

General Session Minutes
State Board of Registration for Professional Engineers
January 23, 2007

The State Board of Registration for Professional Engineers met in its offices at 300 Capitol Street in Charleston, WV on January 23, 2007. Those present for all or part of the general session were:

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

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

The Board meeting minutes of November 14, 2006 (both executive and general session) were reviewed. A motion to approve the minutes was made by Mr. Plymale, seconded by Mr. Saluja. Motion carried.

The Board budget summary for November and December 2006 was received and reviewed, in addition to the second quarter summary. The status of the purchasing card audit was discussed. The final report has not been received. A motion to approve the expenditures and purchasing card transactions was made by Mr. Saluja, 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 to various groups since the last Board meeting, in addition to reviewing the office's schedule of upcoming activities.

During Ms. Rosier's Executive Director's report, the pass/fail rates for the October 2006 exam were presented for Board review and discussion. Ms. Rosier was happy to report the pass rate for the PE exam had improved from the April 2006 administration, but unfortunately still falls below the national average. The pass rates for the FE exam remained constant and is still of grave concern to the Board members. Possible reasons for such poor performance were discussed as well as future Board involvement to improve performance. One possible contributing factor to the PE pass rates being lower than expected is that West Virginia follows the NCEES Model Law and thus has more stringent experience requirements than some of the surrounding states. There is evidence that those individuals aggressively seeking PE registration are taking (and passing) the test in the other states in an effort to become licensed earlier in their career, potentially lowering West Virginia's pass rate.

Ms. Rosier presented a sample marketing piece communicating that the Board was attempting to move to 100% on-line renewal and payment by 2010. After minor revisions the document was accepted. A motion was made by Mr. Pierson, seconded by Mr. Saluja, to proceed toward the goal of achieving 100% on-line renewal, recognizing that there will likely always need to be a mechanism in place to allow for a paper renewal for a small population of our licensees.

Extending the license renewal cycle to a two or three year period was again discussed. To do so will require a change in the code. Revision to the WV Engineering Law is being considered for 2008-2009 and will include such a provision.

A draft of the 2007 Board newsletter was presented for review and comment. The Board was impressed by the content and commended staff and counsel for their efforts. The newsletter, along with the individualized Personal Status Reports, will be mailed in late February.

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

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

1. The Board reviewed the legislative audit status, the questions posed by the auditing team and the responses provided by the Board staff. The Board is in full support of the responses provided to date to the legislative auditor's office.
2. The Board directed counsel to pursue settlements on several pending complaints, with specific directions as to C2006-18 and to attempt closure of C2004-02.
3. Mr. Robinson moved that complaint C2006-19 be scheduled for hearing at the March Board meeting. Motion was seconded by Mr. Plymale and carried.
4. Mr. Robinson moved that inquiry I2006-27 be made a formal complaint to be filed by the Board. Motion was seconded by Mr. Plymale and carried.
5. Mr. Pierson moved that the comity application for Robert M. McGill II be approved. Mr. Robinson seconded and the motion carried.
6. The Board approved authorization of allowing technical patent applications to be accepted for professional development credit. Up to ten (10) professional development hours will be allowed in the year that the patent application is submitted.

The upcoming NCEES Board Presidents Assembly was discussed. Two items of importance to the Board will be discussed at the meeting; foreign degree evaluations and unilateral agreements with foreign entities. Mr. Timms and Ms. Rosier will attend the meeting and report back to the Board.

Mr. Timms attended a meeting of the NCEES Governance Task Force for which he was named as a consultant. Mr. Timms reported on many items of interest including Member Board voting rights and combining of the NCEES Constitution and By-Laws to keep NCEES in compliance with South Carolina law where NCEES is incorporated.

Ms. Rosier and Mr. Robinson reported they had submitted the necessary information to officially nominate Mr. Timms to become the NCEES Northeast Zone Vice-President. As directed at the November Board meeting, informational brochures are being prepared by Board Staff to support Mr. Timms' nomination. The decision of the Northeast Zone Member Boards will be made in May at the 2007 Zone meeting in Rhode Island.

The Board also nominated Mr. Timms for the Northeast Zone Distinguished Service Award. Again, Mr. Robinson and Ms. Rosier have completed the necessary application package to nominate Mr. Timms for this much deserved recognition.

The Board discussed the upcoming October 2007 exam administration and ELSEES issues. ELSEES corrected the seating problem that occurred in the April exam administration and no cases of collusion or suspicious activity were reported for either exam site. Potential problems were discussed regarding the availability of facilities for the Morgantown exam site. Alternate locations are being considered by ELSEES staff. The addendum to the ELSEES exam administration contract was reviewed and accepted pending review by counsel. Ms. Rosier is to return the signed copy to ELSEES at her earliest convenience.

The former motion to approve the FE exam fee waiver pilot project for WV engineering students meeting the established criteria expires in October 2007. After considerable discussion the Board decided to continue the fee waiver efforts with certain changes. The following motion was made by Mr. Plymale, seconded by Mr. Robinson, and unanimously approved:

“Any student currently enrolled in a 4-year ABET-accredited engineering or engineering technology program in West Virginia (or in a Master’s/PhD program in WV that is ABET-accredited at the undergraduate level) and who is eligible to sit for the Fundamentals of Engineering exam can be granted one fee waiver to be used for their first time exam administration only. This FE fee waiver is approved for the exam administrations that will occur during 2008 and 2009.”

Ms. Rosier reported on the progress of the sub-committee of the Board working on recommended revisions to the West Virginia Code. The Board has prepared a proposed draft of a bill for possible introduction during the 2008 Legislative Session. An article highlighting many of the proposed changes in the code will be in the upcoming newsletter to inform registrants of the direction of the Board’s proposals and to solicit their important input.

The Board supports the concept of the language in the version of the proposed mine safety legislation reviewed which involved changes that will impact professional engineers. Subsequently, Ms. Rosier was informed by Ms. Amy Clendinin, Executive Director of the WV Society of Professional Engineers, that some of the language had been stricken due to concerns of the need for overseeing construction on-site at all times, etc. Ms. Clendinin indicated she would keep our office and/or Board members apprised of the latest changes.

The next Board meeting will be held on Tuesday, March 20, 2007 at 9:00 a.m. The meeting will take place in the Board offices at 300 Capitol Street, Charleston, WV.

Upon motion by Mr. Pierson, seconded by Mr. Robinson, the meeting adjourned at 4:00 p.m. The Board members will be compensated one day per diem plus travel expenses.

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

Bhajan S. Saluja, P.E.
Board Secretary