

General Session Minutes
State Board of Registration for Professional Engineers
January 18, 2022

The West Virginia State Board of Registration for Professional Engineers met at their office in Charleston on Tuesday, January 18, 2022. 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 9:20am. Mr. Gates participated remotely via teleconference. The Board meeting minutes for the November 16, 2021 meeting were reviewed. A motion to approve the minutes was made by Dr. Nottingham, seconded by Mr. Saluja. Motion carried.

The Board budget summaries for November and December 2021 were received and reviewed, and the Board reviewed the Pcard transactions for the months of November and December 2021 as well. Ms. Rosier reported a \$1.99M balance at the end of the 2021 calendar year, with over \$750k in firm license renewal revenue since the launch of the Certificate of Authorization (COA) renewal season in late November 2021.

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

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

- Ms. Rosier reported an exact 50% pass rate for WV examinees sitting for the final paper-and pencil Civil PE exam in October 2021.
- Ms. Rosier provided the Board with updates on staff's on-going projects and answered questions.
- Ms. Rosier discussed the various meetings and trainings completed since the last Board meeting, including the final segment in the 3-part NCEES Law Enforcement Training, as well as the WV State Auditor's Required training for Chapter 30 Licensing Boards. The Board also reviewed the upcoming meeting participation schedule, which included the 2022 NCEES MBA meeting (now to be held virtually), the 2022 WV Design and Construction Exposition (EXPO) and the 2022 NCEES Northeast Zone meeting.
- Ms. Rosier reminded all Board members that they must file the Ethics Commission Financial Disclosure Statement (FDS) by February 1, 2021.

Dr. Nottingham made a motion to enter into Executive Session at 9:50am, seconded by Mr. Saluja. Motion carried.

Mr. Robinson excused himself and left the board room so as to not be part of any discussion or decision making regarding C2022-05.

At 11:25am, Mr. Saluja 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. Saluja to dismiss C2022-05. Motion Carried.

The Board acted upon the special case files as follows:

- Dr. Nottingham made a motion, seconded by Mr. Robinson, to approve the PE comity application for Robert C. Heady. Motion carried.
- Mr. Saluja made a motion, seconded by Dr. Nottingham, to approve the PE comity application for Ryan L. Logan. Motion carried.
- Mr. Robinson made a motion, seconded by Dr. Nottingham, to approve the PE comity application for Peter O. Nussbacher. Motion carried.

Ms. Rosier had no new COVID-19 updates to report since the last meeting. There continues to be a number of protocols still in effect that are impacting various state trainings as well as NCEES meetings and travel.

Ms. Rosier provided an update to the 2022 NCEES Member Board Administrator's (MBA) Meeting, noting that due to continued concerns related to the high level of new COVID-19 cases throughout the United States, and many states still under restricted travel mandates, NCEES made the decision to move the MBA meeting and MBA Committee meeting to a virtual format. This decision was made to help ensure the health and safety of our meeting attendees and NCEES staff. A shorter virtual MBA meeting is now scheduled for Thursday, February 3, 2022.

Ms. Rosier provided an update on the 2022 NCEES NE Zone meeting, noting it is still scheduled to be held April 28-30, 2022 in Newport, Rhode Island. Ms. Rosier reminded the Board that NCEES delegate registration for this meeting is due tomorrow. President Thomas, Dr. Nottingham and Mr. Eagloski confirmed their interested in attending.

The Board reviewed the nomination package for President Thomas for the 2021-2022 NCEES National Distinguished Exam Services Award. Mr. Robinson thanked Ms. Rosier for preparation of the application package, and Ms. Rosier stated she would be submitting the nomination on behalf of Mr. Robinson and the WV PE Board later this week.

Both President Thomas and Ms. Rosier provided an update on their 2021-2022 NCEES Committee work to date. President Thomas continues to serve as the Chairman of the NCEES Education Committee and Ms. Rosier serves as a member of the Member Board

Administrators Committee. Both Committees continue to review the NCEES position statements assigned to their respective Committees for review, address the other assigned charges of the NCEES President, and begin to prepare presentations to ensure the significant issues of the committees are presented to the Council at each Zone meeting, allowing for discussion prior to the Annual Meeting in August.

Ms. Rosier updated the Board on the list of bills potentially impacting Chapter 30 Boards as introduced to date during the 2022 WV Legislative Session. The Board reviewed the most recent Alliance for Responsible Professional Licensing (ARPL) tools and publications and Ms. Rosier provided an update from the latest ARPL-WV teleconferences she has been participating in. The Board also reviewed draft correspondence prepared in response to a request by the WV Director of Legislative Rule-Making to identify rules concerning non-specified, criminal liability language within legislative rules.

The Board reviewed email correspondence from the Huntington Engineers Club regarding a recommendation sent to Governor Justice regarding one of their member's interest for future Board member consideration.

The Board was presented in-person plans for the 2022 WV Construction and Design Exposition (EXPO) at the Charleston Civic Center on March 23-24, 2022. After a 2-year hiatus due to COVID, the Board will have their regular agency booth and program ad (which serves as a Professional Development reporting document for PE attendees), in addition to conducting a continuing education seminar to be offered free to all attendees. Ms. Rosier received confirmation from both the OH PE/PS Board, as well as the WV PS Board, to conduct another 2-hour joint session that will count toward both WV and OH PE and PS renewal requirements.

Ms. Rosier reported approximately 15,000 InterChange newsletters were mailed out to all active PEs, Retired PEs and COA holders the last week of November. The newsletters mailed to firms with a COA, were accompanied by their biennial 2022-2023 COA renewal notification.

Ms. Rosier reported 3472 active COAs received their renewal notice prior to December 1, 2022. Approximately 95% of all COAs were renewed prior to the deadline for regular renewal submissions, which was midnight on December 31, 2021. The additional 192 COAs yet to be renewed were mailed second notices on January 6, 2022. Multiple courtesy email reminders were also sent throughout December 2021 and January 2022. All COA renewals received during the January 1, 2022 to January 31, 2022 grace period are required to pay late fees.

The Board reviewed the upcoming 2022 Calendar of Events and Ms. Rosier requested members notify her with any anticipated conflicts.

Upon motion by Mr. Saluja, seconded by Dr. Nottingham, the Board voted to adjourn the meeting at 12:10pm. The next Board meeting will be March 22, 2022, 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