

General Session Minutes
State Board of Registration for Professional Engineers
July 28, 2020

The West Virginia State Board of Registration for Professional Engineers met at their office in Charleston on Tuesday, July 28, 2020. Those present for all or part of the meeting were:

Bhajan S. Saluja	President
Garth E. Thomas	Vice-President
Larry C. Nottingham	Secretary
Edward L. Robinson	Member
LA Gates	Member
Lesley L. Rosier-Tabor	Executive Director
Aaron M. Armstrong	Board Investigator
Edward Eagloski	Board Counsel

The meeting was called to order at 9:05am. The Board met in a larger conference room on the 11th floor of the office building to ensure social distancing. The Board meeting minutes for May 19, 2020 were reviewed. A motion to approve the minutes was made by Dr. Nottingham, seconded by Mr. Thomas. Motion carried.

The Board budget summaries for May and June 2020 were received and reviewed, and the Board reviewed the PCard transactions for the months of May and June. Ms. Rosier discussed the FY 2020 budget report noting the year-end balance will decrease next year due to lower revenue stream for the PE renewal cycle at the end of the 2020 calendar year. In addition, the Board will also experience the reduction in COA renewal revenue during the latter part of the 2021 calendar year based on recent legislative fee changes.

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

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

- Ms. Rosier reminded the Board that NCEES cancelled the April PE exam administration and all examinees received an expeditious and full refund.
- Ms. Rosier reported that the required 2020 Annual Licensing Board Seminar conference will be held at a different location this year on October 27, 2020. The Board was provided an update on the attendance records of Board members over the last several years. Attendees for this year's event will be discussed at the September Board meeting.
- Ms. Rosier reported that the 2020 NCEES Annual Meeting will be virtual and held via webcast on August 27th at 5:30pm.

- Ms. Rosier reported that 66 examinees have registered directly with NCEES for the October PE exam as of July 21. The deadline to register is August 20, 2020.
- Ms. Rosier reported that the required 2020 State Purchasing Card training will take place in August at Canaan Valley. However, they have provided a virtual option due to the COVID-19 safety concerns and both she and Sue Rubenstein, Board Administrator, will be participating via live stream from the Board office.

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

Prior to entering into Executive Session, the Board Investigator provided the details of the settlement of complaints C2020-17, C2020-22, C2020-23, C2020-24, C2020-25, C2020-26, C2020-28, C2020-29, C2020-30, and C2020-31. The consent orders will be posted on the Board's website within a reasonable time.

Mr. Thomas made a motion to enter into Executive Session at 9:28am, seconded by Mr. Gates. Motion carried.

The Board recessed the Executive Session at 10:52am and subsequently held an Informal Conference. C2020-20 Respondent appeared before the Board for an Informal Conference at 11:00am. At the conclusion of the Informal Conference, Mr. Robinson made a motion, seconded by Mr. Gates to resume the Executive Session at 11:30am. The motion carried. At 11:42am, the Board recessed the Executive Session for a working lunch and the Board watched the required driver safety video produced by the WV Office of the Insurance Commissioner for purposes of the BRIM Risk Management, Safety and Loss Control documentation. After lunch the Board met with a reinstatement applicant to discuss his reinstatement application and then continued the Executive Session. At 2:00pm, Dr. Nottingham made a motion, seconded by Mr. Robinson, to move into General Session. The motion carried, and the Board took the following action:

- Mr. Robinson made a motion, seconded by Mr. Thomas, to dismiss C2020-20. 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 Fred Dally. Motion carried.
- Mr. Gates made a motion, seconded by Mr. Robinson, to approve the reinstatement application for Daniel Metheny. Motion carried.
- Mr. Robinson made a motion, seconded by Mr. Gates, to approve the PE comity application for Bipin Patel. Motion carried.

The Board reviewed a report of the NCEES Board of Directors meeting, which was held on June 12, 2020.

The Board reviewed the 2020 NCEES Annual Meeting agenda and discussed the essential Council business concerning the elections and motions. The Board directed the Executive Director to scan and email the completed ballot to NCEES prior to the July 31, 2020 deadline. Ms. Rosier indicated the Board office could be open on the evening of August 27th if any Board members would like to gather for viewing of the virtual meeting. However, all Board members agreed that was not necessary and they would plan to log in and participate remotely.

The Board reviewed the October 2020 PE Exam Updates and the CBT transition schedule.

The Board reviewed the 2020 Regulatory Reform Review request as well as the official Board correspondence responsive to the legislative request which was submitted on June 10, 2020. In addition, the Board reviewed the 2020-2021 WV Legislative Interim Committee Study Topics relevant to Chapter 30 Boards, as well as the draft Board response due prior to the September 1st deadline. No additional comments or changes were provided.

The Board reviewed the required BRIM Loss Control Questionnaire and the annual Safety Committee meeting documentation in accordance with BRIM's Standards of Participation letter dated May 27, 2020. In addition, the Board provided staff with their signed confidentiality statements for inclusion in the annual BRIM submission and the Board reviewed the current COVID-19 protocols and protective measures affecting the agency and state government activities.

Ms. Rosier presented the current records retention policy updates. Upon motion by Mr. Gates, second by Mr. Robinson, the Board voted to approve the agency's records retention and disposal schedule as presented. Motion carried.

Ms. Rosier discussed the Board observer requirements for the upcoming ABET visit. The one university program visit required this year will be modified to take place in a virtual environment in January 2021. Multiple board members expressed they would be unable to participate due to potential conflicts of interest and the remaining Board members agreed to check their schedules for consideration.

The Board reviewed multiple inquiries concerning the 30-hour continuing education requirement for the upcoming PE license renewal window. After a detailed discussion, the Board chose to take no action concerning the 30 PDH requirement at this time.

The Board reviewed updated agency forms and performance measures. Upon Dr. Nottingham's motion, and Mr. Gates' second, the Board voted to approve the updated forms and performance measures as presented. Motion carried. The Board directed Ms. Rosier to post the updated forms and performance measures to the website within a reasonable timeframe.

The Board reviewed the latest edition of the Professional Licensure Report (PLR).

Ms. Rosier discussed the Board's upcoming newsletter needs and informed the participating Board members that articles should be submitted no later than September 30, 2020. The 2020 InterChange newsletter is scheduled to be printed in October and disseminated in November, accompanying the PE renewal notification mailing.

Dr. Nottingham made a motion to keep all officers in place for the upcoming year. Mr. Gates seconded the motion and the motion carried. As such, Mr. Saluja will remain Board President, Mr. Thomas will remain Board Vice-President, and Dr. Nottingham will remain as Secretary.

The Board reviewed the upcoming 2020 Calendar of Events and noted the many changes due to the COVID-19 cancellations and restrictions.

Upon motion by Mr. Robinson, seconded by Dr. Nottingham, the Board voted to adjourn the meeting at 2:50pm. The next Board meeting will be September 22, 2020, in Charleston. The Board members will be compensated one day per diem plus travel expenses.

Bhajan S. Saluja, P.E.
Board President

Larry C. Nottingham, P.E.
Board Secretary