

General Session Minutes
State Board of Registration for Professional Engineers
January 21, 2010

The State Board of Registration for Professional Engineers met on the Evansdale Campus in the Andrews Conference Center of the WVU College of Engineering and Mineral Resources Building in Morgantown, WV on January 21, 2010. Those present for all or part of the general session were:

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

*Participated by teleconference for a portion of the General Session and the majority of the morning Executive Session (approximately 9:10am to 12:00pm).

The meeting was called to order at 9:00 a.m. There were no additions to the agenda.

The Board recognized a moment of silence for those affected by the recent natural disaster in Haiti.

The Board meeting minutes for November 23, 2009 (both executive and general session) were reviewed. A motion to approve the minutes as amended was made by Mr. Timms, seconded by Mr. Plymale. Motion carried.

The Board budget summaries for November and December were received and reviewed. The detailed P-card expenditures were also received and reviewed. A motion to approve the expenditures and purchasing card transactions was made by Mr. Timms, seconded by Mr. Pierson. 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 and Mr. Johnson 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. Pierson, to approve attendance and travel for staff activities outlined in the Executive Director's report and updated 2010 calendar of events.

Results of the October 2009 exam administrations were discussed. First time pass rates improved for both FE and PE candidates. FE pass rates were 63.1%, up from 59% in the October 2008 exam. PE pass rates were 65.9%, up from 59%. The number of absences decreased and exam observers reported that early departures from the exams were significantly less than in the past.

Twenty-two (22) Educational Plans of Study were submitted for the April 2010 exams. Three FE examinees will be interviewing with the Board prior to Board approval to allow the candidates to sit for the exams. Two interviews will be conducted in Morgantown and one in Charleston.

The May 2010 Board meeting date was changed from May 25, 2010 to May 28, 2010 due to schedule conflicts of Board members.

Mr. Timms moved to enter into executive session at approximately 9:25am, seconded by Mr. Pierson. Motion carried.

The Board recessed the meeting, in Executive Session, at noon to meet with the faculty and administrators of the WVU College of Engineering and Mineral Resources. During the recess, interviews were also held for two FE applicants to review and discuss their Educational Plan of Study for the upcoming exam. An informal conference was also held on C2010-06 at the request of the respondent.

After completion of the informal conference, the Board reconvened the meeting, in Executive Session, at 3:10 PM.

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

1. The Board directed counsel to contact the respondent involved in complaint C2009-11 via his attorney to notify him that he has (30) days to respond to the request for information on any engineering work he may have done.
2. The Board directed staff to draft a letter, for their approval, addressing the responsibilities for the proposed supervisor for complaint C2009-12.
3. The Board agreed to stay proceedings on complaint C2009-23 and directed counsel to gather additional information.
4. Mr. Timms moved that complaint C2010-01 be scheduled for hearing at the March 2010 meeting. Motion was seconded by Mr. Saluja and carried. President Robinson and Board member Plymale had recused themselves from deliberation and had exited the room.
5. The Board agreed to stay proceedings on complaint C2010-06 and directed staff to gather additional information.
6. Mr. Saluja moved that complaint C2010-07 be rescheduled for hearing at the March 2010 meeting. Motion was seconded by Mr. Pierson and carried.
7. Mr. Timms moved that inquiry I2010-7 be received and filed as a Board-initiated complaint. Motion was seconded by Mr. Pierson and carried.
8. Mr. Pierson moved that inquiry I2010-11 be received and filed as a Board-initiated complaint. Motion was seconded by Mr. Timms and carried.

Mr. Saluja made a motion that the proposed Interpretative Rule addressing an engineer checking the work of another individual be approved. Motion was seconded by Mr. Timms and carried. Board directed counsel to take the necessary actions to file the Interpretative Rule.

Based on a motion by Mr. Timms, seconded by Mr. Plymale, the Board took the following actions on Special Cases for Board Action:

1. Jeramiah E. Alton's request to sit for the FE exam was denied.
2. John D. Addison's request for comity is being held in abeyance awaiting additional information from the applicant.
3. Carl V. Deicas' request for re-instatement is being held in abeyance pending the outcome of the Board-initiated complaint.
4. Nicola J. Prodanov's request for comity was denied until applicant obtains the required CPEES evaluation of his foreign degree showing substantial ABET equivalence.
5. Prentice A. Tyndall, Jr.'s request for comity was approved.

Mr. Timms reported on his activities as the President-Elect of NCEES. The CPEES office will be moved from Miami, FL to Clemson, SC in 2011 to consolidate staff and minimize expenses. The Member Board Administrator Group meeting will be held in Clemson February 9-11, 2010. Ms. Rosier will be attending on behalf of the Board. The joint Northeast and Southern Zone meeting will be held in Tampa April 8-10, 2010 and all Board members are encouraged to attend. Ms. Rosier reported that no nominations for Northeast Zone awards (ENNYs) have been received to date.

NCEES changes to the Examinee Management System were briefly discussed and Ms. Rosier will be obtaining additional information on the new system at the MBA Group meeting in Clemson next month.

The Board directed staff and counsel to keep them apprised of rule-making changes and legislation during the current legislative session that might be of interest to the Board.

Proposed changes to the West Virginia engineering law were discussed. President Robinson asked the staff and counsel to develop a timeline for changes to Board rules and Article 13.

Saluja reported that he participated in the WVUIT Engineering Technology TAC programs' ABET evaluation in late October.

Ms. Rosier reported on the survey responses received from WVU, WVUIT, Bluefield State and Marshall University regarding having PEs teaching advance engineering subjects as required by WV Engineering Law.

Ms. Rosier discussed the Board's participation in the WV EXPO on March 24-25, 2010. Preparations are proceeding on schedule. Ms. Rosier is working with WVSPE to continue the recognition of the successful FE and PE examinees of 2009, which will immediately following the Board's continuing education seminar.

Ms. Rosier presented a copy of the 2010 newsletter to the Board for final review and comment. The newsletter and individual status reports will be mailed in late February.

The next Board meeting is scheduled for Tuesday March 23, 2010. The meeting will take place in their offices at 300 Capitol Street in Charleston, WV.

Upon motion by Mr. Timms, seconded by Mr. Pierson, the meeting adjourned at 4:20 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