

**General Session Minutes
State Board of Registration for Professional Engineers
May 28, 2010**

The State Board of Registration for Professional Engineers met in their offices at 300 Capitol Street in Charleston, WV on Friday, May 28, 2010. Those present for all or part of the meeting were:

Edward L. Robinson	President
William E. Pierson	Vice-President
Bhajan S. Saluja	Secretary
Leonard J. Timms	Member
Richard E. Plymale	Member
Lesley L. Rosier-Tabor	Executive Director
Don W. Johnson	Board Investigator
Nicole A. Cofer	Legal Counsel
Debra L. Hamilton	Legal counsel

The meeting was called to order at 9:00 a.m. There were no additions to the agenda.

The Board meeting minutes for March 23, 2010 were reviewed. A motion to approve the minutes was made by Mr. Timms, seconded by Mr. Pierson. Motion carried.

Mr. Timms moved to enter into Executive Session at 9:05 am, seconded by Mr. Plymale. Motion carried.

The Board recessed the meeting in Executive Session at 9:30 am for an informal conference on C2010-18 at the request of the respondent's attorney. After completion of the informal conference, the Board reconvened the meeting in Executive Session at 10:15 am.

At the conclusion of the Executive Session, Mr. Timms moved to enter into General Session with a second by Mr. Plymale. Motion carried and the Board took the following actions:

1. Mr. Timms made a motion that complaint C2010-13 be dismissed with a cautionary statement about future inspection work in West Virginia. Motion was seconded by Mr. Pierson and carried.
2. Mr. Timms made a motion that complaint C2010-17 be dismissed with a cautionary statement about future work in West Virginia. Motion was seconded by Mr. Pierson and carried.
3. Mr. Pierson moved that inquiry I2010-19 be received and filed as a Board-initiated complaint. Motion was seconded by Mr. Timms and carried.
4. Mr. Pierson moved that inquiry I2010-20 be received and filed as a Board-initiated complaint. Motion was seconded by Mr. Plymale and carried.
5. Mr. Plymale moved that inquiry I2010-22 be received and filed as a Board-initiated complaint. Motion was seconded by Mr. Pierson and carried.

6. With regard to the following 3 pending complaints, the Board directed Counsel to:

C2009-11: Determine what steps are necessary to address any deadlines imposed by law, given the stay in effect due to a related, pending civil action.

C2010-18: Document the agreements reached during the informal conference that Respondent would have 30 days to respond and would not practice or offer to practice engineering in West Virginia until this matter was resolved.

C2010-19: Communicate to counsel for Respondent the Board's agreement to a 14-day extension to respond to the Complaint.

Based on a motion by Mr. Saluja, seconded by Mr. Pierson, the Board took the following actions on Special Cases for Board Action:

1. Samanth (Rakes) Stahle's request to sit for the FE exam was approved.
2. Fadil M. Abdeleatah's request for comity was denied.
3. George H. Bailey's request for comity was denied.
4. Joshua M. Carney's request for comity was approved.
5. Michael Gerazounis' request for comity was approved.
6. Otto Guedelhofer's request for comity was approved.
7. James R. Kreimborg's request for comity was approved.
8. Angela M. Leonard's request for comity was approved pending resolution of residency issue.
9. Frank J. Miller Jr.'s request for comity was approved.
10. Michael L. Nave's request for reinstatement is being held until he provides (9) additional PDH's of engineering/technical nature.
11. Joseph S. Schrank's request for comity was approved.
12. Joseph A. Bracone's educational background was reviewed and approved. Ms. Rosier is to complete the formal comity application review process during the next review session.

Two personnel matters were discussed, including an hourly raise for our returning summer intern as well as an FTE increase for our Board Investigator due to current workload. Mr. Pierson made a motion to approve a \$1 per hour raise for our returning summer intern effective July 1, 2010. Mr. Saluja seconded and the motion carried. A second motion was made by Mr. Pierson to increase the Board Investigator from 0.5 FTE (1/2 time) to 0.75 FTE (3/4 time) effective July 1, 2010. Mr. Saluja seconded and the motion carried. Ms. Rosier was directed to prepare the required documentation to submit to the WV State Budget Office, including updated WV-11s signed by President Robinson.

The Board budget summaries for March and April were received and reviewed, in addition to the FY2011 Expenditure Schedule and proposed budget figures. The detailed P-card expenditures were also received and reviewed. A motion to approve the expenditures, budget and purchasing card transactions was made by Mr. Timms, seconded by Mr. Saluja. 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 to various groups since the last Board meeting. She also reviewed the office's schedule of upcoming activities. A motion was made by Mr. Timms, seconded by Mr. Saluja, to approve attendance and travel for staff activities outlined in the Executive Director's report and updated 2010 calendar of events.

The April 2010 exam administrations were discussed. There were 4 PE absences and 35 FE absences. Only minor problems with noise at one exam location were noted during the April exam administration.

The renewal process is moving along rapidly. To date, over 2000 renewals have been received in just over one week. Due to the low number of paper renewal requests, the State Treasurer's lock-box system is no longer being used and the mailings are now being processed in-house.

The 2010 NCEES Annual meeting is scheduled for August 18-21, 2010 in Denver. Board members are asked to notify Ms. Rosier by July 1st if they plan on attending. She will be registering both Board members and staff no later than the July 12th deadline.

Given the unique circumstances of Board Member Timms being inducted as the first West Virginian to become NCEES National President, a motion was made by Mr. Saluja and seconded by Mr. Pierson approving the staff travel of Mrs. Rubenstein and Mrs. Smith to attend the NCEES Annual Meeting. Motion carried.

Mr. Plymale made a motion that polo-style shirts, similar to those worn by other Boards at the Annual Meetings, be purchased for the Board and staff. The intent of this purchase is for the Board to be formally recognized as a group at leadership functions such as Zone and Annual Meetings, as well as when attending or presenting at professional engineering events such as university presentations, state trainings, continuing education seminars, etc. Motion was seconded by Mr. Pierson and carried.

Ms. Hamilton reviewed the status of the proposed revisions to the WV engineering code. The Engineering article is being re-ordered to comport with the current legislative format. A number of changes requested by the Board are being incorporated into the revision. A draft of the proposed code will be available for review by the Board prior to the next regular session of the Legislature in January 2011.

Ms. Hamilton reported that she has filed the interpretative rule with the WV Secretary of State's Office that was approved by the Board at the January 2010 Board meeting which allows WV PEs to approve the work of other engineers. It is currently out for a 30 day comment period.

Mr. Timms reported on several of his recent activities as the President-Elect for NCEES. Among some of the recent topics of discussion that we may hear more about at the upcoming Annual meeting included (a) a proposal to allow 4 years credit for a PhD to encourage faculty licensure, (b) a proposal requiring 2 hours of ethics each year for renewal, and (c) a proposal to require satellite engineering offices to have a resident PE on site in each office.

Mr. Timms also discussed items he plans on addressing in his upcoming role as NCEES President. First, he is proposing to have a standing committee on educational issues to address matters such as the Masters or equivalent proposal, faculty licensure, etc. Second, he would like to see healthy discussion and debate regarding elimination of the industrial exemption. Third, he will begin to take a very close look at low examinee volumes on unique disciplines, such as the nuclear and agricultural examinations. He would also like to require the financial committee to develop a pro-forma budget and revise the model law to reduce the number of years experience for Technology degrees from 8 to 6 years to reflect what most states that accept technology degrees require. Last but certainly not least, he expects a great deal of time

and energy to continue to be spent on finalizing plans on whether or not NCEES will move to computer based testing (CBT).

Ms. Rosier reported on her attendance at the February NCEES Board of Director's meeting. A separate 15-page detailed report on her meeting participation and observations has been issued.

The Credentials Evaluation Service of NCEES is reviewing their process for evaluating non-EAC credentials. An NCEES Credentials Advisory Group was formed, of which Ms. Rosier was invited to serve as a member. This Advisory group developed proposed criteria for an "NCEES Standard" for future use with the hopes of eliminating some of the complexity inherent in the current system and to provide the opportunity to evaluate a candidate's entire educational record. A copy of the proposed criteria was circulated and discussed at the recent Northeast Zone meeting and will be voted upon at the upcoming Annual Meeting in August.

The CBT Task Force report, including estimated costs, has been issued for discussion at the Annual NCEES Meeting. A detailed implementation plan needs to be developed, along with selection of a vendor by NCEES via an RFQ process.

The NCEES FE exam administration fees for the WV Board will drop from \$100 to \$70 dollars beginning with the October examination. The PE exam administration fees will remain at \$100.

The Annual PE Board Safety Committee meeting minutes were reviewed, along with the additional required BRIM survey and related documentation. No concerns were identified.

Ms. Rosier presented a proposal that the Board have all of the individual engineers' microfilm records electronically copied and placed on the server. The estimated cost is \$45,000. The electronic imaging project will be done in at least three phases to minimize office disruption. A motion was made by Mr. Pierson to approve the expenditure. The motion was seconded by Mr. Timms and carried.

Ms. Rosier presented a proposal to install a new phone system that will allow for leaving messages on the hours of office operation, holidays, etc. It also allows for remote access of voice mail. The system will not replace the human voice answering the phone but simply enhance our abilities to address calls received after-hours, on holiday and weekends. The estimated cost is \$2,250. A motion was made by Mr. Pierson to approve the expenditure. The motion was seconded by Mr. Plymale and carried.

The next Board meeting is scheduled for Tuesday July 20, 2010. The meeting will take place in their offices at 300 Capitol Street in Charleston, WV.

Upon motion by Mr. Timms, seconded by Mr. Pierson, the meeting adjourned at 2:30 p.m. The Board members will be compensated one day per diem plus travel expenses.

Edward L. Robinson, P.E.
Board President

Bhajan S. Saluja, P.E.
Board Secretary