

General Session Minutes
State Board of Registration for Professional Engineers
November 13, 2019

The West Virginia State Board of Registration for Professional Engineers met at their office in Charleston on Wednesday, November 13, 2019. Those present for all or part of the meeting were:

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

The meeting was called to order at 9:05am. Mr. Saluja participated via teleconference and Vice-President Thomas presided over the meeting. The Board meeting minutes for September 18, 2019 were reviewed. A motion to approve the minutes was made by Mr. Robinson, seconded by Mr. Gates. Motion carried.

The Board budget summaries for September and October 2019 were received and reviewed, and the Board reviewed the PCard transactions for the months of September and October. Ms. Rosier discussed the fiscal year 2020 budget report noting that the actual revenue for the 1st Quarter came in within 5% of the projection. The Board reviewed the projected revenue for the 2nd Quarter and Ms. Rosier explained that the projection is approximately \$120K greater than the previous year due to the upcoming COA renewal season. Ms. Rosier reminded the Board that the itemized OASIS budget report is provided in both Excel and PDF format in the Budget Review folder for their detailed review.

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

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

- Ms. Rosier reported 71 applications for the October PE exam were received and 70 were accepted. Out of the 70 accepted, 7 applicants withdrew and staff did not hear from 2 others who did not register with NCEES (even after staff emailed and called the non-respondents). A final total of 61 applicants registered with NCEES and ordered exams. There were 0 absences for the October exam.

- Ms. Rosier noted that NCEES should release the October PE results no later than early December, and official Board correspondence regarding the results will be mailed shortly thereafter.
- The Board reviewed the recent and upcoming presentations, conferences, and meeting participation. Ms. Rosier reported her attendance at the Workers Compensation meeting and the Board Administrator's attendance at the 2019 State Purchasing Conference. Additionally, the required Auditor's conference for Licensing Boards was completed on October 29, 2019, with Mr. Thomas, Ms. Rosier, Ms. Rubenstein, Mr. Armstrong, and Mr. Eagloski attending.
- Ms. Rosier reported the successful completion of all of the student presentations regarding C2017-17, and that all Board members were able to attend at least one of the presentations. The audiences in total included approximately 350 students, faculty and college administrators.
- Ms. Rosier reported that the database upgrades for the upcoming COA renewal have been approved and are in progress, the new key card entry system has been installed per BRIM guidance, and new computer equipment and software installation was completed as of November 11, 2019.
- The Board reviewed the COA renewal game plan and Ms. Rosier noted that the renewal system will go 'live' on November 21st, well in advance of the December 1, 2019 deadline as required by law.
- Mr. Thomas discussed one additional student presentation by the respondent of C2017-17 and noted that he will coordinate a specific time/date during the month of February 2020 at WVUIT.
- Ms. Rosier noted that the newsletters will be mailed to all registrants (Active and Retired) in mid-December and that a copy of the newsletter will be included in all of the COA renewal notices to be mailed the week of Thanksgiving.

A motion was made by Dr. Nottingham, 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 C2019-21, C2019-24, and C2019-26. The consent orders will be posted on the Board's website within a reasonable time.

Dr. Nottingham made a motion to enter into Executive Session at 9:50am, seconded by Mr. Saluja. Motion carried. It is noted that Mr. Armstrong will not be a part of any investigation, discussion, or ruling relative to C2019-08 matters.

Mr. Robinson made a motion, seconded by Dr. Nottingham, to move into general session at 12:00pm. The motion carried, and the Board took the following action:

- Mr. Robinson made a motion, seconded by Mr. Saluja, to file a second complaint regarding C2019-23 against Respondent Firm in C2019-23 and set this second complaint for hearing during the May 2020 meeting, if not settled. Motion carried.

- Dr. Nottingham made a motion, seconded by Mr. Gates, to move I2020-13 to complaint and set said complaint for hearing during the May 2020 meeting, if not settled. Motion carried.
- Mr. Robinson made a motion, seconded by Mr. Saluja, to dismiss C2020-11. Motion carried.
- Mr. Gates made a motion, seconded by Dr. Nottingham, to move I2020-01 to complaint and set said complaint for hearing during the May 2020 meeting, if not settled. Motion carried.
- Mr. Robinson made a motion, seconded by Dr. Nottingham, to move I2020-14 to complaint and set said complaint for hearing during the May 2020 meeting, if not settled. Motion carried.
- Mr. Saluja made a motion, seconded by Mr. Robinson, to move I2020-15 to complaint and set said complaint for hearing during the May 2020 meeting, if not settled. Motion carried.

There were no special case files for Board approval.

The Board reviewed the NCEES memorandum concerning the nominations for National Service Awards and Ms. Rosier noted that the nominations are due by January 31, 2020.

The Board reviewed the Massachusetts Board nomination for NCEES Treasurer, to be elected during the 2020 Annual Meeting.

The Board reviewed the NCEES MBA committee's proposal for a resolution of cooperation, which was presented during the 2019 Annual Meeting in an effort to facilitate mobility of licensure.

Ms. Rosier reported that 31 State Governors' offices have received a request from the National Transportation Safety Board (NTSB) requesting that State Boards remove any licensure exemptions for public utility engineers on natural gas's infrastructure projects. The Board reviewed a sample of the correspondence but, to date, has not been contacted by NTSB or the Governor's office.

The Board reviewed the most recent NCEES Computer Based Testing (CBT) transition plan and noted NCEES is hitting all of their targeted timelines.

Ms. Rosier reported that, according to the July 2019 OH PE Board white paper entitled "Analysis of the Future of PE Licensure in Ohio", 17 states have disconnected or decoupled the requirement to complete qualifying engineering experience from approval to take the PE exam.

Ms. Rosier discussed the upcoming Legislative Rule Making Review Committee (LRMRC) meeting that she and counsel will be attending in order to respond to any questions the committee may have concerning the Board's Series §7-1 Legislative rules submission. The committee meeting will take place on Sunday, November 17th at 1:00pm and Board members were encouraged to attend. Unless significant changes in the

content of the rules were recommended by LRMRC, the Board directed Ms. Rosier to file the Legislative Rules as submitted or modified.

The Board reviewed the most recent Professional Licensing Report (PLR) and discussed several of the articles within.

Dr. Nottingham and Mr. Gates provided the Board with an update concerning their recent ABET site visit observations. Dr. Nottingham served as a Board observer at American Public University and Mr. Gates served as a Board observer at Marshall University.

Upon motion by Dr. Nottingham, seconded by Mr. Robinson, the Board voted to approve the upcoming WV Construction and Design Exposition plan as presented. Motion carried. The Board will once again purchase an Agency Booth and program advertisement (to serve as a Professional Development documentation page for attendees), in addition to conducting a 2-hour continuing education seminar to be offered free to all attendees.

Ms. Rosier reported 15,000 newsletters were printed and delivered and approximately 13,000 of them will be mailed to all active PEs, Retired PEs and COA holders no later than the first week of December.

Ms. Rosier reported 3357 active COAs will receive their renewal notice prior to December 1, 2019. The deadline for regular renewal submissions is midnight on December 31, 2019. All COA renewals received between January 1, 2020 and January 31, 2020 will be required to submit late fees.

The Board commended staff upon their successful completion of the October 11, 2019 Purchasing Inspection and Review. The Board noted that there were no material findings from the inspection and the overall agency score was 100% A.

The Board reviewed the upcoming calendar of events and noted that the March 2020 Board meeting date will likely need to change. The new date will be communicated to the Board no later than the January 2020 Board meeting.

Upon motion by Mr. Robinson, seconded by Dr. Nottingham, the Board voted to adjourn the meeting at 1:35pm. The next Board meeting will be January 21, 2020, 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