

**General Session Minutes  
State Board of Registration for Professional Engineers  
May 29, 2019**

The West Virginia State Board of Registration for Professional Engineers met at their office in Charleston on Wednesday, May 29, 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 9:08am. The Board meeting minutes for March 19, 2019 were reviewed. A motion to approve the minutes was made by Mr. Robinson, seconded by Dr. Nottingham. Motion carried.

The Board budget summaries for March and April were received and reviewed, as well as the PCard transactions for the same months. The Board also reviewed the FY2020 Expenditure Schedule Submission that the Executive Director submitted electronically on April 24, 2019. All changes in estimated revenue/expenses, as well as corresponding Object Codes, were outlined for the Board and explained by Ms. Rosier, including the recommended technology upgrade for a new server and desktop computers.

A motion to approve the FY2020 budget, current expenditures, and purchasing card transactions was made by Mr. Gates, seconded by Mr. Thomas. Motion carried.

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

- Ms. Rosier reported that 55 PE applications were approved for the April 2019 PE exam. Out of the 55 applicants, 3 were absent and of the remaining 52, 23 passed the exam resulting in a 44.2% pass rate. PE approval letters were sent out the same day of the Board's notice of results.
- Ms. Rosier discussed the recent CLEAR webinar schedule being paid for by the WV Licensing Board Association. PE Board staff members have been participating in, and plan to continue to attend future offerings, with other Boards as these offerings add to staff professional development.
- Ms. Rosier reported 3 Board members and 3 staff members would be attending the 2019 NCEES Annual Meeting in August, to be held in Washington, DC.

- Ms. Rosier reported the highly successful WV/OH PE/PS professional development seminar at EXPO had over 175+ participants in March 2019.
- Ms. Rosier briefed the Board on the recent mass uploading of historical microfilm/imaging documents and discussed the importance of having this information saved electronically and accessible now via the Board's database.

A motion was made by Mr. Gates, seconded by Thomas, 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 2019 calendar. Motion carried.

Prior to entering into Executive Session, the Board Investigator provided the details of the settlement of complaints C2018-16, C2019-12, C2019-13, C2019-15, and C2019-18. The consent orders will be posted on the Board's website within a reasonable time.

Mr. Gates made a motion to enter into Executive Session at 10:15 am, seconded by Mr. Thomas. Motion carried. It is noted that Mr. Armstrong requested, and was approved, to leave the room for discussion of C2019-08. As such, Mr. Armstrong will not be a part of any investigation, discussion, or ruling relative to C2019-08 matters.

The Board recessed the executive session for lunch at 12:28 pm and resumed the executive session at 1 pm. Dr. Nottingham made a motion, seconded by Mr. Thomas, to move into general session at 1:05 pm. The motion carried, and the Board took the following action:

- Mr. Thomas made a motion, seconded by Dr. Nottingham, to move I2019-14 to complaint and set said complaint for hearing during the November 2019 meeting, if not settled. Motion carried.
- Mr. Gates made a motion, seconded by Mr. Robinson, to move I2019-15 to complaint and set said complaint for hearing during the November 2019 meeting, if not settled. Motion carried.
- Mr. Thomas made a motion, seconded by Mr. Gates, to dismiss C2019-22. Motion carried.
- Dr. Nottingham made a motion, seconded by Mr. Thomas, to move I2019-16 to complaint and set said complaint for hearing during the November 2019 meeting, if not settled. Motion carried.
- Mr. Robinson made a motion, seconded by Dr. Nottingham, to move I2019-18 to complaint and set said complaint for hearing during the November 2019 meeting, if not settled. Motion carried.
- Dr. Nottingham made a motion to approve a 5% merit increase for the Board staff. The raise is to be effective immediately upon processing. Mr. Gates seconded, and the motion carried.
- Mr. Robinson made a motion to approve a \$100 hourly rate for services provided by Board Counsel. The new hourly rate is to be effective immediately upon processing. Mr. Gates seconded, and the motion carried.
- Mr. Robinson made a motion to approve up to \$10,000 per year of reimbursement, for up to two years of Master's degree educational costs for

Tiffany Coleman, noting if she should leave the employ of the Board within a year of any reimbursement, she must repay to the Board the full reimbursement amount. Mr. Thomas seconded, and the motion carried.

The Board also commended Tiffany on completion of her Bachelor's degree from Marshall University with her graduation in May 2019.

Upon motion by Mr. Robinson, seconded by Dr. Nottingham, the Board approved the following special case files:

- Jbara Hasan
- Logan Shrewsbury

Ms. Rosier was directed to prepare the required merit raise payroll documentation to submit to the WV State Budget Office, including a copy of draft meeting minutes indicating the official Board action taken outside of the Executive Session and recorded in the General Session Meeting Minutes.

President Saluja provided the Board with a recap of the NCEES Joint Central/Northeast Zone meeting that he, Dr. Nottingham, and Mr. Eagloski attended.

Ms. Rosier provided an update on the NCEES MBA Committee, Mr. Thomas provided an update on the NCEES Education Committee, and Mr. Armstrong provided an update on the NCEES Law Enforcement Committee. Ms. Rosier noted that NCEES Committee appointments for 2019-2020 have yet to be announced.

The Board reviewed the 2019 NCEES Annual Meeting agenda and Ms. Rosier announced that she has registered the NCEES-funded delegates. Also, she reminded the Board-funded participants to make their travel arrangements through National Travel as required by state contract.

The Board reviewed and discussed the NCEES position paper regarding the NTSB report on a gas explosion in Massachusetts.

The Board reviewed the NCEES news release discussing the relocation of the NCEES headquarters from Clemson to Greenville, SC.

The Board discussed the paper-to-CBT PE exam transition plans as published by NCEES.

Ms. Rosier presented the staff-completed webinars and highlighted the upcoming webinar schedule, to include presentations by NCEES, CLEAR, and CSG.

Ms. Rosier presented financial scenarios and impacts related to the Board reducing COA renewal and reinstatement fees. After further discussion, the Board, upon motion by Mr. Robinson and seconded by Mr. Gates, voted to reduce the COA renewal fee for larger firms to \$500 from \$600 for 4 or more PEs, reduce the COA reinstatement fee for larger

firms to \$700 from \$900 for 4 or more PEs, and reduce the COA reinstatement fee for smaller firms to \$200 from \$300 for 3 or fewer PEs. Motion carried.

The Board reviewed the draft version of the proposed changes to Title 7, Series 1 Legislative Rule updates and directed the Executive Director to file said rules with the WV Secretary of State's Office and for public comment.

The Board reviewed the Governor's office correspondence relating to the Ranson Law Offices regarding wvOASIS transition to biweekly payroll.

Ms. Rosier provided an update concerning the PE renewal summary and informed the Board that COA renewal preparation will begin in late summer. Mr. Armstrong informed the Board that the PDH audit was complete, resulting in 4 license invalidations due to insufficient or no response to the required PDH audit.

The Board reviewed the annual ABET visit needs and discussed the upcoming State Auditor's Seminar, noting that President Saluja and Mr. Thomas will be required to attend the seminar in the near future to meet Chapter 30 requirements.

The Board discussed a recent SPCC Plan Certification inquiry received via email. The Board was of the opinion that "self-certify" plans involving engineering would need to be signed and sealed by a WV PE if being performed by a third-party or consultant, as opposed to the owner. In addition, if the facility meets the eligibility requirements to self-certify the SPCC Plan, and the Plan is prepared by the facility owner or operator, then a PE is not required per the EPA's 40 CFR part 112 "A Facility Owner/Operator's Guide to Oil Pollution Prevention." However, if the facility does not meet the self-certify criteria, then a licensed WV PE is required.

Ms. Rosier presented the latest Professional Licensing Report publication and the Board discussed numerous and timely issues affecting professional licensure nationwide.

The Board reviewed the draft table of contents for its 2019 INTERchange Newsletter. Ms. Rosier requested all newsletter articles be submitted at or before the Board's next meeting in July.

Ms. Rosier discussed the proposed 2019 Calendar of Events and requested the Board provide her with any future conflicts.

Upon motion by Dr. Nottingham, seconded by Mr. Robinson, the Board voted to adjourn the meeting at 2:50 pm. The next Board meeting will be July 17, 2019, 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**