

General Session Minutes
State Board of Registration for Professional Engineers
June 17, 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 June 17, 2002. Those present were:

Frank L. Gaddy, President
Robert L. Wolfe, Vice President
Leonard J. Timms, Jr., Member
Edward L. Robinson, Member
Charles I. Jones, Jr., Attorney
Lesley Rosier, Executive Director
Marcia White, Board Administrator

The meeting was called to order at 9:00 a.m. Mr. Timms moved to enter into executive session, second by Mr. Robinson. Motion carried.

At the conclusion of the executive session, the Board returned to general session and took the following actions:

Mr. Robinson moved, second by Mr. Timms that the minutes of the May 20, 2002, executive session and general session, be approved. Motion carried.

Shutt/Grose – Mr. Ed Shutt appeared before the Board expressing concerns about unlicensed individuals signing documents and addressing correspondence to clients, as well as unlicensed individuals acting in the capacity of a PE while supervising construction projects or speaking and/or answering questions in a public forum without a licensed professional present. Also, he was concerned that preliminary documents were being distributed without the seal of a professional engineer and felt this was in direct violation of the Rules & Regulations. Mr. Robinson pointed out that the Board now has a PE on staff to expedite the policing of non-registered individuals. The Board also pointed out that the Model Law required a seal only on final documents and that in the future, the Board's newsletter would be used as an educational tool and seminars would be conducted at EXPO on these specific issues. A letter is to be written to Mr. Shutt thanking him for bringing these matters to the attention of the Board.

Susan Whitfield, NCEES Director of Engineering and Surveying Examination Services, presented the Board with the option of having NCEES administer the FE and PE exams in the future. Mr. Timms moved, second by Mr. Wolfe to continue to have the Board administer the exams. Motion carried. A letter is to be written to Ms. Whitfield expressing the Board's decision. Also, the Board would like to know from Ms. Whitfield if the test could be administered in two 4-hour sessions, with each session graded separately. If an individual failed one 4-hour session, that would be the only session they would have to retake.

The Board directed Ms. Rosier to review and approve the comity applicants. The Board will continue to review those with questionable credentials.

Upon motion by Mr. Wolfe, second by Mr. Timms, the Board will lease space on the 9th floor of the Kanawha Valley Building for its future office. The move will take place in October. Motion carried.

Those selected to attend the annual meeting were Mr. Gaddy, Mr. Robinson, Ms. Rosier, Mr. Weekley, and Mr. Jones.

The State Treasurer's Office presented the Board with the opportunity to have their web site developed free of charge as a part of a pilot project. Upon motion by Mr. Wolfe, second by Mr. Timms, the Board approved this partnership.

Upon motion by Mr. Timms, second by Mr. Robinson, a letter is to be written to Dean Cilento offering a separate room for faculty to sit for the FE exam and will also begin offering the PE exam in Morgantown. A proctor will be assigned to that room.

Snead – Dan Snead, along with his attorney, James Anderson, appeared before the Board for a fact-finding discussion on the plans for the Shady Spring School in Raleigh County. Upon motion by Mr. Wolfe, second by Mr. Timms, Mr. Snead was instructed to submit to the Board prior to their next meeting in July, a structural engineering report on the gymnasium and dining area, including a review of the geotechnical findings.

Ghosh – Upon motion by Mr. Timms, second by Mr. Wolfe, Mr. Jordan and Mr. Ghosh are to be informed, by letter, that the Board will defer review of the complaint until their court case is resolved. Motion carried

R & S – After review of the documentation submitted by R & S Services, and concluding that no violation occurred, Mr. Timms moved, second by Mr. Wolfe, to remove the matter from the docket. Motion carried.

Upon motion by Mr. Wolfe, second by Mr. Timms, the 2002-2003 change order for the Board attorney, Mr. Jones, was approved unanimously.

The Board budget for May 2002 was reviewed and approved unanimously.

The Board deferred discussion until the July meeting on the issue of penalties for engineers practicing in the State of West Virginia without a West Virginia registration.

Mr. Timms will continue to revise the Strategic Plan and job descriptions and will probably have something ready for review at the July meeting.

Mr. Bob Maxwell, a lawyer in Mr. Jones' firm, reported that the hearing on McCloy Construction was scheduled for July 19th, 1:00 p.m. in Judge Zakaib's courtroom, Kanawha Circuit Court, and urged each of the Board members to be present at the hearing. It was recommended that Greg DeBoer with Pinnacle Towers be sent an application for a certification of authorization.

The next meeting of the Board will be held on Monday, July 15, 2002, 9:00 a.m., at the Board office, 608 Union Building, Charleston, West Virginia.

The meeting adjourned at 4:00 p.m. The Board members will be compensated one day per diem plus travel expenses.

Frank L. Gaddy, PE
Board President

Gene R. Weekley, Jr., PE
Board Secretary