

General Session Minutes
State Board of Registration for Professional Engineers
November 15, 2005

The State Board of Registration for Professional Engineers met in their offices at 300 Capitol Street - Suite 910 Charleston, WV on November 15, 2005. Those present for the general session were:

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

The meeting was called to order at 9:00 a.m.

President Timms welcomed William Pierson to the Board. Mr. Pierson was appointed to fill a vacancy on the Board by the governor in October. Mr. Pierson is Chair of the Division of Engineering and Computer Science at Marshall University. He has been active in NCEES affairs for a number of years and is currently Vice Chairman of the Fundamentals Exam Committee.

The governor re-appointed Mr. Timms to another term on the Board.

The Board meeting minutes of September 19, 2005 (both executive and general session) were approved as read.

A motion to approve the September/October expenditures and purchasing card transactions was made by Mr. Saluja, seconded by Mr. Plymale. Motion carried.

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

The October 2005 FE and PE exams were discussed. The exams were conducted by ELSSES and no problems were encountered at either exam site. Participation was down slightly as it normally is in the fall.

The PE review course organized by the WV Younger Member Forum of ASCE and the Marathon Weekend using local qualified faculty (PE's) were completed. Feedback was excellent from the participants and they were optimistic about passing the upcoming exam.

The renewal process is complete. Less than 2% failed to renew. This is the lowest level in recent years. Final notices regarding the official lapse of licenses and COA's were sent by certified mail on October 10, 2005.

Planning for a joint Engineers-Surveyors Ethics Seminar in March continues. It will be a one and one-half day program offered in Flatwoods, WV.

Planning and preparation for the May 2006 NCEES Northeast Zone meeting in Charleston was reviewed. The schedule, agenda and budget have been completed. The main items remaining are after hour activities. A golf outing will be added to the schedule.

The annual PDH audit is nearing completion. A total of 359 people were audited including one Board member. There are four items for Board consideration. The Board directed Mr. Johnson to prepare a list of PDH items that are acceptable and not acceptable. The Board will review the list and agree on any needed changes so that they can be communicated in the newsletter.

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

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

1. The Board reviewed the deficiencies in Nihls Guhl's ECEI foreign degree evaluation. A motion was made by Mr. Saluja seconded by Mr. Plymale that Mr. Guhl needs to complete five and one half (5 ½) hours of additional engineering design classes to be eligible to sit for the PE exam. Motion carried.
2. The Board reviewed Mr. Jeffrey W. Kuehn's appeal regarding acceptance of his non-ABET degree. A motion was made by Mr. Robinson seconded by Mr. Saluja that the Board uphold their original ruling and not accept Mr. Kuehn's non-ABET degree. Motion carried.

The 2006 Board schedule was reviewed and revised. Copies will be sent to the Secretary of State's office.

Ms. Hamilton discussed the Federation of Associations of Regulatory Boards (FARB) Attorney Certification Seminar she attended. Representatives from all types of Boards attended. Recent court rulings regarding Boards and the changing structure of Boards were reviewed.

Ms. Hamilton reviewed the draft of the proposed changes to WV code relative to engineering. The Board clarified a number of points to allow her to continue with the revisions. A copy of the proposed document will be provided to the Board for review.

Mr. Saluja moved to re-enter into executive session, seconded by Mr. Robinson. Motion carried.

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

1. The respondent on complaint C2005-4 has failed to sign the consent order he agreed to in September. A motion was made by Mr. Robinson seconded by Mr. Plymale to file a complaint against the respondent in his home state of Wisconsin if the signed order and penalty payment have not been returned to the Board office by November 18, 2005. Motion carried.
2. The Board deemed complaint C2005-6 moot since report has been submitted and will be closed upon concurrence by complainant. No action necessary as complainant did concur subsequent to the meeting.
3. A motion was made by Mr. Robinson seconded by Mr. Plymale to schedule complaint C2005-7 and C2005-10 for hearing on January 23, 2006. Motion carried.
4. A motion was made by Mr. Robinson seconded by Mr. Plymale to direct Ms. Hamilton to work with the respondent on complaint C2005-9 to develop a consent order to bring the

issue to closure. Motion carried. The Architect's Board will be notified once the consent order is settled. The Board also directed Mr. Johnson to develop an article for the newsletter related to the issue in this complaint.

5. The Board took the following actions on Special Cases for Audit/PDH Issues:
 - a. Cleveland J. Biller's PDH's for advisory board meeting attendance were not accepted.
 - b. Randy J. Sortet's PDH's for watching television programs were not accepted.

The Board's annual report is complete and has been submitted to the Governor's Office as well as all required parties. Copies were available at the meeting for review.

President Timms and Ms. Rosier are working on revising the Board's Goals and Objectives for FY 2006. Ms. Rosier will send a copy to the Board and staff for their comments.

The January Board meeting is planned for West Virginia University in Morgantown on Monday January 23, 2006. The meeting will take place on the Evansdale Campus at West Virginia University in Morgantown, WV. The Board meeting will take place in the morning with plans to meet with the faculty and students in the afternoon. The hearing on Complaints C2005-7 and C2005-10 will be held in the afternoon. All interested parties are invited to attend the general session and the open hearing. Ms. Rosier will begin to make the necessary arrangements.

Upon motion by Mr. Robinson, seconded by Mr. Plymale, the meeting adjourned at 12:00 PM. 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