

General Session Minutes
State Board of Registration for Professional Engineers
March 20, 2018

The West Virginia State Board of Registration for Professional Engineers met at their office in Charleston on Tuesday, March 20, 2018. Those present for all or part of the meeting were:

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

The meeting was called to order at 9:05 am.

The Board meeting minutes for January 25, 2018 were reviewed. A motion to approve the minutes as corrected was made by Dr. Nottingham, seconded by Mr. Thomas. Motion carried.

The Board budget summaries for January and February 2018 were received and reviewed, and the Board reviewed all PCard transactions for the same period.

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

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

- Ms. Rosier discussed the Board's budget balance and explained that the current balance includes the additional \$200K of revenue brought in by addressing the COA renewal discrepancies occurring during the last 2 COA renewal seasons.
- The Board reviewed the recent and upcoming travel, presentations and meeting participation. Attending the upcoming NCEES NE Zone meeting will be Ms. Rosier, Mr. Armstrong, and Dr. Nottingham as the NCEES delegates, and Mr. Saluja and Mr. Thomas as board-funded attendees.
- Ms. Rosier reported all 3 interviewees at the last meeting were approved to sit for the PE exam and reminded Board members there would be no further interviews conducted due to plans for decoupling and PE exams transitioning to CBT.

- Ms. Rosier discussed the planned database upgrades required in preparation for the PE renewal season beginning in November. A new change order will be prepared and submitted to the Purchasing Division to initiate this work.

A motion was made by Mr. Thomas, seconded by Mr. Saluja, 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 2018 calendar. Motion carried.

Prior to entering into Executive Session, the Board Investigator provided the details of the settlement of complaints C2018-02 and C2018-07. The consent orders will be posted on the Board's website within a reasonable time.

Mr. Gates made a motion to enter into Executive Session at 9:45 am, seconded by Mr. Thomas. Motion carried.

It is noted that Mr. Gates is recused from C2018-10 and left the room during the discussion of the complaint. These minutes also reflect that, due to Ms. Rosier's non-involvement in anything substantive related to this complaint, she also absented herself from the Board room during this same discussion.

At the conclusion of the Executive Session, Mr. Saluja moved to enter into General Session at 11:36 am. Seconded by Dr. Nottingham, the motion carried, and the Board took the following action:

- Upon motion by Mr. Gates, seconded by Mr. Saluja, which carried, authorization was given to hire an expert witness for complaint C2018-11 if considered necessary.
- Mr. Thomas made a motion, seconded by Mr. Saluja, to move I2018-21 to complaint. Motion carried.
- Mr. Saluja made a motion, seconded by Dr. Nottingham, to dismiss C2018-10 as moot due to respondent's compliance with C2017-17. Motion carried.
- Mr. Thomas made a motion, seconded by Dr. Nottingham, to move I2018-22 to complaint. Motion carried.
- Dr. Nottingham made a motion, seconded by Mr. Saluja, to move I2018-23 to complaint. Motion carried.
- Mr. Gates made a motion, seconded by Mr. Saluja, to move I2018-25 to complaint. Motion carried.
- Mr. Thomas made a motion, seconded by Dr. Nottingham, to authorize the executive director to advertise for employment of in-house counsel if an agreement to keep the Board's current counsel on a part time basis upon her retirement is not reached with the AG's office. Motion carried.

On motion by Dr. Nottingham, seconded by Mr. Thomas, the Board approved the following special case file:

- Joshua Brighton

The Board reviewed the NCEES announcement concerning their search for a chief executive officer as Jerry Carter is retiring.

Ms. Rosier presented the updated NCEES NE Zone meeting agenda.

The Board reviewed the NCEES Bylaws proposed changes, reviewed the NCEES letter announcing the discontinuation of the Software Engineering PE Exam, and discussed the council's on-going PE exam transition to computer based testing (CBT).

The Board reviewed the Governor's Executive Orders 2-18 and 3-18 regarding regulatory rules and the draft exemption letter. The Board also discussed the passage of Senate Bill 313.

Ms. Rosier discussed the Board's WV EXPO plans and, in particular, the continuing education presentation scheduled for March 21st.

Mr. Rosier reported there were 3110 active COAs as of 3-8-18.

Ms. Rosier discussed that Sue Rubenstein, the Board Administrator, had met a 35-year state employment milestone and would be recognized during public service recognition week scheduled for May 6-12, 2018.

The Board reviewed the final printed annual newsletter, and Ms. Rosier reported that copies would be mailed to all registrants and firms by the end of March. Ms. Rosier also discussed the printing issues experienced with WV Correction Industries and that she was working with their representatives on a fair solution on behalf of the Board.

The Board reviewed the upcoming calendar of events. Ms. Rosier then previewed the WV PE continuing education presentation using the "Jeopardy" software program in preparation for the WV EXPO class to be held on March 21st.

Upon motion by Dr. Nottingham, seconded by Mr. Gates, the Board voted to adjourn the meeting at 12:53 pm. The next Board meeting will be May 9, 2018, in Charleston. The Board members will be compensated one day per diem plus travel expenses.

Edward L. Robinson, P.E.
Board President

Garth E. Thomas, P.E.
Board Secretary