

**General Session Minutes**  
**State Board of Registration for Professional Engineers**  
**March 20, 2006**

The State Board of Registration for Professional Engineers met in their offices at 300 Capitol Street - Suite 910 Charleston, WV on March 20, 2006. Those present for the general session were:

Leonard J. Timms, Jr.	President
Edward L. Robinson	Vice-President
Bhajan S. Saluja	Secretary
Richard E. Plymale	Member
William E. Pierson	Member
Lesley L. Rosier	Executive Director
Don Johnson	Board Investigator
Debra Hamilton	Legal Counsel

The meeting was called to order at 9:00 a.m.

The Board meeting minutes of January 23, 2006 (both executive and general session) were reviewed. A motion to approve the minutes was made by Mr. Plymale, seconded by Mr. Robinson. Motion carried.

The minutes from the March 8, 2006 Special Session were tabled for further review. The Board approved a letter to the President of the Architects' Board from Mr. Timms summarizing the action items jointly discussed during this meeting.

The Board budget summary for January and February 2006 was received and reviewed. A motion to approve the expenditures and purchasing card transactions was made by Mr. Robinson, seconded by Mr. Saluja. Motion carried. Ms. Rosier indicated that the 2007 Expenditure Schedule and Budget documents were being developed and would be disseminated in early May for Board review and comment. Final FY 2007 submissions will require Board approval at the May 2006 meeting.

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

The examination application information from the October 2005 and April 2006 were discussed. FE applications are up considerably from the previous exam. Mr. Timms will be the observer at the exam being held in Morgantown. Ms. Rosier and Mr. Pierson will serve as the observers in Charleston.

The on-line renewal enhancements and beta testing are in progress. The system will be ready for the upcoming renewal period.

The engineering database changes will be delayed until after this renewal period due to limited technical support available from the Treasurer's office. The Board staff will explore the option of running both systems in parallel for testing purposes.

The recent changes in Workers Compensation were discussed. WV Code requires boards to check companies applying for licensure to be sure they are not in default with their worker's compensation payments. WV recently changed from a state operated compensation program to a private insurer. The changeover did not address how to handle this provision in the WV Code.

The Insurance Commissioner's office is working on a resolution to provide the uninsured (formerly default) information to the boards to allow them to check if companies have worker's compensation insurance before issuing COAs.

Preparation for the 2006 WV Expo on March 22<sup>nd</sup> and 23<sup>rd</sup> is complete. The Board will have a booth and be involved in various seminars. In addition to the EXPO seminars, Ms. Rosier and Mike Shannon from NCEES will make a presentation for the WVDOT Young Engineers Development Seminar on March 21, 2006.

Preparation for the 2006 Northeast Zone Meeting to be held in Charleston is proceeding on schedule. The meeting schedule and budget were reviewed and approved by NCEES with minor revisions. Ms. Rosier addressed questions and comments.

The state of West Virginia has changed credit card providers. Ms. Rosier and Ms. Keller will be attending training on the new Citibank system.

The proposed Ethics seminar being planned by the WV PE Board and other professional societies will be delayed until the fall due to time constraints.

Mr. Robinson moved to enter into executive session, seconded by Mr. Plymale. Motion carried.

At the conclusion of the executive session, Mr. Pierson moved to enter into general session with a second by Mr. Plymale. Motion carried and the Board took the following actions:

1. The Board directed Ms. Hamilton to schedule complaint C2006-1 for an administrative hearing on May 8, 2006 and authorized Ms. Hamilton to negotiate consent agreements on complaints C2006-2 and C2006-6. No Board action needed.
2. Complaint C2006-7 was withdrawn by complainant after an informal agreement on remedial measures. However counsel and staff were instructed to discuss other Board concerns with the respondent and report findings to the Board.
3. Complaint C2006-5 was dismissed after deliberation by the Board. The Board discussed publication of complaints that are dismissed and closed without issuance of a consent order. The Board directed counsel and staff to draft a policy on non-publication of complaints which are dismissed or closed without entry of consent order or Board order.
4. Mr. Pierson moved that inquiry I2006-3 be received and filed as a Board-initiated complaint (C2006-8). Motion was seconded by Mr. Robinson and carried.
5. Mr. Robinson moved that inquiry I2006-4 be received and filed as a Board-initiated complaint (C2006-9). Motion was seconded by Mr. Plymale and carried.

The Board took the following actions on Special Cases for Board Action:

1. William J. Barrow's request for comity application was approved.
2. An application for comity relating to inquiry I2006-3 will be held in abeyance pending resolution of the complaint.
3. The Board denied a request to accept a speed reading course for PDH credit.

Proposed revisions to the engineering law were discussed. Ms. Hamilton will develop a list of policy issues to be considered prior to revisions.

Mr. Timms suggested that staff members make arrangements to attend the Municipal League and County Officials meetings to share information about the requirements for using PE's.

Ms. Hamilton will draft a letter to the WV Bar suggesting to attorneys that they use WV PE's as expert witnesses rather than non-licensed experts.

Ms. Rosier discussed the NCEES meeting she attended in Monterey, California. Items of interest included exam scoring issues, exam security, collusion analysis and foreign degree approvals by NCEES.

Ms. Rosier presented extensive data on the declining pass-fail rates for both the FE and PE exams in WV. A number of ideas for improving the passage rates were discussed. The Board will continue review of the data at the May meeting.

The July Board meeting was re-scheduled until August 1, 2006, due to Board member schedule conflicts. Ms. Rosier is to alert the Secretary of State's office of the change.

The next Board meeting will be held on Monday, May 8, 2006, at 9:00 a.m. The meeting will take place in the office of the WV State Board of Registration for Professional Engineers, 300 Capitol Street – Suite 910, Charleston, West Virginia.

Upon motion by Mr. Pierson, seconded by Mr. Plymale the meeting adjourned at 5:00 p.m. The Board members will be compensated one day per diem plus travel expenses.

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**Leonard J. Timms, Jr., P.E.**  
**Board President**

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**Bhajan S. Saluja, P.E.**  
**Board Secretary**