

**General Session Minutes**  
**State Board of Registration for Professional Engineers**  
**July 24, 2003**

The State Board of Registration for Professional Engineers met in their offices at 300 Capitol Street – Suite 910, Charleston, WV on July 24, 2003. Those present for the general session were:

Frank L. Gaddy	President
Robert L. Wolfe	Vice President
Leonard J. Timms	Secretary
Edward L. Robinson	Member
B. S. Saluja	Member
Debra L. Hamilton	Managing Deputy Attorney General
Marcia White	Board Administrator
Lesley Rosier	Executive Director

Guests:

Theresa James	CPA, Smith, Cochran and Hicks
C. Elwood Penn, IV	WV Society of Professional Engineers

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

Mr. Timms moved, with a second by Mr. Robinson, that the Board meeting minutes of June 16, 2003, executive and general session, be approved. Motion carried.

The Board budget and expenditures for June 2003 were received and reviewed and questions were answered by Ms. White. Ms. White provided an update on the renewal progress and revenues deposited to date. Ms. Theresa James of Smith, Cochran and Hicks accounting firm joined the meeting for a brief update on the latest findings regarding our IRS 941 filings. A motion to approve the budget and expenditures was made by Mr. Robinson, second by Mr. Timms. Motion carried.

Ms. Rosier presented the Executive Director's Report and addressed all Board comments and questions. She shared the details regarding the upcoming ELSES proctor training seminar to be hosted by NCEES in Atlanta in September. A motion by Mr. Timms, seconded by Mr. Wolfe, was made to approve travel for not only Ms. Rosier but Ms. Crystal May as our chief proctor at the Morgantown exam site. The Board believes each exam site should be represented at the training to learn of current exam security issues and increasing liability. Ms. Rosier is to negotiate travel and appropriate compensation with Ms. May at their earliest convenience. Motion carried.

Mr. Gaddy resigned as Board President, as did Mr. Timms as Board Secretary, effective immediately. Upon a motion by Mr. Robinson with a second by Mr. Saluja, the Board voted to re-elect Mr. Gaddy to President for the 2003-2004 fiscal year and Mr. Timms as Board Secretary. Motion carried. It was noted that both Mr. Gaddy and Mr. Wolfe's terms expired on July 1, 2003 but to the Board's knowledge, no efforts have been made to replace them.

Mr. Timms moved to enter into executive session, second by Mr. Saluja. Motion carried.

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

1. Mr. Robinson moved that Ms. Hamilton draft a formal hearing notice and consent agreement regarding Case 2003-1 which would take appropriate enforcement actions, including fines, against the PE's and the company involved. The consent agreement would also stipulate that the PE's and the company would be unable to obtain registration for a period of six months following payment of the fines. Should the involved parties not be interested in the amenable disposition, a formal hearing will take place at the next regularly scheduled Board meeting. Motion seconded by Mr. Timms and carried.
2. Mr. Robinson moved that a formal complaint be filed by the Board involving a local company who does not currently hold a COA (nor do they currently have the ability to obtain a COA due to no registered PE's on staff) and is illegally advertising to perform electrical engineering services. Motion seconded by Mr. Saluja and carried.

The NCEES Annual Meeting will take place in August 2003 in Baltimore, MD. Four of the five Board members have confirmed attendance. Ms. Hamilton was also extended an invitation to attend the Law Enforcement program at the Board's expense. She is undecided on whether or not she will be able to attend.

Ms. Rosier presented the Board with the lists of approved files since last Board meeting. The following files and/or requests were approved with Board action:

Comity/PE Applications for licensure:

Chao, Poyen  
Gupta, Sukdev

Ms. Rosier provided a packet to each Board member containing the results of the resume review performed by the Board for the investigator position. Ms. Rosier discussed the results and the Board developed a short-list of 6 candidates to be interviewed for the position. Mr. Gaddy and Ms. Rosier will conduct interviews on Thursday, August 7, 2003 unless this date is not convenient for the candidates. Results will be forwarded to the Board immediately following and final selection will take place at the next Board meeting.

Prior to lunch, Ms. White was asked to join the Board for an exit interview. Ms. White announced her retirement effective July 31, 2003. The Board shared their appreciation for her monumental efforts in the reorganization and relocation of the office during her employment.

At 1:00 p.m., The Board conducted a scheduled public hearing to receive comments regarding the final draft of the proposed changes to Title 7, Series 1 Legislative Rules which governs the WV Board of Registration for Professional Engineers. One guest, Mr. C. Elwood Penn, IV, PE, attended the public hearing. Mr. Penn currently serves as the President of the West Virginia Society of Professional Engineers and brought forth comments collected from Society members. After a brief discussion, Board members accepted the minor revisions offered by Mr. Penn and then a motion was made by Mr. Robinson to authorize Ms. Rosier and Ms. Hamilton to finalize and submit the agency-approved rules for consideration prior to the deadline. Motion seconded by Mr. Saluja and carried. Ms. Rosier reminded the Board and Guests that all submissions regarding the proposed Rules changes were also being made available on our website. The Board thanked Mr. Penn for the Society's input prior to his departure.

Ms. Rosier presented the Board with a final draft of the Board of Professional Engineer's 2004 Strategic Plan. Mr. Timms recommended that all Board members take this document for review and provide final comments via email within the next two weeks. At that time, Mr. Timms and Ms. Rosier will finalize and distribute for acceptance at the next Board meeting.

Upon motion of Mr. Wolfe, seconded by Mr. Timms, the meeting adjourned at 3:00 p.m. The Board members will be compensated for one day per diem plus travel expenses.

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**Frank L. Gaddy, P.E.**  
**Board President**

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**Leonard J. Timms, P.E.**  
**Board Secretary**