

**General Session Minutes**  
**State Board of Registration for Professional Engineers**  
**November 16, 2004**

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 16, 2004. Those present for the general session were:

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

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

Mr. Timms moved, with a second by Mr. Robinson, that the Board meeting minutes of September 20, 2004, executive and general session, be approved. Motion carried.

The Board budget summary for September and October 2004 was received and reviewed. A motion to approve the expenditures and purchasing card transactions was made by Mr. Robinson, seconded by Mr. Saluja. Motion carried.

The on-going IRS review was discussed. The disputed 941 payments were made with the understanding that our request for review is still pending. There are new outstanding penalty and interest charges that accumulated prior to receipt of payment. The Board continues to employ an accounting firm, Smith Cochran and Hicks, to work with the IRS to resolve the issue.

Ms. Rosier presented the Executive Directors report and addressed all Board questions and comments.

The October 2004 FE and PE exams were discussed. No problems were encountered and the observers felt that ELSES professionally handled the exam administration. The total number of people taking the FE exam was down as they normally are in the fall semester. Due to continued security concerns, NCEES has now developed a policy outlining only 5 approved calculators that will be permitted for use during the 2005 FE and PE exam administration. This news release will be distributed to all candidates and available for reference via their website.

The annual PDH audit was discussed in detail. A total of 287 audits were conducted including one of the Board staff and a former Board member. There was one request for Board consideration. Non-respondents were sent Certified Seven Day Notices of Suspension letters.

The NCEES Presidents and Administrator's meeting will be held on February 10-12, 2005 in Kansas City, Missouri. Mr. Gaddy and Ms. Rosier will be attending. All expenses for the meeting are paid by NCEES.

The 2005 EXPO was discussed. The Board agreed to pursue working with the Architect's Board to make a similar presentation to 2004 and include the newly developed "Professional Use of Seals" publication. The target audience will be expanded to include Code Officials.

Mr. Timms moved to enter into executive session, seconded by Mr. Robinson. Motion carried.

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

1. A motion was made by Mr. Timms, seconded by Mr. Robinson to direct Ms. Hamilton to work with the respondent on complaint number C2004-1 and develop a consent agreement to bring the issue to closure. Motion carried. The Architect's Board will be informed once the consent agreement is settled.
2. The Board directed Ms. Hamilton and Mr. Johnson to develop and send a letter to all building owners associated with Complaint number C2004-2 updating them on the on going investigation.
3. The Board chose to take no action on Inquiry number I2004-9. Mr. Johnson was directed to notify the involved parties of the Board's decision.
4. Mr. Timms moved that Inquiry number I2004-14 be received and filed as a formal complaint (C2004-8). Motion was seconded by Mr. Robinson and carried.
5. Mr. Timms moved that Inquiry number I2004-15 be received and filed as a formal complaint (#C2004-7). Motion was seconded by Mr. Robinson and carried. Ms. Hamilton was also directed to send a cease and desist order to the respondent.
6. The Board reviewed one special audit request for an extension of time to gain the necessary PDH's. This request had been denied and the Board agreed to uphold that decision. No motion needed.

A draft of the Architects and Engineers jointly prepared "Professional Use of Seals" document was discussed. A motion was made by Mr. Robinson seconded by Mr. Timms to print the document as agreed upon with the minor modifications Ms. Rosier discussed. Motion carried. Ms. Rosier will share this information with the Architect's Board and proceed with the mass printing and dissemination of this educational piece.

The Architect Board is interested in continuing the effort to revise and re-issue the Handbook for Building Code Officials. They feel such a document will provide even more detail than is summarized in the "Professional Use of Seals Document". There is also interest in developing a Memorandum of Understanding on how to handle overlap issues in the profession and resulting inquiries and complaints received by the respective Boards. Ms. Rosier and the staff will continue to work with the Architect's Board to do this.

The January Board meeting is planned for West Virginia University in Morgantown on Monday January 31, 2005. 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. As always, all interested parties are invited to attend the general session of the open public meeting and Ms. Rosier will begin to make the necessary arrangements.

Upon motion by Mr. Timms, seconded by Mr. Robinson the meeting adjourned at 12:00 p.m. The Board members will be compensated one day per diem plus travel expenses.

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**Leonard J. Timms, Jr., P.E.**  
**Board President\***

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**Bhajan S. Saluja, P.E.**  
**Board Secretary\***

\* *New Board Officers were elected following the November 2004 meeting and January 2005 approval of minutes.*