

**General Session Minutes**  
**State Board of Registration for Professional Engineers**  
**September 28, 2010**

The State Board of Registration for Professional Engineers met in their offices at 300 Capitol Street in Charleston, WV on Tuesday, September 28, 2010. Those present for all or part of the meeting were:

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

The meeting was called to order at 9:05 a.m. There were no additions to the agenda.

The Board meeting minutes for July 20, 2010 were reviewed. A motion to approve the minutes was made by Mr. Timms, seconded by Mr. Pierson. Motion carried.

The Board budget summaries for July and August were received and reviewed. The detailed purchasing card expenditures were also received and reviewed. A motion to approve the current expenditures and purchasing card transactions was made by Mr. Timms, seconded by Mr. Plymale. 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 to various groups since the last Board meeting. She also reviewed the office's schedule of upcoming activities. A motion was made by Mr. Plymale, seconded by Mr. Pierson, to approve attendance and travel for staff activities outlined in the Executive Director's report and updated 2010 calendar of events.

On-line renewal usage continues to prove highly successful. As of September 23, 2010 there are 212 PE's, 28 Retirees and 96 COA's that have yet to renew. The 2010 renewal period ends at midnight on September 30, 2010. Continuing education audit notices and certified letters for problematic COAs will be mailed on or about October 12, 2010.

Two Educational Plans of Study for the upcoming October 2010 PE exam were reviewed by the Board, with no interviews required. Sixteen Educational Plans of Study for the FE exam were also reviewed.. Two interviews were required and conducted in August 2010. Both candidates were approved to sit for the exam. Copies of all submissions were provided to the Board for their review and comment.

The number of candidates accepted for both the October 2010 FE and PE exam administrations are down from the same period last year. Eighty PE candidates were accepted for the October 2009 exam vs. sixty-five for this upcoming exam. One hundred sixty-five FE candidates were accepted for the October 2009 exam vs. one hundred forty-three for the upcoming FE exam.

The Board recessed the meeting for the purpose of holding an informal conference on Inquiry I2011-2.

Mr. Pierson moved to enter into Executive Session at 9:45 am, seconded by Mr. Timms. Motion carried.

At the conclusion of the Executive Session, Mr. Pierson moved to enter into General Session with a second by Mr. Plymale. Motion carried and the Board took the following actions:

1. A motion was made by Mr. Pierson, seconded by Mr. Timms, to dismiss complaint C2010-13. Motion carried. The Board then directed Counsel to draft a dismissal letter on complaint C2010-13. The letter is to provide a directive that future inspections performed by the respondent must comply with HUD requirements or the report must specifically state which elements of the HUD requirements that the residence does not meet.
2. A motion was made by Mr. Timms, seconded by Mr. Pierson to schedule complaint C2010-18 for hearing at the November Board meeting if unable to timely reach a settlement. Motion carried.
3. A motion was made by Mr. Timms, seconded by Mr. Saluja to schedule complaint C2010-19 for hearing at the November Board meeting if unable to timely reach a settlement. Motion carried.
4. A motion was made by Mr. Pierson, seconded by Mr. Timms, to dismiss complaint C2010-21. Motion carried. The Board directed Counsel to draft a dismissal letter on complaint C2010-21. The letter is to address the importance of maintaining full control of your personal seal(s) at all times, as well as use of out-of-state seals on presentation materials.
5. A motion was made by Mr. Pierson, seconded by Mr. Plymale, to dismiss complaint C2011-01. Motion carried. The Board directed Counsel to draft a dismissal letter on complaint C2011-01.
6. A motion was made by Mr. Timms, seconded by Mr. Pierson to schedule complaint C2011-02 for hearing at the November Board meeting if unable to timely reach a settlement. Motion carried.
7. Board member Robinson recused himself and exited the room during deliberations on Complaint C2011-05. A motion was made by Mr. Timms, seconded by Mr. Saluja, to dismiss complaint C2011-05. Motion carried. The Board directed Counsel to draft a dismissal letter on the complaint. The letter is to address the best practice on issuing drawing revisions.
8. The Board directed Counsel to draft a letter to the City of Huntington addressing the performance of engineering by non-licensed city personnel.

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

1. James R. Basinger's request for comity was approved.

2. Robert W. Gedies request for comity was held in abeyance pending the outcome of the October PE exam.
3. Apostolos Vranis's request for comity was approved.

The "General Engineering Contractor" designation used by the Contractor's Board was discussed. The use of this designation was raised as part of a defense during investigation of a complaint. The Board recommended that staff prepare a letter to the WV Contractors Licensing Board documenting the two Boards' understanding of the work that can be performed by a General Engineering Contractor (construction only) vs. the type of work that requires a licensed professional engineer (all design and drawings, including revisions).

Mr. Timms reported on his recent activities as the NCEES President. ASCE and NSPE, along with NCEES, are looking into eliminating the industrial exemption. NSPE is surveying all state licensing Boards to determine which states have an industrial exemption and how their code language is worded. In addition, Mr. Timms provided brief updates on the following:

1. Mr. Timms reported that the Credential Evaluation function has been relocated to Clemson, SC.
2. The NCEES Board Orientation training for new Board members is scheduled for October.
3. Restricting the number of references that PE candidates can take into the exam room was discussed. This will likely be addressed as part of the preparation for Computed Based Testing (CBT).

Mr. Pierson reported on his NCEES activities. He will be joining Ms. Rosier in attending the Computer Based Task Force meeting as a representative of the Examinations for Professional Engineers (EPE) Committee. EPE is looking at ways to improve the exam content, delivery, and assessment as part of the evolution to the CBT process.

Ms. Rosier discussed the NCEES Awards Program. Nominations are needed by the end of January 2011. The Northeast Zone "Enny" Awards application will be ready in late October and will be due no later than March 30, 2011.

Ms. Rosier discussed the new 16-hour Structural Exam. Final details are being worked out for the April 2011 examination implementation.

The Board office received correspondence from the Governor earlier this month announcing reappointments for the expired terms of the three Board members. The appointments include Board members Timms through 2015, Robinson through 2014 and Pierson through 2013. These appointments are awaiting Senate confirmation.

Mr. Saluja reported on his recent participation as the Board observer in the ABET Accreditation Visit for several of the 4-year Technology Programs at Bluefield State College. Mr. Saluja reported that his attendance of the three days of accreditation review meetings was a rewarding experience and the WV PE Board participation was well-received.

Mr. Pierson reported that Marshall University has received their official notification of their successful ABET accreditation of its undergraduate Engineering program. Ms. Rosier reported that all Marshall BS Engineering graduates who successfully passed the FE exam were now permitted to apply for their Engineer Intern certification.

A letter to the Deans and Department Chairs for all ABET engineering and engineering technology programs in WV has been drafted addressing the use of the NCEES publication "Using the Fundamentals of Engineering Examination as an Outcomes Assessment Tool". Once reviewed by the Board, the letters will be disseminated to the schools including an offer by the Board to conduct campus visits to discuss the examinations with students, faculty and administrators.

The Board directed staff and counsel to monitor any interim legislative activity that may affect professional licensing boards. Counsel hopes to have a draft of the PE Board's proposed code and rule changes for review at the November 2010 Board meeting.

The next Board meeting has been rescheduled from Tuesday, November 16, 2010 to Monday November 15, 2010 due to a variety of scheduling conflicts. Ms. Rosier will update the public meeting notice with the WV SOS office and then work with Fairmont State faculty and administration to arrange for the meeting to take place in the Falcon Center Board Room on the Fairmont State University Campus located at 1201 Locust Avenue, Fairmont WV.

Upon motion by Mr. Timms, seconded by Mr. Pierson, the meeting adjourned at 2:50 p.m. 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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**Bhajan S. Saluja, P.E.**  
**Board Secretary**