

MINUTES OF MEETING #295
OF THE WEST VIRGINIA BOARD OF PROFESSIONAL SURVEYORS
September 6, 2018
BOARD OFFICE, CHARLESTON, WEST VIRGINIA



Present: R. Michael Shepp, *Chairman*
Sefton R. Stewart, *Secretary*
James T. Rayburn, *Member (Arrived 10:12 AM)*
Douglas C. McElwee, Esq., *Public Member (Left at 11:00 AM)*
Kristi A. Justice, *Executive Director*

Absent: Keith D. Fisher, Esq. *Attorney General Counsel*

The Chairman called Meeting #295 to order at 10:10 a.m. on Thursday, September 6, 2018, and noted that the meeting was properly noticed by the West Virginia Secretary of State.

Mr. Stewart made a motion, seconded by Mr. Rayburn to enter Executive Session pursuant to *W. Va. Code §6-9A-4(b)(7)* to discuss complaints at 10:13 a.m. Motion carried.

The Board reconvened in regular session at 10:43 a.m.

Summary of the Executive Session was read aloud by the Executive Director. Mr. Stewart made a motion, seconded by Mr. McElwee to approve the items discussed in the Executive Session. Motion carried with and Mr. Rayburn recused from all and Mr. Stewart recused from C18-10.

C18-(Lewis) – Summarily Dismissed – Boundary Dispute

C18-(Meade) – Summarily Dismissed – Boundary Dispute

C18-(Thierry) – Summarily Dismissed – Boundary Dispute

C18 (Heaster) – Create Complaint number and have P.S. respond & address the adjoiners contact.

C18 (Belknap) – Summarily Dismissed -Boundary Dispute

C18-04 – Review Corrected map with Complainant – Summarily Dismiss & Close Case

C18-08 – Dismiss Case – due to courts rule in favor of Mr. King

C18-09 – Correspondence to Complainant for clarification of proceeding with complaint

C18-10 – Schedule an Informal Investigative Conference with the Complaint Review Committee to bring the P.S.in to address if corners were set & provide documentation

C18-03 – Meeting will take place with Attorney & Expert Witness to move forward with hearing

C18 -05 – Create Statement of Charge & begin hearing process

Delegations or Public Concerns

- None

Minutes – Mr. Stewart made a motion, seconded by Mr. McElwee to approve the Minutes of Meeting #294 (June. 21, 2018) as written. Motion carried.

P-Card Purchases – The Executive Director provided a listing and explanation of P-Card Purchases made during July 2018 and August 2018. Mr. McElwee made a motion, seconded by Mr. Stewart, to approve the P-Card purchases. Motion carried.

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

June 30, 2018 - \$ 230,559.75 (\$35,702.39)
July 31, 2018 - \$ 228,841.97 (\$175,717.62)
August 31, 2018 - \$ 220,406.67 (\$163,864.26)

Mr. Rayburn made a motion, seconded by Mr. Stewart to approve the financial and expenditure reports. Motion carried.

Regulatory Review of Procedure Rules –

Mr. Shepp suggested that the Executive Director email the Regulatory Procedure Rules, Title 23, Series 1 to 5, to all board members. Mr. Shepp will meet with the Executive Director on September 21, 2018 to review the rules. The rules will be voted on at the next board meeting.

Nettleman Land Consultants, Inc.:

The Board reviewed the letter by Dr. Toney Nettleman of Nettleman Land Consultants, Inc. received at the board office on July 17, 2018, regarding Ethic and Minimum Technical Standards. Mr. Shepp composed a response to the letter requesting submission of a detailed course description to the board for review. Mr. Stewart and Mr. Rayburn were appointed to review the material and provide feedback at the next board meeting.

WV Exam Application/Exam Update:

Mr. Stewart provided the board with a status report from the WVBPS Exam Application Committee: 26 applications received, 24 approved and 2 denied. The exam workshop will be held on September 21 & 22, 2018 in Charleston, WV. The exam is scheduled for October 22nd at the WV Capital Complex beginning at 1:00 PM.

State Auditors Licensing Board Seminar:

The WV State Auditors Licensing Board Seminar is scheduled for Tuesday, November 27, 2018 and will be held at the Charleston Marriott. The Executive Director will email all information to each board member and will register anyone who is available to attend.

Surveyor Intern Special Supervision Clause – Mr. Rayburn made a motion, seconded by Mr. Stewart to approve Surveyor Intern Special Supervision #197 (Jonathan G. Saunders). Motion carried.

Professional Surveyor Retired Applications – Mr. Rayburn made a motion, seconded by Mr. Stewart to approve the Professional Surveyor Retired Applications for P.S. #1823, 363, 1246, 725, 1217, 546SU, 290, and 2093). Motion carried.

Professional Surveyor Inactive Fee Waiver (Medical) – Mr. Rayburn made a motion, seconded by Mr. Stewart to approve the Professional Surveyor Retired Applications for P.S. #850. Motion carried.

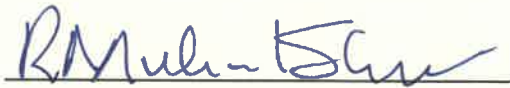
Dual COA Request – Mr. Rayburn made a motion, seconded by Mr. Stewart to deny the Dual Surveyor-In-Charge request for COA (#5439 Winchester, VA) & (#5648 Hagerstown, MD). Motion carried.

Executive Directors Report:

Executive Director, Kristi Justice, provided the board with a copy of the Executive Directors Report

There being no further business, Mr. Rayburn made a motion, seconded by Mr. Stewart, that the meeting adjourn at 11:27 a.m. Motion carried.

Respectfully Submitted:



R. Michael Shepp, P.S., Chairman



Sefton R. Stewart, P.S., Secretary

11