

General Session Minutes
State Board of Registration for Professional Engineers
March 19, 2024

The West Virginia State Board of Registration for Professional Engineers met at their office in Charleston on Tuesday, March 19, 2024. Those present for all or part of the meeting were:

Garth E. Thomas	President
Larry C. Nottingham	Vice-President
L.A. Gates	Secretary
Edward L. Robinson	Member
Carol Stevens	Member
Lesley L. Rosier-Tabor	Executive Director
Edward Eagloski	Board Counsel

The meeting was called to order at 10:15am. Dr. Nottingham participated remotely via teleconference. The Board meeting minutes for the January 16, 2024 meeting were reviewed. A motion to approve the minutes as presented was then made by Mr. Gates, seconded by Mrs. Stevens. Motion carried.

The Board budget summaries for January and February 2024 were received and reviewed, as well as the P-Card transactions for the months of January and February 2024. Ms. Rosier reported a \$1.85M balance for the ending of February 2024, noting the spike in revenue in the last 3 months due to the response to the 3500+ COA biennial renewal notices sent in late November 2023 and processed through January 31, 2024.

Ms. Rosier presented the Executive Director's report and discussed the following:

- Successful completion of numerous virtual meetings and staff trainings in the last 2 months, including NCEES, ICOR, ARPL, etc.
- Board involvement with 2024 National Engineers Week activities.
- Status report on a number of special projects that she and staff have resumed working on now that the COA renewal season has ended.

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

Prior to entering into Executive Session, the Board's Counsel provided the details of the resolution of Complaints C2023-11, C2023-12, C2023-13, C2023-22, C2024-16, and C2024-17.

Mrs. Stevens made a motion to enter into Executive Session at 10:40am, seconded by Mr. Gates. 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 11:55am, Mrs. Stevens made a motion, seconded by Mr. Gates, to move into General Session. The motion carried, and the Board took the following action:

- Mr. Robinson made a motion, seconded by Mr. Gates, to move I2024-18 to Complaint. Motion carried. Furthermore, Mr. Robinson made a motion, seconded by Mr. Gates, to “Receive and File” Complaint C2024-19, and set said Complaint for a hearing on September 17, 2024, at 1:00pm. Motion carried.
- Dr. Nottingham made a motion, seconded by Mrs. Stevens, to move I2024-19 to Complaint. Motion carried. Furthermore, Dr. Nottingham made a motion, seconded by Mrs. Stevens, to “Receive and File” Complaint C2024-20, and set said Complaint for a hearing on September 17, 2024, at 1:00pm. Motion carried.
- Mr. Robinson made a motion, seconded by Mr. Gates, to move I2024-20 to Complaint. Motion carried. Furthermore, Mr. Robinson made a motion, seconded by Mr. Gates, to “Receive and File” Complaint C2024-21, and set said Complaint for a hearing on September 17, 2024, at 1:00pm. Motion carried.
- Mr. Robinson made a motion, seconded by Dr. Nottingham, to move I2024-21 to Complaint. Motion carried. Furthermore, Mr. Robinson made a motion, seconded by Dr. Nottingham, to “Receive and File” Complaint C2024-22, and set said Complaint for a hearing on September 17, 2024, at 1:00pm. Motion carried.
- Mr. Robinson made a motion, seconded by Dr. Nottingham, to move I2024-22 to Complaint. Motion carried. Furthermore, Mr. Robinson made a motion, seconded by Dr. Nottingham, to “Receive and File” Complaint C2024-23, and set said Complaint for a hearing on September 17, 2024, at 1:00pm. Motion carried.
- Mr. Robinson made a motion, seconded by Dr. Nottingham, to move I2024-23 to Complaint. Motion carried. Furthermore, Mr. Robinson made a motion, seconded by Dr. Nottingham, to “Receive and File” Complaint C2024-24, and set said Complaint for a hearing on September 17, 2024, at 1:00pm. Motion carried.
- Mr. Robinson made a motion, seconded by Dr. Nottingham, to move I2024-24 to Complaint. Motion carried. Furthermore, Mr. Robinson made a motion, seconded by Dr. Nottingham, to “Receive and File” Complaint C2024-25, and set said Complaint for a hearing on September 17, 2024, at 1:00pm. Motion carried.
- Mr. Robinson made a motion, seconded by Dr. Nottingham, to move I2024-25 to Complaint. Motion carried. Furthermore, Mr. Robinson made a motion, seconded by Dr. Nottingham, to “Receive and File” Complaint C2024-26, and set said Complaint for a hearing on September 17, 2024, at 1:00pm. Motion carried.
- Mr. Robinson made a motion, seconded by Dr. Nottingham, to move I2024-26 to Complaint. Motion carried. Furthermore, Mr. Robinson made a motion, seconded by Dr. Nottingham, to “Receive and File” Complaint C2024-27, and set said Complaint for a hearing on September 17, 2024, at 1:00pm. Motion carried.
- Mr. Robinson made a motion, seconded by Dr. Nottingham, to move I2024-27 to Complaint. Motion carried. Furthermore, Mr. Robinson made a motion, seconded

by Dr. Nottingham, to “Receive and File” Complaint C2024-28, and set said Complaint for a hearing on September 17, 2024, at 1:00pm. Motion carried.

- Mr. Robinson made a motion, seconded by Dr. Nottingham, to move I2024-28 to Complaint. Motion carried. Furthermore, Mr. Robinson made a motion, seconded by Dr. Nottingham, to “Receive and File” Complaint C2024-29, and set said Complaint for a hearing on September 17, 2024, at 1:00pm. Motion carried.
- Mr. Robinson made a motion, seconded by Dr. Nottingham, to move I2024-29 to Complaint. Motion carried. Furthermore, Mr. Robinson made a motion, seconded by Dr. Nottingham, to “Receive and File” Complaint C2024-30, and set said Complaint for a hearing on September 17, 2024, at 1:00pm. Motion carried.
- Mr. Robinson made a motion, seconded by Dr. Nottingham, to move I2024-30 to Complaint. Motion carried. Furthermore, Mr. Robinson made a motion, seconded by Dr. Nottingham, to “Receive and File” Complaint C2024-31, and set said Complaint for a hearing on September 17, 2024, at 1:00pm. Motion carried.
- Mr. Robinson made a motion, seconded by Dr. Nottingham, to move I2024-31 to Complaint. Motion carried. Furthermore, Mr. Robinson made a motion, seconded by Dr. Nottingham, to “Receive and File” Complaint C2024-32, and set said Complaint for a hearing on September 17, 2024, at 1:00pm. Motion carried.
- Mr. Robinson made a motion, seconded by Dr. Nottingham, to move I2024-32 to Complaint. Motion carried. Furthermore, Mr. Robinson made a motion, seconded by Dr. Nottingham, to “Receive and File” Complaint C2024-33, and set said Complaint for a hearing on September 17, 2024, at 1:00pm. Motion carried.
- Mr. Robinson made a motion, seconded by Dr. Nottingham, to move I2024-33 to Complaint. Motion carried. Furthermore, Mr. Robinson made a motion, seconded by Dr. Nottingham, to “Receive and File” Complaint C2024-34, and set said Complaint for a hearing on September 17, 2024, at 1:00pm. Motion carried.

The Board acted upon the special case files as follows:

- Mrs. Steven made a motion, seconded by Dr. Nottingham, to approve the Engineer Intern certification application for Ebenezer E. Tackey-Otoo. Motion carried.
- Mr. Robinson made a motion, seconded by Mr. Gates, to approve the PE comity application for Jaimie L. Bailey. Motion carried.
- Mr. Robinson made a motion, seconded by Mr. Gates, to approve the PE comity application for Dorothy Glezil. Motion carried.
- Mr. Robinson made a motion, seconded by Mrs. Stevens, to approve the PE comity application for James M. Graham. Motion carried.
- Mr. Robinson made a motion, seconded by Dr. Nottingham, to approve the PE comity application for Timothy J. Tieaskie. Motion carried.

- Mrs. Stevens made a motion, seconded by Dr. Nottingham, to deny the Business Entity - DBA Waiver application for DLS Engineering Associates, Inc. Motion carried.

The Board recessed the General Session at 12:10pm for lunch, followed by a scheduled Hearing at 1:00pm for Complaint C2024-12, and then resumed the General Session at 2:10pm.

Ms. Rosier presented the Board with the 2024 NCEES Bylaws revisions, as well as the 2023 NCEES Annual Report and Squared publication, all of which were received at the Board office since the January Board meeting. The Special Committee on Bylaws will propose the changes presented as motions at the NCEES Annual Meeting in August therefore NCEES provided notice of the proposed amendments in accordance with their Bylaws Section 12.02.

Mr. Robinson made a motion, seconded by Mr. Gates, to nominate and recommend to the NCEES Board of Directors, Tiffany Coleman, as an Associate Member of the NCEES. Motion carried.

Ms. Rosier provided a final update on the upcoming 2024 NCEES Northeast Zone meeting scheduled to be held in Washington, DC on May 2-4, 2024. She reminded those attending to be sure to complete their NCEES travel arrangements as soon as possible.

The Board reviewed the 2024 NCEES Annual Meeting agenda and supporting documentation, noting the deadline for NCEES funded-delegates to register and book travel is May 1st and prior to the Board's next meeting. Ms. Rosier requested that those interested in attending check their calendars and let her know by April 15, 2024.

Ms. Rosier provided a summary of the 2024 NCEES Member Board Administrator's (MBA) Committee meeting and plans for presenting their report at the upcoming Zone Meeting in Washington, DC. President Thomas also provided an update on his latest meetings in Greenville, SC, with the NCEES Examinations for Professional Engineers Committee, as well as his FE Exam group.

Ms. Rosier reminded Board members to respond to the 2024-2025 NCEES standing committee interest survey email if they were interested in future committee participation.

Ms. Rosier provided the Board with an update on the close of the 2024 WV Legislative Session and discussed the outcome of a number of bills she was tracking that were relevant to the Chapter 30 Boards. She also shared that the WV Alliance for Responsible Professional Licensing (ARPL) group did not need to meet the last few weeks of session but they had shared a number of new tools and resources to help state boards to continue to communicate the importance of responsible licensing to our legislators and other stakeholders.

Ms. Rosier reported receipt of notification of a Regulatory Board Review to be conducted on the Board in accordance with the West Virginia Performance Review Act, Chapter 4, Article 10, of the West Virginia Code. By request within the correspondence, an entrance

conference for the Legislative Performance Evaluation Review Division (PERD) was held on March 18, 2024. Ms. Rosier and President Thomas were in attendance and provided the initial information requested by PERD staff.

Ms. Rosier shared that National Public Service Recognition Week is May 5-11, 2024 and employees who have served the state for 20, 25, 30, 35, 40, 45, 50, 55 years will be honored in this year's celebration. Ms. Rosier's name was noted as meeting the 30-year milestone and will be recognized with a certificate and lapel pin with her years of service engraved on it as well as be invited to a recognition ceremony. The Board members thanked and congratulated Ms. Rosier on her commitment of three decades of combined service to our agency and the State of West Virginia.

Ms. Rosier provided a final COA biennial renewal season summary. All COAs not renewed before February 1, 2024 were updated to "Lapsed" status and the firms (and named Engineers In Responsible Charge of these firms) were contacted via certified mailings at that time. Additionally, twenty-nine (29) firms with active COAs found to be in default with Work Force West Virginia and their Worker's Compensation and/or Unemployment Divisions were notified via certified mailings as well. Several of the defaulting firms have already provided documentation of compliance since being contacted.

Ms. Rosier provided the Board with details regarding plans for the next two days to be spent at the 2024 WV Equipment and Design Exposition (EXPO), including staffing our WV PE licensure information booth and conducting an interactive continuing education seminar entitled "This Is Jeopardy...With Your Hosts, The WV PE Board!". Multiple Board members and staff plan to be in attendance at EXPO to attend the continuing education session, participate in meetings and assist with covering the Board's information booth.

The Board reviewed the two latest editions of the Professional Licensure Report (PLR).

The Board reviewed the upcoming 2024 Calendar of Events and Ms. Rosier requested members notify her with any anticipated conflicts as soon as possible.

Upon motion by Mr. Robinson, seconded by Mrs. Stevens, the Board voted to adjourn the meeting at 2:50pm. The next Board meeting will be May 21, 2024, 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