

MINUTES OF MEETING #325
OF THE WEST VIRGINIA BOARD OF PROFESSIONAL SURVEYORS

January 12, 2022
Charleston, WV



Present: Sefton R. Stewart, Chairman
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.

Absent: N/A

The Chair called Meeting #325 to order at 10:06 a.m. on Wednesday, January 12, 2022, and noted that the meeting was properly noticed by the West Virginia Secretary of State.

Delegations or Public Concerns

None

Executive Session

Mr. Tom Rayburn 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 10:17 a.m. Motion carried.

The Board reconvened in regular session at 10:56 a.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.

C21-13 – Close the complaint due to the matter being resolved between both parties.

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

C22-04 – Board approved the PS response deadline extension.

C22-05 - Board approved the PS response deadline extension.

C22-06 - Board approved the PS response deadline extension.

C22-07 - Open the complaint and ask for the PS response.

C22-08 - Open the complaint and ask for the PS response.

C22-09 - Open the complaint and ask for the PS response.

C22 (Bosserman) - Dismiss the complaint due to the matter being outside the Board's jurisdiction.

Board Administration

Minutes

Mr. Gary Facemyer made a motion, seconded by Mr. Tom Rayburn to approve the Minutes from Meeting #324 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:

October 2021 – \$296,209.34

November 2021 – \$296,821.36

December 2021 - \$300,832.54

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

Consideration of Office Expenditures

Mr. Tom Rayburn made a motion, seconded by Mr. Gary Facemyer to approve the purchase of a TV and Webcam. 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. Mr. Tom Rayburn made a motion, seconded by Mr. Gary Facemyer to approve the Glenville State College course outline that was determined to meet or exceed the requirements of the NCEES Surveying Education Standard NCEES. Motion carried.

Consideration of Continuing Education Opportunities

Mr. Gary Facemyer made a motion, seconded by Mr. Tom Rayburn to approve the New Licensees (PS # 2428) having passed the required examinations for licensure as a West Virginia Professional Surveyor, with the Company to be fined \$200 for operating in WV without a COA. Motion carried.

Consideration of Dual COA Request

Amber Shawver Legg, Executive Director, discussed with the board the opportunity to submit slides regarding WV Licensed Professional Surveyors and Ethics for the presentation the WV Engineering Board will present at the WV Expo. Mr. Tom Rayburn made a motion, seconded by Mr. Gary Facemyer to submit the updated slides to the WV Engineering Board. Motion carried.

Mr. Gary Facemyer made a motion, seconded by Mr. Tom Rayburn to hold the WVBPS annual CE Seminar on June 17, 2022. Motion carried.

Communication with County Clerks

Tabled.

Consideration of Exam Schedule

Mr. Tom Rayburn made a motion, seconded by Mr. Gary Facemyer to create a committee of the Board to facilitate on demand testing. Motion carried.

Consideration of Surveying Experience from Other States

Mr. Gary Facemyer made a motion, seconded by Mr. Tom Rayburn to accept surveying experience from other states, as long as they meet the WV standards. Motion carried.

Consideration of Retirement Status

Upon motion by Mr. Gary Facemyer, seconded by Mr. Tom Rayburn, the Board voted to grant retirement status to Mr. David Jensen, P.S. Motion carried.

Consideration of Licensee Communications

Mr. Tom Rayburn made a motion, seconded by Mr. Douglas C. McElwee to approve Board staff to submit communications with licensees through a column in the WVSPS newsletters. Motion carried.

Consideration of the 2022 NCEES Northeast Zone Meeting

Mr. Tom Rayburn made a motion, seconded by Mr. Douglas C. McElwee to allow Mr. Gary Facemyer to vote on behalf of the Board at the 2022 NCEES Northeast Zone meeting, to be held in Newport, Rhode Island, April 28-30. Motion carried.

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.

Board Elections


Board Elections FY-2022 §30-1-3(a) and §30-13A-4(k)

Chairman: Mr. Gary Facemyer nominated Mr. Sefton Stewart as Chairman for Fiscal Year 2022. Seconded by Mr. Douglas C. McElwee. Motion carried.

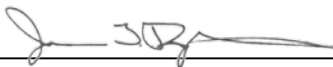
Secretary: Mr. Gary Facemyer nominated Mr. Tom Rayburn as Secretary for Fiscal Year 2022. Seconded by Mr. Douglas C. McElwee. Motion carried.

There being no further business, Mr. Lantz Rankin made a motion, seconded by Mr. Douglas C. McElwee, that the meeting adjourn at 1:21 p.m. Motion carried.

Respectfully Submitted:



Sefton R. Stewart, P.S., Chairman



Tom Rayburn, P.S., Secretary