

General Session Minutes
State Board of Registration for Professional Engineers
March 25, 2014

The State Board of Registration for Professional Engineers met in their offices at 300 Capitol Street in Charleston, WV on Tuesday, March 25, 2014. 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	Member
Leonard J. Timms	Member
Lesley L. Rosier-Tabor	Executive Director
Aaron M. Armstrong	Board Investigator
Debra L. Hamilton	Legal Counsel

The meeting was called to order at 9:00 AM.

The Board meeting minutes for January 21, 2014 were reviewed. A motion to approve the minutes as submitted was made by Mr. Timms, seconded by Mr. Saluja. Motion carried.

The Board budget summaries for January and February 2014 were received and reviewed. Mr. Timms commented on the current budget balance being slightly less than last year at this time. Ms. Rosier confirmed this and attributed it to carrying two board investigator salaries for 6 months. 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. Plymale, seconded by Mr. Saluja. Motion carried.

Ms. Rosier discussed the progress of the upcoming licensure software request for quotation as well as the elimination of Windows XP support as of April 2014. Due to the cessation of Windows XP support and the current age of our office technology, it was recommended that we upgrade. Mr. Timms made a motion to approve up to \$10,000 worth of expenditures on computer and printer upgrades based on current statewide contract pricing. Motion was seconded by Mr. Saluja and carried.

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

- Ms. Rosier shared the statistics for the 2 computer-based testing (CBT) sites in WV since the inception of the FE CBT transition. She reported that 62 individuals to date have signed up via the NCEES website to take the new CBT exams at the in-state locations. Among those 62 individuals, Ms. Rosier reported 16 individuals have taken the Fundamentals of Engineering (FE) exam in WV via CBT. Of those 16, 6 received a passing score while 10 failed.
- Board members reviewed how the pass rate compared to traditional pen and paper testing. Ms. Rosier reminded the Board that while the pass rate appears

lower at this stage, there are many factors that can affect this rate, including but not limited to the extremely small WV examinee pool (not statistically sound), early in the process, first-time takers vs. repeat takers, currently enrolled vs. graduates, engineering vs. engineering technology programs, etc.

- Ms. Rosier reported that 65 applications were received for the Principles and Practice Exam (PE) scheduled for April 2014. 64 of these applications were accepted, with 2 of these immediately transferred at the applicant's request to the October 2014 exam. Of the remaining 62 accepted applications, a total of 5 did not register with NCEES by the deadline so 57 exams were ordered.
- Ms. Rosier reported no PE examinee interviews were required for this period.

The Board discussed the agenda for the upcoming May 2014 NCEES Northeast Zone meeting. All board members and lead staff are planning to attend all or part of the meeting. President Robinson and Mr. Plymale requested a hard copy of the NCEES Northeast Zone Meeting agenda.

A motion was made by Mr. Saluja, seconded by Mr. Plymale, to approve attendance and travel of Board members, staff and counsel for the activities outlined in the Executive Director's report and updated 2014 calendar. Motion carried.

Mr. Pierson made a motion to enter into Executive Session at 9:25 AM, seconded by Mr. Plymale. Motion carried.

Mr. Saluja absented the room and recused himself from all discussions relevant to I2014-06.

The Board recessed the meeting in Executive Session at 12:08 PM for lunch and resumed the meeting in Executive Session at 12:45 PM.

At the conclusion of the Executive Session, Mr. Timms moved to enter into General Session at 1:36 PM with a second by Mr. Saluja. Motion carried and the Board took the following actions:

1. Mr. Timms made a motion to dismiss C2012-06 with a right to re-file. Mr. Pierson seconded the motion. Motion carried.
2. Mr. Plymale made a motion to dismiss C2014-01, seconded by Mr. Timms. Motion carried.
3. Mr. Plymale made a motion to dismiss C2014-09, seconded by Mr. Saluja. Motion carried.
4. Mr. Plymale made a motion to dismiss C2014-10. Motion was seconded by Mr. Timms and carried.
5. Mr. Saluja made a motion to move I2013-10 to complaint. Motion was seconded by Mr. Plymale and carried.
6. Mr. Pierson made a motion to move I2014-04 to complaint. Motion was seconded by Mr. Plymale and carried.
7. Mr. Pierson made a motion to move I2014-09 to complaint. Motion was seconded by Mr. Timms and carried.

8. Mr. Pierson made a motion to move I2014-10 to complaint, seconded by Mr. Timms. Motion carried.
9. Mr. Timms made a motion to move I2014-11 to complaint. Motion was seconded by Mr. Plymale and carried.

Ms. Rosier reported there were no special cases for Board action at this time.

Ms. Rosier discussed the NCEES survey concerning the need for the creation of a separate system of licensure for structural engineers. The Board agreed that the survey responses provided by Ms. Rosier were acceptable. Currently the WV Board does not see a need for a separate structural licensing structure in our state as we do not license by discipline.

Mr. Timms and Ms. Rosier reported that NCEES will utilize a conference room at Fairmont State University for the April 2014 PE Exam. Additionally, Professor Hugh Costello will be the new chief proctor for this exam administration.

Ms. Rosier reported that there were no comments received during the required comment period on the initial filing of the proposed Legislative Rules. The Board directed Ms. Rosier to file the agency-approved Legislative Rules by the March 27, 2014 deadline.

The Board discussed the requirements of registration with respect to forensic engineering and expert testimony. While the Board took no formal action concerning the issue, the Board reaffirmed its position that, while only a judge has the power to allow a witness to testify as an expert, the Board will continue to assess instances of forensic engineering and expert testimony on a case-by-case basis in the event it may have involved the unlicensed practice of engineering.

Ms. Rosier discussed the upcoming EXPO briefing and order of events.

Ms. Rosier presented the latest and most current Board Calendar of Events for 2014 and requested the Board to provide her with any potential conflicts. At the request of Ms. Hamilton, the July meeting date has been moved to July 22nd to accommodate her in-person attendance. Mr. Pierson also requested a schedule change for the September 2014 Board meeting, which was changed to September 17th.

The next Board meeting is Tuesday, May 20, 2014. The meeting will take place at the Board's office in Charleston, WV.

Upon motion by Mr. Pierson, seconded by Mr. Plymale, the Board meeting adjourned at 2:30 PM. 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.
Secretary