

General Session Minutes
State Board of Registration for Professional Engineers
March 24, 2009

The State Board of Registration for Professional Engineers met in their offices at 300 Capitol Street in Charleston, WV on Tuesday, March 24, 2009. Those present for all or part of the meeting were:

Leonard J. Timms, Jr.	President
Edward L. Robinson	Vice-President
Bhajan S. Saluja	Secretary
Richard E. Plymale	Member
William E. Pierson	Member
Lesley L. Rosier-Tabor	Executive Director
Don W. Johnson	Board Investigator
Debra L. Hamilton	Legal Counsel
Nicole Cofer	Legal Counsel

The meeting was called to order at 9:10 a.m.

The Board meeting minutes of the January 27, 2009 (both executive and general session) were reviewed. A motion to approve the minutes was made by Mr. Pierson, seconded by Mr. Plymale. Motion carried.

The Board budget summaries for January and February 2009 were also received and reviewed. A motion to approve the expenditures and purchasing card transactions was made by Mr. Saluja, seconded by Mr. Pierson. Motion carried. Ms. Rosier reported that the P-Card staff indicated their review was approaching completion. The final report is due to be issued in the near future.

Ms. Rosier presented the Executive Director's report and addressed all Board questions and comments. Ms. Rosier discussed her participation in recent events and presentations made by her and Mr. Johnson to various groups since the last Board meeting, in addition to reviewing the office's schedule of upcoming activities. A motion was made by Mr. Robinson, seconded by Mr. Plymale, to approve attendance and travel for staff activities outlined in the Executive Director's report and updated 2009 calendar of events. This included Ms. Rose's and Ms. Smith's attendance at a two-day Access database workshop in Charleston. Motion carried.

Ms. Rosier discussed the application details for the upcoming April exams. Thirty-one educational plans of study were submitted and accepted. Two exam applicants, one for the FE exam and one for the PE exam, had already submitted two educational plans of study over the last year and were unsuccessful so an interview with a committee of the Board was required. Both applicants were accepted for the April 2009 exam immediately following the interviews. A number of applicants did not follow instructions to register for a seat at the exam and the WV Board staff (along with ELSEES staff) worked diligently to contact the exam applicants via phone and email so they could contact ELSEES to get properly registered for the April exam. Observers for the ELSEES administration will be Ms. Rosier and Mrs. Rubenstein for the FE and PE exams in Charleston and President Timms for the FE exam in Morgantown.

A copy of the detailed statistics of the NCEES October 2008 exam results was given to each Board member for review. Pass rates continue to be well below average. Board members were

encouraged to take the notebooks but to return them for additional discussion at the May 2009 Board meeting.

The 2009 newsletter printing is complete and was mailed along with the Personalized Status Report serving as the cover page and address sheet. Over 11,000 copies were disseminated and a number of positive responses have been received regarding the newsletter and content.

President Timms updated the Board on his NCEES activities. The Board Presidents Assembly (BPA) was held February 20-21, 2009. President Timms and Ms. Rosier attended this event. Ms. Rosier participated in discussions regarding Computer Based Testing (CBT) and Member Board Administrators Networking Group activities at both meetings. The CBT effort is cautiously moving forward and the RFI process is now complete. Cost continues to be a major concern.

Several items were covered during the BPA, including NCEES' new marketing plan, NCEES services, foreign degree evaluation issues, continuing education updates, and a variety of other information in preparation for the Zone Meetings. The Northeast Zone meeting is April 16 -18, 2009 in Norfolk, Virginia. Attendance was encouraged. The Annual NCEES Meeting is scheduled for August 12-15, 2009 in Louisville, Kentucky.

The NCEES Washington Accord was discussed at the BPA. It was reported that fifty-six schools are involved in the Accord recognition. However, programs in six of eleven countries using the Washington Accord have been found to not be equivalent to ABET programs. On a few occasions, the Washington Accord signatories have been reviewed in conjunction with a number of other educational factors when determining acceptability for licensure in this state. However, now the WV Board requires the CPEES foreign degree evaluations for new applicants.

Nevada, as well as other states, continue to allow engineers to take the PE exam directly out of school or with less than the four years of experience outlined in the NCEES Model Law. Their license is not issued until they have completed the required experience. Information was presented that shows this practice typically results in reduced pass rates for these examinees.

The BS + 30 initiative has been renamed the "Master's or Equivalent" program reflecting that the organization is leaning toward accepting a master's degree for the equivalent educational requirement. This approach appears to present a clearer and uniform standard to accept when evaluating examinee and comity applications.

Nominations are being received for NCEES officers. Mr. Timms continues to be the only announced candidate for President-Elect at this time. Several other nominee packages for NCEES NE Zone and National offices were reviewed.

Mr. Robinson moved to enter into executive session at approximately 10:00 am, seconded by Mr. Pierson. Motion carried.

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

1. Mr. Robinson moved that complaints C2009-7 and C2009-10 be scheduled for hearing at the May meeting unless they are resolved prior to the notification date. Motion was seconded by Mr. Saluja and carried.

2. The Final Order on complaint C2009-3 was returned as unclaimed by the Post Office. The Board directed Mr. Johnson to have the Final Order delivered by the appropriate service in New Mexico.
3. The Board directed staff to send a letter to the WV Office of Mine Safety, Health and Training regarding complaint C2009-11.
4. Mr. Robinson moved that inquiry I2009-13 be received and filed as a Board-initiated complaint. Motion was seconded by Mr. Saluja and carried.
5. Mr. Robinson moved that inquiry I2009-17 be received and filed as a Board-initiated complaint. Motion was seconded by Mr. Plymale.
6. Mr. Robinson moved that inquiry I2009-18 be received and filed as a Board-initiated complaint. Motion was seconded by Mr. Plymale and carried. President Timms recused and absented during this discussion.
7. Mr. Plymale moved that inquiry I2009-20 be received and filed as a Board-initiated complaint. Motion was seconded by Mr. Pierson and carried.
8. Mr. Pierson moved that inquiry I2009-21 be received and filed as a Board-initiated complaint. Motion was seconded by Mr. Saluja and carried.
9. Mr. Saluja moved that inquiry I2009-22 be received and filed as a Board-initiated complaint. Motion was seconded by Mr. Pierson and carried.
10. Mr. Robinson moved that inquiry I2009-23 be received and filed as a Board-initiated complaint. Motion was seconded by Mr. Saluja and carried.
11. Mr. Robinson moved that inquiry I2009-26 be received and filed as a Board-initiated complaint. Motion was seconded by Mr. Plymale and carried.
12. Based on a motion by Mr. Pierson, seconded by Mr. Robinson, the Board took the following actions on Special Cases for Board Action:
 - Pavan K. Puttamraju's request to sit for the PE exam was approved contingent on him completing the application process.
 - Stephen C. Hoffman's request for comity was approved effective October 1, 2009.
 - Jigar R. Shah's request for comity was approved.
 - William J. Sherrer, Jr.'s request for comity was approved effective October 1, 2009.
 - Edward C. Vincent's request for an exemption waiver on required PDH's for 2009 was approved.
13. The Board approved the hiring of a summer employee to assist in the renewal process.

The American Council of Engineering Companies (ACEC) sent a letter to the Board asking that the Board clarify if the WV Division of Highways is required to seal engineering work prepared by them and used for bid solicitation. The Board concurred with the ACEC's position and will draft a letter to the WV DOH addressing the issue.

The Board directed staff and counsel to keep them apprised of rule-making and other legislative matters of interest to the Board.

Preparation for the WV Equipment, Technology and Design Exposition is complete. The EXPO will take place March 25th and 26th. In addition to the annual continuing education session presented by the Board, staff and Board members will assist in the second annual recognition ceremony for those who passed the NCEES Principles and Practice Exam or Fundamentals of Engineering Exam in WV in 2008. This event is sponsored by the WV Society of Professional Engineers and immediately follows the Board's presentation on Wednesday afternoon, March 25, 2009. Board attendance was encouraged.

The Marshall University/WVU Tech agreement on offering a WVU Tech degree at the Marshall campus will be ending prior to Marshall receiving ABET approval. A few inquiries as to whether the Marshall Masters in Engineering program will be recognized by the Board is being addressed by noting that the same circumstances will apply to incoming applications that apply to those in the undergraduate program. A signed statement of understanding addressing the pending ABET-review will be required during the application process for those candidates who fall into this category.

A report from the 2009 FARB meeting was prepared by attendees Mr. Don Johnson and Mrs. Sue Rubenstein for Board review.

The Board reviewed the draft 2009 renewal tri-fold flyer, noting no major changes from the 2008 season. The RFQ will go out early next week and, once printed, renewal notifications will be mailed in mid-May prior to our next Board meeting.

A proposed agenda (topics for discussion) for the June 16, 2009 joint afternoon meeting with the Surveyor's Board was reviewed. A proposed agenda will be sent to the Surveyors Board staff for review and comment during their next Board meeting.

Ms. Rosier reported that at the WV Licensing Board meeting it was noted that the 2009-2010 budget is due May 5, 2009, which is two weeks prior to the next Board meeting. Ms. Rosier will send the budget documents and expenditure schedules via e-mail to the Board members for review and comment.

The next Board meeting will be held on Tuesday May 19, 2009. The meeting will take place at the PE Board office located at 300 Capitol Street, Charleston, WV.

Upon motion by Mr. Pierson, 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.

Leonard J. Timms, Jr., P.E.
Board President

Bhajan S. Saluja, P.E.
Board Secretary