

**General Session Minutes**  
**State Board of Registration for Professional Engineers**  
**May 19, 2020**

The West Virginia State Board of Registration for Professional Engineers met at their office in Charleston on Tuesday, May 19, 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
Lesley L. Rosier-Tabor	Executive Director
Aaron M. Armstrong	Board Investigator
Edward Eagloski	Board Counsel
Tiffany Coleman	Administrative Assistant

The meeting was called to order at 9:05am. Mr. Gates was absent. The Board met in a larger conference room on the 11<sup>th</sup> floor of their office building to ensure social distancing. It was noted that the March 2020 Board meeting, initially rescheduled for April 2020, was ultimately cancelled due to the COVID-19 pandemic and gathering restrictions. The Board meeting minutes for January 21, 2020 and February 19, 2020 were reviewed. A motion to approve the minutes was made by Dr. Nottingham, seconded by Mr. Robinson. Motion carried.

The Board budget summaries for January, February, March, and April 2020 were received and reviewed, and the Board reviewed the PCard transactions for the months of January, February, March, and April. Ms. Rosier discussed the FY2020 budget report noting the second quarter FY2020 revenue numbers are higher than anticipated due to an increase in the number of larger firms renewing their COA. Ms. Rosier reported that the FY2021 Expenditure Schedule was submitted on May 1, 2020 as required by the state budget office and noted only minor updates to the previous year, including object code adjustments to reflect the numbers previously submitted on the FY2021 Appropriation Request.

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

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

- Ms. Rosier reported that NCEES cancelled the April 2020 PE paper-and-pencil exam administration and all examinees will be refunded and required to reschedule through NCEES for the October 2020 PE exam. In addition, all FE and PE computer-based exams were put on hold in late March due to the

closing of the Pearson-Vue testing centers. As those testing centers begin to open back up, examinees for essential professions will have first preference.

- Ms. Rosier reported the WV EXPO, WVSTO Cash Management Conference, and the NCEES Zone Interim Meeting were all cancelled due to the COVID-19 crisis. NCEES has also cancelled the in-person 2020 Annual Meeting scheduled for August and will now hold a virtual meeting on August 27, 2020 with details to be published at a later date.
- Ms. Rosier reported an updated 5-year maintenance contract is now in place effective March 10, 2020 through March 9, 2025 for the Board's database upgrades and cloud-based licensing solutions.
- The Board reviewed the major website overhaul completed during the month of April and Ms. Rosier addressed all questions and highlighted the numerous updates.

A motion was made by Mr. Robinson, seconded by Mr. Thomas, 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 C2019-08, C2019-23, C2020-05, C2020-12, C2020-13, C2020-14, C2020-18, and C2020-19. The consent orders will be posted on the Board's website within a reasonable time.

Mr. Robinson made a motion to enter into Executive Session at 9:38am, seconded by Mr. Thomas. Motion carried.

The Board recessed the Executive Session for lunch at 12:15pm and subsequently held two Informal Conferences. C2020-20 Respondent appeared before the Board for an Informal Conference at 1pm and C2020-15 Respondent appeared before the Board for an Informal Conference at 1:30pm. At the conclusion of the Informal Conferences, the Board continued the General Session. Dr. Nottingham made a motion, seconded by Mr. Thomas to resume the Executive Session at 3:20 pm. The motion carried. At 3:40pm, Dr. Nottingham made a motion 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 move I2020-36 to complaint and set said complaint for hearing during the November 2020 meeting, if not settled. Motion carried.
- Dr. Nottingham made a motion, seconded by Mr. Thomas, to move I2020-37 to complaint and set said complaint for hearing during the November 2020 meeting, if not settled. Motion carried.
- Dr. Nottingham made a motion, seconded by Mr. Thomas, to purchase the transcripts for civil case 16-C-165 related to I2020-22 Motion carried.
- Mr. Robinson made a motion, seconded by Dr. Nottingham, to move I2020-23, I2020-24, I2020-25, I2020-26, I2020-27, I2020-28, I2020-29, I2020-30, I2020-

31, and I2020-33 to complaint and set said complaints for hearing during the November 2020 meeting, if not settled. Motion carried.

- Dr. Nottingham made a motion to approve a 5% across the board (ATB) merit increase for the Board staff and counsel. The raise is to be effective July 1, 2020. Mr. Robinson seconded, and the motion carried.

The Board acted upon the special case files as follows:

- Dr. Nottingham made a motion, seconded by Mr. Robinson, to approve the EI application for Jacob Adams. Motion carried.
- Mr. Thomas made a motion, seconded by Dr. Nottingham, to approve the EI application for Rana Mutashar. Motion carried.
- Dr. Nottingham made a motion, seconded by Mr. Robinson, to approve the EI application for Sura Naser. Motion carried.
- Mr. Robinson made a motion, seconded by Mr. Thomas, to defer the PE reinstatement application approval for Daniel Metheny. Additionally, the Board directed staff to send a letter to Mr. Metheny requesting he come before the Board during its July 2020 meeting to discuss the status of his reinstatement application. Motion carried.
- Mr. Robinson made a motion, seconded by Dr. Nottingham, to defer the PE comity application for Matthew Jamerson. Motion carried.
- Mr. Robinson made a motion, seconded by Mr. Thomas, to approve the PE comity application for Dany Tremblay. Motion carried.
- Mr. Thomas made a motion, seconded by Dr. Nottingham, to approve the PE comity application for Sara Hutson. Motion carried.

The Board reviewed the correspondence from NCEES discussing the cancellation of all meetings between March 15 and May 2, 2020.

The Board reviewed the latest draft of the NCEES MBA Committee Resolution of Cooperation (ROC).

Ms. Rosier discussed the Alliance for Responsible Professional Licensing (ARPL) webinar conducted on February 27, 2020.

The Board reviewed the NCEES 2020 proposed Bylaw changes.

The Board reviewed draft NCEES correspondence concerning the October 2020 PE exam administration.

The Board reviewed a request from the American Society of Plumbing Engineers (ASPE) concerning the need for a “Plumbing Engineering” option within the NCEES Mechanical Engineering Principles and Practice (PE) exam and directed staff to send an email reply to the ASPE representative highlighting the Board’s discussion.

The Board reviewed 2020 Legislative issues to include HB4380 (noting PERD audit calendared for 2024), HB 4252, and the approved 7CSR1 Board rules (noting decoupling, military/low-income waivers, fee reductions, etc.).

Ms. Rosier presented the newly updated WV Engineering Law booklet and reported that 500 copies were printed for near-term distribution. More copies will be printed prior to the mass newsletter mailing scheduled to be disseminated in conjunction with the PE Renewal notifications in late November.

The Board reviewed and discussed the Joint Committee on Government Organization's request dated April 30, 2020, concerning House Concurrent Resolution (HCR) 114, 116, and 129. The Board directed staff to prepare draft responses for review during their July meeting.

Ms. Rosier reported that since the March 2020 EXPO was cancelled, she was able to simply transfer the registration and applicable fees to next year's 2021 EXPO.

Ms. Rosier updated the Board concerning the COA renewal season and noted that all 25 COAs that were in default of the WV Worker's Compensation requirements have now come back into compliance.

Ms. Rosier updated the Board concerning the new "Doing Business As" (DBA) waiver form and presented an updated spreadsheet with the status of all DBAs approved since 2010. Ms. Rosier indicated she would be working with staff to contact all previous waiver recipients to obtain updated information and request completion of the new form if they are still interested in maintaining an active waiver.

The Board discussed numerous inquiries about whether or not an adjustment will be made to the number of Professional Development Hours (PDHs) required for license renewal in December 2020 due to COVID-19 restrictions. The Board directed Ms. Rosier to poll the other NCEES member boards regarding their planned courses of action for upcoming renewals and summarize for their review during the July Board meeting.

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 Dr. Nottingham, seconded by Mr. Thomas, the Board voted to adjourn the meeting at 3:45pm. The next Board meeting will be July 21, 2020, in Charleston. The Board members will be compensated one day per diem plus travel expenses.

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

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**Garth E. Thomas, P.E.**  
**Board Vice President**