

General Session Minutes
State Board of Registration for Professional Engineers
May 25, 2012

The State Board of Registration for Professional Engineers met in their offices at 300 Capitol Street in Charleston, WV on Friday, May 25, 2012. Those present for all or part of the meeting were:

Edward L. Robinson	President
William E. Pierson	Vice-President
Bhajan S. Saluja	Secretary
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 9:05 AM. The agenda was re-arranged to accommodate Board member's schedules. The Board meeting minutes for March 20, 2012 (both executive and general session) were reviewed. A motion to approve the minutes as amended was made by Mr. Timms, seconded by Mr. Pierson. Motion carried.

The Board budget summaries for March and April 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. Pierson, seconded by Mr. Timms. Motion carried.

The projected FY 2013 Budget and Expenditure Schedule was received and reviewed. A motion to approve the FY 2013 Budget and Expenditure Schedule as submitted was made by Mr. Saluja, seconded by Mr. Timms. Motion carried.

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 to various groups since the last Board meeting. She also reviewed the office's schedule of upcoming activities. A motion was made by Mr. Timms, seconded by Mr. Saluja, to approve attendance and travel for Board member and staff activities outlined in the Executive Director's report and updated 2012 calendar of events, including the addition of Ms. Rubenstein's and Mr. Johnson's attendance at the NCEES Annual Meeting and Mr. Johnson and Ms. Rosier to attend the CLEAR Conference. Motion carried.

The April exam results were discussed. The FE exam results have been received. The overall pass rate was 47.8% (55.1% for first-time takers and 20.8% for repeat takers.) There were 8 interviews conducted prior to taking the exam, two of whom passed. There were 45 absences, 32 in Morgantown and 13 in Charleston. The PE exam results have not been received. A total of 61 PE examinees registered with NCEES, one taking the Structural 2 exam, for a total of 62 exams. One PE applicant interview was conducted. There were 5 absences, 1 in Morgantown and 4 in Charleston.

Ms. Rosier reminded the Board of the upcoming NCEES Annual Meeting August 22-25, 2012 in St. Louis, MO. Pre-registration is required prior to the next Board meeting and Board members were asked to notify Ms. Rosier before July 1st if they plan to attend so they can be registered.

The schedule on changes to the WV Engineering Law was discussed in detail. Ms. Hamilton and Board staff are working on a draft of the proposed law for review by the Board. Distinctions between the proposed law and the NCEES Model Law are being identified. A legislative re-write work session for the Board and staff is tentatively scheduled for June 26th.

Mr. Timms presented some suggestions to consider for the WV Engineering Law related to the educational changes involving the Model Law Master's degree or equivalent educational criteria. If implemented, these requirements would take effect no earlier than 2020.

Mr. Timms reported on his recent activities as NCEES Past-President which included:

- Computer Based Testing (CBT) is still on schedule to launch in January 2014.
- No major issues or motions voiced at any of the various NCEES Zone meetings.
- Support for the Master's or equivalent continues to grow.

The Northeast Zone meeting in Dover, DE was discussed. Ms. Rosier briefly reviewed the content of the Member Board Administrators agenda. No major issues were raised during the various sessions.

The details of CBT for the FE exam were discussed, specifically the issue of allowing candidates to apply directly to NCEES for application to sit for the FE exam. This procedure would eliminate the FE exam pre-approval process currently being conducted by this Board. The Board concluded that since many other states are already using this procedure, and many more are scheduled to during the CBT transition, this Board will likely incorporate this procedure in legislative changes proposed for 2013. Given the fact that candidates will now be able to sign up to sit for the exam any day of the week at any approved Pearson Vue location in any state, candidates will be able to "shop around" and find the path of least resistance and cost. Given the reality that passing the FE exam is only one step of many in the licensure process and does not permit an individual to practice engineering in any way, the Board was willing to entertain such a change to long-standing procedure. If an FE exam candidate passes the exam but does not have the correct educational credentials or qualifying references, they cannot become an Engineer Intern and most certainly they can never become a PE.

The 2012-2013 annual renewal is in progress. A number of problems occurred involving the low bid printer and mailing vendor who produced the tri-fold renewal mailers and wallet cards. The details of the problems were discussed, which included but were not limited to the following: renewal notices were mailed out to our licensees more than one week prior to schedule, the online renewal system was not ready resulting in the WVSTO IT group having to scurry around and bring the system on-line early, there were a number of errors in the printing of the addresses including truncated addresses, missing cities and states, etc. Initially the representative from the printer was not responsive to our concerns and the impact their action had on the renewal process. In addition, this time-sensitive print job was not completed in full as of the date of the Board meeting, which was already 14 days after the required deadline. A complaint will be filed with the WV Purchasing Division outlining the problems encountered by using the required low-bid vendor and recommending that they be removed from future opportunities. In addition, unless significantly discounted beyond the given 3% per day contractual penalty for being late, Ms. Rosier indicated she planned to dispute the invoice for the unprofessional service and unexpected amount of additional work imposed on Board staff. The Board fully supported this approach.

Ms. Rosier noted that Board staff worked diligently to manually prepare and reprint renewal mailers and wallet cards to correct the printer errors. She was happy to report that from the standpoint of the licensee, there were minimal issues with the renewal process since it went live online.

The Board recessed at 11:00am for an informal conference regarding Complaint C2012-13.

Mr. Timms moved to enter into Executive Session at 11:30 AM, seconded by Mr. Saluja. Motion carried.

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

1. Mr. Timms moved that complaint C2010-12 be scheduled for hearing at the September Board meeting unless resolved. Motion was seconded by Mr. Pierson and carried.
2. Upon motion by Mr. Timms, seconded by Mr. Pierson, the Board agreed to dismiss complaint C2012-13. Motion carried. As a result of this complaint, the Board directed staff to research the impact of allowing wholly owned subsidiaries filing joint tax returns to be treated as a satellite branch office/company not requiring a separate COA vs. current Board policy of having a separate COA for all entities operating under separate FEIN numbers.
3. The Board staff was directed to put a permanent notice in the file of the EI involved in inquiry I2012-24 relating to his felony convictions.

There were no Special Cases for Board Action.

Mr. Timms made a motion to approve a \$3000 merit increase for the Executive Director with the remaining budgeted pool of \$8000 to be distributed to Board staff at her direction. The raises are to be effective July 1, 2012. Mr. Saluja seconded and the motion carried.

The excessive number of documents being sent to the Board for review, as well as the hundreds of pages included in their Board meeting books, was discussed at length. Several Boards, both state and nationally, have moved to electronic format for their meetings. Such a change would require the purchase of notebook computers or I-Pads for use by the Board members and staff to more efficiently communicate before, during and after the Board meetings. Mr. Timms made a motion directing staff to purchase eight (8) I-Pads for the use of Board and staff members who are required to prepare for and attend the Board meetings. Motion was seconded by Mr. Pierson and carried.

The next Board meeting is scheduled for Monday, July 16, 2012. The meeting will take place in the Board offices at 300 Capitol Street in Charleston, WV.

Upon motion by Mr. Timms, seconded by Mr. Pierson, the meeting adjourned at 2:30 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