

**General Session Minutes**  
**State Board of Registration for Professional Engineers**  
**August 1, 2006**

The State Board of Registration for Professional Engineers met in their offices at 300 Capitol Street - Suite 910 Charleston, WV on August 1, 2006. Those present for the general session were:

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

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

The Board meeting minutes of May 8, 2006 (both executive and general session) were reviewed. A motion to approve the minutes was made by Mr. Saluja, seconded by Mr. Plymale. Motion carried.

The Board budget summary for May and June 2006 was received and reviewed. Ms. Rosier also presented the Board with the final FY2006 summary of revenue vs. disbursements, in addition to a comparison chart showing each year since 2000. A motion to approve the expenditures and purchasing card transactions was made by Mr. Robinson, seconded by Mr. Saluja. Motion carried.

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

The results from the April exams were discussed. Pass rates increased for both the FE and PE exams but are still below the national average. The exam data sorted by each WV ABET institution/program has been received. The information will be discussed in greater detail at the September Board meeting.

The annual renewal process continues. As of August 1, 2006, 91.9% of the Active PEs, 91.5% of Retired PEs and 92.3% of COA's have renewed. Overall, 46.7% have taken advantage of the on-line renewal system as of July 20, 2006. The third and final paper notice will be mailed out as a courtesy no later than mid-August. Electronic email reminders will continue to be disseminated through September 30<sup>th</sup>.

A total of 166 new COA applications have been received and processed as a result of the flyer added to the renewal package and a question added to the PE renewal application. Most of these are sole proprietors who were unaware of the 2004 legislative change.

Future plans for changes and improvements with the license renewal process were discussed. Two ideas to be pursued include accepting only on-line renewal submissions as well as the possibility of biennial renewal of the licenses. No decision was made on either item but Ms. Rosier will gather information on pros and cons of each and report back to the Board no later than the November Board meeting.

Ms. Rosier reviewed the presentations she made to various organizations since the last Board meeting and discussed upcoming activities. She also reviewed on-going discussions she is participating in with WVDOT administrators regarding their qualifications process and the need for only WV PEs and those companies with an active WV COA to be considered when selecting consultants for their work.

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

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

1. Mr. Saluja moved that Complaint C2006-9 be withdrawn based on new information obtained by the Board. Motion was seconded by Mr. Robinson and carried.
2. The Board directed Ms. Hamilton to schedule a Hearing on complaint C2006-10 at a time and date set by the presiding officer (Board President).
3. Mr. Robinson moved that Inquiry I2006-17 be received and filed as Board-initiated complaint C2006-14. Motion was seconded by Mr. Plymale and carried.
4. Mr. Robinson moved that Inquiry I2006-18 be received and filed as Board-initiated complaint C2006-13. Motion was seconded by Mr. Plymale and carried. Ms. Hamilton was directed to negotiate a consent order.
5. Mr. Robinson moved that Inquiry I2006-19 be received and filed as Board-initiated complaint C2006-12. Motion was seconded by Mr. Plymale and carried.
6. A decision on the inquiry regarding the industrial exemption was tabled until the next Board meeting.
7. The Board reviewed the details of the report from NCEES regarding a potential collusion issue from the April 2006 exam. After reviewing the details of the case, and an interview with the examinee, Board staff recommended that no disciplinary action was necessary. After hearing the evidence, the WV Board concurred with the staff's recommendation. Ms. Rosier was directed to so inform NCEES and to provide details of future recommendations for both ELSSES and NCEES to minimize the potential for such occurrences in the future.
8. A motion was made by Mr. Robinson, seconded by Mr. Plymale that the Board President be authorized to approve consent orders. Motion carried. The Motion reads:

“The Board President is authorized to approve Consent Orders, or in his discretion, prior to approval direct staff to disseminate to the Board for comment in accordance with rule 7 CSR 2- 4.3(f). “

The Board took the following actions on Special Cases for Board Action:

1. Catherine J. Crowley's request for comity application was approved.
2. Todd D. Poff's request for comity application was be held until disciplinary action in resolved.

The upcoming 2006 NCEES Annual Meeting was discussed. The Conference Reports will be mailed directly to each Board member by NCEES within the next week. Detailed reports and proposed actions will be reviewed at the September Board meeting in preparation for the annual

meeting. All Board members were encouraged to review their conference reports in advance of the next meeting, come prepared with items of interest, and to finalize travel plans immediately.

ELSES notified the Board of an increase in the cost of the exam administration due to their increasing cost. The Board reviewed the cost analysis provided by ELSES and NCEES finance officers and had no questions.

The new foreign degree evaluation service, Center for Professional Engineering Education Services, offered by NCEES was discussed. Additional details on their plans and process are to be covered at the 2006 Annual Meeting session. Ms. Rosier has been asked to serve on the Advisory Board by NCEES. With Board support, she contacted Ms. Betsy Browne to accept the appointment.

Proposed code changes were reviewed and will be reviewed again at the September meeting.

The recently enacted "Certified Home Inspector" rule was discussed, in addition to Ms. Hamilton's letter to the State Fire Marshall's office stating that engineers will be exempted, along with follow-up e-mail correspondence from members of the Home Inspectors Board. No action was taken.

The next Board meeting will be held on Tuesday, September 5, 2006, at 9:00 a.m. The meeting will take place in the office of the WV State Board of Registration for Professional Engineers, 300 Capitol Street – Suite 910, Charleston, West Virginia.

Upon motion by Mr. Robinson, seconded by Mr. Plymale, the meeting adjourned at 2:00 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**