

MINUTES OF MEETING #322
OF THE WEST VIRGINIA BOARD OF PROFESSIONAL SURVEYORS

August 11, 2021
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: None

Absent: None

The Chairman called Meeting #322 to order at 10:02 a.m. on Wednesday, August 11, 2021, 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. Douglas C. McElwee to enter Executive Session pursuant to *W. Va. Code §6-9A-4(b)(7)* to discuss complaints. Motion carried.

The Board reconvened in regular session at 11:15a.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.

C19-13 - Proceed to schedule a hearing.

C21-02 – Proceed to schedule a hearing.

C21-08 – Close the complaint due to the boundary dispute.

C21-10 – Open the complaint and ask for the PS response.

C21-11 – Request more information from the complainant.

C21-12 – Pending response from P.S.

C21-13 – Pending response from P.S.

C22-01 - Open complaint & ask PS for response.

C22-02 - Open complaint & ask PS for response.

C22-03 - Open complaint & ask PS for response.

C22-04 – Board initiated complaint, open complaint & ask for PS response.

C22 (Aswall) - Dismiss complaint allegations - the complaint involves a contractual dispute and, therefore, fall outside the jurisdiction of the Board

Board Administration

Minutes

Mr. Gary Facemyer made a motion, seconded by Mr. Tom Rayburn to approve the Minutes from Meeting #321 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:

June 2021 - \$303,765.22

July 2021 – 300,541.93

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

Purchasing Inspection FY 2020

Amber Shawver Legg, Executive Director, reported to the Board that on July 22, 2021 the Board received a letter stating that the 2020 Purchasing Review was complete and according to the Grading Sheet the overall score for the WVBPS Agency was 92.3% (A).

Professional Surveyor Retired Applications

Mr. Tom Rayburn made a motion, seconded by Mr. Gary Facemyer to approve the Professional Surveyor Retired Applications for P.S. (#146, #1221, #1356) and to deny retirement status to P.S. #2030. Motion carried.

Surveyor Intern Special Supervision Clause

Amber Shawver Legg, Executive Director provided the Board the experience progress report submitted by Jonathan G. Saunders. ED will communicate with J. Saunders and report back to the Board.

Consideration of Glenville State College's Request

Mr. Gary Facemyer made a motion, seconded by Mr. Tom Rayburn to send Glenville State College course outline to NCEES for review. Motion carried.

Consideration of Voting Decisions for NCEES Annual Meeting

The Board reviewed the motions to be presented at the 2021 NCEES Annual Meeting. Mr. Gary Facemyer made a motion, seconded by Mr. Tom Rayburn to allow ED to cast votes on behalf of the Board.

Consideration of Personnel Matters

Mr. Gary Facemyer made a motion, seconded by Mr. Lantz Rankin to hire a temporary employee.

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.

There being no further business, Mr. Tom Rayburn made a motion, seconded by Mr. Gary Facemyer, that the meeting adjourn at 1:18 p.m. Motion carried.

Respectfully Submitted:



Sefton R. Stewart, P.S., Chairman



Tom Rayburn, P.S., Secretary