

General Session Minutes
State Board of Registration for Professional Engineers
September 16, 2008

The State Board of Registration for Professional Engineers met in their offices at 300 Capitol Street in Charleston, WV on Tuesday, September 16, 2008. Those present for all or part of the meeting were:

Leonard J. Timms, Jr.	President
Edward L. Robinson	Vice-President
Bhajan S. Saluja	Secretary
Richard E. Plymale	Member
William E. Pierson	Member
Lesley L. Rosier-Tabor	Executive Director
Don W. Johnson	Board Investigator
Debra L. Hamilton	Legal Counsel
Nicole Cofer	Legal Counsel

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

The Board meeting minutes of July 22, 2008 (both executive and general session) were reviewed. A motion to approve the minutes as amended was made by Mr. Pierson, seconded by Mr. Plymale. Motion carried.

The Board budget summaries for July and August 2008 were also received and reviewed. A motion to approve the expenditures and purchasing card transactions was made by Mr. Robinson, seconded by Mr. Pierson. Motion carried.

Ms. Rosier presented the Executive Director's report and addressed all Board questions and comments. Ms. Rosier discussed her participation in recent events and presentations made by her and Mr. Johnson to various groups since the last Board meeting, in addition to reviewing the office's schedule of upcoming activities. A motion was made by Mr. Saluja, seconded by Mr. Plymale, to approve attendance and travel for staff activities outlined in the Executive Director's report and updated 2008 calendar of events. Motion carried.

The Educational Plan of Study initiative for exam re-takers was discussed in detail. After considering a number of options, it was decided to continue on with the policy adopted at the July 22nd meeting through the April 2009 examination since the affected examinees had already been notified. One minor change noted was that the repeat examinee will meet with a committee of the Board not necessarily the entire Board. The relevant application materials will be revised to reflect the change.

The 2008-2009 PE license and COA renewal continues. Completed registrations exceed previous years at this date. As of September 12, 2008, 194 PEs, 93 COAs and 21 Retired PEs have yet to renew. There have been very few problems with the WVSTO this year and the number of criticisms or concerns regarding the on-line renewal system has been minimal.

Registration for the October FE examination was discussed. With the addition of the Educational Plan of Study initiatives for exam re-takers and changes in the ELSES registration processing requirements made review and registration extremely difficult for staff and examinees to meet the new deadlines. Recognizing the next exam administration will also involve scheduling of the necessary examinee interviews per new Board policy. Ms. Rosier proposed that the FE application submission date be extended from 60 to 90 days prior to the exam to address these problems. This would make the FE and PE exam submission deadlines the same day.

Mr. Robinson moved that the submission deadline for the FE exam application be changed from 60 days to 90 days prior to the exam date effective with the Spring 2009 exam. Staff is directed to publicize the new deadline as soon as possible in ways to provide reasonable notice to potential applicants. Any application received less than 90 days before the exam date will be rejected. The motion was seconded by Mr. Pierson and carried.

RATIONALE: See Rule 7 CSR 1-3.3(b), which requires “at least 90 days” for PE applicants and “at least 60 days” for EI applicants “to allow sufficient time for processing and for securing examinations.” Submission only 60 days prior to the FE exam did not allow Board staff sufficient time to process the FE applications. WV Engineering law specifically authorizes the Board to specify the submission deadline. WV is one of only a few states that allow applications to be submitted so close to the exam date, and the new deadline comports with the PE exam deadline of 90 days. Counsel advises that the Board may specify any timeframe that is “at least 60 days prior to the desired FE exam date” and continue to be in compliance with its current rules.

Mr. Pierson moved to enter into executive session, seconded by Mr. Plymale. Motion carried.

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

1. The Board rescinded the 1999 understanding with the WV Department of Health regarding the design of swimming pools. All swimming pools (with the exception of single-family residential pools) in the future shall be designed and sealed by a WV professional engineer. Staff was directed to notify affected parties.
2. Mr. Robinson moved that complaint C2009-3 be scheduled for hearing at the November 2008 Board meeting, seconded by Mr. Plymale. Motion carried.
3. Mr. Robinson moved that inquiry I2009-4 be received and filed as a Board-initiated complaint. Motion was seconded by Mr. Plymale and carried.
4. Mr. Robinson moved that inquiry I2009-6 be received and filed as a Board-initiated complaint. Motion was seconded by Mr. Pierson and carried.
5. Mr. Saluja moved that inquiry I2009-7 be received and filed as a Board-initiated complaint. Motion was seconded by Mr. Plymale and carried.
6. Mr. Pierson moved that inquiry I2009-8 be received and filed as a Board-initiated complaint. Motion was seconded by Mr. Robinson and carried.

7. Based on a motion by Mr. Pierson, seconded by Mr. Robinson, the Board took the following actions on Special Cases for Board Action:

- Hong Hong Wei's MSE degree from WVU was accepted and applicant's EI certification was approved.
- Yushun Chen's request to sit for the FE exam was approved.
- Michael A. Spolarich's Educational Plan of Study was accepted and he was approved to sit for the FE exam.
- Daniel J. Duche's request for comity was denied. He has a non-ABET BS degree in surveying.

President Timms updated the Board on his NCEES activities with the following:

- There were no major issues or controversies at the NCEES Annual Meeting. The Western Zone resolution which requested delaying implementation of BS + 30 initiative until all of the questions were answered was replaced by a Southern Zone amendment to address the concerns raised by the Western Zone without stopping the productive work of the BS+30 task force.
- Beginning in 2009 the NCEES Board meeting will be held after all of the Zone meetings are held. The NCEES Board approved funding to send one delegate from each Board to their Zone meeting in an effort to boost attendance and recognizing several smaller states cannot attend due to limited funds.
- NCEES investment policies have been changed to allow for direct investments and to spread the working fund accounts into multiple banks rather than just one.
- The 2009 Northeast Zone Meeting will be held in Norfolk, VA on April 17-19, 2009.
- The 2009 NCEES Annual Meeting will be held in Louisville, KY on August 13-15 2009.

The April 2009 exam results were discussed. Our WV pass rates continue to be disappointingly low. President Timms discussed Idaho's extremely high passage rates with their delegate at the NCEES Annual Meeting. Idaho requires their students to take the exam but they don't have to pass it. However, their results are included on their transcripts.

Ms. Rosier reported on the changes NCEES has implemented requiring exam applicants to register on-line with NCEES for exams. Applicants can only register after this Board has approved them to sit for the exam. This is part of the problem with the timing on FE application submission addressed earlier.

Ms. Rosier will be attending the NCEES MBA Forum being held in Clemson, SC. The trip is being funded by NCEES. NCEES President Henn Rebane had assigned development of the NCEES National Database to the MBA group.

Mr. Saluja has agreed to serve as an observer for the upcoming ABET review at WVUIT scheduled for October 5-7, 2008.

The Board discussed the proposed Rule Revisions. It was agreed to delay work on the Rules Revision until NCEES has completed the Model Rules, which is planned for 2009.

Ms. Rosier reported that the new BRIM insurance policy would provide a small discount for our agency if 90%+ of our employees agreed to participate in the on-line driver training. If less than

80% of our employees participate, a small surcharge would be applied. Ms. Rosier provided the figures to the Board and disseminated the BRIM training instructions to all staff and Board members.

The next Board meeting will be held on Tuesday, November 18, 2008. The meeting will take place at Bluefield State College, 219 Rock Street, Bluefield, WV.

Upon motion by Mr. Pierson, seconded by Mr. Plymale, the meeting adjourned at 2:05 p.m. The Board members will be compensated one day per diem plus travel expenses.

Leonard J. Timms, Jr., P.E.
Board President

Bhajan S. Saluja, P.E.
Board Secretary