

General Session Minutes
State Board of Registration for Professional Engineers
March 23, 2021

The West Virginia State Board of Registration for Professional Engineers met at their office in Charleston on Tuesday, March 23, 2021. 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

The meeting was called to order at 9:03am. Dr. Nottingham participated remotely via teleconference. The Board met in a larger conference room on the 11th floor of the office building to ensure social distancing. The Board meeting minutes for January 19, 2021 were reviewed. A motion to approve the minutes was made by Mr. Robinson, seconded by Mr. Gates. Motion carried.

The Board budget summaries for January and February 2021 were received and reviewed, and the Board reviewed the P-Card transactions for the months of January and February. Ms. Rosier reported a \$1.79M balance for the ending of February 2021, noting the marked increase in revenue due to 8500+ PE renewal payments and 240+ PE retired renewal fees received between November 20, 2020 and February 1, 2021. Mr. Robinson inquired about purchasing updated computer equipment and software for the Board's use.

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

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

- Ms. Rosier reported that there were 52 registered as WV applicants with NCEES as of March 4, 2021 for the April 2021 PE exam.
- Ms. Rosier reminded the Board that as of April 1, 2020, with implementation of 2020 legislative "decoupling" changes, all PE applicants now register directly with NCEES and apply to the WV PE Board only after passing the PE exam.
- Ms. Rosier reported a 66.7% overall pass rate for the unique regional administration of the Civil PE examination in January 2021, noting 3 individuals took the exam and 2 passed.
- Ms. Rosier reported on the successful completion of numerous virtual meetings and trainings in the last 2 months, presented by WV OASIS, Purchasing, PEIA, NCEES, ARPL, ASCE, etc.

- Ms. Rosier provided a status report on a number of special projects that she and staff have been working on during the winter months.
- Ms. Rosier reminded the Board to begin thinking about any newsletter article topics and to submit any ideas to her prior to the next Board meeting.

A motion was made by Mr. Thomas, seconded by Mr. Robinson, 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 C2021-03, C2021-04, C2021-07, C2021-08, C2021-09, C2021-10, C2021-12, and C2021-15. The consent orders will be posted on the Board's website within a reasonable timeframe.

Dr. Nottingham made a motion to enter into Executive Session at 9:34am, seconded by Mr. Gates. Motion carried.

At 11:50am, the Board recessed the executive session to conduct a working lunch. At 12:10pm, the Board resumed the executive session. At 12:25pm, Mr. Thomas made a motion, seconded by Mr. Gates, to move into General Session. The motion carried, and the Board took the following action:

- Mr. Thomas made a motion, seconded by Mr. Robinson, to file C2021-11. Motion carried. Furthermore, Mr. Thomas made a motion, seconded by Mr. Robinson, to set said complaint for a hearing on 9/22/2021. Motion carried.
- Mr. Robinson made a motion, seconded by Dr. Nottingham, to move I2021-13 to complaint. Motion carried. Furthermore, Mr. Robinson made a motion, seconded by Dr. Nottingham, to receive and file complaint C2021-17, and set said complaint for a hearing on 9/22/2021. Motion carried.
- Mr. Thomas made a motion, seconded by Mr. Gates, to move I2021-19 to complaint. Motion carried. Furthermore, Mr. Thomas made a motion, seconded by Mr. Gates, to receive and file complaint C2021-18, and set said complaint for a hearing on 9/22/2021. Motion carried.
- Mr. Robinson made a motion, seconded by Mr. Gates, to move I2021-20 to complaint. Motion carried. Furthermore, Mr. Robinson made a motion, seconded by Mr. Gates, to receive and file complaint C2021-19, and set said complaint for a hearing on 9/22/2021. Motion carried.
- Mr. Robinson made a motion, seconded by Mr. Thomas, to file C2021-16. Motion carried. Furthermore, Mr. Robinson made a motion, seconded by Mr. Thomas, to set said complaint for a hearing on 9/22/2021. Motion carried.

The Board acted upon the special case files as follows:

- Mr. Thomas made a motion, seconded by Dr. Nottingham, to approve the PE comity application for Thomas Baughman. Motion carried.

- Mr. Thomas made a motion, seconded by Dr. Nottingham, to approve the PE comity application for Julian Lineham. Motion carried.
- Mr. Thomas made a motion, seconded by Dr. Nottingham, to approve the PE reinstatement application for Andrew Nichols. Motion carried.

The Board discussed the Governor's COVID-19 updates, as well as Ms. Rosier's agency update, and reviewed the agency response to the Performance Evaluation and Research Division (PERD) Effects of Telework survey.

The Board reviewed the 2021 NCEES Board President's Assembly and Member Board Administrator meeting information conducted virtually on January 29, 2021. Ms. Rosier provided a detailed update of both meetings that she and the Board President attended virtually.

Ms. Rosier discussed the 2021 NCEES Northeast Zone interim meeting voting delegate notification and the Board reviewed a flyer for NE Zone member's candidacy for NCEES President-Elect.

Ms. Rosier announced the release of the 2021-2022 NCEES standing committee interest survey and reminded Board members to respond to the email if they were interested in committee participation. Additionally, the Board reviewed the Executive Director's Member Board Brief article that was printed in the NCEES Licensure Exchange.

The Board reviewed the upcoming NCEES State of the Council Meetings schedule. The first NCEES State of the Council virtual meeting was held on March 3, 2021 and Ms. Rosier and other staff members participated. She highlighted the next scheduled NCEES virtual meetings would take place on April 7 and May 5, 2021 and are being held virtually to help prepare Board members and staff for the 2021 NCEES Annual meeting in August. These virtual meetings are being recorded and can be watched at anyone's leisure.

The Board reviewed the hardbound copy of the History of NCEES that details how NCEES has assisted key developments in licensure over the past century.

The Board reviewed the February 4, 2021 NCEES and Alliance for Responsible Professional Licensing (ARPL) email detailing the Value of Professional Licensing in the United States. Ms. Rosier discussed the weekly teleconferences she attends with ARPL and noted that ARPL was greatly assisting in the Legislative bill tracking efforts.

The Board reviewed the draft agenda for the upcoming 2021 NCEES Northeast Zone meeting which will be held virtually on May 19 – 20, 2021. President Saluja and Vice President Thomas are listed as the voting members representing the Board. Ms. Rosier will be serving as the coordinator and moderator of the NE Zone MBA Forum as well as the Chair of the NE Zone Awards Committee.

The 2021 NCEES Annual meeting is scheduled for August 18-21, 2021. The Board reviewed NCEES's plans to conduct this meeting as an 'in-person' event in New Orleans,

LA. Only 2 delegates per board will be permitted to attend. Ms. Rosier asked the Board members to check their schedules and let her know if they are interested in serving as the Board delegates.

The Board reviewed the updated NCEES PE exam conversion schedule. Most remaining NCEES exams currently offered in pencil-and-paper format, and administered once or twice per year depending on the exam, are in the transition process and scheduled to launch in computer-based format between now and 2024. Ms. Rosier noted that Civil PE exams, which are the highest volume exams used in WV and nationwide, are set to launch in CBT format beginning in 2022. For this reason, the October 2021 will be the last paper-and-pencil Civil PE exam administration.

Ms. Rosier provided a detailed update of the current legislative session, specifically reviewing the list of Legislative bills she and Mr. Eagloski have been tracking that impact Chapter 30 Boards. Ms. Rosier also provided an summary of her attendance at various legislative committee meetings, including testimony provided before the Senate Government Organization Committee. Ms. Rosier also reported she has been involved in numerous virtual meetings and teleconferences to effectively communicate with other Chapter 30 Board representatives as well as legislative staff. Ms. Rosier also provided a brief demonstration of the online bill status and legislative tracking tool available on the WV Legislature's website.

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

Ms. Rosier reported that the biennial renewal audit was sent to 381 PEs and is ongoing. As of the date of the Board meeting, nearly 340 PEs have responded and provided qualifying documentation to meet the audit requirements, 32 others have responded but need additional information that has been requested, and 12 have not responded at all. As the deadline approaches, additional email reminders will be sent as well as staff following up with courtesy phone calls. Once the PE renewal audit is complete, staff will then finalize any related COA matters resulting from EIRC issues from the PE renewal season and subsequent audit outcome.

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

Upon motion by Mr. Gates, seconded by Mr. Robinson, the Board voted to adjourn the meeting at 1:25pm. The next Board meeting will be May 18, 2021, 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