominations and the Executive Director reminded that Board that the nominations are due no later than January 31, 2021.

The Board reviewed the most recent Alliance for Responsible Professional Licensing (ARPL) publication. Ms. Rosier shared that NCEES has taken a lead in this organization and has also hired new staff to serve as an advocacy and external engagement strategist and to monitor state legislative activities.

Ms. Rosier updated the Board on the January 2021 Regional PE Civil Exam administration and noted that due to decoupling and unique COVID circumstances, this exam administration will be accepted for initial licensure in West Virginia.

The Board reviewed the NCEES 2021 PE exam changes and CBT transition update.

The Board reviewed staff correspondence with the Committee on Government Organization staff concerning an interim study related to licensing of various professions in other states.

Ms. Coleman provided an update on the DBA Waiver Project Report and presented the updated large, printed Excel spreadsheet for Board review. Staff plan to finalize the project and send official DBA Waiver results to the WV Secretary of State business licensing division in the next 30 days.

Ms. Rosier reported successful testing and integration of the PE online renewal system. Additionally, Ms. Rosier discussed the 2021–2022 PE and Retired PE renewal game plan, highlighting that staff will mail the required renewal notices on November 27, 2020.

The Board reviewed the latest edition of the Professional Licensure Report (PLR).

The Board reviewed various professional association publication updates including the American Society of Civil Engineers (ASCE), Council for Licensure, Enforcement, and Regulation (CLEAR), and the National Society of Professional Engineers (NSPE).

The Board reviewed the fall 2020 InterChange newsletter publication final copy. The newsletter is scheduled to be mailed on November 27, 2020, accompanying the PE renewal notification mailing. A copy of the new Engineering Law booklet, reflecting legislative changes effective April 1, 2020, will also be disseminated to all Active and Retired PEs via this mailing.

The Board reviewed the upcoming 2021 Calendar of Events, noting the many changes due to COVID-19 cancellations and restrictions.

Upon motion by Dr. Nottingham, seconded by Mr. Robinson, the Board voted to adjourn the meeting at 1:00pm. The next Board meeting will be January 19, 2021, in Charleston. The Board members will be compensated one day per diem plus travel expenses.

Bhajan S. Saluja, P.E.
Board President

Larry C. Nottingham, P.E.
Board Secretary