

General Session Minutes
State Board of Registration for Professional Engineers
September 20, 2011

The State Board of Registration for Professional Engineers met in their offices at 300 Capitol Street in Charleston, WV on Tuesday, September 20, 2011. Those present for all or part of the meeting were:

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

The meeting was called to order at 9:10 AM. The Board meeting minutes for July 19, 2011 (both executive and general session) were reviewed. A motion to approve the minutes as submitted was made by Mr. Plymale, seconded by Mr. Saluja. Motion carried.

The Board budget summaries for July and August 2011 were received and reviewed. The detailed purchasing card expenditures were also received and reviewed. A motion to approve the current expenditures and purchasing card transactions was made by Mr. Pierson, seconded by Mr. Plymale. Motion carried. Ms. Rosier also discussed the recommended server specifications and estimated cost outlined by our IT professionals. A motion to approve up to \$10,000 for a new server and any related software and peripherals was made by Mr. Plymale, seconded by Mr. Saluja. 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 by her to various groups since the last Board meeting. She also reviewed the office's schedule of upcoming activities. A motion was made by Mr. Timms, seconded by Mr. Plymale, to approve attendance and travel for Board member and staff activities outlined in the Executive Director's report and updated 2011 calendar of events, as well as Counsel's attendance at FARB's Attorneys Certification seminar. Motion carried.

Ms. Rosier reported that a Bluefield State University student contacted the office to register for the FE exam. The student was informed that he was not registered in an ABET approved program and would not be eligible to sit for the exam. The student was very upset and said that no one had informed him of this until now. Ms. Rosier reported that this problem was not limited to Bluefield State. The Board discussed this in detail and requested that several things be done to address this problem:

1. Develop a draft letter to the WV colleges and universities involved outlining the problem and ask for their assistance in addressing the problem.
2. Develop a draft letter to high school counselors outlining this problem and providing information on accredited and non-accredited engineering baccalaureate programs in our state.
3. Develop a publicity program to address the problem:

- Expand the distribution of the newsletter to include legislators and the Higher Education Committee. Include public pieces in the newsletter.
- Run a full page ad in the February engineering section of the Charleston newspaper. The article should focus on the importance of engineering licensure and our charge of protecting the health, safety and welfare of the public.

The upcoming October 2011 FE and PE exam plans were discussed. For repeat takers, the educational plans of study were reviewed but no exam candidate interviews were required for this administration.

The annual renewal process continues. As of September 15, and with two weeks remaining, there were 263 PEs, 21 Retired and 115 COAs who have not renewed. A final courtesy reminder will be sent out via email prior to the end of the renewal period. The internal PDH audit preparation is in progress. Audit letters will be mailed by mid-October.

The WV Auditor's office is encouraging Board member participation in the annual Auditor's Office Training session. President Robinson agreed to attend, in addition to three staff members and possibly counsel.

Mr. Timms moved to enter into Executive Session at 10:15 AM, seconded by Mr. Pierson. Motion carried.

The Board recessed the meeting in Executive Session at 11:00 AM for an informal meeting on Inquiry I2011-14. Ms. Hamilton was directed to send an e-mail to the meeting participants summarizing the results.

After completion of the informal meeting, the Board reconvened the meeting in Executive Session at 11:45AM.

At the conclusion of the Executive Session, Mr. Pierson moved to enter into General Session with a second by Mr. Plymale. Motion carried and the Board then took the following actions:

1. The Board reviewed and accepted the presentation schedule on complaint C2010-19. At least one Board member will attend each presentation.
2. Mr. Pierson moved that complaint C2011-08 be dismissed. Motion was seconded by Mr. Timms and carried.
3. Mr. Pierson moved to accept Complainant's request to withdraw complaint C2012-03. Motion was seconded by Mr. Saluja and carried.
4. Mr. Timms moved that inquiry I2012-04 be received and filed as a Board-initiated complaint. Motion was seconded by Mr. Pierson and carried.

There were no cases for Special Consideration.

Personnel Issues: Andrea Null began work as a temporary administrative assistant on September 12th.

The Emergency Rules recently enacted by the WV DEP relating to the horizontal drilling of Marcellus shale were discussed. In light of the problems encountered in the Gulf of Mexico last

summer, the Board is concerned about the lack of involvement of professional engineers in these regulations. The Board authorized staff to provide input to the WV DEP on the proposed standards.

Mr. Timms reported on his recent activities as the NCEES President. A few key items of interest included:

1. The Alternate Pathways to Licensure motion was voted down at the Annual NCEES meeting. The Master's or Equivalent educational requirement continues on schedule for 2020 implementation in the Model Law.
2. An amendment to the Model Law was passed at the Annual NCEES meeting requiring a PE to be in responsible charge of the engineering design of buildings, structures, products, machines, processes and systems that affect the public's health, safety and welfare. This amendment is aimed at the industrial exemption that exists in many states.
3. CBT implementation for the FE exam is on schedule for 2014. Current projections are for the FE exam to increase to \$250 and the PE exam costs to be increased to \$250.
4. Joe mentioned a PDH clearinghouse and that it wasn't clear whether NCEES or one or more states would be getting it set up.

Ms. Rosier reported that NCEES has issued a call for nominations for national awards. Nominations need to be in by January 31, 2012.

Exam administration observers were identified for the upcoming exams. Ms. Rosier will notify NCEES of which Board member and staff members plan to participate.

Ms. Rosier will contact the two successful exam interviewees who passed the April 2011 exam. As repeat examinees who submitted multiple Educational Plans of Study as well as interviewed with the Board, the Board is interested in highlighting their experiences in their upcoming 2012 newsletter. The information gained will also be used by the Board as a possible teaching point during future interviews.

The re-write of the Engineering Practice Act for submission to the legislature in 2012 was discussed. Staff and AG counsel will work to have a draft re-write ready for review by year's end.

The proposed 2011-2012 WV Engineering Education Summit was discussed. There appears to be limited interest in pursuing this at the present time.

The hearing scheduled for this date was settled the day before the hearing, so no court reporter appearance fee was incurred.

The next Board meeting has been re-scheduled for Thursday, November 17, 2011. The meeting will take place at a conference room in the MU Memorial Student Center on the Marshall University campus in Huntington, WV.

Board staff was contacted regarding the Secretary of State's interpretation of state law regarding a private investigator (PI) license to perform certain types of work, some of which it was contended should be performed by PEs. W. Va. Code 30-18-1. Staff directed the inquiry to counsel, who confirmed that the Secretary of State did not make an exception for PEs. Until

the Board receives further information or a specific situation presents itself, the Board declined to get involved in this issue.

Upon motion by Mr. Timms, seconded by Mr. Pierson, the meeting adjourned at 2:00 p.m. The Board members will be compensated one day per diem plus travel expenses.

Edward L. Robinson, P.E.
Board President

Bhajan S. Saluja, P.E.
Board Secretary