

**General Session Minutes**  
**State Board of Registration for Professional Engineers**  
**September 15, 2015**

The State Board of Registration for Professional Engineers met in their offices at 300 Capitol Street in Charleston, WV on Tuesday, September 15, 2015. Those present for all or part of the meeting were:

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|------------------------|--------------------|
| Edward L. Robinson     | President          |
| William E. Pierson     | Vice-President     |
| 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 10:05 am.

The Board meeting minutes for July 14, 2015 were reviewed. A motion to approve the minutes was made by Mr. Timms, seconded by Dr. Pierson. Motion carried.

The Board budget summaries for July and August 2015 were received and reviewed. Mr. Armstrong presented the budget report and projected revenue and expenses. Dr. Pierson commented on a typographical error on the projected revenue report and Ms. Rosier later clarified that the correction was noted and will be updated. The Board also reviewed the PCard transactions. Dr. Pierson also inquired about the possibility of sorting the OASIS report by fund # or some other method so that all of the individual renewal payments could be consolidated. Ms. Rosier indicated the OASIS reports presented in the new system showed all transactions within daily deposits, instead of the summary total, for purposes of expanding on the transparency of state government. She indicated that in the future she could also save an Excel version so that Board members can sort prior to meetings according to their own individual review preferences.

The Board requested staff to replace the existing coffee pot with a single-serve brew system prior to the next Board meeting.

A motion to approve the budget, current expenditures, and purchasing card transactions was made by Dr. Pierson, seconded by Mr. Timms. Motion carried.

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

- Ms. Rosier reported that, for the upcoming October PE exam, there were 69 applications received, 67 accepted (2 moved to April 2016 by request), and that 62 have registered with NCEES and ordered exams.

- Ms. Rosier reported a 57.2% overall pass rate for the FE CBT taken in WV to date and there are currently 14 scheduled for the FE in WV according to the NCEES E3 database.
- Ms. Rosier informed the Board that 4 PE exam interviews were held August 11, 2015 with Mr. Saluja attending. All four were permitted to sit for the exam.
- Ms. Rosier discussed the recent and upcoming events for staff, to include the required state auditor's conference and state purchasing conference.
- Mr. Armstrong highlighted the two additional dates of October 5<sup>th</sup> and December 10<sup>th</sup> as Board presentations to the Association of Counties and the WV Code Officials Association, respectively.
- Dr. Pierson noted the upcoming presentation on November 13<sup>th</sup> to an undergraduate engineering course at Marshall. Ms. Rosier and Mr. Armstrong will be presenting on the Board's behalf.

A motion was made by Mr. Timms, seconded by Mr. Plymale, to approve attendance and travel for Board members and staff to the activities as discussed and outlined in the Executive Director's report and the updated 2015 calendar. Motion carried.

Dr. Pierson made a motion to enter into Executive Session at 10:45 AM, seconded by Mr. Timms. Motion carried. Board members were presented the following settlements: C2015-08, C2015-12, C2015-14, C2016-02, C2016-03 and C2016-04. Details of the settlements will be posted on the Board's website.

The Board recessed the meeting at 11:55 AM for lunch, and resumed in Executive Session at 12:30 PM.

At the conclusion of the Executive Session, Dr. Pierson moved to enter into General Session at 1:50 PM with a second by Mr. Plymale. Motion carried and the Board took the following action:

- Mr. Timms made a motion, seconded by Mr. Plymale, to notice C2015-09 for hearing during the next Board meeting. Motion carried.
- Dr. Pierson made a motion, seconded by Mr. Timms, to dismiss C2015-11. Motion carried.
- Mr. Timms made a motion to dismiss C2015-13, seconded by Dr. Pierson. Motion carried.
- Upon motion by Mr. Plymale, seconded by Mr. Timms, the Board voted to move I2016-04 to complaint.
- Dr. Pierson made a motion to move I2016-05 to complaint. Seconded by Mr. Timms and motion carried.
- Mr. Timms made a motion, seconded by Mr. Plymale, move I2016-06 to complaint. Motion carried.
- Upon motion by Mr. Timms, seconded by Dr. Pierson, the Board voted to move I2016-07 to complaint.
- Dr. Pierson made a motion to move I2016-08 to complaint. Seconded by Mr. Timms and motion carried.

- Mr. Plymale made a motion, seconded by Dr. Pierson, to move I2016-09 to complaint. Motion carried.
- Mr. Plymale made a motion to stay proceedings regarding C2016-01 until such time that respondent provides evidence of Ethics Commission review. Seconded by Mr. Timms and the motion carried.
- Dr. Pierson made a motion to dismiss C2016-05, seconded by Mr. Plymale. Motion carried.

Two recent complaints (C2015-14 (resolved) and C2015-13 (dismissed)) involved engineering and public works projects. The Board President was asked to send letters to the public entities involved addressing the issues which arose in these complaints.

Based on a motion by Dr. Pierson, seconded by Mr. Plymale, the Board took the following action on Special Cases for Board Action:

- Christopher Dowse's request for comity was denied.
- Chad Hanley's re-evaluation request for comity was approved.

The Board discussed the recent NCEES annual meeting and the summary motions presented during the meeting. Mr. Timms highlighted the Council's decision to move the topic of "Master or Equivalent" to a position statement.

Ms. Rosier reported that both OK and CA have issued guidance letters to their Engineering Boards concerning the US Supreme Courts case involving the NC Dental Board.

Mr. Armstrong reported the following NCEES committee assignments: Ms. Rosier assigned to the Member Board Administrators committee, Mr. Timms assigned to the ACCA committee, and Dr. Pierson assigned to the FE Exam and Education committees.

Mr. Timms reported that he will be the observer for the October 30<sup>th</sup> PE exam located in Fairmont.

Dr. Pierson reported that Marshall University has started a Thursday evening FE review class for its students.

Ms. Rosier discussed the next publication of the Board newsletter. She highlighted that staff will delay the distribution date of the next newsletter to October 2016 to coincide with the PE renewal cycle and renewal notification mailing. She also asked the Board to send her any newsletter topic ideas between now and then.

This morning's meeting was delayed by 1 hour so that the Executive Director and counsel could attend the interim meeting of the Legislative Rule-Making Review Committee (LRMRC). Modifications which had been requested or agreed to by Board staff and counsel were presented to the LRMRC, which then authorized the rule as modified. Notice of the modified rule will be filed with the Secretary of State.

Dr. Pierson updated the Board concerning the draft correspondence to the WV Engineering Deans and his efforts in obtaining information from NCEES relative to first time FE takers and pass rates.

Ms. Rosier and Mr. Armstrong discussed the on-going contractor license issue. Mr. Armstrong reported that the WV Surveyors Board has extended an invitation to join them in a joint meeting with the Division of Labor. President Robinson indicated he would attend the meeting as the Board member representative.

Ms. Rosier discussed the issue of digital badging and presented the Board with information from Carillon Information Security, Inc. After a brief discussion, the Board noted that the individual registrants should be their primary target as they are the ones responsible for the security of their own seals.

Ms. Rosier reported that certified letters were sent to 195 PE lapsed and 34 Retired lapsed registrants on August 6, 2015. Additionally, she reported that 101 certified letters were sent to firms whose EIRC were no longer Active WV PEs.

Upon motion by Dr. Pierson, second by Mr. Plymale, the Board voted to again register for and fund an informational booth, place a one-page ad for continuing education documentation in the show program, and host a 2-hour continuing education program at the WV EXPO in March 2016.

Ms. Rosier reported that the FY2015 Annual Report is nearly complete and will be uploaded as a separate document to the drop box for Board review prior to the November meeting.

Ms. Rosier discussed the Board's remaining 2015 Calendar of Events as well as some of the early 2016 calendar items. The next Board meeting is scheduled for Tuesday, November 10, 2015. The meeting will **tentatively** take place at Fairmont State College's Falcon Center.

Upon motion by Mr. Timms, seconded by Dr. Pierson, the Board meeting adjourned at 2:40 PM. The Board members will be compensated one day per diem plus travel expenses.

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**Edward L. Robinson, P.E.**  
**Board President**

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**William E. Pierson, P.E.**  
**Vice-President**