

MINUTES OF MEETING #324  
OF THE WEST VIRGINIA BOARD OF PROFESSIONAL SURVEYORS  
November 3, 2021  
Charleston, WV



Present: James T. Rayburn, *Secretary*  
Gary D. Facemyer, *Member*  
Lantz Rankin, *Member*  
Douglas C. McElwee, Esq., *Public Member*  
Joanne M. Vella, *Assistant Attorney General*  
Amber Shawver Legg, *Executive Director*

Guest: John Green, P.S.  
Jeri Bramble (*Office Assistant Candidate*)  
Amanda Holstein (*Office Assistant Candidate*)

Absent: Sefton R. Stewart, Chairman

The Secretary called Meeting #324 to order at 10:03 a.m. on Wednesday, November 3, 2021, and noted that the meeting was properly noticed by the West Virginia Secretary of State.

Delegations or Public Concerns  
None

Executive Session

Mr. Gary Facemyer made a motion, seconded by Mr. Lantz Rankin to enter Executive Session pursuant to *W. Va. Code §6-9A-4(b)(7)* to discuss complaints at 11:07 a.m. Motion carried.

The Board reconvened in regular session at 11:29a.m.

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

C18-03 – Proceed to schedule a hearing.

C18-05 - Proceed to schedule a hearing.

C21-02 – Proceed to schedule a hearing.

C21-09 – Close the complaint due to the boundary dispute.

C21-10 – Close the complaint due to the boundary dispute.

C21-11 – Close the complaint due to the boundary dispute.

C21-12 – Close the complaint due to the boundary dispute.

C21-13 – Request more information.

C22-01 - Close the complaint because the allegations fall outside of the Board's jurisdiction.

C22-02 - Close the complaint because the allegations fall outside of the Board's jurisdiction.

C22-03 – Response received, to be reviewed at the next Complaint Review meeting.

C22-04 – Board approved the Board initiated complaint documents; Board will open complaint & ask for PS response.

C22-05 - Open the complaint and ask for the PS response.

C22-06 - Open the complaint and ask for the PS response.

C21 (Giles #1) - Dismiss the complaint due to the boundary dispute.

C21 (Giles #2) - Dismiss the complaint due to the boundary dispute.

C22 (McNeill) - Dismiss complaint due to contractual dispute.

### Board Administration

#### Minutes

Mr. Gary Facemyer made a motion, seconded by Mr. Lantz Rankin to approve the Minutes from Meetings #322 & #323 as written. Motion carried.

#### P-Card Purchases & Financial Report

The Executive Director provided the P-Card Purchases report.

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

August 2021 - \$302,528.01

September – \$295,049.24

Mr. Gary Facemyer made a motion, seconded by Mr. Lantz Rankin to approve the financial and expenditure reports and P-Card purchases. Motion carried.

#### 2021 Fall Exam New Licensees

Mr. Gary Facemyer made a motion, seconded by Mr. Lantz Rankin to approve the new Professional Surveyors, #2425 & #2426, & #2427 and to request more information from the 4th applicant. Motion carried.

#### Glenville State College Request

Amber Shawver Legg, Executive Director, provided the Board with the response from the NCEES review of Glenville State College request. A. Legg will provide Glenville State College with the response from NCEES.

#### Consideration of Dual COA Request

Mr. Lantz Rankin made a motion, seconded by Mr. Gary Facemyer to approve the Dual COA Request made by Mr. John Green. Motion carried.

#### Consideration COA Request

Mr. Gary Facemyer made a motion, seconded by Mr. Lantz Rankin to deny the COA Request and to require 3 separate COAs. Motion carried.

#### Survey Intern Special Supervision Clause

Mr. Lantz Rankin made a motion, seconded by Mr. Gary Facemyer to approve Supervisor Supervision #197 (Jonathan G. Saunders). Motion carried.

Licensee Communications

Tabled.

Consideration of Personnel Matters

Upon motion by Mr. Gary Facemyer, seconded by Mr. Lantz Rankin, the Board voted to offer the temporary Office Assistant position to Candidate #4.

Consideration of Office Lease

Mr. Douglas C. McElwee made a motion, seconded by Mr. Gary Facemyer to approve the office lease renewal.

WVBPS Safety Committee Update

The WVBPS Safety Committee reports no safety concerns at this time.

Executive Directors Report:

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

Consideration of Questions to the Board


A motion was made by Mr. Gary Facemyer, seconded by Mr. Douglas C. McElwee to purchase 3 copies of the West Virginia Land Surveyors Laws and Regulation - 2021 Edition.


Board Elections

Tabled.

There being no further business, Mr. Gary Facemyer made a motion, seconded by Mr. Lantz Rankin, that the meeting adjourn at 2:35 p.m. Motion carried.

Respectfully Submitted:

  
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Sefton R. Stewart, P.S., Chairman

  
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Tom Rayburn, P.S., Secretary