

General Session Minutes
State Board of Registration for Professional Engineers
May 23, 2023

The West Virginia State Board of Registration for Professional Engineers met at their office in Charleston on Tuesday, May 23, 2023. Those present for all or part of the meeting were:

Garth E. Thomas	President
Larry C. Nottingham	Vice-President
L.A. Gates	Secretary
Bhajan S. Saluja	Member (via teleconference)
Edward L. Robinson	Member
Lesley L. Rosier-Tabor	Executive Director
Debra Hamilton	Interim Board Counsel

The meeting was called to order at 10:10am. Mr. Saluja participated remotely via teleconference. President Thomas welcomed everyone, and in particular Ms. Hamilton, thanking her for graciously returning from retirement to fill in as Interim Board Counsel during the unexpected and temporary absence of Mr. Eagloski. Ms. Hamilton expressed her appreciation for the Board's confidence in her capabilities and the invitation to return under the circumstances.

Ms. Rosier asked Board Administrator, Sue Rubenstein, to step into the Board room where she was surprised with flowers and pastries in honor of her 40 years of government service with the State of West Virginia. Ms. Rosier noted National Public Service Recognition Week was May 7-13, 2023 and employees who had served the state for 20, 25, 30, 35, 40, 45, 50, 55 years were honored at a recognition ceremony at the State Capitol earlier in the month. Unfortunately, Mrs. Rubenstein was unable to attend but deserved to be recognized for this 40-year milestone. After a few pictures and words of appreciation from the Board, Mrs. Rubenstein thanked everyone and excused herself to return to her office.

The Board meeting minutes for the March 21, 2023 meeting were reviewed. A motion to approve the minutes was made by Dr. Nottingham, seconded by Mr. Gates. Motion carried.

The Board budget summaries for March and April 2023 were received and reviewed, as well as the P-Card transactions for the months of March and April 2023. Ms. Rosier reported a \$1.66M balance for the ending of April 2023. Ms. Rosier provided a comparison of balances in April 2022 and April 2023 noting a 7.8% decrease. The decrease was attributed to both the biennial PE renewal season (December 2022 – January 2023) bringing in less revenue than the biennial COA renewal season (December 2021 – January 2022), as well as the impact of the mandated 10% reduction in all Board fees implemented due to the passage of SB334 during the 2022 WV Legislative Session.

The Board also reviewed the FY24 Expenditure Schedule Submission that was required to be submitted no later than May 1, 2023. Ms. Rosier noted the agency submission was nearly the same as the FY23 Expenditure Schedule and FY23 Appropriations Requests; however, there are increases in 2nd and 3rd quarter projected revenue due to the COA biennial renewal year, as well as some minor adjustments in the specific object code requests to better reflect FY24 expense needs. She also noted that the across-the-board raises for state employees approved by the Governor were included.

Mr. Robinson made a motion to approve the budgets, current expenditures, purchasing card transactions, and all necessary expenses for the temporary hire of Interim Counsel Debra Hamilton. The motion was seconded by Dr. Nottingham. Motion carried.

Ms. Rosier presented the Executive Director's report, including recent and upcoming meetings, training and travel. She also provided a status report on a number of on-going projects that she and staff are working on and addressed all Board questions.

A motion was made by Mr. Robinson, seconded by Dr. Nottingham, to approve attendance and travel for Board members, staff and counsel to the upcoming 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 was provided details of the resolution of Complaints C2023-08 and C2023-20.

Mr. Robinson made a motion to enter into Executive Session at 10:55am, seconded by Dr. Nottingham. Motion carried.

Mr. Robinson excused himself and exited the room, as to not be part of any discussion or decision making regarding C2022-12 and C2022-13.

At 12:35pm, Mr. Robinson made a motion, seconded by Dr. Nottingham, to move into General Session. The motion carried, and the Board took the following action:

- Dr. Nottingham made a motion, seconded by Mr. Saluja, to "Receive and File" Complaint C2023-23, and to set said Complaint for a hearing on November 14, 2023. Motion carried.

The Board acted upon the special case files as follows:

- Dr. Nottingham made a motion, seconded by Mr. Saluja to approve the PE comity application for Ross D. Palmer. Motion carried.
- Mr. Gates made a motion, seconded by Mr. Saluja, to approve the Business Entity - DBA Waiver application for Armor Utility Locating, LLC. Motion carried.

Ms. Rosier and Mr. Thomas provided a quick summary of the 2023 NCEES Joint Zone meeting held in Houston, TX on April 27-29, 2023.

The Board reviewed the 2023 NCEES Annual Meeting agenda and supporting documentation, and Ms. Rosier reminded the Board that the deadline for NCEES delegates to register and book travel is June 30th and prior to the Board's next meeting. Dr. Nottingham indicated he can no longer attend the meeting. Ms. Rosier requested if any other Board member is interested in attending as an NCEES delegate in his place, please check their calendar and let her know as soon as possible.

Ms. Rosier presented the Summary of 2022-23 NCEES Committee and Task Force Charges with resulting motions and recommendations for the Board's review. She also reminded the Board members of the dates and times for the upcoming NCEES State of the Council virtual events featuring timely announcements and updates on NCEES initiatives, including the upcoming Annual Meeting and headquarters updates. In addition, the Board members reviewed the notice of future changes to NCEES Exams and Supporting Materials provided to Member Boards to comply with the 1-year notice required by NCEES policy.

Ms. Rosier provided the Board with the calendar dates for the remaining 2023 WV Legislative Interims and shared details regarding the April webinar hosted by the Alliance for Responsible Professional Licensing (ARPL) group.

Ms. Rosier reported completion of the required biennial renewal audit. With 350 PEs audited (3.9% of active licensees), only 1 PE failed to respond, resulting in invalidation of his PE license.

Ms. Rosier provided the Board with an update from the 2023 WV Equipment and Design EXPO and the success of the joint continuing education seminar hosted with the WV Board of Architects regarding recent draft revisions of the WV Code Officials handbook. To date, no additional progress has been made on the Code Officials handbook revisions, but both Boards have received a number of calls from engineers, architects and/or code officials to ask questions and to provide feedback regarding the value of the session.

Ms. Rosier reported on the progress of the Board's transition to the www.wvpebd.gov web domain, including the necessary work completed by the WV State Treasurer's Office to update our website, as well as the Board's database vendor so the web services properly interface using the new domain name. The only remaining item is conversion of existing .org email addresses to .gov which she hopes to report as completed at the July Board meeting. The goal of this project is for easier identification of our agency as a branch of state government and to provide users confidence in our secure site.

Ms. Rosier discussed plans regarding the Board's 2023 INTERchange newsletter. Ms. Rosier requested all newsletter topics on or before the Board's July 2023 meeting, with articles due in draft format by August 15, 2023.

The Board discussed the FY2024 officer elections and Mr. Robinson made a motion, seconded by Mr. Saluja, to retain the same Board officers for the upcoming fiscal year. The motion passed unanimously and therefore Mr. Thomas will remain as Board President, Dr. Nottingham as Board Vice-President, and Mr. Gates as Board Secretary from July 1, 2023 to June 30, 2024.

The Board reviewed the upcoming 2023 Calendar of Events, including the revised July meeting date. Ms. Rosier requested members notify her with any anticipated conflicts.

Upon motion by Mr. Gates, seconded by Dr. Nottingham, the Board voted to adjourn the meeting at 1:15pm. The next Board meeting will be July 11, 2023, in Charleston. The Board members will be compensated one day per diem plus travel expenses.

Garth E. Thomas, Jr., P.E.
Board President

Leslie A. Gates, P.E.
Board Secretary