

General Session Minutes
State Board of Registration for Professional Engineers
January 31, 2013

The State Board of Registration for Professional Engineers met in their offices at 300 Capitol Street in Charleston, WV on Thursday, January 31, 2013. 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 9:00 AM.

A number of agenda were addressed out of order to allow for the pending informal conference with a licensee, a joint meeting with the WV Surveyors Board and two PE exam candidate interviews.

Before beginning regular business, the Board requested an update from the Board President regarding the tentative agreement with the Attorney General's Office regarding the legal services of Ms. Hamilton as counsel of the AG's office and for her to continue to serve as this Board's attorney. President Robinson has heard from AG Morrisey's general counsel, who assured the Board Ms. Hamilton would be retained, with a majority of her time devoted to this Board. A memorandum of understanding (MOU) setting forth various understandings, including billing, is being drafted by the AG's General counsel and will be provided to this Board for consideration.

The Board meeting minutes for December 18, 2012 (both executive and general session) were reviewed. A motion to approve the minutes as submitted was made by Mr. Timms, seconded by Mr. Plymale. Motion carried.

The Board budget summaries for November and December 2012 were received and reviewed. The detailed purchasing card expenditures were also received and reviewed. A motion to approve the current expenditures and purchasing card transactions was made by Mr. Timms, seconded by Mr. Saluja. Motion carried.

Ms. Rosier presented the Executive Director's report and addressed all Board questions and comments. Ms. Rosier discussed participation in recent events and presentations made by her to various groups since the last Board meeting. She also reviewed the office's schedule of upcoming activities. A motion was made by Mr. Pierson, seconded

by Mr. Plymale, to approve attendance and travel for Board member and staff activities outlined in the Executive Director's report and updated 2012-2013 calendar of events and travel. Motion carried.

The upcoming April 2013 exam was discussed. As of today, 56 PE applications were accepted with 27 being first-time examinees. Two exam applicants are required to interview before being allowed to take the exam and will be meeting with Board members and staff this afternoon. 290 FE applications were received and are being processed for approval.

Ms. Rosier discussed the current legislation that can sweep a portion of Chapter 30 Boards' funds into the state's General Fund. The WV Association of Licensing Boards is currently working with the Joint Committee on Government Organization to offer amendments to this legislation during the 2013 session and seeking input. The current movement of the Association is to remove the sweep calculation and simply request monitoring and oversight if a Board's funds appear to be in excess of what they should be. Ms. Rosier and Ms. Hamilton will track the upcoming bill(s) and will report on the status of that legislation.

Ms. Rosier and President Robinson will be attending the NCEES Board President Assembly in Atlanta, Georgia on February 7-9, 2013. In addition, Ms. Rosier will be serving as an NCEES representative and providing educational outreach presentations at the National Building Museum in Washington, DC to kick-off National Engineers Week over the weekend of February 16-17, 2013. Upon her return, she will also be participating in other local E-Week activities including Introduce a Girl to Engineering activities at the Clay Center and co-moderating a national licensure webinar in cooperation with NCEES and ASCE the evening of Wednesday, February 20, 2013 .

Ms. Rosier encouraged the Board to review the upgrades and recent additions to the Board's website. Enhancements include social media links, video segments on the importance of licensure, a Frequently Asked Questions section, as well as a visitor survey.

The Board reviewed, in detail, the proposed changes in the Engineering Law being made to accommodate Computer Based Testing (CBT). With minor modifications, Mr. Timms made a motion to take the necessary steps to get the proposal introduced to begin the legislative process. Motion was seconded by Mr. Saluja and carried.

Mr. Pierson made a motion to enter into Executive Session at 10:45 AM, seconded by Mr. Saluja. Motion carried.

The Board recessed the meeting in Executive Session at 11:00 AM for an informal conference on inquiry I2013-7.

The Board returned to regular session for a joint luncheon meeting with the WV Board of Professional Surveyors (Surveyors Board).

In attendance from the WV Surveyors Board:

Nelson B. Douglas – Board Member
Anthony J. Sparacino, Jr. – Board Member
R. Michael Shepp – Board Member
Mark H. Hornish – Board Member
Dennis Jarrell – Board Administrator
Kate Campbell, Assistant Attorney General, Counsel to the Board

Joining them from the Society of Professional Surveyors:

Darrell Buttrick – Executive Director
John L. Green – Legislative Committee Chair

The WV PE Board members and the WV Surveyors Board members met for approximately 2 hours and discussed a variety of overlapping and incidental issues between the professions and agreed to meet again in early March to begin work on developing a joint publication or memorandum of understanding to assist our licensees and other professionals such as architects and building code officials, as well as the public at large regarding who can and cannot perform certain duties.

The Board resumed the regular Board meeting in Executive Session at 2:45 PM, again recessing to interview two repeat PE exam candidates.

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

1. A motion was made by Mr. Timms to dismiss the charges against the engineer identified in complaint C2012-07 and authorize Ms. Hamilton attempt to settle the complaint against the company. Motion was seconded by Mr. Saluja and carried.
2. Mr. Timms moved that complaint C2013-01 be scheduled for hearing at the March meeting unless resolved. Motion was seconded by Mr. Plymale and carried. (Ms. Rosier continued to be excused and absented herself from this action item.)
3. A motion was made by Mr. Saluja, seconded by Mr. Timms, to dismiss complaints C2013-02 and C2013-04 in a single letter since the matters are related. Motion carried.
4. The Board authorized staff to hire an expert, if necessary, to review the HEC-RAS study in complaint C2013-05.
5. Mr. Timms moved that complaint C2013-06 be scheduled for hearing at the March meeting unless resolved. Motion was seconded by Mr. Saluja and carried.

6. Mr. Saluja made a motion that inquiry I2013-06 be filed as a Board-initiated complaint. Motion was seconded by Mr. Plymale and carried.
7. Mr. Timms made a motion that inquiry I2013-07 be filed as a Board-initiated complaint. Motion was seconded by Mr. Plymale and carried.

Based on a motion by Mr. Timms, seconded by Mr. Pierson, the Board took the following actions on Special Cases for Board Action:

1. David H. Glabe's request for comity was approved.

Ms. Rosier discussed tentative plans for the Northeast Zone meeting scheduled for May 2-4 in Cape May, NJ. The Board will be sending a minimum of three funded representatives to this meeting. Ms. Rosier, Mr. Saluja and Mr. Johnson are the funded delegates. In addition, the Northeast Zone will be asked to vote on the new NCEES President-Elect nomination at this meeting. Board members were presented with information on the two candidates that have stepped forward to be considered for the position at this time.

NCEES issued a Notice of Initiation of CBT effective January 1, 2014. The October 2013 exam will be the last pencil and paper FE exam. The PE exam will continue to be a pencil and paper exam offered twice a year. Computer-based FE exams will only be administered at approved Pearson VUE testing centers, which in WV includes one in Morgantown and one in downtown Charleston.

Ms. Rosier reported that the WV Architects Board had responded to our Board's request for updates needed to the joint publication "Professional Use of Seals" brochure prior to reprinting. The Architects Board had only minor edits that have been incorporated along with those of our Board. Once the final draft is complete, a copy will be provided to both Boards for final approval prior to reprinting.

Ms. Rosier reported on the upcoming WV EXPO. Vice-President Pierson will take the lead in our program entitled "Trends in Engineering Licensure". President Robinson, Ms. Hamilton and staff will also prepare brief remarks to be followed by the joint program with WVSPE to honor our 2012 successful examinees. WVSPE has prepared the invitations for the examinees, and our Board will mail the notifications in late February.

Ms. Rosier distributed the draft copy of the newsletter. She requested that any changes or additions be sent to her no later than February 4th. The newsletter is scheduled to go to the printer immediately after incorporating all proofing comments.

The next Board meeting is Tuesday, March 19, 2013. The meeting will take place at the Board office at 300 Capitol Street – Suite 910, in Charleston, WV.

Upon motion by Mr. Timms, seconded by Mr. Plymale, the meeting adjourned at 4:15 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