

General Session Minutes
State Board of Registration for Professional Engineers
May 17, 2016

The State Board of Registration for Professional Engineers met at their office in Charleston on Tuesday, May 17, 2016. Those present for all or part of the meeting were:

Edward L. Robinson	President
William E. Pierson	Vice-President
Bhajan S. Saluja	Secretary
Richard E. Plymale	Member
Leonard J. Timms	Member
Lesley L. Rosier-Tabor	Executive Director
Aaron M. Armstrong	Board Investigator
Debra L. Hamilton	Legal Counsel

The meeting was called to order at 9:05 AM.

The Board meeting minutes for March 22, 2016 were reviewed. A motion to approve the minutes was made by Mr. Timms, seconded by Mr. Plymale. Motion carried.

The Board budget summaries for March and April 2016 were received and reviewed. Ms. Rosier explained the current agency balance recently reached its highest during her tenure due to the first, new 2-year COA renewal cycle being collected only 6 months after the final PE annual renewal. She noted that with the recent PE and Retired renewal fee decreases, our regular revenue will decrease in the future. The Board also reviewed the PCard transactions, and Ms. Rosier addressed all Board member questions. Dr. Pierson asked if the staff have received any comments on the change to 2-year renewal cycles, and Ms. Rosier responded that we have received hundreds of positive comments on the biennial cycle, the move to calendar year collection, and the anticipated fee decreases. Mr. Timms commented on the PEIA employee and employer contribution increases and how that may affect the FY2017 budget. Ms. Rosier responded that until a FY2017 State budget is passed by the legislature, that impact is unknown. Ms. Rosier shared a phone conversation she recently had with a member of the House of Delegates. Delegate Kurcaba called the office a few weeks ago asking questions about the Board's budget (revenues, expenditures and balance). Ms. Rosier explained as discussed above and answered all of the Delegate's questions.

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

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

- Ms. Rosier noted that the April 2016 PE exam results were still pending.

- Ms. Rosier reported that there are 22 people currently scheduled for the FE CBT exam.
- Ms. Rosier reported that the following Board members and staff will attend the NCEES annual meeting in Indianapolis, Indiana from August 24-27, 2016: Mr. Timms, Mr. Plymale, Ms. Rosier, Mr. Armstrong. She requested that the other board members and counsel check their calendars and let her know ASAP of their plan to attend or not.
- Ms. Rosier discussed the other upcoming presentations and meetings, as well as the on-going projects.
- Ms. Rosier reminded the Board of the plan to mail the newsletter out with the renewal notices in mid-November and asked the Board for any suggested newsletter articles.

A motion was made by Mr. Timms, seconded by Mr. Plymale, to approve attendance and travel for Board members and staff to the activities as discussed and outlined in the Executive Director's report and the updated 2016 calendar. Motion carried.

Mr. Timms made a motion to enter into Executive Session at 9:40 AM, seconded by Mr. Saluja. Motion carried.

The Board President reported the resolution of the following complaints: C2016-13, C2016-16, and C2016-17. The resolution of C2016-13 will be posted on the Board's website within a reasonable time. The Board President reported the settlement of C2016-13, which will be posted on the Board's website within a reasonable time.

At 11 AM, Carlos Valenzuela, Jr., appeared before the Board at his request in connection with his pending comity application.

The Board recessed for lunch at 12:10 PM and resumed Executive Session at 12:45 PM. At the conclusion of the Executive Session, Dr. Pierson moved to enter into General Session at 1:30 PM with a second by Mr. Timms. Motion carried and the Board took the following action:

- Mr. Timms made a motion, seconded by Mr. Saluja, to move I2016-25 to complaint. Motion carried.
- Mr. Timms made a motion, seconded by Mr. Plymale, to move I2016-27 to complaint. Motion carried.

Based on a motion by Dr. Pierson, seconded by Mr. Saluja, the Board took the following action on Special Cases for Board Action:

- Emmanuel Ansa, Lawrence Ayer, and Leslie Brown's requests for comity were approved.

Mr. Timms made a motion to approve up to an average 5% merit increase for the Board staff. The raise is to be effective July 1, 2016. Mr. Plymale seconded, and the motion carried.

Mr. Timms also moved to authorize the Board President and Executive Director to work with the Attorney General's Office to negotiate up to a 5% merit increase for Board Counsel, Debra Hamilton. Mr. Saluja seconded, and the motion carried.

Mr. Timms provided a summary of the NE Zone meeting to include an in-depth discussion on the NE Zone's motion to be taken to the upcoming NCEES Board of Directors Meeting, and possibly the NCEES Annual Meeting, concerning the attestation-only option for entry to take the PE or PS exam.

Ms. Rosier discussed the 2016 NCEES Annual Meeting agenda and schedule of events.

The Board discussed the status of its emergency rules, which did not complete legislative action due to a veto related to another set of rules bundled into SB 159. On April 6th the Board President sent a letter to the Governor requesting that the Board's rules be included in the Governor's call for special session.

The Board discussed the April 7th letter from the Governor acknowledging Dr. Pierson's resignation. Ms. Rosier was directed to contact the Governor's office regarding appointments for expired Board terms and to provide names of possible academicians who have been involved with NCEES and/or may have an interest in Dr. Pierson's Board seat.

Ms. Rosier presented information concerning Marshall University's intent to obtain ABET accreditation of a new Mechanical Engineering program.

Ms. Rosier shared with the Board the WVDOT Municipal Home Rule correspondence copied to her on April 6th.

Ms. Rosier discussed the finalization of the COA questionnaire and the results. She reported that as of 5/11/16, only five firms out of the 3138 active COAs did not respond. Additionally, she reported that since 5/11/16, staff have made contact with 3 of those firms and they have complied with the questionnaire or have requested to go to inactive status. After further discussion, the Board voted to file formal complaints against the 2 firms who had not responded to the questionnaire. Mr. Timms made a motion, seconded by Mr. Plymale, to file said complaints. Motion carried.

Ms. Rosier presented a synopsis of the draft PDH reporting page that is about to "go live" and allow for continuing education information to be logged year-round and 24/7 via our new website link. In addition, the Board previewed an example of how the reporting functionality will work and sync with the PE's December 2016 renewal. Dr. Pierson shared his hopes that our new database will eventually be able to accept direct entries from the new NCEES Continuing Education system, allowing for those PEs licensed in multiple states to not have to duplicate data entry.

The Board held officer elections for the upcoming fiscal year, FY2017. Upon unanimous vote, the Board re-elected Mr. Robinson as President, Mr. Saluja as Secretary, and then elected Mr. Plymale as Vice President.

Mr. Robinson reported that he spoke with the engineering staff at WVU concerning the ABET EAC Criterion 3 and 5 issue as discussed during the last Board meeting.

Upon motion by Mr. Timms, seconded by Dr. Pierson, the Board meeting adjourned at 2:45 PM. The next Board meeting will be July 19th in Charleston. The Board members will be compensated one day per diem plus travel expenses.

Edward L. Robinson, P.E.
Board President

William E. Pierson, P.E.
Vice-President