

General Session Minutes
State Board of Registration for Professional Engineers
May 9, 2018

The West Virginia State Board of Registration for Professional Engineers met at their office in Charleston on Wednesday, May 9, 2018. Those present for all or part of the meeting were:

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

The meeting was called to order at 9:07am.

The Board meeting minutes for March 20, 2018 were reviewed. A motion to approve the minutes was made by Dr. Nottingham, seconded by Mr. Gates. Motion carried.

The Board budget summaries for March and April 2018 were received and reviewed, and the Board reviewed the PCard transactions for the month of March only. Due to timing of the meeting date as well as the State switching from Citibank to US Bank as the new PCard credit vendor, April's PCard transactions will be reviewed during the July meeting.

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

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

- Ms. Rosier reported estimated expenditures for the close of FY2018 to be slightly lower than recent years. In addition, FY2018 revenue receipts increased due to: (1) the increase in biennial COA renewals and (2) diligent staff review and follow-up on all COA renewals, specifically the responses to the size of the firm which directly impacts the fee structure.
- Ms. Rosier discussed the upcoming PE renewal season and reported that an anticipated change order will be submitted for database upgrades to support the on-line renewals.
- Ms. Rosier reported that April PE exam results have yet to be received, but are anticipated to be released in late May/early June. There were no absences reported for the April 2018 PE exam administration in WV; however, 1 applicant decided to not return for the 2nd day of the Structural 16-hr exam.

- Ms. Rosier reported that the next Interchange Newsletter will be distributed in October 2019 and mailed as part of the COA renewals (separately as just the newsletter for PEs).
- The Board discussed the upcoming NCEES NE Zone Meeting and Ms. Rosier reported that 3 board members and 2 staff will attend.

A motion was made by Mr. Thomas, seconded by Mr. Saluja, 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 2018 calendar. Motion carried.

Prior to entering into Executive Session, the Board Investigator provided the details of the settlement of complaints C2018-04, C2018-06, C2018-12, C2018-13, C2018-14, and C2018-15. The consent orders will be posted on the Board's website within a reasonable time. The Board was also informed of the Supreme Court's April 12th dismissal of Appeal No. 17-1115 (the appeal of 2014-16/C2015-10). The Board President will be signing an order to be served upon the respondent lifting the stay of the Board's Order dated 8/11/16.

Dr. Nottingham made a motion to enter into Executive Session at 9:27 am, seconded by Mr. Saluja. Motion carried.

At the conclusion of the Executive Session, Mr. Saluja moved to enter into General Session at 11:45 am. Seconded by Dr. Nottingham, the motion carried, and the Board took the following action:

- Mr. Thomas made a motion, seconded by Mr. Saluja, to move I2018-26 to complaint. Motion carried.
- Mr. Saluja made a motion, seconded by Mr. Gates, to move I2108-28 to complaint. Motion carried.
- Mr. Thomas made a motion, seconded by Dr. Nottingham, to move I2018-29 to complaint. Motion carried.
- Mr. Saluja made a motion, seconded by Dr. Nottingham, to move I2018-30 to complaint. Motion carried.
- Mr. Saluja made a motion to approve the \$2160 state-directed across-the-board (ATB) increase for permanent staff, effective July 1, 2018. Mr. Gates seconded, and the motion carried.
- The Board authorized the Executive Director to extend an offer of employment to the selected applicant for the position of in-house legal counsel and to proceed with the hiring process as a temporary part-time employee at \$50/hour starting on or about June 1, 2018.

There were no special case files for Board consideration during this timeframe.

The Board directed Ms. Rosier to make the necessary purchases for any new equipment, software, cell phone, etc. needed for new hire of in-house legal counsel. In addition, Ms. Rosier will contact WV Correction Industries to order new chairs for the Board room and for any staff member as needed.

The Board reviewed the upcoming NCEES Northeast Zone meeting information and Ms. Rosier also presented the August 2018 NCEES annual meeting notification and requested Board members check their calendar for availability and/or interest. The NCEES delegates will be the Board's investigator, Board Administrator, and Board member Thomas.

The Board reviewed the press release regarding the NCEES settlement agreement regarding the unauthorized use of copyrighted practice questions belonging to NCEES.

Ms. Rosier shared the NCEES plan for converting all PE exams to computer-based format.

The Board reviewed the Governor's Executive Orders 2-18 and 3-18 regarding regulatory rules and the draft exemption letter. The Board also discussed the veto of Senate Bill 313.

The Board recognized the 35-year service mark of the Board Administrator and thanked her for her many years of state government service. At the conclusion of the meeting, President Robinson and Ms. Rosier will be accompanying Ms. Rubenstein to the Governor's Public Service Recognition Ceremony to be held at the WV Cultural Center at the State Capitol Complex.

The Board reviewed the upcoming calendar of events.

Upon motion by Dr. Nottingham, seconded by Mr. Gates, the Board voted to adjourn the meeting at 1:10 pm. The next Board meeting will be July 17, 2018, in Charleston. The Board members will be compensated one day per diem plus travel expenses.

Edward L. Robinson, P.E.
Board President

Garth E. Thomas, P.E.
Board Secretary