

General Session Minutes
State Board of Registration for Professional Engineers
March 21, 2023

The West Virginia State Board of Registration for Professional Engineers met at their office in Charleston on Tuesday, March 21, 2023. 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
Edward Eagloski	Board Counsel

The meeting was called to order at 10:12am. Mr. Saluja participated remotely via teleconference. The Board meeting minutes for the January 24, 2023 meeting were reviewed. A motion to approve the minutes was made by Dr. Nottingham, seconded by Mr. Robinson. Motion carried.

The Board budget summaries for January and February 2023 were received and reviewed, as well as the P-Card transactions for the months of January and February. Ms. Rosier reported a \$1.76M balance for the ending of February 2023, noting the marked increase in revenue in the last 3 months due to 9000+ PE and Retired biennial renewal payments received from November 18, 2022 to January 31, 2023.

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

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

- Ms. Rosier reported on the successful completion of numerous virtual meetings and staff trainings in the last 2 months, including NCEES, ICOR, ARPL, PEIA, etc.
- Ms. Rosier shared her involvement with 2023 National Engineers Week activities, as well as one following E-week due to requested follow-up visit with participants.
- Ms. Rosier provided a status report on a number of special projects that she and staff are working on now that the PE renewal season has ended.
- Ms. Rosier reminded the Board to begin thinking about any newsletter article topics and to submit any ideas to her prior to the next Board meeting.

A motion was made by Mr. Saluja, seconded by Dr. Nottingham, to approve attendance and travel for Board members, staff and counsel to the upcoming 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's Counsel provided the details of the resolution of Complaints C2023-09, C2023-10, and C2023-15.

Mr. Robinson made a motion to enter into Executive Session at 10:40am, seconded by Dr. Nottingham. Motion carried.

Mr. Robinson excused himself and exited the room, as to not be part of any discussion or decision making regarding C2022-12 and C2022-13.

The Board recessed the Executive Session at 12:00pm for lunch and resumed the Executive Session at 12:40pm.

At 1:05pm, Mr. Robinson made a motion, seconded by Dr. Nottingham, to move into General Session. The motion carried, and the Board took the following action:

- Dr. Nottingham made a motion, seconded by Mr. Gates to dismiss C2023-06. Motion carried.
- Mr. Robinson made a motion, seconded by Mr. Saluja to dismiss C2023-14. Motion carried.
- Dr. Nottingham made a motion, seconded by Mr. Gates, to move I2023-16 to Complaint. Motion carried. Furthermore, Dr. Nottingham made a motion, seconded by Mr. Gates, to "Receive and File" Complaint C2023-16, and set said Complaint for a hearing on September 19, 2023. Motion carried.
- Dr. Nottingham made a motion, seconded by Mr. Gates, to move I2023-17 to Complaint. Motion carried. Furthermore, Dr. Nottingham made a motion, seconded by Mr. Gates, to "Receive and File" Complaint C2023-17, and set said Complaint for a hearing on September 19, 2023. Motion carried.
- Dr. Nottingham made a motion, seconded by Mr. Gates, to move I2023-18 to Complaint. Motion carried. Furthermore, Dr. Nottingham made a motion, seconded by Mr. Gates, to "Receive and File" Complaint C2023-18, and set said Complaint for a hearing on September 19, 2023. Motion carried.
- Dr. Nottingham made a motion, seconded by Mr. Gates, to move I2023-19 to Complaint. Motion carried. Furthermore, Dr. Nottingham made a motion, seconded by Mr. Gates, to "Receive and File" Complaint C2023-19, and set said Complaint for a hearing on September 19, 2023. Motion carried.
- Mr. Robinson made a motion, seconded by Dr. Nottingham, to move I2023-20 to Complaint. Motion carried. Furthermore, Mr. Robinson made a motion, seconded by Dr. Nottingham, to "Receive and File" Complaint C2023-20, and set said Complaint for a hearing on September 19, 2023. Motion carried.
- Mr. Robinson made a motion, seconded by Mr. Saluja, to move I2023-21 to Complaint. Motion carried. Furthermore, Mr. Robinson made a motion,

seconded by Mr. Saluja, to “Receive and File” Complaint C2023-21, and set said Complaint for a hearing on September 19, 2023. Motion carried.

- Mr. Gates made a motion, seconded by Dr. Nottingham, to move I2023-22 to Complaint. Motion carried. Furthermore, Mr. Gates made a motion, seconded by Dr. Nottingham, to “Receive and File” Complaint C2023-22, and set said Complaint for a hearing on September 19, 2023. 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 comity application for Michael J. Stansbury. Motion carried.
- Mr. Robinson made a motion, seconded by Dr. Nottingham, to approve the Business Entity - DBA Waiver application for Eastern Engineered Wood Products, Inc. Motion carried.

The Board reviewed the 2023 NCEES Annual Meeting agenda and supporting documentation, noting the deadline for NCEES funded-delegates to register and book travel is May 1st and prior to the Board’s next meeting. Ms. Rosier requested that those interested in attending check their calendars and let her know as soon as possible.

Ms. Rosier provided a summary of the 2023 NCEES Member Board Administrator’s (MBA) Committee activities and plans for presenting their report at the upcoming Zone Meeting in Texas. President Thomas also provided an update on his latest meeting with the NCEES Exam Policies and Procedures Committee meeting in Phoenix, AZ.

Ms. Rosier reminded Board members to respond to the 2023-2024 NCEES standing committee interest survey email if they were interested in future committee participation.

Ms. Rosier provided a final update on the upcoming 2023 NCEES Joint Zone meeting scheduled to be held in Houston, TX on April 27-29, 2023. She reminded those attending (President Thomas, Dr. Nottingham and Mr. Eagloski) to be sure to complete their NCEES travel arrangements as soon as possible.

Ms. Rosier provided the Board with an update on the close of the 2023 WV Legislative Session and discussed the outcome of a number of bills she was tracking that were relevant to the Chapter 30 Boards. The Board also reviewed the summary from the Alliance for Responsible Professional Licensing (ARPL) group’s recent post-legislative session meeting and their new tools and resources to help state boards to communicate the importance of responsible licensing to their legislatures and other stakeholders.

Ms. Rosier reported the biennial renewal audit was sent to 350 PEs (3.9% of active licensees) and is ongoing. As of the date of the Board meeting, a large percentage of PEs have responded and provided qualifying documentation to meet the audit requirements, several others have responded but have been requested to supply additional information, and a small percentage have yet to respond. As the deadline approaches, additional email reminders will be sent and staff will also follow up with

courtesy phone calls to non-responders to ensure they have received the various notices. Once the PE renewal audit is complete, staff will then finalize any related COA matters resulting from EIRC issues from the PE renewal season and subsequent audit outcome.

Ms. Rosier shared that National Public Service Recognition Week is May 7-13, 2023 and employees who have served the state for 20, 25, 30, 35, 40, 45, 50, 55 years will be honored in this year's celebration. Sue Rubenstein, our Board Administrator, has met the 40-year milestone and will be recognized with a certificate and lapel pin with her years of service engraved on it as well as be invited to a recognition ceremony. The Board members and staff wish to thank and congratulate Sue on her longevity and commitment to our agency and the State of West Virginia.

Ms. Rosier reported to the Board that she and President Thomas had successfully obtained permission for use of the wvpebd.gov web domain in the last month. Based on recently proposed legislation, as well as other state agency audit reports, it has been determined that having the (.gov) vs. (.org) website address, and corresponding email addresses, will hopefully make it easier to identify our agency as a branch of state government and provide users confidence in our secure site. Implementation of the newly acquired domain name will take place over the next several months, as not only electronic sites but paper resources will need to be updated to reflect the change.

Ms. Rosier provided the Board with details regarding plans for the next 2 days to be spent at the 2023 WV Equipment and Design Exposition (EXPO), including staffing our WV PE licensure information booth and conducting a joint continuing education seminar with the WV Board of Architects regarding recent draft revisions of the WV Code Officials handbook. The Board reviewed the content of the 2023 WV EXPO seminar slides, and interactive presentation which will be used during a moderated panel discussion with participants to include architects, code officials and engineers. Multiple Board members from both Boards also plan to be in attendance for this session. This session is a follow-up to a similar presentation provided at the 2023 Spring Seminar meeting of the WV Building Code Officials Association held on March 10th in Flatwoods, WV.

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

The Board reviewed the upcoming 2023 Calendar of Events and Ms. Rosier requested members notify her with any anticipated conflicts.

Upon motion by Mr. Robinson, seconded by Mr. Gates, the Board voted to adjourn the meeting at 2:25pm. The next Board meeting will be May 16, 2023, in Charleston. The Board members will be compensated one day per diem plus travel expenses.

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

Leslie A. Gates, P.E.
Board Secretary