

**General Session Minutes
State Board of Registration for Professional Engineers
January 27, 2009**

The State Board of Registration for Professional Engineers met on the Evansdale Campus in the Andrews Conference Center of the WVU College of Engineering and Mineral Resources Building in Morgantown, WV on January 27, 2009. Those present for all or part of the general session 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

*Participated by teleconference for the majority of General Session and all of Executive Session (approximately 10 a.m. to 5 p.m.)

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

The Board meeting minutes of the November 18, 2008 (both executive and general session) were reviewed. A motion to approve the minutes was made by Mr. Robinson, seconded by Mr. Plymale. Motion carried.

The Board budget summaries for November and December 2008 were also received and reviewed. A motion to approve the expenditures and purchasing card transactions was made by Mr. Saluja, 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 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. Robinson, seconded by Mr. Plymale, to approve attendance and travel for staff activities outlined in the Executive Director's report and updated 2009 calendar of events. Motion carried.

Ms. Rosier discussed the influx of exam requests immediately prior to the Board meeting. As the number of required Educational Plans of Study increase, the Board will likely have to consider a special session to review.

Mr. Robinson moved to enter into executive session at approximately 10:00 am, seconded by Mr. Saluja. Motion carried.

The Board recessed the executive session at 11:45 am for a luncheon meeting with the WVU Engineering Dean Eugene Cilento, along with several members of the engineering faculty, to discuss issues of interest and importance to both groups. Changes in implementation of the fee waiver due to the change in the application deadline were discussed. FE exam review sessions

at various state universities were discussed. The recently approved M-ABET program was discussed but implications are not known at this point. Dean Cilento discussed several items WVU has implemented to improve exam pass rates. The Board encouraged the faculty to call upon them, the Executive Director and/or the Board Investigator for classroom presentation needs regarding licensure and registration. Ms. Rosier updated the faculty on the positive feedback received during her 8am presentation that morning to Dr. Zaniewski's CE Seminar class.

The executive session resumed at 1:15 pm, immediately following the luncheon meeting. 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 Hearing on Complaint C2008-14 was continued based on the representation by the respondent that he would enter into a Consent Order authorized by the Board.
2. Mr. Robinson moved that the Findings of Fact and Conclusions of Law on Complaint C2009-3 be approved as amended, which amendments were clerical in nature but for the addition of others to be notified. Motion was seconded by Mr. Plymale and carried.
3. The Board directed counsel to amend Complaint C2009-5 to reflect failure to provide timely information to the Board and if the information requested is not forthcoming before February 15, 2009 to proceed with scheduling a hearing for the March Board meeting.
4. The Board directed counsel to schedule complaint C2009-7 for hearing at the March Board Meeting unless a Consent Order can be negotiated.
5. Mr. Robinson moved that Inquiry I2009-12 be received and filed as a Board initiated complaint. Motion was seconded by Mr. Saluja and carried.
6. The Board authorized hiring an expert witness for I2009-13 to review relevant documents.
7. Based on a motion by Mr. Robinson, seconded by Mr. Pierson, the Board took the following actions on Special Cases for Board Action:
 - Dylan T. Drinkard's FE exam application was approved with one dissention.
 - William R. DeMario's request for comity was approved based on §30-13-12(a)(1).
 - Steve Lehrman, Jr's. request for comity was approved.
 - Richard A. Miller's request for comity was approved effective August 1, 2009.
 - David E. Moore's request for comity was approved effective August 1, 2009.
 - Andrew J. Scott's request for comity was approved.

President Timms updated the Board on his NCEES activities. The Board Presidents Assembly is being held February 20-21, 2009. President Timms and Ms. Rosier will be attending. President Timms is seeking the office of President elect of NCEES. Notices of his candidacy will be mailed to all NE Zone representatives this week. Mr. Timms also discussed the recent receipt of additional requests for endorsement on candidates seeking other NCEES offices (zone and national).

The Board directed staff and counsel to keep them apprised of rule-making changes during the upcoming legislative session that may be of interest to the Board. Mr. Robinson made a motion,

seconded by Mr. Saluja authorizing Board members, staff and counsel to participate in public hearings on proposed revisions to §30-1. Motion carried.

The Board reviewed details of past and current FE and PE review sessions being offered by WVUIT, Fairmont State and WVU, as well as for-profit vendors. The Board will continue to monitor the performance of those exam applicants participating in both formal and informal reviews.

The Educational Plan of Study initiative for exam re-takers was discussed. Two candidates are scheduled to review their plans of study with members of the Board and staff on January 30, 2009.

October exam results were received in late December 2008. FE and PE exam pass rates showed slight improvements but were still well below national averages. Detailed statistical information on the exam results will be provided at the next Board meeting. ELSES examinee survey comments were reviewed as well.

The FE student fee waiver form is being revised to reflect the change in registration dates. The examinee will now state that he/she is enrolled in a 4-year ABET approved engineering school and has senior status vs. having to get a faculty advisor to approve the form certifying the same information. At the beginning of each academic semester, lists of those requesting the fee waivers will be verified by the various Deans' offices, ensuring each student is currently enrolled in classes, before the examinee will be approved to sit for the exam.

The Board reviewed the tentative plans for the 2009 WV EXPO. The Board is again working with the WV Society of Professional Engineers to honor our successful 2008 WV FE and PE examinees during the planned Board EXPO continuing education presentation tentatively slated for Wednesday, March 25, 2009.

A draft of the Board newsletter was reviewed. The Board discussed including an article from the joint publication of the Kentucky Society of Professional Engineers and the Kentucky Board regarding the quality-based selection process for professional services. The Board chose not to include the article. Only minor editorial changes will be made to the newsletter prior to printing and dissemination in late February.

The 2009 renewal mailer was reviewed. The only recommended changes were to renewal dates and relevant fees.

The next Board meeting will be held on Tuesday March 24, 2009. The meeting will take place at the PE Board office located at 300 Capitol Street, Charleston, WV.

Upon motion by Mr. Saluja, seconded by Mr. Plymale, the meeting adjourned at 5:00 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