

General Session Minutes
State Board of Registration for Professional Engineers
January 30, 2019

The West Virginia State Board of Registration for Professional Engineers met at their office in Charleston on Wednesday, January 30, 2019. Those present for all or part of the meeting were:

Bhajan S. Saluja	President
Garth E. Thomas	Vice-President
Larry Nottingham	Secretary
L.A. Gates	Member
Edward L. Robinson	Member
Lesley L. Rosier-Tabor	Executive Director
Aaron M. Armstrong	Board Investigator
Edward Eagloski	Board Counsel

The meeting was called to order at 9:03am. The Board meeting minutes for November 13, 2018 were reviewed. A motion to approve the minutes was made by Mr. Robinson, seconded by Dr. Nottingham. Motion carried.

The Board budget summaries for November and December were received and reviewed. The November, December and January P-Card transactions and statements were also received and reviewed. Ms. Rosier answered Board questions and provided a PE renewal revenue update as well as discussed 2019-2020 revenue projections.

A motion to approve the budget, current expenditures, and purchasing card transactions was made by Dr. Nottingham, seconded by Mr. Thomas. Motion carried.

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

- Ms. Rosier reported that 55 PE applications were received for the April 2019 PE exam.
- Mr. Saluja noticed a slight decrease in the number of April 2019 PE applications compared to April 2018. Ms. Rosier indicated that this could possibly be attributed to decoupling in neighboring states as well as the on-going conversion of PE exams to CBT, which allow examinees to test outside of the normal April and October paper-and-pencil exam dates.
- Ms. Rosier discussed recent NCEES travel for national committee meetings, the upcoming 2019 Board President's Assembly, and upcoming staff required training and travel.
- Mr. Thomas inquired about the percentage of Technology degree recipients who pass the PE exam. He serves on a national NCEES Education Committee and stated that this state-specific information would be of interest for his

upcoming meeting. Ms. Rosier indicated she would be happy to pull that data and provide him with details prior to his meeting date.

- Ms. Rosier discussed the Board Newsletter distribution for fall of 2019 and reminded Board members to begin developing newsletters article ideas and content.
- Ms. Rosier informed the Board that she has shared the EXPO presentation with the WV Surveyors Board and is awaiting their acceptance/interest in allowing the presentation to count for WV Surveying professional development.

A motion was made by Mr. Robinson, seconded by Mr. Gates, to approve attendance and travel for Board members, staff and counsel to the activities as discussed and outlined in the Executive Director's report and the updated 2019 calendar. Motion carried.

Prior to entering into Executive Session, the Board Investigator provided the details of the settlement of complaints C2018-20, C2019-01, C2019-10, and C2019-11. The consent orders will be posted on the Board's website within a reasonable time.

Dr. Nottingham made a motion to enter into Executive Session at 10:45 am, seconded by Mr. Thomas. Motion carried. It is noted that Mr. Armstrong requested, and was approved, to leave the room for discussion of C2019-08. As such, Mr. Armstrong will not be a part of any investigation, discussion, or ruling relative to C2019-08 matters.

Dr. Nottingham made a motion, seconded by Mr. Robinson, to move into general session at 12:40 pm. The motion carried, and the Board took the following action:

- Mr. Thomas made a motion, seconded by Mr. Gates, to move I2019-07 to complaint and to set said complaint for hearing during the July 2019 meeting, if not settled. Motion carried.
- Mr. Thomas made a motion, seconded by Mr. Robinson, to move I2019-08 to complaint and to set said complaint for hearing during the July 2019 meeting, if not settled. Motion carried.
- Mr. Robinson made a motion, seconded by Mr. Gates, to move I2019-09 to complaint and to set said complaint for hearing during the July 2019 meeting, if not settled. Motion carried.
- Mr. Robinson made a motion, seconded by Mr. Thomas, to move I2019-10 to complaint and to set said complaint for hearing during the July 2019 meeting, if not settled. Motion carried.
- Mr. Robinson made a motion, seconded by Mr. Gates, to move I2019-11 to complaint and to set said complaint for hearing during the July 2019 meeting, if not settled. Motion carried.

Upon motion by Mr. Thomas, seconded by Dr. Nottingham, the Board approved the following special case files:

- James Perry
- Glanus Osborne

- Lance VanDemark
- Smart Enterprises, Inc. dba Engineered Building Systems

The Board reviewed the agenda for the upcoming NCEES Board President's Assembly that Mr. Saluja and Ms. Rosier will attend in Atlanta, GA on February 9, 2019 and the NCEES NE/CZ joint meeting agenda which will be held May 2-4, 2019 in New Hampshire. The Board also discussed 3 different media releases concerning regulatory news, PE licensure, and national-level issues.

Ms. Rosier and Mr. Armstrong gave a brief update concerning the results of their respective NCEES committee meeting activities.

The Board reviewed the NCEES exam changes and Ms. Rosier reported that staff has processed 8 CBT PE applications to date.

The Board reviewed the Legislative Auditor's report concerning Chapter 30 Boards Fund Balance Analysis.

Ms. Rosier discussed the anticipated game plan for the next Legislative Session in 2020, to most likely include PLLC administrative rules, decoupling language, and consideration of a Certificate of Authorization (COA) fee reduction. The Board requested additional information concerning these issues for future discussion.

Ms. Rosier provided an update concerning the PE renewal season and reported that approximately 500 PEs had not renewed with one day remaining in the grace period. All PEs not renewing before February 1, 2019 will have their status updated to "Lapsed" and certified lapsed letters will be sent the following week. Additionally, any COA issued with an Engineer In Responsible Charge (EIRC) who now has a non-practicing status will be contacted regarding the pending Invalidation of their COA unless a new Active PE is named as the EIRC. The PDH audit will take place in February/March 2019.

The Board reviewed the Professional Use of Seals Brochure created in conjunction with both the PE and Architects Boards. Necessary updates are currently being incorporated into this publication and a new printed version should be available by the March meeting.

Ms. Rosier reported the Board's registration for the upcoming EXPO is complete and the Board reviewed the draft EXPO power point presentation and program details.

The Board reviewed the statement released by NCEES regarding a recent National Transportation Safety Board (NTSB) report concerning a series of gas explosions in Massachusetts in September. The NTSB report includes recommendations that the state eliminate the P.E. license exemption for public utility work and that the gas company require a P.E. to seal plans.

Ms. Rosier discussed the proposed 2019 Calendar of Events, and noted that the May 2019 meeting date will need to be moved due to a Board member conflict.

Upon motion by Dr. Nottingham, seconded by Mr. Gates, the Board voted to adjourn the meeting at 1:45 pm. The next Board meeting will be March 19, 2019, in Charleston. The Board members will be compensated one day per diem plus travel expenses.

Bhajan S. Saluja, P.E.
Board President

Larry C. Nottingham, P.E.
Board Secretary