

General Session Minutes
State Board of Registration for Professional Engineers
May 20, 2003

The State Board of Registration for Professional Engineers met in their offices at 300 Capitol Street – Suite 910, Charleston, WV on May 20, 2003. Those present for the general session were:

Frank L. Gaddy	President
Robert L. Wolfe	Vice President
Leonard J. Timms	Secretary
Edward L. Robinson	Member
B. S. Saluja	Member
Debra L. Hamilton	Managing Deputy Attorney General
Marcia White	Board Administrator
Lesley Rosier	Executive Director

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

Mr. Saluja moved, with a second by Mr. Timms, that the Board meeting minutes of April 21, 2003, executive and general session, be approved. Motion carried.

The Board budget for April 2003 was reviewed and questions were answered by Ms. White. Ms. White indicated that the 2004 fiscal year budget had been submitted. Ms. White presented the final budget which incorporated the suggestions made by Board members after they received the draft electronic versions a few weeks prior. A motion by Mr. Timms, second by Mr. Robinson, to approve the budget as presented. Motion carried unanimously.

Ms. Rosier presented the Executive Director's Report and addressed all Board comments and questions. She shared the progress taking place for this renewal season and also presented the Board with an additional update on the COA applications processed since the March Board meeting. Mr. Gaddy once again expressed his gratitude for the success of the staff activities in recent months.

Mr. Timms moved to enter into executive session, second by Mr. Wolfe. Motion carried.

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

1. **Case 2002-4** – Mr. Robinson moved that Ms. Rosier modify and send appropriate letters to the complainant and the non-P.E. involved advising them of the Boards decisions, stating the law requiring of employment of registered WV engineers and firms holding a WV COA if he plans to use them on WV projects. All correspondence should be copied to appropriate parties involved. Motion seconded by Mr. Wolfe and carried.
2. **Case 2003-1** - Mr. Timms moved that Ms. Rosier institute the complaint on behalf of the Board, to be signed by the Board President, to bring action against the unlicensed WV P.E.'s and company involved in the Board investigation of Case 2002-4. Motion seconded by Mr. Robinson and carried.

At the request of the Board, the Board Administrator arranged a meeting with officials from the Department of Environmental Protection and the WV Department of Administration (Purchasing Division) to discuss on-going concerns of the engineering community. The meeting began at 2:00pm and the following individuals were in attendance:

WV DEP - Mr. Randy Huffman, Ms. June Casto
WV Purchasing - Mr. Ron Price and Ms. Karen Bird
WV ACEC / WV SPE - Ms. Amy Clendinin

The Board shared their concerns, as well as those expressed by many WV P.E.'s, regarding the DEP contracts requiring engineering services. After reciting WV Code 30-13 et al, the Board reviewed the details of 5G (Procurement of Engineering Services) and used Purchasing Contract 11-7-10 as the basis of their discussion. While the Board understood that this particular contract was withdrawn, it stimulated discussion regarding the concern that unlicensed businesses and those not employing professional engineers were being considered for jobs that involved engineering services. All parties involved recognized the concerns of the engineering community and agreed to work together to find solutions to the existing problems. In particular, the parties have agreed to draft rules that could clarify the intent of 5G to ensure compliance with the law.

Mr. Gaddy inquired as to how many Board members are planning to attend the NCEES Annual Meeting in Baltimore, MD. Most Board members were undecided and will provide a definite answer at the June Board meeting. The deadline for registration is July 8, 2003. Ms. Rosier reminded the Board members of the appropriate procedures for making travel arrangements, indicating that Ms. White could take care of the registration fee payments directly from our office provided that she received a completed registration form at the June Board meeting. Mr. Gaddy suggested, and all Board members agreed, that Ms. Rosier serve as the funded delegate recognizing that new Board members may be appointed prior to August 2003.

Ms. Rosier presented the Board with the lists of approved files since last Board meeting. The following files and/or requests were approved with Board action:

El Extensions beyond 12-years:

Thomas, Laurence R. (1 year granted)
Stevens, Michael J. (2 years approved)

Comity / PE Applications for licensure:

Cervellione, Maurizio
D'Alonzo, Rudolph
Gregory, Lawrence
Ireland, Lawrence

Mr. Timms led the discussion on updating the Board's Strategic Plan. Ms. Rosier will be providing the Board with a revised plan for the 2004 fiscal year at the June Board meeting. Ms. Rosier will include updated job descriptions and an evaluation process for the staff.

The job description for a Board Investigator was revised during the meeting, immediately followed by a motion by Mr. Timms to approve and release for advertisement. Ms. Rosier is to place the ad in the Charleston Gazette, The Register Herald of Beckley and The Huntington Herald-Dispatch. Upon receipt of letters of interest and applications, details regarding interviews will be discussed.

Ms. Rosier informed the Board of the progress on additional revisions of the Laws, Rules and Regulations. She and Ms. Hamilton will continue working on the updates and have final changes or Board approval at the June 2003 Board meeting. Ms. Rosier strongly urged the Board to

consider engaging the services of Ms. Hamilton to begin work on major WV Code revisions for the 2005 legislative sessions.

Upon motion of Mr. Wolfe, second by Mr. Timms, the meeting adjourned at 4:00 p.m. The Board members will be compensated for one day per diem plus travel expenses.

Frank L. Gaddy, P.E.
Board President

Leonard J. Timms, P.E.
Board Secretary