

**General Session Minutes**  
**State Board of Registration for Professional Engineers**  
**September 22, 2020**

The West Virginia State Board of Registration for Professional Engineers met at their office in Charleston on Tuesday, September 22, 2020. Those present for all or part of the meeting were:

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

The meeting was called to order at 9:00am. The Board met in a larger conference room on the 11<sup>th</sup> floor of the office building to ensure social distancing. The Board meeting minutes for July 28, 2020 were reviewed. A motion to approve the minutes was made by Mr. Robinson, seconded by Mr. Gates. Motion carried.

The Board budget summaries for July and August 2020 were received and reviewed, and the Board reviewed the Pcard transactions for the months of July and August. Ms. Rosier discussed the FY 2021 budget report noting the beginning of a new fiscal year and discussed anticipation of a lower revenue stream for the PE renewal cycle at the end of the 2020 calendar year. In addition, Ms. Rosier discussed the FY 2022 Appropriations Request submission and presented the new required OASIS performance measures.

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

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

- Ms. Rosier reminded the Board that as of April 1, 2020, all PE applicants now register directly with NCEES and apply to the WV PE Board only after passing the PE exam.
- Ms. Rosier reported that the required 2020 Annual Licensing Board Seminar conducted by the WV State Auditor will be held as a virtual event and that the video conference information will be disseminated as it becomes available.
- Ms. Rosier reported that the 2020 NCEES Annual Meeting was successfully completed via webcast on August 27, 2020.
- Ms. Rosier reported that 92 examinees registered directly with NCEES for the October PE exam in West Virginia. Of the 92 registered, 14 have cancelled or

elected to be transferred to a 2021 exam administration, resulting in 78 examinees remaining.

- Ms. Rosier reported that the Electrical PE exam will be offered as CBT beginning January 2021 and that NCEES has added an additional regional administration for the Civil PE exam on January 26, 2021. Furthermore, the NCEES Board President's Assembly (BPA) will likely be moved to a complete virtual event due to a majority of State Boards' inability to travel out of state.

A motion was made by Dr. Nottingham, 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 calendar. Motion carried.

Prior to entering into Executive Session, the Board Investigator provided the details of the settlement of complaints C2020-20, C2020-21, and C2020-32. The consent orders will be posted on the Board's website within a reasonable time.

Mr. Thomas made a motion to enter into Executive Session at 9:35am, seconded by Dr. Nottingham. Motion carried.

At 11:30am, the Board recessed the Executive Session for a working lunch and the Board watched three newscast presentations previously aired on local television in regards to I2020-09. In addition, Mr. Robinson left the room as to not be part of any discussion or decision making relative to I2021-05. After lunch, the Board continued the Executive Session. At 12:55pm, Mr. Robinson made a motion, seconded by Dr. Nottingham, to move into General Session. The motion carried, and the Board took the following action:

- Mr. Gates made a motion, seconded by Dr. Nottingham, to move I2021-03 to complaint. Motion carried. Furthermore, Mr. Gates made a motion, seconded by Dr. Nottingham, to receive and file complaint C2021-01, and set said complaint for a hearing on 3/22/21. Motion carried.
- Mr. Thomas made a motion, seconded by Mr. Robinson, to move I2021-04 to complaint. Motion carried. Furthermore, Mr. Thomas made a motion, seconded by Mr. Robinson, to receive and file complaint C2021-02, and set said complaint for a hearing on 3/22/21. Motion carried.
- Mr. Thomas made a motion, seconded by Dr. Nottingham, to move I2020-22 to complaint. Motion carried. Furthermore, Mr. Thomas made a motion, seconded by Dr. Nottingham, to receive and file complaint C2021-03, and set said complaint for a hearing on 3/22/2021. Motion carried.
- Dr. Nottingham made a motion, seconded by Mr. Robinson, to move I2021-02 to complaint. Motion carried. Furthermore, Dr. Nottingham made a motion, seconded by Mr. Robinson, to receive and file complaint C2021-04, and set said complaint for a hearing on 3/22/2021. Motion carried.
- Dr. Nottingham made a motion, seconded by Mr. Robinson, to move I2021-06 to complaint. Motion carried. Furthermore, Dr. Nottingham made a motion, seconded by Mr. Robinson, to receive and file complaint C2021-05, and set said complaint for a hearing on 3/22/2021. Motion carried.

- Dr. Nottingham made a motion, seconded by Mr. Gates, to move I2021-07 to complaint. Motion carried. Furthermore, Dr. Nottingham made a motion, seconded by Mr. Gates, to receive and file complaint C2021-06, and set said complaint for a hearing on 3/22/2021. Motion carried.
- Mr. Robinson made a motion, seconded by Mr. Thomas, to move I2021-08 to complaint. Motion carried. Furthermore, Mr. Robinson made a motion, seconded by Mr. Thomas, to receive and file complaint C2021-07, and set said complaint for a hearing on 3/22/2021. Motion carried.
- Mr. Thomas made a motion, seconded by Dr. Nottingham, to file an injunction in Kanawha County circuit court related to I2021-09 and authorized staff to utilize the Pcard for the filing fee, up to an amount not to exceed \$500. Motion carried.

The Board acted upon the special case files as follows:

- Dr. Nottingham made a motion, seconded by Mr. Gates, to approve the PE comity application for Carl Petrus. Motion carried.
- The Board took no action on the special case file concerning James Ouellet.
- Dr. Nottingham made a motion, seconded by Mr. Thomas, to deny the DBA Waiver for RedZone Design, LLC. Motion carried.

The Board reviewed the summary of actions for the 2020 NCEES Annual Meeting virtually held on August 27, 2020.

The Board reviewed the meeting report from the virtual MBA Town Hall Meeting held on August 11, 2020.

The Board reviewed the September 2, 2020 NCEES request for Board visitors during the October 22-23, 2020 PE Exam Administration. Being that no Board members were available to visit the exam administration, Ms. Rosier volunteered to observe the Charleston, WV exam administration on October 22, 2020.

The Board reviewed the agency response dated August 20, 2020 regarding the Joint Committee on Government Organization request for information.

Ms. Rosier discussed the Board observer request for the upcoming ABET visit. The one university program visit required this year will be modified to take place in a virtual environment in January 2021. Due to scheduling issues and potential conflicts of interest, no Board members are able to attend. Ms. Rosier reported that she responded to ABET indicating the Board's sincere appreciation for continuing to extend the invitation and opportunity to participate.

The Board reviewed correspondence concerning professional licensure disclosures for colleges.

The Board reviewed the updated COA DBA Waiver tracking spreadsheet and responses. Ms. Rosier indicated staff would send one final letter to those firms that have yet to respond and provide a summary of results during the Board's next meeting.

Ms. Rosier discussed the 2021–2022 PE and Retired PE renewal game plan, highlighting that staff will mail the required renewal notices on or about November 27, 2020. Additionally, the Board reviewed correspondence regarding PDH and continuing education issues received on August 9, 2020.

The Board reviewed the latest editions of the Professional Licensure Report (PLR).

The Board reviewed the fall 2020 InterChange newsletter publication proof and commended Ms. Rosier and staff on creating such a fine product. The newsletter is scheduled to be printed in October and disseminated in November, accompanying the PE renewal notification mailing. A copy of the new Engineering Law booklet, reflecting legislative changes effective April 1, 2020, will also be disseminated to all Active and Retired PEs via this mailing.

The Board reviewed the FY2020 Annual Report, which will be filed prior to December 31, 2020.

The Board reviewed the upcoming 2020 and 2021 Calendar of Events and noted the many changes due to COVID-19 cancellations and restrictions.

Upon motion by Mr. Robinson, seconded by Mr. Gates, the Board voted to adjourn the meeting at 1:40pm. The next Board meeting will be November 17, 2020, in Charleston. The Board members will be compensated one day per diem plus travel expenses.

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**Bhajan S. Saluja, P.E.**  
**Board President**

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**Larry C. Nottingham, P.E.**  
**Board Secretary**