

General Session Minutes
State Board of Registration for Professional Engineers
March 21, 2005

The State Board of Registration for Professional Engineers met in their offices at 300 Capitol Street - Suite 910 Charleston, WV on March 21, 2005. Those present for the general session were:

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| Leonard J. Timms, Jr. | President – Via Telephone |
| Edward L. Robinson | Vice-President |
| Bhajan S. Saluja, Jr. | Secretary |
| Richard E. Plymale | Member |
| Lesley L. Rosier | Executive Director |
| Don Johnson | Board Investigator |
| Debra Hamilton | Legal Counsel |

The meeting was called to order at 9:00 a.m. Mr. Timms delegated the responsibility of presiding over the meeting to Vice-President Ed Robinson since Mr. Timms was not present in person.

Mr. Plymale moved, with a second by Mr. Saluja, that the Board meeting minutes of January 31, 2005 executive and general session, be approved. Motion carried.

The Board budget summary for January and February 2005 was received and reviewed. A motion to approve the expenditures and purchasing card transactions was made by Mr. Saluja, seconded by Mr. Plymale. Motion carried. Ms. Rosier reminded the Board that the FY2006 budget will be due in May. Copies of the proposed budget will be sent to the Board prior to the May meeting so that any needed changes can be made and the budget approved at the May meeting.

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

Enhancements for the on-line renewal system were discussed. Plans are underway for the registrants to have the capability of printing a copy of their on-line submission for their records. They should also receive a confirmation e-mail that their renewal was received and being processed. Response to on-line renewal in 2004 was excellent, nearly one third renewed via the web.

Ms. Rosier announced that she is hosting the upcoming National ASCE Committee on Student Activities Meeting at the WV Board office in April 2005.

A private consulting company has approached Board staff about a seminar they plan on presenting in West Virginia on "Legal Issues for Professional Engineers". They need staff representatives to participate in portions of the seminar relating to registration, investigations and discipline of engineers in WV. The Board directed Ms. Rosier to develop a vendor policy that specifically prohibits participation in such for-profit activities in anticipation that these vendor requests could become overwhelming. However, the Board encouraged staff to work with local non-profit agencies, professional societies and civic groups to disseminate information regarding licensure and regulation of the practice.

WVU has not responded with interest in offering a PE review class but has provided correspondence to the Board regarding individuals contacting them requesting a course. The

Board agreed with Ms. Rosier's suggestion that the Board's offer to assist in subsidizing a class be extended to WVUIT, ASCE, or other interested group capable of putting on a quality course.

Mr. Plymale moved to enter into executive session, seconded by Mr. Saluja. Motion carried.

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

1. A motion was made by Mr. Timms seconded by Mr. Plymale to schedule the hearing for C2004-4 to be heard on May 16, 2005. Motion carried. Ms. Hamilton will make the necessary arrangements.
2. The Board agreed to reschedule the hearing on complaint C2004-6 due to illness of the respondent. The hearing will be scheduled for May 16, 2005. No motion needed.
3. The issue of gas well surveying by engineers was discussed. The Board chose not to proceed against engineers doing surveying work unless and until a WV Court ruled the new surveying law superceded the many laws authorizing engineers to perform certain surveying work.

The status of the upcoming April PE and FE exams was discussed. The number of examinees has increased nearly 16% for the Charleston FE exam site. Mr. Timms will be the observer at the exam being held in Morgantown and Ms. Rosier will serve as the observer in Charleston.

Mr. Timms reviewed the 2005 President's Assembly meeting that he attended in Kansas City, Missouri. Various items were discussed, including but not limited to the following: A motion was passed at that meeting which allows each Board to decide who will be their representative to such future meetings rather than being determined by NCEES. The pass rate for ABET approved schools was discussed in detail. Changing the requirements for licensure in the model law was discussed with a proposal of additional education/experience requirements and the addition of a "Charter Engineer" step to the process. NSPE's objections over the NCARB article on "Architecture as it Differs from Engineering" continue. The WV Board discussed details of the ELSES sole source motion passed at the 2004 NCEES Annual Meeting, which was then rescinded by ELSES Council after the meeting. Uniform approval of PDH's by NCEES was discussed. Problems with Zone finances were discussed where NCEES is concerned about the appearance of impropriety and suggested that all finances be handled through them versus through each individual zone.

The upcoming agenda for the 2005 Northeast NCEES Zone meeting was discussed. This meeting will be held in Washington, DC April 7-9, 2005. Mr. Robinson, Ms. Rosier and Mr. Johnson will be attending. At this time, the Board made no official candidate endorsements for the current year. Mr. Timms' name will be added for consideration for 2006-2007 term for NE Zone Vice President.

The 2006 Northeast NCEES Zone meeting will be held in Charleston. Preparation is in progress. The hotel has been selected and arrangements are being made for outside activities.

The 2005 newsletter is complete and is being mailed this week. Enclosed with the newsletter is a copy of the "Professional Use of Seals" document and a personalized PE status report. A total of 12,000 newsletters will be mailed to licensees, exam candidates, and other interested parties.

The NCEES has approved Mr. Gaddy as an emeritus member and Mr. Johnson as an associate member of NCEES. Ms. Rosier was asked to notify Mr. Gaddy of the appointment.

An article on the exam fee waiver for WV engineering students appears in the latest issue of the NCEES publication "Licensure Exchange". It is a very positive article about the WV Board and its initiatives to increase the number of candidates sitting for the exam.

The WV EXPO is being held this week. The Board will be presenting a seminar, set up a booth and staff representatives will be involved in various sessions. Board participation is encouraged.

Ms. Rosier suggested that the WV engineering rules need to be modified to eliminate some ambiguities and to clarify some definitions. She requested that Ms. Hamilton and Mr. Johnson develop a list of proposed changes and distribute it to the Board before the next meeting in May. The Board will need to decide at the May meeting if any changes are needed in order to meet the initial filing dates for the legislative schedule.

Ms. Rosier discussed some information that the Board received regarding the formation of a Geology Board in WV. A concern was raised when a meeting abstract obtained from a PE attending a recent geology seminar suggested that PE's sealing certain portions of a mining permit are probably violating their code of ethics since most of them are not geologists or scientists. Staff will keep the Board apprised of any movement to develop such a regulatory body.

The next Board meeting will be held on Monday May 16, 2005 at 9:00 a.m. The meeting will take place in the Office of the WV State Board of Registration for Professional Engineers, 300 Capitol Street – Suite 910, Charleston, West Virginia.

Upon motion by Mr. Saluja, seconded by Mr. Plymale, the meeting adjourned at 12:10 p.m. for lunch.

The Board reconvened at 2:00 p.m. A motion was made by Mr. Saluja and seconded by Mr. Plymale to go into executive session. Motion carried.

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

A formal hearing was held on C2004-7 with a court reporter present.

Meeting adjourned at 2:35pm. The Board members will be compensated one day per diem plus travel expenses.

**Leonard J. Timms, Jr., P.E.
Board President**

**Bhajan S. Saluja, P.E.
Board Secretary**