

General Session Minutes
State Board of Registration for Professional Engineers
June 16, 2003

The State Board of Registration for Professional Engineers met in their offices at 300 Capitol Street – Suite 910, Charleston, WV on June 16, 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

The meeting was called to order at 9:20 a.m..

Mr. Saluja moved, with a second by Mr. Timms, that the Board meeting minutes of May 20, 2003, executive and general session, be approved. Motion carried.

The Board budget for May 2003 was reviewed and questions were answered by Ms. White. Ms. White provided an update on the renewal progress and revenues deposited to date.

Ms. Rosier presented the Executive Director's Report and addressed all Board comments and questions. She shared the details regarding the April 2003 FE and PE exam results and conclusions regarding the fee waiver pilot project. While the Board members were disappointed in the declining pass rate, Ms. Rosier encouraged the Board to extend the fee waiver through the October 2003. With a nearly 40% increase in FE applicants, the increased exposure to the exam was noted as a success.

Mr. Robinson moved to provide complete FE fee waivers for full-time students currently enrolled in an ABET program at a WV college or university. This waiver policy shall not be applicable to anyone who received a fee waiver in the past but failed to attend that exam. In the event that future fee waivers are authorized, the maximum number of fee waivers that one can receive shall be two (2). Motion seconded by Mr. Timms and approved unanimously.

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

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

1. Mr. Timms moved that a formal complaint be filed by the Board involving a current WV registrant for improper use of his PE seal. Motion seconded by Mr. Wolfe and carried.
2. Mr. Timms moved that the Board pursue obtaining information to determine if the conduct of a current WV registrant in a civil action warrants a Board-initiated complaint. Mr. Saluja seconded and motion carried.

Ms. Rosier shared recent developments regarding the May 2003 meeting between the DEP and WV Department of Administration (Purchasing Division). This meeting was called to discuss on-going concerns of the engineering community regarding illegal procurement of engineering services. Ms. Rosier has since been in contact with the Purchasing office, in particular Mr. Ron Price, to discuss additional state contracts awarded for engineering services to firms without COA's or registered WV PE's. Mr. Price indicated that he would share this information with Mr. Dave Tincher, his supervisor, who would need to revise the application to ensure compliance. Ms. Rosier concluded the conversation by providing Mr. Price with the WV statute reference and sharing the Board website address where current information on active PE's and COA's can be obtained.

Based on specifics of the circumstances surrounding the incidences referenced above, Mr. Timms moved that a formal complaint be filed by the Board involving an out-of-state firm who was awarded a contract by a state agency and who does not possess a current COA. Mr. Timms added that the state agencies involved should be copied on any such correspondence that is legally permitted in order to reinforce our actions. Motion seconded by Mr. Robinson and carried.

The Board discussed proactive measures to be taken to ensure that all appropriate entities are informed of the WV Law relevant to procuring engineering services for WV projects. Ms. Rosier will draft a letter, to be reviewed by Board counsel, to be sent to all state, municipal, county, and other public agencies that might have an occasion to acquire engineering services. This letter will address the need for their applications and qualifications to be revised to ensure that the firm's WV COA # and expiration date as well as the project engineer's WV PE # and expiration date be included. The entities would also be informed of the ability to utilize the Board website to verify the validity of the information supplied prior to awarding a contract.

The NCEES Annual Meeting will take place in August 2003 in Baltimore, MD. Four of the five Board members have confirmed attendance, with the last Board member yet undecided. Mr. Robinson informed the Board that he has been appointed to the NCEES Finance Committee.

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:
Ralhan, Ashok

Ms. Rosier provided a packet to each Board member containing resumes submitted to date for the Board Investigator position. Ms. Rosier will forward any remaining resumes to the Board on June 25th along with a rating sheet that will need to be completed and returned to her no later than July 7th. An interview schedule for the top five candidates will be determined during the July 21st Board meeting.

Ms. Rosier presented the Board with a final draft of the proposed changes to Title 7 Legislative Rules. Board members offered minor revisions and then a motion was made by Mr. Timms to authorize Ms. Rosier and Ms. Hamilton to finalize and submit for consideration prior to the July 2, 2003 deadline. Motion seconded by Robinson and carried. Mr. Gaddy reminded Ms. Rosier to provide WVSPE and WVACEC with a copy of the proposed draft as soon as it became available.

Ms. Rosier presented the Board with a working copy of the Board's 2004 Strategic Plan. Mr. Timms recommended that all Board members take this document for review and provide final comment at the July 2003 Board meeting.

Upon motion of Mr. Wolfe, second by Mr. Timms, the meeting adjourned at 2:45 p.m. The Board members will be compensated for one day per diem plus travel expenses.

Frank L. Gaddy, P.E.
Board President

Leonard J. Timms, P.E.
Board Secretary