

**General Session Minutes  
State Board of Registration for Professional Engineers  
July 22, 2019**

The West Virginia State Board of Registration for Professional Engineers met at their office in Charleston on Monday, July 22, 2019. Those present for all or part of the meeting were:

Bhajan S. Saluja	President
Garth E. Thomas	Vice-President
Larry Nottingham	Secretary
L.A. Gates	Member
Edward L. Robinson	Member
Lesley L. Rosier-Tabor	Executive Director
Aaron M. Armstrong	Board Investigator
Edward Eagloski	Board Counsel

The meeting was called to order at 9:00 am. The Board meeting minutes for May 29, 2019 were reviewed. A motion to approve the minutes was made by Mr. Robinson, seconded by Dr. Nottingham. Motion carried.

The Board budget summaries for May and June 2019 were received and reviewed, and the Board reviewed the PCard transactions for the months of April – June. Ms. Rosier presented the 17-year revenue/expense figures she has tracked during her employment with the Board, indicating this information is annually posted on the Board's website under the Publication/Reports section. The Board reviewed a Memorandum of Understanding with the Department of Administration/Finance Division noting that their agency will continue to provide payroll services for the Board. Ms. Rosier updated the Board on her communications with the WV Insurance Commissioner, which resulted in a significant savings to the Board for worker's comp insurance premiums due to a classification error.

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

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

- Ms. Rosier reported a 44.2% pass rate for the April 2019 PE exam cycle.
- Ms. Rosier noted that 40 applications have been received for the upcoming October 2019 PE exam and that she expected more applications in the upcoming week with the application deadline of July 25, 2019.
- The Board reviewed the upcoming presentations, conferences, and meetings and Ms. Rosier reported that 3 Board members and 3 staff members would be in attendance at the NCEES annual meeting in Washington D.C..
- Ms. Rosier discussed the staff's upcoming presentation to the ASCE Eastern Panhandle branch of the WV Section, noting that they have requested the

same presentation the Board provided during EXPO to allow for PEs and Land Surveyors to obtain dual credit that can be used as acceptable continuing education credit in both OH and WV.

A motion was made by Mr. Gates, 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 C2019-16, C2019-17, C2019-20, and C2019-22. The consent orders will be posted on the Board's website within a reasonable time.

Dr. Nottingham made a motion to enter into Executive Session at 9:35 am, seconded by Mr. Thomas. Motion carried. It is noted that Mr. Armstrong requested, and was approved, to leave the room for discussion of C2019-08. As such, Mr. Armstrong will not be a part of any investigation, discussion, or ruling relative to C2019-08 matters.

Dr. Nottingham made a motion, seconded by Mr. Robinson, to move into general session at 11 am. The motion carried, and the Board took the following action:

- Mr. Robinson made a motion, seconded by Mr. Gates to move I2019-17 to complaint and set said complaint for hearing during the January 2020 meeting, if not settled. Motion carried.
- Dr. Nottingham made a motion, seconded by Mr. Robinson, to move I2020-02 to complaint and set said complaint for hearing during the January 2020 meeting, if not settled. Motion carried.
- Mr. Robinson made a motion, seconded by Dr. Nottingham, to move I2020-03 to complaint and set said complaint for hearing during the January 2020 meeting, if not settled. Motion carried.

There were no special case files for Board approval.

The Board reviewed the upcoming NCEES Annual Meeting information and Ms. Rosier discussed the NCEES "Summary of 2019 Motions" to be presented during the business meeting in Washington D.C., August 14-16, 2019.

Ms. Rosier announced she and Mr. Thomas were appointed by the NCEES President to serve on the NCEES Education Committee and Mr. Armstrong was appointed to serve on the Law Enforcement Committee for the upcoming year.

The Board reviewed the NCEES PE Exam transition to CBT schedule and noted that this year the Petroleum and Environmental exams have transitioned to CBT for the Fall of 2019.

Ms. Rosier reported that she had submitted the agency-approved Legislative Rule changes for Series 7-1, on June 18, 2019. She also reported that the required 30-day

public comment period ended July 19, 2019 with no comments received. The Board, upon motion by Dr. Nottingham and seconded by Mr. Gates, voted to file the agency approved Legislative Rules as submitted with the WV Secretary of State's Office and the Legislative Rule-Making Committee. The motion passed.

Ms. Rosier also discussed the passage of HB118, regarding use of criminal records as disqualification from authorization to practice, which occurred during the recent WV Legislative Special Session. This bill requires all Chapter 30 Boards to propose rules or amendments to existing rules for legislative approval to comply with the provisions of the bill within the applicable time limit to be considered by the Legislature during its regular session in the year 2020. Given the final filing date had passed, the Boards were granted an extension exclusively for the purpose of incorporating the provisions of those bills. For this reason, the Board reviewed HB118 for the necessary proposed changes to Title 7, Series 1 Legislative Rule updates and directed the Executive Director to file the additional rule revisions with the WV Secretary of State's Office and for public comment prior to the extended deadline of August 30<sup>th</sup>.

The Board reviewed the required BRIM Loss Control Questionnaire and the annual Safety Committee meeting documentation in accordance with BRIM's Standards of Participation letter dated May 23, 2019. In addition, the Board provided staff with their signed confidentiality statements for inclusion in the annual BRIM submission and the Board reviewed a proposal for office security enhancements as recommended by BRIM.

Ms. Rosier discussed the Board observer requirements for upcoming ABET visits. Mr. Gates volunteered to attend the Marshall University visit, Dr. Nottingham volunteered to attend the American Public University visit, and Mr. Saluja volunteered to attend the Fairmont State University visit. All visits will take place in October 2019 and Board members will be compensated for their daily per diems and travel expenses.

The Board discussed the FY2020 officer elections and Mr. Robinson made a motion, seconded by Mr. Gates, to retain the same Board officers for the upcoming year. The motion passed unanimously and therefore Mr. Saluja will remain as Board President, Mr. Thomas as Board Vice-President, and Dr. Nottingham as Board Secretary.

Ms. Rosier discussed the proposed 2019 Calendar of Events and requested the Board provide her with any future conflicts.

Upon motion by Mr. Robinson, seconded by Dr. Nottingham, the Board voted to adjourn the meeting at 11:40 am. The next Board meeting will be September 18, 2019, 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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**Larry C. Nottingham, P.E.**  
**Board Secretary**