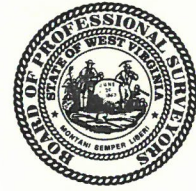


MINUTES OF MEETING #306
OF THE WEST VIRGINIA BOARD OF PROFESSIONAL SURVEYORS
November 19, 2019
CHARLESTON, WV



Present: Sefton R. Stewart, *Chairman (Via Conference Call)*
James T. Rayburn, *Secretary*
Gary D. Facemyer, *Member*
Douglas C. McElwee, Esq., *Public Member*
Lantz Rankin, *Members*
Keith D. Fisher, Esq. *Attorney General Counsel*
Kristi A. Justice, *Executive Director*

Guest: John Green, P.S.

Absent: None

The Chairman called Meeting #306 to order at 11:03 a.m. on Tuesday November 19, 2019 and noted that the meeting was properly noticed by the West Virginia Secretary of State.

Delegations or Public Concerns

None

Executive Session

Mr. Doug McElwee made a motion, seconded by Mr. Gary Facemyer to enter Executive Session pursuant to *W. Va. Code §6-9A-4(b)(7)* to discuss complaints at 11:05 a.m. Motion carried.

The Board reconvened in regular session at 11:55 a.m.

Summary of the Executive Session was read aloud by the Executive Director. Mr. Gary Facemyer made a motion, seconded by Mr. Doug McElwee to approve the items discussed in the Executive Session regarding complaints. Motion carried with Mr. Tom Rayburn and Lantz Rankin recused from all complaints.

C20- (Taylor) – This is a Boundary Dispute and out of the jurisdiction of the Board - Dismiss Complaint.

C20 – (Helmick) - Out of the jurisdiction of the Board – Dismiss Complaint

C20 (Carney) – Open Complaint & ask PS for response

C20 (Bischel) - Open Complaint & ask PS for response

C20-01 – Dismiss complaint, Boundary dispute and out of the jurisdiction of the Board

C19-13 – PS Supervisor review response and provide feedback to the CRC

C19-01 – Keith D. Fisher, Attorney General Counsel, prepared Consent Agreement. The consent Agreement was mailed to PS via certified & regular mail on 11/15/2019.

C18-03 & C18-05: Mr. Keith Fisher, Attorney General Counsel, and Kristi Justice, Executive Director, will schedule a conference call with PS Supervisory for a detailed report.

WVSPS Liaison

Mr. John Green provided the Board an update from the WV Society of Professional Surveyors and stated that the Society is in favor of the Board having a discussion with the West Virginia Department of Highway regarding surveying. Mr. Tom Rayburn is going to draft a letter for the Board to review during the February 2020 meeting.

Minutes

Mr. Gary Facemyer made a motion, seconded by Mr. Lantz Rankin to approve the Minutes from Meeting #304 & #305 as written. Motion carried.

Financial Report

The Executive Director provided the financial expenditure report with a Cash (Budget) balance as follows:

September 30, 2019 – \$257,956.09 (\$165,680.16)
October 31, 2019 - \$246,187.99 (\$152,065.43)

Mr. Doug McElwee made a motion, seconded by Mr. Gary Facemyer to approve the financial and expenditure reports. Motion carried.

Mr. Gary Facemyer made a motion, seconded by Mr. Doug McElwee to approve the P-Card Charges.

Update on New Web Based Licensing System

Executive Director, Kristi Justice, and Mr. Keith Fisher, Attorney General Counsel, provided the Board with an update on the contract with InLumon. Mr. Keith Fisher stated that he worked with InLumon's legal counsel to make acceptable changes to the contract. Kristi Justice stated that the contract was finalized.

Unlicensed Practice in the State

The Board discussed unlicensed practices and reviewed a response letter received from an educational letter that was sent to a company from the Board. The Board will respond with an acknowledgment letter.

Rule Change Update

Executive Director, Kristi Justice, provided the Board with an update regarding the rule changes that was submitted as it related to SB396 and HB118. WVBPS rule changes will most likely be on the Agenda for the Rules Committee in December 2019.

NCEES MBA Committee proposal Resolution of Cooperation

Executive Director provided the Board a copy of the resolution prepared by the MBA Committee. The Board will review the resolution and will be discussed at the February 2020 meeting.

2019 Fall Exam Update

Executive Director, Kristi Justice, provided the Board an update regarding the 2019 Fall WV State Specific Exam, 26 individuals took the exam, with 7 individuals passing the exam. The Board will

hold an Exam Writing Committee Meeting on January 24, 2020 to review the April 2020 Exam.

Surveyor Intern #163

Executive Director, Kristi Justice, discussed with the Board the status of Surveyor Intern #163. Surveyor Intern #163 can take the Spring 2020 Exam and then the Board will review after April 2020.

2019 Fall Exam New Licensees (PS #'s 2396 – 2403)

Mr. Gary Facemyer made a motion, seconded by Mr. Doug McElwee to approve the 2019 Fall Exam New Licensee (PS # 2396 - 2403) having passed the required examinations for licensure as a West Virginia Professional Surveyor. Motion carried.

Professional Surveyor Retired Applications

Mr. Gary Facemyer made a motion, seconded by Mr. Doug McElwee to approve the Professional Surveyor Retired Applications for P.S. (#1379). Motion carried.

2019 Survey Intern (#217)

Mr. Gary Facemyer made a motion, seconded by Mr. Lantz Rankin to approve the Survey Interns (#217) having passed the Fundamentals of Surveying Examination by Computer Based Testing. Motion carried.

Consider FY2019 Annual Report

Mr. Gary Facemyer made a motion, seconded by Mr. Doug McElwee to approve the WVBPS FY2019 Annual Report. Motion carried.

Consider M. Shepp NCEES Emeritus Member

Mr. Doug McElwee made a motion, seconded by Mr. Gary Facemyer to submit R. Mike Shepp's name to NCEES for Emeritus Member status. Motion Carried

2020 Continuing Education Audit

Mr. Gary Facemyer reported that he completed the 2020 Continuing Education (CE) required audit of 5% of active licensees with everyone complying. Mr. Doug McElwee made a motion, seconded by Mr. Lantz Rankin to accept the 2020 Continuing Education Audit Report. Motion Carried.

WVBPS Website Redesign

Executive Director, Kristi Justice, stated that she has been working with WV Interactive to update information on the website. She stated that WV Interactive is proposing a redesign of the website, because the website was one of the first websites they created, and it needs to be updated. The Redesign is of no cost to the WVBPS.

Consider Second Computer

Executive Director, Kristi Justice, stated that the Board Office only has one computer that is currently in compliance with the WV State System. Mr. Gary Facemyer a motion, seconded by Mr. Doug McElwee to purchase an additional computer for the Board Office. Motion Carried.

Consider Surplus Items

Mr. Gary Facemyer made a motion, seconded by Mr. Doug McElwee to surplus the old office computers and the scanner. Motion Carried.

Interprofessional Council on Registration (ICOR) Meeting

Executive Director, Kristi Justice, shared the information that she received from NCEES regarding that the ICOR will host an orientation for new state board members and member board administrators February 12-14, 2020 in Washington, DC. Funding will be provided from NCEES for those who have served in these positions for 24 months or less. Mr. Doug McElwee made a motion, seconded by Mr. Lantz Rankin for Executive Director and any Board Members, less than 2 years in service, wanting to attend can attend. Motion carried.

Executive Directors Report:

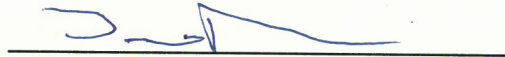
Executive Director, Kristi Justice, provided the Board with an update of board office related duties and provided each member with an Executive Directors Report.

There being no further business, Mr. Lantz Rankin made a motion, seconded by Mr. Doug McElwee, that the meeting adjourn at 2:39 P.M. Motion carried.

Respectfully Submitted:



Sefton R. Stewart, P.S., Chairman



Tom Rayburn, P.S., Secretary