

**General Session Minutes**  
**State Board of Registration for Professional Engineers**  
**July 20, 2021**

The West Virginia State Board of Registration for Professional Engineers met at their office in Charleston on Tuesday, July 20, 2021. Those present for all or part of the meeting were:

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

The meeting was called to order at 9:05am. Mr. Thomas, as the Board's new President, welcomed all present and introduced the FY 2022 Board Officers. The Board meeting minutes for May 18, 2021 were reviewed. A motion to approve the minutes was made by Mr. Gates, seconded by Mr. Saluja. Motion carried.

The Board budget summaries for May and June 2021 were received and reviewed, and the Board reviewed the Pcard transactions for the months of May and June. Ms. Rosier reported a \$1.58M balance for the end of June 2021, also marking the beginning balance for FY2022. Ms. Rosier also discussed the 19-year Revenue / Expense Comparison and year end balance, noting that the year-end balance should remain relatively steady now that the Board has fully transitioned to biennial PE and COA and license renewals and the COA renewal fee reductions are now in place.

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

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

- Ms. Rosier reported that there are currently 30 registered as WV applicants with NCEES for the October 2021 PE exam and that the deadline to register is August 26, 2021.
- Ms. Rosier reported that staff as well as Mr. Thomas and Mr. Saluja attended the virtual NCEES NE Zone meeting and were the voting members for the meeting.
- Mr. Saluja requested Ms. Rosier to continue to report the WV passage rates for the FE and PE exams on a quarterly basis, as a minimum. Ms. Rosier acknowledged this request and reported that she will continue to monitor and report the WV applicant passage rates.

- Ms. Rosier discussed the upcoming NCEES annual meeting forums (Engineers, Surveyors, Member Board Administrators) and noted that staff will plan to attend these 3 virtual forums next week and will have the presentations available in the Board room for any Board member who would like to participate. Mr. Thomas indicated he had signed up to participate in the Engineer's Forum as well.
- Ms. Rosier reported that she and Mr. Thomas will attend the NCEES annual meeting in New Orleans in August and that the Board has received official approval from the Governor's office to attend.
- Ms. Rosier discussed the upcoming meeting and training participation needs to include the required State Purchasing Card Coordinators Seminar and the 2021 Chapter 30 State Licensing Board Seminar.

A motion was made by Dr. Nottingham, seconded by Mr. Robinson, 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 C2021-14, C2021-16, C2021-18, C2021-19, C2021-21, and C2021-03. 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 9:32am, seconded by Dr. Nottingham. Motion carried.

At 11:05am, the Board held an informal conference with the Respondent concerning C2021-11. After the informal conference, the Board recessed the Executive Session at 12:10pm for lunch and resumed the Executive Session at 12:45pm.

At 1:20pm, Dr. Nottingham made a motion, seconded by Mr. Robinson, to move into General Session. The motion carried, and the Board took the following action:

- Dr. Nottingham made a motion, seconded by Mr. Saluja, to dismiss C2021-11. Motion carried.
- Mr. Saluja made a motion, seconded by Dr. Nottingham, to move I2022-01 to complaint. Motion carried. Furthermore, Mr. Saluja made a motion, seconded by Dr. Nottingham, to receive and file complaint C2022-01, and set said complaint for a hearing on 1/19/2022. Motion carried.
- Dr. Nottingham made a motion, seconded by Mr. Gates, to move I2022-04 to complaint. Motion carried. Furthermore, Dr. Nottingham made a motion, seconded by Mr. Gates, to receive and file complaints C2022-02 and C2022-03, and set said complaints for a hearing on 1/19/2022. Motion carried.
- Mr. Saluja made a motion, seconded by Dr. Nottingham, to move I2022-02 to complaint. Motion carried. Furthermore, Mr. Saluja made a motion, seconded by Dr. Nottingham, to receive and file complaint C2022-04, and set said complaint for a hearing on 1/19/2022. Motion carried.

The Board acted upon the special case files as follows:

- Mr. Robinson made a motion, seconded by Dr. Nottingham, to approve the PE reinstatement application for Darin Simpson. Motion carried.

The Board reviewed the COVID-19 agency update and the message to State Employees regarding the Statewide Indoor Face Covering Requirement No Longer in Effect, as well as a memo regarding restrictions on out-of-state and international travel.

The Board reviewed a summary of both the NCEES Zone Meeting and the NCEES State of the Council meetings which were held virtually.

Ms. Rosier discussed the NCEES Resolution of Cooperation. The Board requested this matter remain on its agenda for the September meeting.

The Board reviewed the 2021 NCEES Annual Meeting information and summary of motions as well as the NCEES Memoriam correspondence. Ms. Rosier provided an update on the NCEES Annual Meeting consent agenda items and the Board discussed the proposed items for removal from the consent agenda.

The Board reviewed details on the 3 upcoming NCEES Annual Meeting forums, professional development webinars as well as 2021-2022 NCEES committee appointments. Ms. Rosier announced that she will serve on the MBA committee this year and Mr. Thomas reported he was asked to chair the Education committee.

The Board reviewed the updated CBT PE exam transition schedule. Ms. Rosier noted that October 2021 will be the last paper Civil Exam administered and that the Structural PE exams will be the only remaining paper and pencil exams until their anticipated transition date of 2024.

The Board reviewed correspondence from ARPL and NCEES representatives relative to the Executive Order related to competition and banning excessive occupational licensure restrictions.

The Board reviewed the required BRIM Loss Control Questionnaire and the annual Safety Committee meeting documentation in accordance with BRIM's Standards of Participation letter received May 28, 2021. In addition, the Board participated in viewing the WV Insurance Commission's Safe Driving video and provided staff with their signed confidentiality statements for inclusion in the annual BRIM submission.

The Board reviewed the 2021 ABET visit dates and program review schedule for the WV schools. Dr. Nottingham agreed to serve as a Board observer for the American Public University visit, Mr. Thomas will serve as the Board observer for the Fairmont State University visit, and Mr. Saluja will serve as the Board observer for the Marshall University visit.

The Board reviewed the most recent Professional Licensing Report (PLR).

Ms. Rosier discussed the plan for staff to begin the COA renewal preparations and that the Board's annual newsletter will be mailed with the COA renewal notices as well as to all active and retired registrants in late November. She requested the Board President and staff members begin work on their articles and provide submissions no later than September 1, 2021.

The Board discussed the 100<sup>th</sup> Anniversary of the WV State Board of Registration for Professional Engineers and requested Ms. Rosier to work with the WV Architects Board to disseminate a press release to honor and memorialize the following occasions:

- On July 27, 2021, the WV State Board of Registration for Professional Engineers celebrates their 100th Anniversary of existence. Per WV Legislative Act effective July 27, 1921, under Governor Ephraim Franklin Morgan, the WV PE Board was formed.
- On November 21, 2021, the WV State Board of Registration for Professional Engineers celebrates the 100th Anniversary of their first meeting. The WV PE Board first convened an official meeting on November 21, 1921 at 10am in the Coyle and Richardson Building, Charleston, WV.

The Board discussed the on-going Board appointment needs and 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. Saluja, the Board voted to adjourn the meeting at 2:20pm. The next Board meeting will be September 21, 2021, in Charleston. The Board members will be compensated one day per diem plus travel expenses.

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**Garth E. Thomas, Jr., P.E.**  
**Board President**

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**Leslie A. Gates, P.E.**  
**Board Secretary**