

General Session Minutes
State Board of Registration for Professional Engineers
November 15, 2023

The West Virginia State Board of Registration for Professional Engineers met at their office in Charleston on Tuesday, November 15, 2023. Those present for all or part of the meeting were:

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

The meeting was called to order at 10:13am. The Board meeting minutes for the September 26, 2023 meeting were reviewed. A motion to amend the draft minutes was made by Dr. Nottingham, seconded by Mr. Gates. Motion carried. A motion to approve the minutes as amended was then made by Dr. Nottingham, seconded by Mr. Gates. Motion carried.

The Board budget summaries for September and October 2023 were received and reviewed, as well as the P-Card transactions for the months of September and October 2023. Ms. Rosier reported a \$1.32M balance at the end of October 2023 and prior to the launch of the firm Certificate of Authorization (COA) renewal season.

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

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

- Various required trainings completed since the last Board meeting, including SAWC Worker's Compensation by Encova, the State Purchasing Conference and the WV State Auditors Annual Licensing Board Seminar.
- On-going staff projects, as well as review of upcoming meetings and training dates that will take place prior to January 2024 Board meeting.
- Completion of the annual Board InterChange newsletter.

Prior to entering into Executive Session, the Board's Counsel provided the details of the resolution of Complaints C2023-07, C2024-01, C2024-03, C2024-14, and C2024-15.

Mr. Robinson made a motion to enter into Executive Session at 10:23am, seconded by Mrs. Stevens. 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.

The Board recessed the Executive Session at 12:10pm for lunch and resumed the Executive Session at 1:08pm.

At 1:27pm, Dr. Nottingham made a motion, seconded by Mr. Robinson, to move into General Session. The motion carried, and the Board took the following action:

- Dr. Nottingham made a motion, seconded by Mr. Robinson to dismiss C2023-23. Motion carried.
- Mr. Robinson made a motion, seconded by Mrs. Stevens, to move I2024-15 to Complaint. Motion carried. Furthermore, Mr. Robinson made a motion, seconded by Mrs. Stevens, to “Receive and File” Complaint C2024-16, and set said Complaint for a hearing on May 14, 2024, at 1:00pm. Motion carried.
- Mr. Robinson made a motion, seconded by Mrs. Stevens, to move I2024-16 to Complaint. Motion carried. Furthermore, Mr. Robinson made a motion, seconded by Mrs. Stevens, to “Receive and File” Complaint C2024-17, and set said Complaint for a hearing on May 14, 2024, at 1:00pm. Motion carried.

The Board acted upon the special case files as follows:

- Mr. Robinson made a motion, seconded by Dr. Nottingham, to approve the PE comity application for Brett J. Nickeson. Motion carried.
- Mr. Robinson made a motion, seconded by Dr. Nottingham, to approve the PE comity application for Todd J. Reyling. Motion carried.
- Mr. Robinson made a motion, seconded by Mrs. Stevens, to approve the Business Entity - DBA Waiver application for Industrial Engineering Co., Inc. Motion carried.

Ms. Rosier provided a summary on the latest NCEES State of the Council Meeting conducted via Zoom on October 25, 2023 and also shared details for the upcoming 2024 NCEES Northeast Zone meeting scheduled for May 2-4, 2024 in Washington, DC. Ms. Rosier noted with the Board that NCEES delegate registration for this meeting is due one week after their January 2024 Board meeting and asked Board members to check their calendars and let her know if interested in attending no later than the January Board meeting.

The Board reviewed the call for nominations for the 2023-2024 NCEES National Service Awards. Completed nomination packages must be received at NCEES headquarters no later than January 31, 2024.

President Thomas and Ms. Rosier provided updates on their 2023-2024 NCEES Committee work to date, noting both committees are busy with a variety of charges assigned by NCEES President Laura Sievers. To date, meetings and subcommittee work has been accomplished via Zoom with face-to-face meetings scheduled for early 2024.

Ms. Rosier reported the last paper-and-pencil Structural exams were administered by NCEES in October 2023, marking their completion of the full transition to computer-based testing.

Ms. Rosier provided the Board with the calendar dates for the remaining 2023 WV Legislative Interims. She also noted that the Alliance for Responsible Professional Licensing – WV group met in Charleston for lunch and their first face-to-face meeting on November 9th to review the 2023 session, discuss emerging trends, and potential legislation as the upcoming 2024 session approaches.

Ms. Rosier reported on successful beta testing for the COA online renewal system. Additionally, Ms. Rosier discussed the 2024–2025 COA renewal game plan, highlighting the online renewal link will be activated November 20th, and staff will be dropping the large mass mailing of required renewal notices to USPS on Monday, November 27, 2023. The Board also reviewed the Fall 2023 InterChange newsletter publication that will accompany the COA renewal notification. Ms. Rosier reminded Board members that all Active and Retired PEs will also receive a copy of the InterChange via a separate mailing to be sent on November 30, 2023.

Ms. Rosier reported that the required 2023 Annual Licensing Board Seminar was conducted by the WV State Auditor on Thursday, November 2nd. President Thomas, Secretary Gates, and new Board member Stevens were in attendance, along with staff members Rosier, Rubenstein, and Eagloski.

Ms. Rosier presented the current records retention policy for biennial review. Mr. Robinson made a motion, seconded by Mr. Gates, to approve the record retention policy as presented. Motion carried.

The Board was presented with the most recent issue of the Professional Licensing Report (PLR) and encouraged the Board members to review the publication as time permits.

The Board was presented with dates for the 2024 WV Construction and Design Exposition (EXPO) to be held at the Charleston Civic Center on March 21-22, 2024. The Board confirmed their continued interest in participating so Ms. Rosier will again submit the requests to secure a booth space and program “ad” to serve as a Professional Development Hour (PDH) documentation page for all attendees and a request for space to offer their annual 2-hour continuing education seminar free to all participants.

Ms. Rosier reported on recent progress reported by the WV Architects Board regarding revisions to the draft version of the WV Code Officials handbook. Copies of the latest draft, along with additional documents provided from the WV State Fire Marshal, were received from their Board’s Executive Director and disseminated to the Board members for review. President Thomas shared some of his initial thoughts and concerns and asked the Board to review the latest draft document prior to the January Board meeting. Ms. Rosier also noted she will contact the Architect Board’s Director to request any additional feedback received from the remaining stakeholders.

Ms. Rosier presented the FY2023 Annual Report for final Board review and comment. President Thomas and Secretary Gates were asked to complete the notarization of the Officer Affidavits in order to finalize the report for submission to the Governor’s Office.

The Board reviewed the upcoming 2024 Calendar of Events, also as shown on the back cover of the 2023 InterChange newsletter publication. Ms. Rosier reported she has already published the dates on the Board's website and updated the WV Secretary of State's website with the required public meeting notices.

Upon motion by Mr. Robinson, seconded by Dr. Nottingham, the Board voted to adjourn the meeting at 2:20pm. The next Board meeting will be January 16, 2024, in Charleston. The Board members will be compensated one day per diem plus travel expenses.

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

Leslie A. Gates, P.E.
Board Secretary