

**General Session Minutes**  
**State Board of Registration for Professional Engineers**  
**May 21, 2024**

The West Virginia State Board of Registration for Professional Engineers met at their office in Charleston on Tuesday, May 21, 2024. Those present for all or part of the meeting were:

Garth E. Thomas	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 10:03am. Dr. Nottingham, Vice-President, was absent and did not participate. The Board meeting minutes for the March 19, 2024 meeting were reviewed. A motion to approve the minutes as presented was then made by Mr. Gates, seconded by Mr. Robinson. Motion carried.

The Board budget summaries for March and April 2022 were received and reviewed, and the Board reviewed the P-Card transactions for the months of March and April as well. Ms. Rosier reported a \$1.7M balance for the ending of April 2024. The Board also reviewed the FY25 Expenditure Schedule Submission that was required to be submitted no later than May 1, 2024. Ms. Rosier noted the agency submission was the same bottom line as that of the FY24 Expenditure Schedule and FY25 Appropriations Requests, with the exception of minor adjustments in specific object code requests to better reflect anticipated FY25 expense needs.

Ms. Rosier also presented the Board members with her Executive Director's report and addressed all Board questions and comments. The Board reviewed the list of recent and upcoming presentations, conferences, and meeting participation. Ms. Rosier discussed registration needs for the upcoming 2024 NCEES Annual Meeting in Chicago, IL. Board members Thomas, Nottingham and Stevens, as well as staff members Coleman and Eagloski, have registered to attend.

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

Ms. Rosier presented the Board with quotes for the needed technology upgrades for the office and answered questions. She explained the current warranties for computers are set to expire September 2024 and existing printers are over 15 years old. Mr. Robinson made a motion, seconded by Mrs. Stevens to approve the purchase of the following statewide contract items: 7 HP Power laptops, 5 HP Power PC Tower computers with dual monitors and necessary software, 5 printers and peripherals. Motion carried.

Prior to entering into Executive Session, the Board's Counsel provided the details of the resolution of Complaints C2024-12, C2024-22, C2024-24, C2024-26, C2024-27, C2024-28, C2024-29, C2024-30, C2024-31, C2024-32, C2024-33, and C2024-34.

Mr. Gates made a motion to enter into Executive Session at 10:31am, seconded by Mr. Robinson. 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.

The Board recessed the Executive Session at 11:55am for lunch and resumed the Executive Session at 12:35pm.

At 1:04pm, Mrs. Stevens made a motion, seconded by Mr. Gates, to move into General Session. The motion carried, and the Board took the following action:

- Mrs. Stevens made a motion, seconded by Mr. Gates, to dismiss Complaint C2024-21. Motion carried.
- Mr. Robinson made a motion, seconded by Mr. Gates, to move I2024-34 to Complaint. Motion carried. Furthermore, Mr. Robinson made a motion, seconded by Mr. Gates, to "Receive and File" Complaint C2024-35, and set said Complaint for a hearing on November 19, 2024, at 1:00pm. Motion carried.
- Mr. Gates made a motion, seconded by Mrs. Stevens, to move I2024-35 to Complaint. Motion carried. Furthermore, Mr. Gates made a motion, seconded by Mrs. Stevens, to "Receive and File" Complaint C2024-36, and set said Complaint for a hearing on November 19, 2024, at 1:00pm. Motion carried.
- Mr. Robinson made a motion, seconded by Mr. Gates, to move I2024-36 to Complaint. Motion carried. Furthermore, Mr. Robinson made a motion, seconded by Mr. Gates, to "Receive and File" Complaint C2024-37, and set said Complaint for a hearing on November 19, 2024, at 1:00pm. Motion carried.
- Mrs. Stevens made a motion, seconded by Mr. Robinson, to move I2024-37 to Complaint. Motion carried. Furthermore, Mrs. Stevens made a motion, seconded by Mr. Robinson, to "Receive and File" Complaint C2024-38, and set said Complaint for a hearing on November 19, 2024, at 1:00pm. Motion carried.
- Mr. Gates made a motion, seconded by Mr. Robinson, to move I2024-38 to Complaint. Motion carried. Furthermore, Mr. Gates made a motion, seconded by Mr. Robinson, to "Receive and File" Complaint C2024-39, and set said Complaint for a hearing on November 19, 2024, at 1:00pm. Motion carried.
- Mr. Gates made a motion, seconded by Mrs. Stevens, to move I2024-39 to Complaint. Motion carried. Furthermore, Mr. Gates made a motion, seconded by Mrs. Stevens, to "Receive and File" Complaint C2024-40, and set said Complaint for a hearing on November 19, 2024, at 1:00pm. Motion carried.

- Mr. Robinson made a motion, seconded by Mr. Gates, to move I2024-40 to Complaint. Motion carried. Furthermore, Mr. Robinson made a motion, seconded by Mr. Gates, to “Receive and File” Complaint C2024-41, and set said Complaint for a hearing on November 19, 2024, at 1:00pm. Motion carried.
- Mrs. Stevens made a motion, seconded by Mr. Gates, to move I2024-41 to Complaint. Motion carried. Furthermore, Mrs. Stevens made a motion, seconded by Mr. Gates, to “Receive and File” Complaint C2024-42, and set said Complaint for a hearing on November 19, 2024, at 1:00pm. Motion carried.
- Mr. Robinson made a motion, seconded by Mr. Gates, to move I2024-42 to Complaint. Motion carried. Furthermore, Mr. Robinson made a motion, seconded by Mr. Gates, to “Receive and File” Complaint C2024-43, and set said Complaint for a hearing on November 19, 2024, at 1:00pm. Motion carried.
- Mr. Robinson made a motion, seconded by Mrs. Stevens, to move I2024-43 to Complaint. Motion carried. Furthermore, Mr. Robinson made a motion, seconded by Mrs. Stevens, to “Receive and File” Complaint C2024-44, and set said Complaint for a hearing on November 19, 2024, at 1:00pm. Motion carried.

The Board acted upon the special case files as follows:

- Mrs. Stevens made a motion, seconded by Mr. Gates, to approve the EI application for Trevor A. Thewes. Motion carried.
- Mr. Robinson made a motion, seconded by Mrs. Stevens, to approve the PE comity application for Christopher A. Johns. Motion carried.
- Mrs. Stevens made a motion, seconded by Mr. Gates, to approve the Business Entity - DBA Waiver application for Acousti Engineering Company of Florida. Motion carried.
- Mrs. Stevens made a motion, seconded by Mr. Gates, to deny the Business Entity - DBA Waiver application for Bass Corrosion Services, Inc. d.b.a. Bass Engineering Company. Motion carried.
- Mr. Robinson made a motion, seconded by Mrs. Stevens to ratify the action of the Board President, in which he approved the Endzone Engineers Booster Inc.’s Business Entity – DBA Waiver application. Motion carried.
- Mr. Gates made a motion, seconded by Mrs. Stevens, to approve the Business Entity - DBA Waiver application for Radio Engineering Industries. Motion carried.

Board member Stevens and Ms. Rosier provided the Board with a recap of the NCEES Northeast Zone meeting held in Washington, D.C. They both attended along with staff member Coleman. Ms. Rosier and Mrs. Stevens updated the Board on the most recent activity with the UK Mutual Recognition Agreement and the ceremonial signing that will take place on Tuesday, August 13, during the NCEES annual meeting in Chicago. Ms.

Rosier also provided an update on the NCEES MBA Committee activity, as well as the MBA Forum that she led at the Zone meeting. Mrs. Stevens provided an update on her first-time attendee experience, as well as a recap of the Engineers Forum that she participated in at the Zone meeting.

The Board reviewed the 2024 NCEES Annual Meeting agenda and supporting documentation, noting the deadline for NCEES delegates to register and book travel is June 30<sup>th</sup>. She requested all those planning to attend to respond to the latest NCEES registration email, and book travel, as soon as possible.

Ms. Rosier presented recent information received from NCEES and the Alliance for Responsible Professional Licensing (ARPL) regarding the current legislative landscape and licensure advocacy updates. In addition, the Board reviewed the NCEES News Release regarding the official launch of the NCEES Foundation and the six board members appointed to oversee its activities. The NCEES Foundation will be the philanthropic arm of the National Council of Examiners for Engineering and Surveying. It will be committed to supporting programs that further the NCEES mission to advance licensure for engineers and surveyors in order to safeguard the health, safety, and welfare of the public.

Ms. Rosier continued the NCEES discussions noting the minimal exam and CBT administration updates for the upcoming year and that NCEES Committee appointments for 2024-2025 have yet to be announced. She also reminded Board members of the upcoming State of the Council webinars scheduled for the remainder of 2024, which would also be posted to the Member Resources section of the NCEES website if any Board member is unable to attend the live sessions.

Ms. Rosier reviewed the 2024 WV Legislative Calendar with the Board and shared there were no agency rule revisions or submissions planned for the upcoming year. Ms. Rosier also provided an update to Board members regarding the recent requests and responses provided to the PERD Legislative Research Analyst conducting our agency Regulatory Board Review.

Ms. Rosier shared the correspondence from Mr. Kenneth Tyree, WV State Fire Marshal, regarding the implementation of a new State Fire Code, which has an effective date of May 1, 2024. Per Mr. Tyree, there are several significant changes that will affect the design, construction, remodel/renovation/repair, fire protection system installation, and inspection of buildings. Ms. Rosier agreed to share this information with the engineering community by posting to our website home page Special Announcements, providing a link to the newly adopted State Fire Code on our website Resource tab, and to prepare an article to include in the Board's 2024 newsletter that will be sent to all active WV PEs, Retired PEs and engineering firms with a WV COA.

Ms. Rosier shared she had been contacted in late April by Emily Papadopoulos, Executive Director for the WV Board of Architects, to provide the latest revisions made to the draft Handbook for Building Code Officials. She indicated she had shared drafts with the Board of Surveyors, the Board of Landscape Architects and the State Fire Marshal's office and their Board was ready to move on with working with an editor to put in final print form for publication. The latest draft document was presented to the Board for review and

discussion. Due to a number of requests for clarifications specific to the FAQ, the Board was unable to confirm interest in moving forward with the project at this time and requested an additional meeting with the Board of Architects. Ms. Rosier will contact Ms. Papadopoulos to request a one-hour joint session during the PE Board's July Board meeting.

Ms. Rosier discussed plans regarding the Board's 2024 INTERchange newsletter. Ms. Rosier requested all newsletter topics be submitted before or at the Board's July 2024 meeting. Ms. Rosier also shared that staff member Coleman prepared an article regarding third-party licensing agents that will be published in the upcoming issue of NCEES's Licensure Exchange.

Ms. Rosier discussed the remaining dates on the Board's 2024 Calendar of Events, noting she now has a conflict with the September 17<sup>th</sup> Board meeting date. At her request, the Board agreed to move the September Board meeting up one week to September 10<sup>th</sup>. Ms. Rosier indicated she would immediately contact the WV Secretary of State's Office to make the necessary update on the required public meeting notice and she would also make the change on the Board's website.

Upon motion by Mrs. Stevens, seconded by Mr. Gates, the Board voted to adjourn the meeting at 1:58pm. The next Board meeting will be July 16, 2024, in Charleston. The Board members will be compensated one day per diem plus travel expenses.

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

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**Leslie A. Gates, P.E.**  
**Board Secretary**