

General Session Minutes
State Board of Registration for Professional Engineers
June 26, 2012

The State Board of Registration for Professional Engineers met in their offices at 300 Capitol Street in Charleston, WV on Tuesday June 26, 2012. 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
Don W. Johnson	Board Investigator
Debra L. Hamilton	Legal Counsel

The meeting was called to order at 10:00 AM. The Board meeting minutes for May 25, 2012 (both executive and general session) were reviewed. A motion to approve the minutes as submitted was made by Mr. Pierson, seconded by Mr. Timms. Motion carried.

Mr. Pierson moved to enter into Executive Session at 10:05 AM, seconded by Mr. Saluja. Motion carried.

At the conclusion of the Executive Session Mr. Timms moved to enter into general session with a second by Mr. Saluja. Motion carried and the Board took the following actions:

1. A motion was made by Mr. Timms to enforce the consent order in complaint C2009-12 by permanently revoking the complainant's license. The motion was seconded by Mr. Saluja and carried. Ms. Hamilton will prepare the appropriate notice.

The Board directed Ms. Hamilton to notify the West Virginia Office of Miners' Health, Safety and Training, the West Virginia Department of Environmental Protection, the West Virginia Surveyors Board and any other affected parties about the license revocation.

Ms. Rosier reminded the Board of the upcoming NCEES Annual Meeting August 22-25, 2012 in St. Louis, MO. Pre-registration is required prior to the next Board meeting. Currently Board members Pierson, Plymale, and Timms along with staff members Rosier, Johnson and Rubenstein and Board counsel Hamilton are attending. Mr. Saluja will make his own travel arrangements if he is able to attend.

The Board discussed the effect that the Educational Plan of Study (EPOS) requirement and subsequent exam candidate interviews with the Board are having on examination pass rates. With only three remaining FE examination administrations prior to NCEES moving to Computer Based Testing in January 2014, the Board discussed the need to continue to require the EPOS submissions and interviews for FE exam candidates. Mr. Saluja made a motion that, effective immediately, the EPOS submissions to continue to be required but Board interviews be discontinued for FE examination candidates, noting that in January 2014, it is the Board's understanding that FE exam applicants will be able to apply directly through NCEES and not necessarily require prior Board approval. The motion was seconded by Mr. Timms and carried.

A follow-up discussion ensued regarding the PE exam application approval process. Mr. Saluja made a motion that, effective with the April 2013 exam administration (meaning those applying by the January 2013 deadline), the PE examination candidate will continue to be required to submit an acceptable EPOS after three failed attempts before being approved to sit for the PE exam the fourth time. Upon a fourth failure, the PE exam applicant will have to submit an additional acceptable EPOS and interview with the Board before being approved to sit for the PE exam the fifth time. If the candidate does not pass on the fifth or any future attempt, the Board automatically will require the PE exam applicant to sit out for a minimum of one year before reapplying for approval to retake the exam.

Ms. Rosier updated the Board on the resolution of the problems our agency encountered with the low bid vendor for our 2012 renewal printing needs. The provider has agreed to not pursue payment from the Board for the printing costs. All invoiced mailing costs for postage were paid immediately less the cost of the approximately 500 mailers that were returned due to gross printing errors and had to be reformatted and re-sent at the agency's expense (time and postage). Ms. Rosier will be complying with Board direction from the May 2012 meeting in the next few weeks by filing a Vendor Performance Report with the WV Purchasing Division outlining the problems encountered by using the required low-bid vendor and the resolution of the matter.

The motion made at the May Board meeting to purchase eight (8) I-Pads for use by Board and staff was discussed for staff clarification. After discussion regarding logistics, service, existing technology, and list-serve results of the experiences of other engineering licensing boards moving to electronic meetings, Timms moved to amend their previous motion to purchase eight (8) notebook computers instead of the I-Pads. The motion to amend was seconded by Pierson and carried. The notebooks will not only have a USB port but also larger viewing screens to better suit the needs of the Board. The notebooks will be serviced and maintained at the Board office but are available for use outside the office by Board members and staff. Wi-fi internet service is available at the agency office and all Board meeting information will be posted on an FTP site and made available for review by the Board prior to the meeting. The paper notebooks will no longer be used.

The Contractor Licensing Board's position of when the monitoring of and involvement in construction work by a PE would require a contractor's license was discussed. Ms. Hamilton communicated to the AG attorney for the Department of Labor that the Board members would like to attend a future meeting of the Contractor Licensing Board to discuss the issue if the conclusion reached in Mr. Woodrum's letter of June 7, 2012 is not clarified by them internally.

Ms. Rosier reported that the required annual BRIM Safety Meeting was held with staff on June 21, 2012. The Board was presented with a copy of the submission (safety meeting minutes, attendance sheet, annual survey results, etc) to be submitted to BRIM following the Board meeting.

The Board and staff spent the remaining 5+ hours of the meeting reviewing the details of the proposed legislative changes to the WV Engineering statute (Article 13). Charles Roskovensky, counsel for the House of Delegates Committee on Government Organization, joined the meeting at 2:45 PM to discuss a recommended timeline and schedule as well as address questions of the Board regarding the new format, specific provisions and the legislative process. The Board staff will work with Mr. Roskovensky to develop a schedule of events and actions required to keep the proposal moving forward.

The next Board meeting is scheduled for Monday, July 16, 2012. The meeting will take place in the Board offices at 300 Capitol Street in Charleston, WV.

Upon motion by Mr. Timms, seconded by Mr. Saluja, the meeting adjourned at 4:00 p.m. The Board members will be compensated one day per diem plus travel expenses.

**Edward L. Robinson P.E.
Board President**

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