

**General Session Minutes**  
**State Board of Registration for Professional Engineers**  
**July 19, 2022**

The West Virginia State Board of Registration for Professional Engineers met at their office in Charleston on Tuesday, July 19, 2022. Those present for all or part of the meeting were:

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

The meeting was called to order at 10:08am. Mr. Gates participated remotely via teleconference. President Thomas welcomed everyone and introduced the Board officers for FY2023. Mr. Robinson expressed his appreciation to the Board Members and staff for their dedication and attention to detail and reiterated his gratitude to the re-elected slate of Board officers (Mr. Thomas, President; Dr. Nottingham, Vice-President; and Mr. Gates, Secretary) for completing their first year of successful service and willingness to continue to serve in the same leadership roles for a second year.

The Board meeting minutes for the May 24, 2022 meeting were reviewed. A motion to approve the minutes was made by Dr. Nottingham, seconded by Mr. Saluja. Motion carried.

Ms. Rosier presented the Board with budget summaries for May and June 2022 as well as the FY2022 year-end summary. All budget information was received and reviewed, as well as the P-Card transactions for the May and June 2022 timeframe. Ms. Rosier reported a \$1.7M balance for the FY2022 year-end and beginning balance for FY2023. Ms. Rosier also discussed the 20-year Revenue / Expense Comparison, noting that the year-end balance should see a noted decrease in future years given the 10% fee reductions required as a result of SB334 and the Board's new fee filing taking effect August 1, 2022.

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

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

- In preparation for the upcoming 2022 NCEES Annual Meeting, Ms. Rosier reported that she, other staff members, and President Thomas, attended the virtual NCEES State of the Council Meetings held since our May Board meeting.

- Mr. Saluja requested Ms. Rosier to contact NCEES regarding a request for information on FE and PE exam passage rates (state by state), to determine if specific school/program data outside of WV is available, data on the number of graduate engineers vs. FE and PE examinees, any comparisons of the requested data to other professions, etc. Ms. Rosier will work with Mr. Saluja to clarify his request and hope to discuss details with NCEES leadership at the 2022 Annual Meeting.
- Ms. Rosier discussed upcoming meeting and training participation needs to include the Rhode Island PE Board meeting (virtual), the 2022 WV State Purchasing Conference, and the 2022 NCEES Annual Meeting. Ms. Rosier also reviewed the NCEES Annual Meeting forum options (Engineers, Surveyors, Member Board Administrators), committee meetings and continuing education opportunities available to Board members and staff in August.
- Ms. Rosier also presented the Board with the WVOT response regarding the Board's review of cost and business impact to existing systems, and decision to move forward with RFQs to seek bids for continued IT Maintenance by local vendors. Ms. Rosier reported that OMNI Strategic Technologies submitted the low bid and was awarded the new contract.

Prior to entering into Executive Session, the Board's Counsel provided the details of the resolution of Complaints C2022-28, and C2022-29. The consent orders have been posted on the Board's website.

Mr. Robinson made a motion to enter into Executive Session at 10:50am, seconded by Mr. Saluja. Motion carried.

Mr. Robinson excused himself and exited the room, as to not be part of any discussion or decision making regarding C2022-12 and C2022-13. Mr. Saluja excused himself and exited the room, as to not be part of any discussion or decision making regarding C2022-35. Ms. Tabor excused herself and exited the room, as to not be part of any discussion or decision making regarding C2022-40.

At 12:10pm, Mr. Robinson made a motion, seconded by Dr. Nottingham, to move into General Session. The motion carried, and the Board took the following action:

- Dr. Nottingham made a motion, seconded by Mr. Saluja, to "Receive and File" Complaint C2022-39, and to set said Complaint for a hearing on January 17, 2023.
- Mr. Robinson made a motion, seconded by Mr. Saluja, to "Receive and File" Complaint C2022-40, and to set said Complaint for a hearing on January 17, 2023.
- Dr. Nottingham made a motion, seconded by Mr. Gates, to move I2023-01 to Complaint. Motion carried. Furthermore, Dr. Nottingham made a motion, seconded by Mr. Gates, to "Receive and File" Complaint C2023-01, and set said Complaint for a hearing on January 17, 2023. Motion carried.

The Board acted upon the special case files as follows:

- Dr. Nottingham made a motion, seconded by Mr. Saluja, to approve the PE comity application for Alan E. Money. Motion carried.

The Board directed staff to deposit the Respondent's check for administrative costs associated with C2014-16 and C2015-10, which said matter is pending in circuit court. The Board recessed the General Session at 12:15pm for lunch and resumed the General Session at 1:00pm. During the lunch break, the Board recognized and thanked both Ms. Tara Smith and Ms. Rosier for their 20-year anniversary with the agency. Ms. Smith was presented with a 20-year service certificate signed by the Governor and a letter of recognition and appreciation for WV Department of Administration leadership.

At 1:05pm, the Board held an informal conference with the Respondents in C2022-37. Thereafter, the Board then held an additional informal conference at 1:30pm with the third-party Complainant, and spouse.

After the informal conferences, Mr. Robinson made a motion to reenter into Executive Session at 2:05pm, seconded by Dr. Nottingham. Motion carried.

At 2:22pm, Mr. Robinson, made a motion, seconded by Dr. Nottingham, to move into General Session.

Ms. Rosier reminded the Board that as a result of passage of SB334, the Board's new Legislative Rules updates, including the amended fee structure, will go into effect on August 1, 2022. All Board fees will decrease by 10% per the agency's Final Filing documents submitted to the WV Secretary of State's Office on May 5, 2022.

Ms. Rosier reported that she and Counsel Eagloski will continue to review the proposed changes to Title 7, Series 1 Legislative Rules, which include a number of additional fee changes that ultimately reduced the Board's revenue even further. Ms. Rosier will file the said rules with the WV Secretary of State's Office for public comment at the appropriate time.

Ms. Rosier summarized the most recent NCEES State of the Council meetings which were held virtually. The Board reviewed the upcoming 2022 NCEES Annual Meeting information and Summary of Motions. Ms. Rosier provided an update on the NCEES Annual Meeting consent agenda items and the Board discussed the proposed items that were (or will likely be) removed from the consent agenda.

The Board reviewed details on the upcoming NCEES Annual Meeting forums, professional development webinars as well as 2022-2023 NCEES committee appointments. Ms. Rosier announced that she will serve on the MBA committee again this year and Mr. Thomas reported he was asked to serve as a member of the Committee on Examination Policy and Procedure.

The Board reviewed the latest CBT PE exam transition schedule updates. Ms. Rosier noted that the Structural PE exams will be the only remaining paper and pencil exams offered in April and October until their anticipated transition date of 2024.

The Board reviewed the required BRIM Loss Control Questionnaire and the annual Safety Committee meeting documentation in accordance with BRIM's Standards of Participation letter received May 31, 2022. In addition, the Board completed their Executive Branch Confidentiality agreements for inclusion in the annual BRIM submission and participated in viewing the various videos regarding data breaches, privacy, and safety.

While Ms. Rosier has yet to receive official correspondence from ABET, the Board reviewed the anticipated 2022 ABET fall visit need for one WV college. Ms. Rosier indicated she would share the ABET request immediately upon receipt and asked that Board members consider serving the important role as a Board observer if their schedule permitted.

Ms. Rosier discussed the plan for staff to begin the PE renewal preparations and the Board's annual InterChange newsletter. The newsletter publication will be mailed with the PE renewal notices as well as to all active COA holders. She requested the Board President and staff members begin work on their articles and provide submissions no later than August 15, 2022. Ms. Rosier reported she plans to summarize and conclude their 100<sup>th</sup> Anniversary commemoration of the agency throughout the publication as well.

The Board reviewed the most recent Professional Licensing Report (PLR) publication.

Ms. Rosier shared correspondence she received regarding the outcome of recent stakeholder meetings and legislative interims, that resulted in the approved legislation to implement new State Fire and State Building Codes. The notification indicates the new Rules will become effective on August 1, 2022.

The Board reviewed the remaining activities shown on the 2022 Calendar of Events, noting no conflicts or changes needed.

Upon motion by Mr. Robinson, seconded by Dr. Nottingham, the Board voted to adjourn the meeting at 3:15pm. The next Board meeting will be September 20, 2022, in Charleston. The Board members will be compensated one day per diem plus travel expenses.

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**Garth E. Thomas, Jr., P.E.**  
**Board President**

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**Leslie A. Gates, P.E.**  
**Board Secretary**