

**General Session Minutes
State Board of Registration for Professional Engineers
November 14, 2006**

The State Board of Registration for Professional Engineers met in the Dean's Conference Room of the LCN College of Engineering at the WVUIT Campus in Montgomery, WV on November 14, 2006. Those present for the general session 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
Debra L. Hamilton	Legal Counsel

The meeting was called to order at 8:50 a.m.

The Board meeting minutes of September 5, 2006 (both executive and general session) were reviewed. A motion to approve the minutes was made by Mr. Robinson, seconded by Mr. Pierson. Motion carried.

The Board budget summary for August, September and October 2006 was received and reviewed, in addition to the first quarter summary. Ms. Rosier informed the Board members that the WV State Auditor's office was currently performing a routine Post Audit of the agency purchasing card transactions and their summary report should be available before our next regular Board meeting. A motion to approve the expenditures and purchasing card transactions was made by Mr. Robinson, seconded by Mr. Saluja. Motion carried.

Ms. Rosier presented the Executive Director's report and addressed all Board questions and comments. Ms. Rosier reviewed the presentations she made to various organizations since the last Board meeting and discussed the office's schedule of upcoming activities. Ms. Rosier also discussed her plan for moving to a biennial renewal process and full on-line renewal payments. Discussion among Board members ensued, and Mr. Timms directed Ms. Rosier to develop a timeline and sample marketing piece to be reviewed at the next Board meeting. Mr. Pierson also suggested informing all registrants by developing a feature article on our plans for future renewal methods in the next newsletter.

Mr. Pierson moved to enter into executive session, seconded by Mr. Plymale. Motion carried.

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

1. Mr. Robinson moved the inquiries including I2006-22, I2006-24 and I2006-25 be made formal complaints to be filed by the Board. Motion was seconded by Mr. Saluja and carried.
2. The Board's Investigator was authorized to initiate complaints for the president's signature against unlicensed contractors hired by the subject of a Board investigation.

3. The following actions were taken on pending applications for Board consideration, based on current WV Engineering Law and educational requirements set forth therein, by a motion by Mr. Robinson and second by Mr. Pierson:
 - a. Jeffrey Bonnerwith's request for reconsideration of his comity application was denied.
 - b. Angel DeAngelis Lowery's request for reconsideration of her comity application was denied.
 - c. Steven Dielman's request for comity was denied.
 - d. Cullen Flanders' request for reconsideration of his comity application denied.
 - e. Ms. Rosier was directed to contact the NC Board regarding a pending applicant's file to determine if any action had been taken regarding a recent misdemeanor conviction. If yes, WV will consider reciprocal action or holding his file in abeyance until the next Board meeting. If no, the Board directed Ms. Rosier to approve his application.
4. Mr. Saluja made a motion, seconded by Mr. Robinson, to accept NCEES' Center for Professional Engineering Education Services as the WV Board's accepted foreign degree credential evaluator for all future application considerations. Given this decision, Ms. Rosier was directed to alert all foreign degree applicants, including the applicant whose file is currently pending this month, that Engineering Credential Evaluations Inc. (ECEI), an ABET affiliate, is no longer offering services and they need to make alternate arrangements with the evaluator of choice.

The summary report of the 2006 NCEES Annual Meeting was discussed. At the Annual Business Meeting, delegates voted to modify the NCEES *Model Law* requirements for licensure to require additional education for engineering licensure. The approved language states that an engineer intern with a bachelor's degree must have an additional 30 credits of acceptable upper-level undergraduate or graduate-level coursework from approved providers in order to be admitted to the Principles and Practice of Engineering (PE) examination. The Board and staff have been contacted by various groups in the last month for comment on the recent Model Law change.

The ABET Board of Directors, at its October 28th meeting, approved a motion to suspend ABET's foreign degree credential evaluation service (ECEI). The Board discussed the implications of this decision with respect to current applicants as well as current reading of the WV Engineering Law. While changes will need to be reflected in upcoming Code and Rule revisions, current language permits the Board to determine another evaluator. After review of services offered, NCEES's Center for Professional Engineering Education Services is now the WV Board's accepted foreign degree credential evaluator as noted above. A timetable for disposition of current applications and cessation of new applications and the final transition processes to execute the ABET Board's directive have been distributed. Ms. Rosier indicated that only four or fewer current exam or comity applicants should be affected in WV.

The latest NCEES and NE Zone committee, task force and advisory board appointments were discussed. Currently 3 of the 5 WV Board members are actively involved in National or Zone activities, as well as the Board staff. Mr. Timms encouraged all members and staff to stay actively involved. At that time, Mr. Timms formally announced his interest in running for Northeast Zone Vice President. Mr. Robinson moved to formally nominate Mr. Timms for the NE Zone Vice President, in addition to a nomination for the NE Zone Distinguished Service Award. This motion was seconded by Mr. Plymale and unanimously approved by the Board. Both nominations will be sent forth to the appropriate NCEES contact in the next month, well before the required deadlines. The Board authorized staff to expend funds reasonable and necessary to

accomplish WV Board representation on the NCEES Board through Mr. Timms' election as Northeast Zone Vice President.

The Board discussed the October exam administration and ELSEES issues, including the latest update on the exam seating arrangements. The Board and legal counsel also reviewed the latest ELSEES exam administration contract and the self-audit on exam administration procedures completed for NCEES by ELSEES on the Board's behalf. Ms. Rosier made a few minor modifications to the exam procedures audit and the Board and counsel recommended not signing the new contract with ELSEES since it references old dates, but rather simply have a signed addendum which will reflect the current exam fees and administration charges.

The Board discussed concerns of the WVU Tech faculty and Dean regarding the ability for seniors to sit for the exam before completing much of the upper level course work. In particular, a faculty member proposed that the Board consider offering the FE fee waiver only during the final semester of their undergraduate educational experience. The Board agreed to consider this option, but relayed many additional concerns regarding the pass rates increased for both the FE and PE exams being far below the national average. WVU Tech is considering a required review course as part of the senior CE curriculum. The WV Board commended WVU Tech for their efforts to date and noted it will continue to pursue ideas to assist the universities and applicants in their exam preparation efforts. The WV Board feels they have a duty to the engineering community, academia and the state of WV to keep this issue in the forefront of the industry, continuing to bring these concerns to the attention of those who can make a difference.

The annual renewal cycle and grace period has now ended. The professional development audit is currently underway. In addition to more than 320 registrants being audited, one staff member as well as one Board member was selected for the audit. Additional letters have also gone out to those who are yet to obtain a Certificate of Authorization. Suspension letters have been mailed to all companies holding a COA who no longer have an active WV PE in responsible charge, as well as letters which invalidate the COA of those firms who appear in default on the Unemployment and WV Insurance Commission website.

President Timms reported on the progress of the small sub-committee of the Board who met the day prior to review the West Virginia Code in detail and discussed recommended changes, following the model law to the extent practical. Counsel was directed to prepare the proposed amendments by November 30th for distribution to the full Board for consideration.

The Board recessed at 12:00 noon for a luncheon with the Dean, engineering faculty and administrators, followed by a 1:00 p.m. open forum attended by the aforementioned parties, as well as a few students.

The Board reconvened at 2:00 p.m. in the Dean's Conference Room to complete business.

Ms. Rosier provided the Board with a detailed update of the on-going Legislative Audit by the Performance Evaluation and Research Division. All correspondence received and responses to date were reviewed in their entirety by President Timms prior to the meeting and made available for Board review during the meeting. The most recent information supplied by the Research Manager indicates the final agency report will be made available in early December and the WV PE Board members and staff are encouraged to attend the Joint Committee on Government Operations tentatively scheduled during the December interims.

Ms. Rosier presented the 2006 Annual Report to the Board for review and signature. Two minor changes were noted in Board member addresses. Changes will be made immediately and hand-delivery of the required copies will be completed by the end of the week.

Whether Board members have confirmed oaths on file was a subject of discussion. (UPDATE: Counsel confirmed with the Secretary of State's Office that all Board members have oaths on file).

The next Board meeting will be held on Tuesday, January 30, 2007 at 8:30 a.m. The meeting will take place in the Dean's Conference Room of the College of Engineering and Mineral Resources on the Evansdale Campus of West Virginia University, Morgantown, WV.

Upon motion by Mr. Plymale, seconded by Mr. Robinson, the meeting adjourned at 3:00 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