

**General Session Minutes
State Board of Registration for Professional Engineers
September 16, 2002**

The State Board of Registration for Professional Engineers met in their offices at 608 Union Building, Charleston, West Virginia, at 9:00 a.m., on September 16, 2002. Those present were:

Frank L. Gaddy	President
Robert L. Wolfe	Vice President
Leonard J. Timms	Secretary
Edward L. Robinson	Member
B. S. Saluja	Member
Barry Koerber	Assistant Attorney General
Lesley Rosier	Executive Director

The meeting was called to order at 9:00 a.m.

A new WV Board member, B.S. Saluja, was introduced. Mr. Saluja was appointed by Governor Bob Wise on August 20, 2002 and will serve a term ending June 30, 2006. He succeeds Mr. Gene Weekley, Jr..

WV Board members were also introduced to their new legal counsel, Barry Koerber, Assistant Attorney General appointed by Attorney General Darrell McGraw.

Mr. Robinson moved, second by Mr. Saluja to appoint Mr. Joe Timms as WV Board Secretary. Mr. Timms accepted the nomination. Motion carried.

Mr. Robinson moved, second by Mr. Timms that the Board meeting minutes of July 15, 2002, executive and general session, be approved. Motion carried.

Mr. Robinson moved, second by Mr. Wolfe that the Board meeting minutes of the August 28, 2002 teleconference, executive session only, be approved. Motion carried.

The Board budget for July-August 2002 was reviewed and Mrs. Marcia White, WV Board Administrator, joined the meeting to answer any questions. A motion by Mr. Saluja, second by Mr. Robinson to approve the July-August 2002 budget as presented. Motion carried unanimously.

Ms. Rosier presented the Executive Director's Report (Attachment A of Agenda) and answered & addressed all Board comments and questions.

Mr. Timms moved to enter into executive session, second by Mr. Robinson. Motion carried.

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

1. Snead – Mr. Gaddy directed Ms. Rosier to circulate Snead response (via fax) as soon as it is received. Effective September 25, 2002, the Raleigh County Board of Education will be contacted if Mr. Snead does not respond with the appropriate information.
2. McCloy – Mr. Koerber advised the Board of their options based on the Judge Zakaib's August 27th ruling. Mr. Gaddy directed Mr. Koerber to sign and return the Order of September 9, 2002 regarding Civil Action No: 99-C-2206. The discussion of appeal was tabled until the next Board Meeting while the Board directed Mr. Koerber to review law of various states to determine if our language of the use of the word "Engineer" or any derivative of is common.

3. Other Advertising Issues –
Engineered Roof Systems – Ms. Rosier to contact VA to see if allowed, discussion tabled.
Pen Holding – Mr. Saluja moved to close case, second by Mr. Wolfe. Motion carried.
Pinnacle Towers – Mr. Timms moved to send Pinnacle a COA application with letter of explanation of WV Law, seconded by Mr. Wolfe. Motion carried.
Various other companies (lapsed or no COA) – Lapsed companies are to be notified by Board staff and followed by a new COA application. Mr. Koerber to investigate and report on status at next meeting.

Discussion continued regarding hiring of an office investigator. Ms. Rosier and Mr. Koerber are to explore who other licensing boards are finding effective. Discussion tabled until 2003 Strategic Plan is finalized.

Ms. Rosier presented the Board with the lists of approved files since last Board meeting. Several questions were addressed and numerous files presented for review. The following files were approved with Board action:

PE Comity / Reinstatements

Druist, George
Emerson, Bruce
Street, Jimmie
Zhu, Mingoiao

Permission to sit for FE

Adams, Ricky
Riffle, Johnny

Permission to sit for PE

Smith, Byron*
Suhy, Thomas*
Surber, Gregory*

* Permission granted through April 2003. FE expires after 12 years, applicant required to sit & pass FE again prior to taking future PE exam.

Mr. Robinson moved, second by Mr. Timms to deny comity of Mr. Michael Kirpatrick until he becomes registered in Virginia, his state of residence. Motion carried.

Mr. Wolfe moved, second by Mr. Timms to allow Mr. Mikel Boone to sit for the Civil exam. Discussion ensued regarding any applicant desiring to take an exam of another discipline once they have failed an alternate. Motion carried.

Several issues regarding PDH's and the 2002 audit process. Mr. Robinson moved, second by Mr. Timms to table this discussion until after October 1, 2002 allowing all audits to be received. Motion carried. Ms. Rosier and Mr. Koerber are to discuss legalities of handling those failing to respond, or providing an insufficient response, to the audit.

Ms. Rosier presented the Board members with the latest pertinent travel and reimbursement procedures. Board members were encouraged to save all receipts and submit in a timely fashion.

Mr. Saluja moved to authorize Ms. Rosier to speak on the Board's behalf when up against time constraints on engineering services or matters that requires engineering judgment, i.e., the need to respond to the WVDEP general permitting policies released for comment.

Mr. Timms presented the Board with ideas on clarifying our professional development and continuing education guidelines. Ms. Rosier is to work on drafting a newsletter article to be published in the Winter 2003 edition. Additional language could follow for upcoming Laws, Rules, Regulation changes in 2003.

The Board was presented with a letter of appreciation from ASCE Headquarters and Mr. Kelly Payne, HDR, for support of Ms. Rosier's continued participation in National events and committee appointments.

Ms. Rosier will be revising the Board's Strategic Plan for discussion at the December Board meeting. She will also be developing job descriptions, appropriate titles for current staff, evaluation procedures, and other relevant documents appropriately supporting the Strategic Plan.

The next meeting of the Board will be held on November 18, 2002 at 9:00 a.m.. This meeting will take place at the new location of the WV State Board of Registration for Professional Engineers, 910 Kanawha Building, 300 Capitol Street, Charleston, West Virginia.

Upon motion of Mr. Timms, second by Mr. Wolfe, the meeting adjourned at 3:00 p.m. The Board members will be compensated one day per diem plus travel expenses.

Frank L. Gaddy, P.E.
Board President

Leonard J. Timms, P.E.
Board Secretary