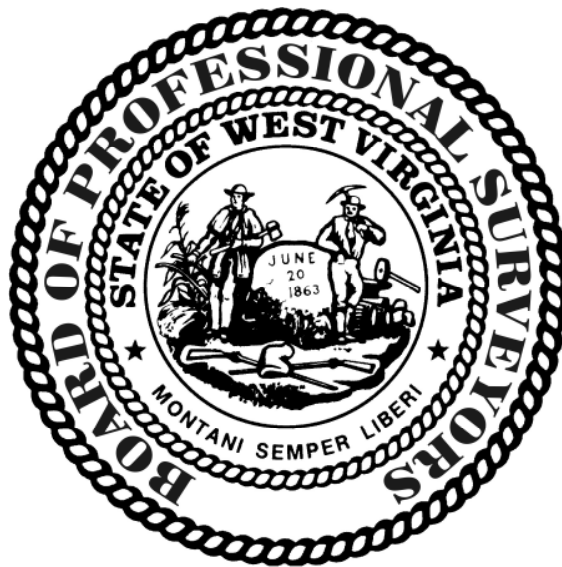


West Virginia
Board of Professional Surveyors

ANNUAL REPORT
Fiscal Year 2009



to the Honorable Joe Manchin, III
Governor of West Virginia

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CHAIRMAN

Gregory A. Smith

Nelson B. Douglass

SECRETARY

Roy E. Shrewsbury, II

Mark H. Hornish

Anthony J. Sparacino, Jr.



STATE OF WEST VIRGINIA

BOARD OF PROFESSIONAL SURVEYORS

416 Airport Road, Suite 1, Sutton, West Virginia 26601-9740

Telephone: (304) 765-0315 Fax: (304) 765-0316

Web site: www.wvbps.com E-mail: wvbps@wv.gov

December 31, 2009

State of West Virginia
The Honorable Joe Manchin, III, Governor
State Capitol Building
1900 Kanawha Boulevard, East
Charleston, WV 25305

Dear Governor:

We have the honor, on behalf of the West Virginia Board of Professional Surveyors, and pursuant to the provision of West Virginia Code § 30-1-12, to submit the Annual Report for Fiscal Year 2009.

Sincerely,

Gregory A. Smith

Gregory A. Smith, P.S.
Chairman

Roy E. Shrewsbury, II

Roy E. Shrewsbury, II, P.S.
Secretary

STATUTORY HISTORY

[West Virginia Code § 30-13A](#)

In March 2009, the West Virginia Board of Professional Surveyors introduced legislation to allow for the licensing of multiple disciplines under the umbrella of Professional Surveyor. SB 531 was introduced by Senator Snyder, and HB 3276 was introduced by Delegate Boggs. Both bills stalled in the Government Organization Committee.

West Virginia Code § 30-13A is accompanied by five (5) rules and regulations that govern or detail licensing, continuing education, complaints, fees, and minimum standards, associated with professional surveying.

Series 1 – 23CSR1 – May 1, 2008

[Examination and Licensing of Professional Surveyors in West Virginia](#)

Series 2 – 23CSR2 – July 1, 2004

[Mandatory Continuing Education for Land Surveyors](#)

Series 3 – 23CSR3 – September 1, 2001

[Disciplinary and Complaint Procedures for Land Surveyors](#)

Series 4 – 23CSR4 – May 1, 2008

[Fees for Surveyors and Surveying Firms in West Virginia](#)

Series 5 – 23CSR5 – May 1, 2008

[Standards for the Practice of Surveying in West Virginia](#)

BOARD MEMBERS	<u>Initial Appointment</u>	<u>Current Term Expires</u>
----------------------	----------------------------	-----------------------------

Gregory A. Smith, P.S., Chairman Professional Surveyor Glenville (Gilmer), West Virginia	March 5, 1996	June 20, 2007
--	---------------	---------------

Roy E. Shrewsbury, II, P.S., Secretary Professional Surveyor & Underground (SU) Beckley (Raleigh), West Virginia	September 27, 2005	June 30, 2009
--	--------------------	---------------

Nelson B. Douglass, P.S./P.E., Member Professional Surveyor Parkersburg (Wood), West Virginia	April 17, 2008	June 30, 2010
---	----------------	---------------

Mark H. Hornish, P.S., Member Dual Licensee – Professional Surveyor/Forester Sutton (Braxton), West Virginia	September 27, 2005	June 30, 2009
--	--------------------	---------------

Anthony J. Sparacino, Jr., Member Lay Member Beckley (Raleigh), West Virginia	September 27, 2005	June 30, 2008
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EMERITUS MEMBER

Leon K. Spencer Professional Surveyor Fayetteville (Fayette), West Virginia	April 17, 2008	
---	----------------	--

BOARD STAFF

Dennis D. Jarrell Board Administrator Gassaway (Braxton), West Virginia	July 1, 2008	
---	--------------	--

Connie S. Frame Administrative Assistant Sutton (Braxton), West Virginia	March 27, 2002	
--	----------------	--

J. Marilee Bright Management Analyst Sutton (Braxton), West Virginia	July 1, 2008	
--	--------------	--

ATTORNEY GENERAL REPRESENTATION

Anthony D. Eates, II Assistant AG Charleston (Kanawha), West Virginia	May 1, 2008	
---	-------------	--

FORMER BOARD MEMBERS

Name	License #	Appointed	Expired
Arden Lee Marshall	P.S. # 3	05/26/1969	05/25/1970
Mathew Samuel Holt, Jr.	P.S. # 200	05/26/1970	06/30/1979
Francis Henry Sipe	P.S. # 1	05/26/1969	06/30/1981
Frank Hanley Barker	P.S. # 289	11/07/1979	06/30/1982
Floyd R. Stiles	P.S. # 2SU	05/16/1979	06/30/1983
Charles William Wesley Stultz	P.S. # 531	05/ /1982	02/ /1986
Jesse Denzil Canfield	P.S. # 336SU	02/19/1986	09/ /1986
Boyd Leman Kendrick	P.S. # 684	02/16/1984	07/16/1985
Robert Nelson McCoy	P.S. # 110SU	08/04/1981	01/24/1988
Bryant Wayne Bowman	P.S. # 736	10/ /1986	10/ /1992
Paul Edwin Miller	P.S. # 647	08/07/1992	03/05/1996
Darrell Ray Dean, Jr.	P.S. # 271	04/ /1988	01/06/2000
Marshall Wayne Robinson	P.S. # 835SU	01/06/2000	09/27/2005
Leon Kennard Spencer	P.S. # 134SU	02/18/1986	04/17/2008

RECEIPTS & DISBURSEMENTS

Year End Financial Statement

2008 CARRYOVER

2008 Carryover	136,876.05
-----------------------	-------------------

RECEIPTS: JULY 1, 2008 - JUNE 30, 2009	
License Renewals/Late Fees	128,424.00
Licensing Applications/Examination Fees	30,930.00
Certificate of Authorization Fees	54,960.00
Verification Fees	875.00
Continuing Education Workshop	16,150.00
FOIA/Roster/Copies	1,087.20
Admin/Investigation Reimbursement	21,726.39
Miscellaneous-Other/Re-Deposits	310.00
TOTAL RECEIPTS	254,462.59
EXPENDITURES	
001/002 Payroll (Board Members and staff)	84,897.40
004 Annual Increment	780.00
010 Civil Service PEIA/Personnel Fees	600.00
011 Social Security Matching	6,554.36
012 Public Employees Insurance	5.37
014 Workers' Compensation	0.00
016 Pension and Retirement	6,612.42
020 Office Expenses	3,978.71
021 Printing and Binding	1,828.73
022 Rent	19,209.41
024 Telecommunications	3,866.19
025 Contractual/Professional Services	16,117.50
026 Travel	12,680.60
027 Computer Services	10,477.04
030 Machine Rental	1,684.68
031 Association Dues and Prof. Memberships	6,925.00
032 Fire/Auto/Bond/& Other Insurance	3,267.00
035 Advertising	0.00
042 Hospitality	2,865.35
051 Miscellaneous	1,024.51
052 Training and Development	294.00
053 Postal and Freight	4,938.28
054 Computer Supplies	1,781.99
058 Misc. Equipment Purchases	0.00
061 Office & Computer Equipment Rep.	0.00
096 Other Interest & Penalty	1.53
110 PEIA Reserve Transfer	577.00
TOTAL EXPENDITURES	190,967.07
FY-2009 End of Year Balance	*200,371.57

*End of Year Balance includes License Renewal revenue projected in the FY-2010 Annual Budget.

RECEIPTS & EXPENDITURES

Quarterly Financial Statement

1st Quarter

Month	Receipts	Expenditures	Balance
July 2008	34,593.25	24,164.13	147,305.17
August 2008	8,810.00	12,382.98	143,732.19
September 2008	9,397.10	9,173.89	143,955.40
1 st Quarter Totals	52,800.35	45,721.00	

2nd Quarter

Month	Receipts	Expenditures	Balance
October 2008	4,620.00	15,905.10	132,670.30
November 2008	15,710.00	17,395.25	130,985.05
December 2008	36,790.00	18,425.73	149,349.32
2 nd Quarter Totals	57,120.00	51,726.08	

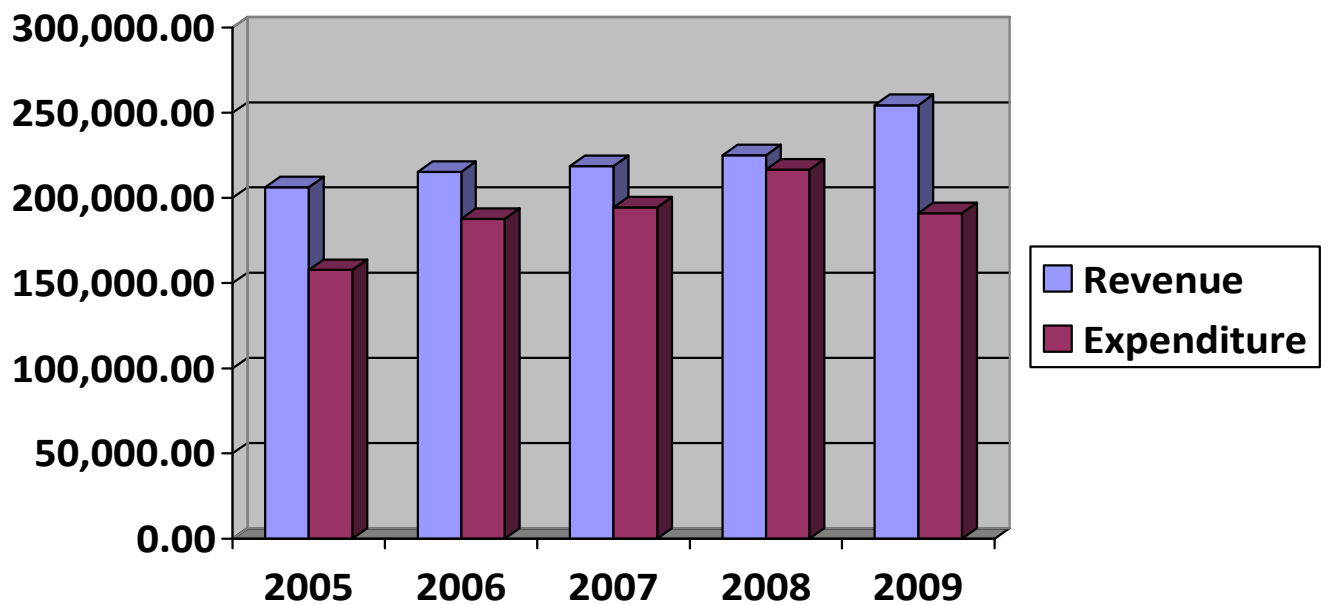
3rd Quarter

Month	Receipts	Expenditures	Balance
January 2009	15,495.87	24,753.48	140,091.71
February 2009	4,350.31	15,468.80	128,973.22
March 2009	19,033.21	11,527.20	136,479.23
3 rd Quarter Totals	39,158.21	51,749.48	

4th Quarter

Month	Receipts	Expenditures	Balance
April 2009	6,409.19	14,772.33	128,116.09
May 2009	22,689.84	14,343.28	136,462.65
June 2009	76,563.82	12,654.90	200,371.57
4 th Quarter Totals	105,662.85	41,770.51	

5-YEAR Graph RECEIPTS & EXPENDITURES

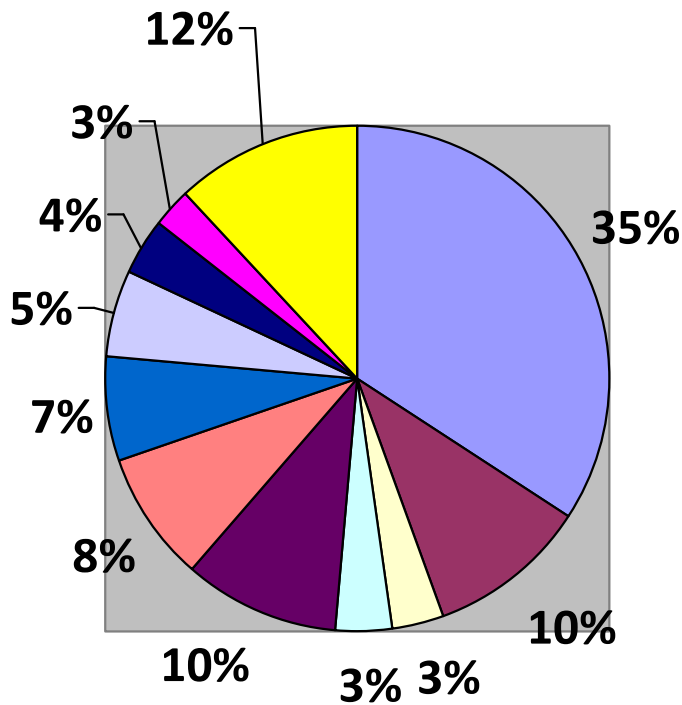


2009 Review

Revenue – Increase with collection of administrative costs associated with complaints

Expenditures – Decrease in Board Administrator wages

EXPENDITURES by Object Code Greater than \$5,000



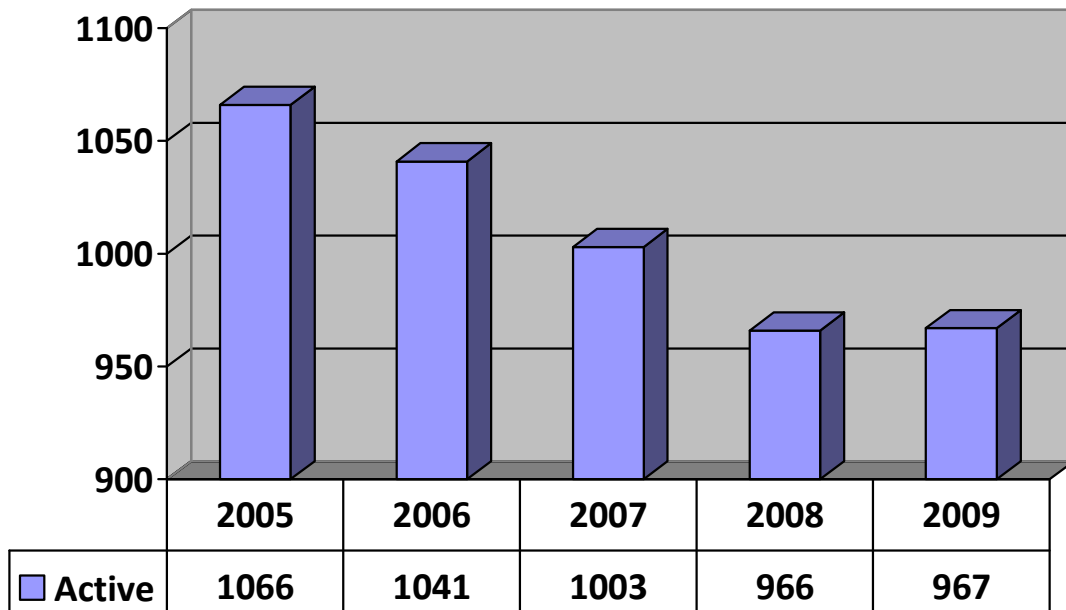
TRAINING

Dennis D. Jarrell	State Auditors Conference	September 23-25, 2008	Snowshoe, WV
Dennis D. Jarrell	Annual Required Training for WV State Licensing Boards	October 1, 2008	Charleston, WV

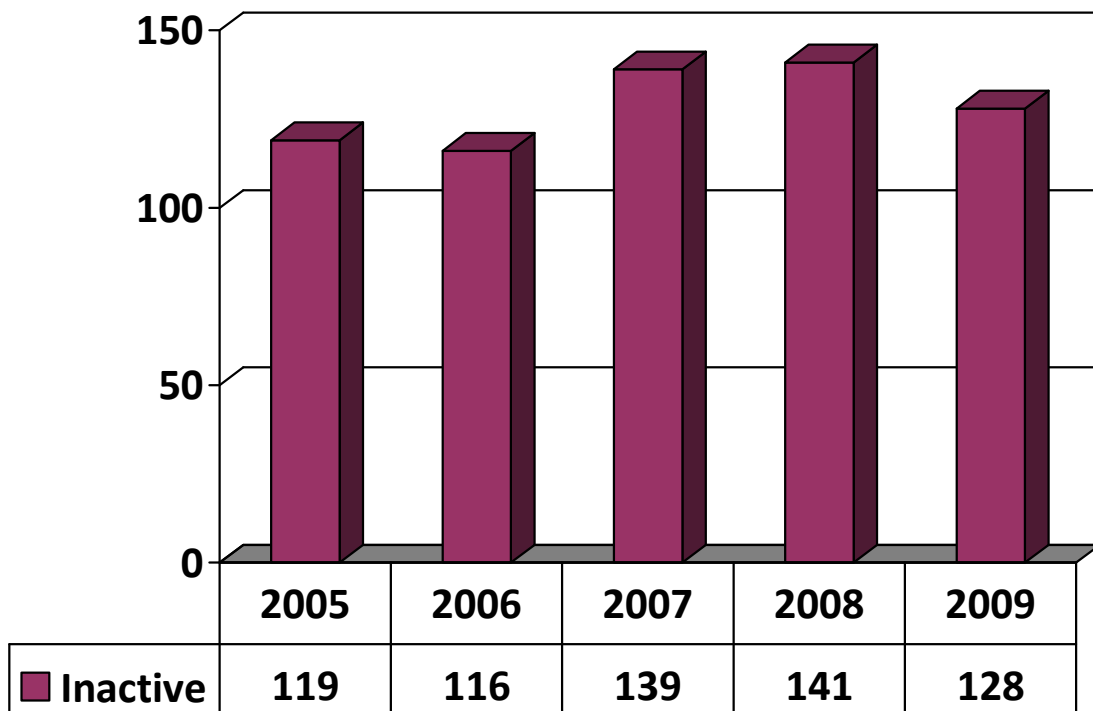
PROFESSIONAL MEETINGS

Dennis D. Jarrell	Member Board Administrators Networking Group Meeting	October 14-16, 2008	Clemson, SC
Mark H. Hornish	Colonial States Board of Surveyor Registration	October 16-18, 2008	Asheville, NC
Dennis D. Jarrell	NCEES MBA/Presidents Board Assembly	February 19-22, 2008	Atlanta, GA
Gregory A. Smith	NCEES National Convention	August 13-16, 2008	Minneapolis, MN
Roy E. Shrewsbury II Nelson B. Douglass Mark H. Hornish Dennis D. Jarrell	WV Society of Professional Surveyors 41 st Annual Convention	February 26, 2009	Morgantown, WV
Dennis D. Jarrell	WV Association of Licensing Boards	March 13, 2009	Charleston, WV
Mark H. Hornish	NCEES North-East Zone Interim Meeting	May 15-18, 2009	Norfolk, VA

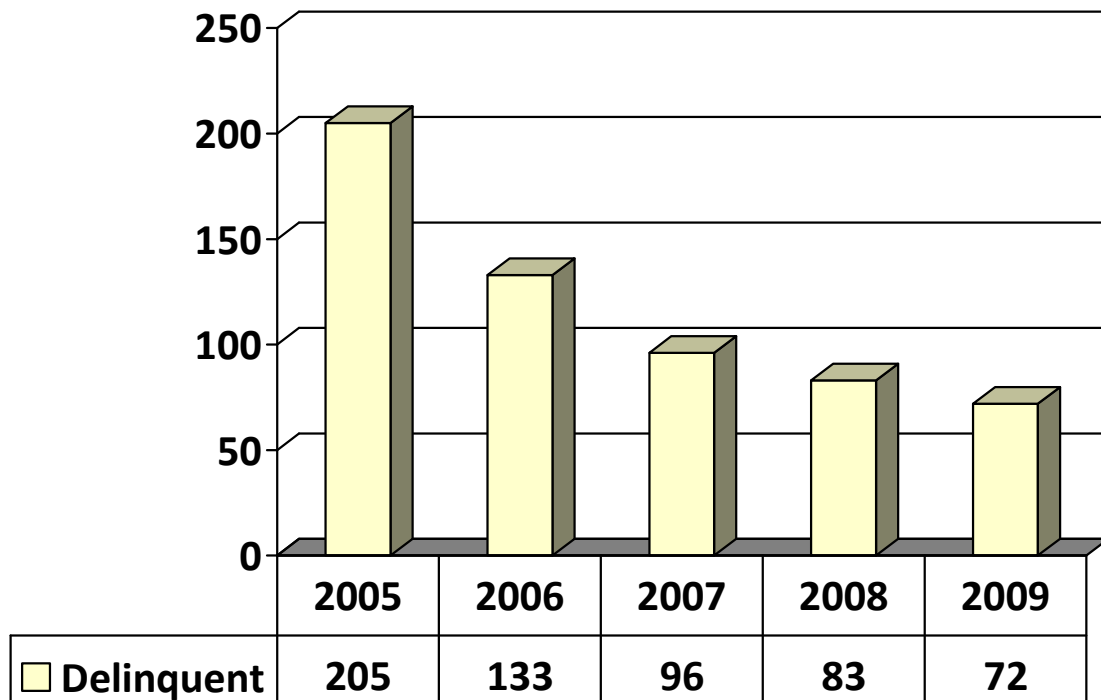
SURVEYORS 5-YEAR REVIEW (ACTIVE)



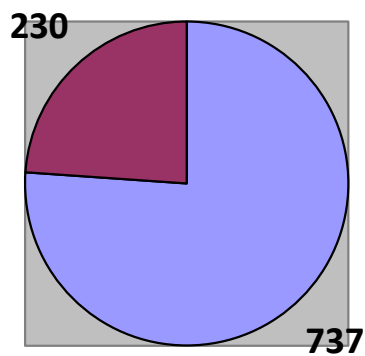
SURVEYORS 5-YEAR REVIEW (INACTIVE)



SURVEYORS 5-YEAR REVIEW (DELINQUENT)



LICENSE RENEWAL PAYMENT



LICENSING EXAMINATIONS

Fall Exam (October 24-25, 2008)
Charleston Civic Center, West Virginia

EXAM	1 st Time	Retake	Denied	Cancelled
FUNDAMENTALS of SURVEYING (FS)	5	4	1	1
PRINCIPLES and PRACTICE OF SURVEYING (PS)	4	1	2	0
WEST VIRGINIA STATE SPECIFIC (WVS)	12	8	2	1

Spring Exam (April 24-25, 2009)
Charleston Civic Center, West Virginia

EXAM	1 st Time	Retake	Denied	Cancelled
FUNDAMENTALS of SURVEYING (FS)	9	5	1	0
PRINCIPLES and PRACTICE OF SURVEYING (PS)	5	2	1	0
WEST VIRGINIA STATE SPECIFIC (WVS)	18	14	3	1

SURVEYOR INTERNS

Fall 2008

CALDWELL, Stephen Allen, II	S.I. # 145	Hurricane, WV	GSC – AS Land Surveying
LONG, Wesley Levi	S.I. # 146	Elizabeth, WV	GSC – AS Land Surveying
THOMPSON, Patrick Keith	S.I. # 147	Franklin, WV	GSC – AS Land Surveying
WOLF, Michael Seth	S.I. # 148	Friendsville, MD	GSC – AS Land Surveying

Spring 2009

GRAY, Wesley Alan	S.I. # 149	Moatsville, WV	8-Years Experience
GRIFFITH, Darren Allen	S.I. # 150	Pennsboro, WV	GSC – AS Land Surveying
JAMISON, Brian David	S.I. # 151	Blue Grass, VA	GSC – AS Land Surveying
SHIFLER, Alex Michael	S.I. # 152	Boonsboro, MD	GSC – AS Land Surveying
SIZEMORE, Edward Jesse II	S.I. # 153	Clay, WV	WVUIT – BS Civil Engr. (30+ Surveying Hours)
WHITT, Barry Aaron	S.I. # 154	Hico, WV	GSC – AS Land Surveying

- GSC – Glenville State College
- WVUIT – West Virginia University Institute of Technology

NEW LICENSEES

(West Virginia Professional Surveyors)

Fall 2008

AKINS, Robert Lee	# 2175	Alliance, OH	Lic. OH, TN
BELCHER, Dale Anthony	# 2176	Danville, WV	
FREELS, Chad Enoch	# 2177	Worthington, WV	
KING, Gregory	# 2178	Parkton, MD	Lic. DE, MD, PA, VA
MOEHL, Christopher Ryan	# 2179	Eden Prairie, MN	Lic. MN

Spring 2009

BROWN, Stacey Owen	# 2180	Birch River, WV	
CLIFFORD, William Michael	# 2181	Grandview, OH	Lic. OH
GREER, Mark Eugene	# 2182	Lebanon, VA	Lic. KY, VA
HOGAN, Mary Renea	# 2183	Weston, WV	
MILLER, Jason Jay	# 2184	Wyoming, OH	Lic. KY, OH
NICHOLS, Michael Donald	# 2185	Zanesville, OH	Lic. OH
OVERTON, Jon Christopher	# 2186	CharlesTown, WV	Lic. VA
WEIRICH, David Allen	# 2187	Charlotte, NC	Lic. GA, KY, NC, SC

UNDERGROUND Certification/Endorsement (SU)
(*West Virginia Professional Surveyor*)

Fall 2008

NONE			
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Spring 2009

HALL, Dwayne Allen	# 2089SU	Gassaway, WV	
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ACTIVE LICENSEES BY COUNTY

<i>County</i>	<i>Licensees</i>		<i>County</i>	<i>Licensees</i>
Barbour	8		Mineral	5
Berkeley	15		Mingo	8
Boone	10		Monongalia	25
Braxton	10		Monroe	5
Brooke	3		Morgan	6
Cabell	12		Nicholas	20
Calhoun	3		Ohio	11
Clay	1		Pendleton	3
Doddridge	3		Pleasants	0
Fayette	17		Pocahontas	4
Gilmer	7		Preston	8
Grant	5		Putnam	25
Greenbrier	11		Raleigh	29
Hampshire	8		Randolph	18
Hancock	4		Ritchie	5
Hardy	6		Roane	3
Harrison	27		Summers	3
Jackson	7		Taylor	1
Jefferson	14		Tucker	4
Kanawha	109		Tyler	1
Lewis	8		Upshur	10
Lincoln	1		Wayne	7
Logan	12		Webster	3
Marion	14		Wetzel	6
Marshall	4		Wirt	1
Mason	2		Wood	20
McDowell	4		Wyoming	2
Mercer	21		TOTAL	579

ACTIVE LICENSEES BY STATE

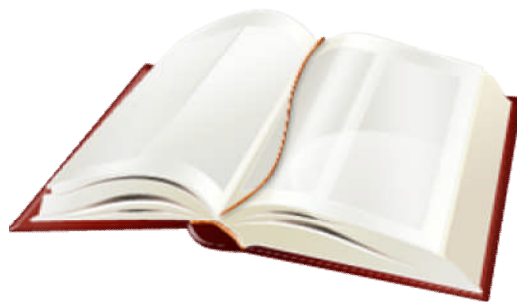
<i>State</i>	<i>Licensees</i>		<i>State</i>	<i>Licensees</i>
Alabama	2		Montana	
Alaska			Nebraska	
Arizona			Nevada	
Arkansas			New Hampshire	
California	1		New Jersey	2
Colorado	2		New Mexico	
Connecticut			New York	2
District of Columbia			North Carolina	16
Delaware			North Dakota	
Florida	8		Ohio	62
Georgia	2		Oklahoma	
Hawaii			Oregon	
Idaho			Pennsylvania	60
Illinois	2		Rhode Island	1
Indiana	4		South Carolina	4
Iowa			South Dakota	
Kansas			Tennessee	3
Kentucky	69		Texas	
Louisiana			Utah	
Maine	1		Vermont	
Maryland	57		Virginia	87
Massachusetts			Washington	
Michigan			West Virginia	579
Minnesota	2		Wisconsin	
Mississippi			Wyoming	
Missouri	1		TOTAL	967

CONTINUING EDUCATION

Approved Minimum Technical Standards & Professional Surveying Ethics Seminars

Date	Course	Location	Instructor	Sponsor
Nov. 14, 2008	Standards/Ethics	Vienna, WV	CURD P.S. #846	WVBPS
Feb. 26, 2009	Standards/Ethics	Morgantown, WV	CURD P.S. #846	WVSPS
Feb 28, 2009	Standards	Morgantown, WV	TETER P.S. #767	WVSPS
Feb. 28, 2009	Ethics	Morgantown, WV	INGRAM P.S, #537	WVSPS
May 15, 2009	Standards/Ethics	Charleston, WV	HERMANSEN P.S. #1327	WVBPS
May 29, 2009	Standards/Ethics	Beckley, WV	TETER P.S. #767	WVSPS

- WVBPS – West Virginia Board of Professional Surveyors
- WVSPS – West Virginia Society of Professional Surveyors



CONTINUING EDUCATION

Required Annual Audit

Name	Received Date	Carry-Over Results	Final Report Mailed
Acord, Gary E.	10-09-08	8	10-27-08
Aliff, Tim R.	09-16-08	1	10-27-08
Baker, David M.	10-03-08	8	10-27-08
Basil, Lloyd M.	10-10-08	2	10-27-08
Black, Dennis E.	09-17-08	2	10-28-08
Blackburn, Don F.	09-25-08	8	10-27-08
Coffey, Alan J.	09-12-08	8	10-27-08
Dawson, Victor M.	10-08-08	8	10-27-08
Diffenbach, Daniel J.	09-15-08	0	10-27-08
Dodrill, Ralph W.	10-10-08	6	10-27-08
Fridley, Eric S.	09-17-08	8	10-27-08
Geary, Mark C.	09-15-08	8	10-27-08
Hensley, Lester P., Jr.	10-15-08	8	10-27-08
Huntz, Steven R.	10-08-08	5	10-27-08
Jerden, Martin A.	09-11-08	2	10-27-08
Johnson, Edward L., Jr.	09-24-08	8	10-27-08
Keplinger, Curtis, E.	09-11-08	8	10-27-08
Kurzyna, Charles B.	09-12-08	2	10-27-08
Kusner, John S.	10-16-08	0	10-28-08
Martin, David L., Sr.	09-24-08	8	10-27-08
Martone, Daniel J.	10-08-08	8	10-27-08
Mattox, Paul A., Jr.	09-18-08	8	10-27-08
Miracle, Luther A.	09-15-08	5.5	10-27-08
Morrison, Paul T.	09-17-08	8	10-27-08
Nemeth, David E.	09-18-08	8	10-27-08
Pauley, Jeffrey K.	09-18-08	1	10-27-08
Perkins, Ivan M.	10-15-08	0	10-27-08
Pifer, Pearley D.	10-20-08	0	10-27-08
Pigott, George E.	10-08-08	4	10-28-08
Porter, John E.	09-15-08	8	10-27-08
Riggleman, Bradley T.	09-19-08	8	10-27-08
Ruckman, James M.	09-11-08	2	10-27-08
Saunders, James W., Jr.	09-30-08	8	10-27-08
Slade, Frank S.	09-29-08	8	10-28-08
Smit, Thomas C.	09-15-08	8	10-27-08
Smith, Ronald C., Jr.	09-15-08	8	10-27-08
Stone, Steven D.	10-07-08	4	10-27-08
Stotler, Wayne G.	10-06-08	1	10-27-08
Strickling, John P.	09-11-08	8	10-27-08
Thompson, Robert D.	09-12-08	8	10-27-08
Triggs, Richard S.	10-07-08	8	10-27-08
Williams, Barry C.	09-17-08	8	10-27-08

CONTINUING EDUCATION

Dual Licensee Review

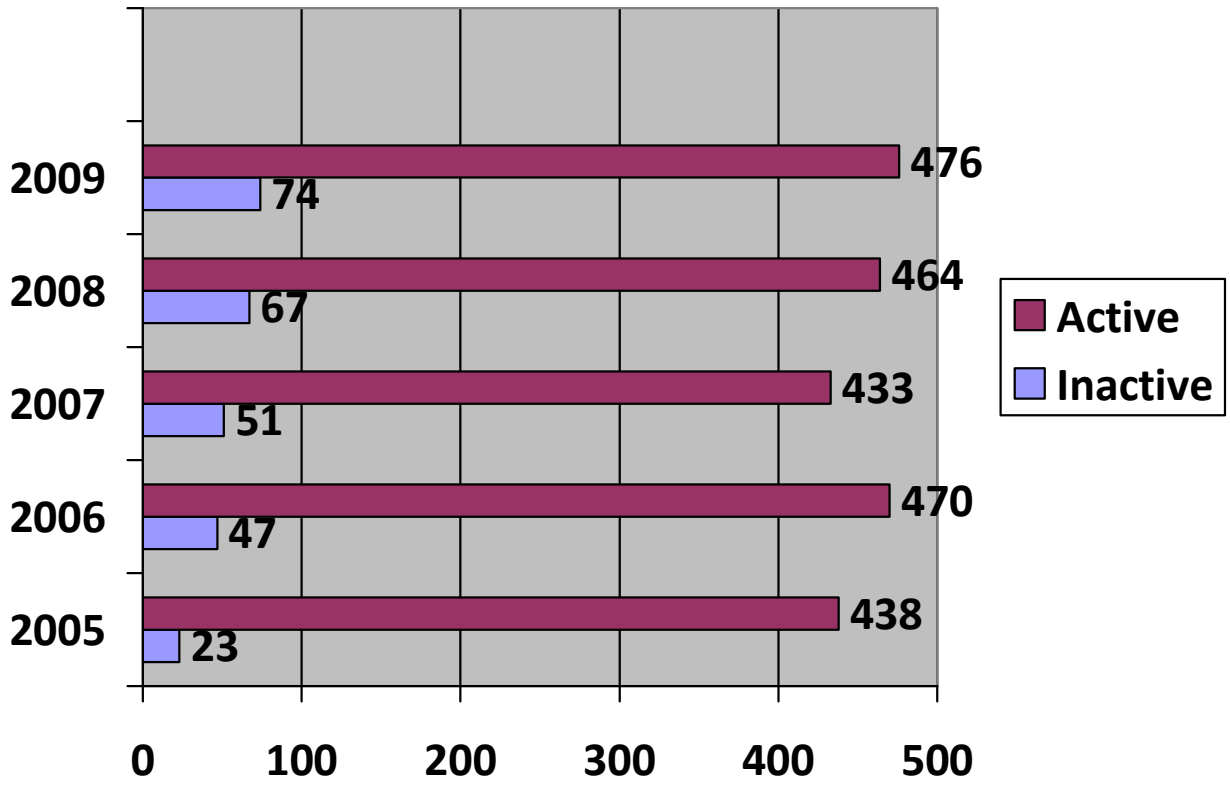
The following surveyors were requested to provide additional information to verify that their reported Professional Development Hours (PDH's) were "reasonably related to the practice of surveying," pursuant to 23CSR2-3.4 (2004)

Name	Notified Date	Date Due	Received Date	Date License		Results
				Issued		
Baldrige, Harold L.	07-18-08	08-22-08	10-24-08	01-21-09		01-21-09
Ball, Stephen M.	07-18-08	08-22-08	08-07-08	11-10-08		Inactive - Order
Brendlinger, Robert L.	07-11-08	08-15-08	08-11-08	07-11-08		10-07-08
Buckley, Kathy L.	07-28-08	08-29-08	09-04-08	10-28-08		10-28-08
Carr, Darrell K.	06-13-08	07-30-08	06-17-08	06-17-08		10-06-08
Claar, Adam D.	07-10-08	08-15-08	07-17-08	07-10-08		10-06-08
Clemons, Timothy W.	07-28-08	08-29-08	08-19-08	09-04-08		09-04-08
Colebank, Richard A.	07-10-08	08-15-08	10-24-08	07-10-08		01-21-09
Converse, Edward B.	07-28-08	08-29-08	08-05-08	08-13-08		10-06-08
Corathers, Thomas D.	07-18-08	08-22-08	08-15-08	07-18-08		10-06-08
Cunningham, Sanford	07-18-08	08-22-08	08-06-08	08-07-08		08-07-08
Davis, Morris K.	07-08-08	08-15-08	07-25-08	08-13-08		08-13-08
Dunlap, Richard C.	07-16-08	08-22-08	08-14-08	07-16-08		10-06-08
Eddy, John I.	07-14-08	08-15-08	08-06-08	07-14-08		10-06-08
Ensign, John S.	07-10-08	08-15-08	-----	-----		Inactive - Order
Feddock, John E.	06-24-08	07-30-08	08-11-08	06-24-08		10-06-08
Foltz, Darren S.	07-14-08	08-15-08	07-24-08	07-14-08		10-06-08
Grey, James E.	07-28-08	08-28-08	08-06-08	07-28-08		10-06-08
Groves, Bobby D.	07-28-08	08-29-08	08-27-08	10-03-08		10-03-08
Harrah, Larry S.	07-08-08	08-15-08	07-25-08	08-13-08		08-13-08
Hevener, Randall H.	07-08-08	08-15-08	10-10-08	07-08-08		10-28-08
Hieb, Montie R.	07-17-08	08-22-08	08-08-08	07-17-08		10-06-08
Huffman, Michael D.	06-27-08	07-27-08	07-18-08	08-13-08		08-13-08
Hull, Ronald G.	07-16-08	08-22-08	-----	07-16-08		02-03-09
Hurney, Richard E.	07-08-08	08-15-08	07-17-08	08-13-08		08-13-08
Hurst, David W.	07-28-08	08-29-08	08-15-08	10-03-08		10-03-08
Jansons, Martin D.	07-28-08	08-22-08	08-29-08	07-28-08		12-02-08
Judy, Richard L.	06-13-08	07-30-08	06-27-08	06-17-08		10-06-08
Kiser, Daniel L.	07-28-08	08-29-08	09-02-08	10-28-08		10-28-08
Kitzmiller, Robert A.	07-18-08	08-22-08	07-22-08	08-13-08		08-13-08
Kurtanich, Joseph A.	07-28-08	08-28-08	08-28-08	07-28-08		10-06-08
Lyons, Donald W.	06-19-08	07-30-08	11-05-08	06-19-08		11-05-08
McDorman, David L.	08-07-08	09-07-08	08-15-08	10-03-08		10-03-08
Moran, Kenneth P.	07-03-08	08-15-08	07-09-08	07-03-08		10-06-08
Pitzer, Gerald J.	07-18-08	08-22-08	08-20-08	07-18-08		10-06-08

CONTINUING EDUCATION Dual Licensee Review (Continued)

Name	Notified Date	Date Due	Received Date	Date License Issued	Results
Ridley, Timothy A.	07-28-08	08-28-08	10-23-08	07-28-08	11-06-08
Sanchez, Jonathan B.	07-16-08	08-15-08	08-11-08	07-16-08	10-06-08
Shriver, Delbert G.	07-14-08	08-15-08	07-28-08	07-14-08	10-06-08
Spaniol, George C.	06-13-08	07-30-08	06-19-08	06-07-08	10-06-08
Smith, Daniel Kevin	07-10-08	08-15-08	07-21-08	07-10-08	08-13-08
Stidinger, Dennis M.	06-13-08	07-30-08	06-26-08	06-17-08	10-06-08
Stock, Stephen J.	07-02-08	08-15-08	08-13-08	07-02-08	10-06-08
Upton, Paul D.	08-06-08	09-06-08	08-15-08	10-28-08	10-28-08
Vanscoy, David G.	07-14-08	08-15-08	08-13-08	07-14-08	10-06-08
Wentz, James E.	07-28-08	08-29-08	08-21-08	10-03-08	10-03-08
Wiercinski, Michael J.	06-24-08	07-30-08	07-28-08	06-24-08	10-06-08
Wilson, Charles I.	07-28-08	08-28-08	-----	07-28-08	02-03-09
Wolfe, Christopher B.	07-17-08	08-22-08	08-25-08	07-17-08	10-06-08

CERTIFICATE OF AUTHORIZATION (COA)



Active West Virginia Firms - 308

Active Non-Resident Firms - 168

IN MEMORIAM:



NAME	P.S. Lic. #	DECEASED DATE
BYERS, Charles Richard	792	May 14, 2008
HAMILTON, Jack Asdale	602	June 28, 2008
LYLE, Craig Alan	1255	September 2008
DILLEY, William Everett	794	September 2, 2008
GRUBB, Joe Dempsey	509	January 2, 2009
KOHN, Thomas Alfred	998	January 25, 2009
MOWER, Gary Michael	1260	February 4, 2009
SHARPE, William R., Jr.	1709	February 15, 2009
KREBER, William (Bill) E.	1024	May 12, 2009

COMPLAINTS

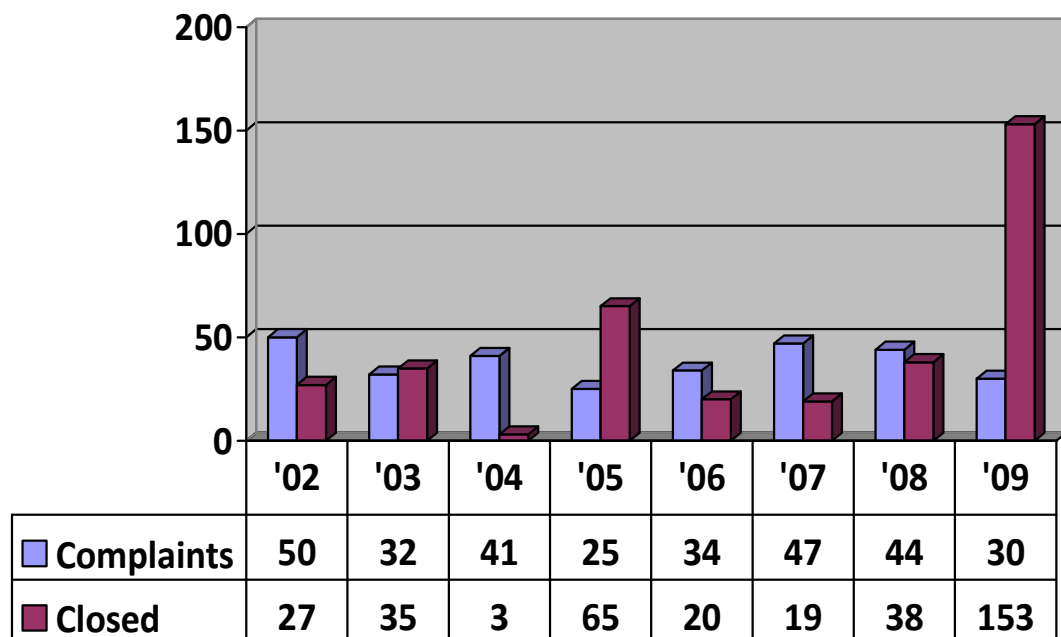
Complaints are processed in accordance with Procedural Rule 23 CSR 3, Disciplinary and Complaint Procedures for Land Surveyors (2001). Once a complaint is received at the Board office, an acknowledgement letter explaining the complaint process is mailed to the complainant with a copy to the licensed surveyor. The complaint then goes through a preliminary review to determine whether it is founded or unfounded. An unfounded complaint is outside the jurisdiction of the Board or there are insufficient grounds to pursue an investigation. If the Board concurs, unfounded complaints are summarily dismissed. Founded complaints are filed, assigned a complaint number, and the licensee is sent a certified letter to respond to the allegations within 30 days. Following an opportunity for the complainant to review and respond to the surveyor's response, the complaint is sent to the Board's Complaint Review Committee (CRC) for review and recommendation.

During Fiscal Year 2009, 47 complaint forms were mailed to potential complainants. Of those, 10 were returned prior to the end of the fiscal year. 6 additional complaints were filed by the Board. Of the 20 founded (filed) complaints, 8 or 40% were from unlicensed practice and 12 or 60% involved licensees. 4 complaints from fiscal year 2009 remain open.

The primary reasons for complaints against licensees were:

- failure to contact or notify adjoiningers
- failure to apply minimum standards

COMPLAINTS 8-YEAR REVIEW



COMPLAINT REVIEW COMMITTEE (CRC)

The CRC assists the Board in the review and investigation of founded complaints by: summarizing complaint allegations and reviewing the surveyor's response to them; providing technical review and evaluation of the facts as they relate to the law, rules or regulations; and to make recommendations to the Board for further action. The CRC, which is chaired by Board Member Mark H. Hornish, P.S., consists of four other licensed professional surveyors who also function as contract investigators. The members represent different regions throughout the state and do not investigate complaints within their respective areas.

CRC MEMBERS

Name	P.S. License #	County
JACKSON, David L.	# 708	Monongalia
SYPOLT, Charles R.	# 529	Gilmer
TETER, Donald L.	# 767	Randolph
RANKIN, Lantz G.	# 961SU	Boone

CRC MEETINGS

Date	Attendees	Complaints Reviewed	CRC Recommendation
October 14, 2008	Hornish/Jackson/Rankin/Teter	7	2 – Dismiss 3 – Additional Information 1 – Update Plat 1 – Board Action
February 10, 2009	Hornish/Rankin/Teter	7	2 – Additional Information 2 – Board Action – Unlicensed 2 – Dismiss w/o Merit 1 – Closure Letter of Caution
June 9, 2009	Hornish/Jackson/Rankin/Teter	10	3 – Dismiss 1 – Additional Information 2 – Closure Letter 2 – Investigation Complete 2 – Board Action

CLOSED COMPLAINT FILES

Following review by the Board, the following complaints were closed for reasons including but not limited to: Dismissed without merit; Minor infractions for which the surveyor was directed to provide the Board and their clients and/or complainants with corrected survey documentation, Contractual issues or boundary disputes that are not under the Board's jurisdiction, or withdrawn by the complainant. No disciplinary action was warranted.

CASE #	COMPLAINANT	RESPONDENT	DATE
C02-32	Maurice F. Gatsen	Richard L. Johnson – UL	02-05-09
C02-50	Donald S. Tuttle	Richard L. Johnson – UL	02-05-09
C05-36	Allen Bladen	Richard L. Moreland	12-06-08
C06-___	Buster Walters	Richard L. Johnson – UL	02-05-09
C06-09	Terry & Christina Gibson	Richard J. Prine	11-14-08
C06-11	James A. Waybright	Marshall W. Robinson	01-22-09
C06-16	Bedford E. Nichols	John L. Cox	11-14-08
C06-21	Jerome Dingess	John S. Frazer	11-14-08
C06-31	Emert R. Ellis	Kenneth D. Bias	12-01-08
C07-21	WVBPS	James T. Carr	05-26-09
C07-30	WVBPS	Gregory A. Davis – S.I.	12-23-08
C08-11	WVBPS	Robert F. Thaw	04-30-09
C08-12	Edward B. Converse, P.S.	Richard L. Johnson – UL	02-05-09
C09-02	Cohen Jones	Chris E. Traxler – UL	02-17-09
C09-03	Garry W. McCallister	Chris E. Traxler – UL	02-17-09
C09-04	Donna B. Shortridge	Chris E. Traxler – UL	02-17-09
C09-05	Lora Lee Burnett	Chris E. Traxler – UL	02-17-09
C09-06	Robert D. Bauchmann	Chris E. Traxler – UL	02-17-09
C09-08	WVBPS	Timothy L. Keely	06-24-09

The following complaints were closed by Administrative Decisions and Orders

CASE #	COMPLAINANT	RESPONDENT	DATE
C05-27	Russell J. Riley	Randall R. Myers	09-01-08
C06-12	Brian M. Lipscomb	Randall R. Myers	09-01-08
C07-19	WVBPS	Randall R. Myers	09-01-08
C07-36	Christopher A. Wolfe	Randall R. Myers	09-01-08
C08-14	WVBPS	Charles E. Wolf	12-18-08

CLOSED COMPLAINT FILES Continued

The following complaints were closed by Cease and Desist Orders

CASE #	COMPLAINANT	RESPONDENT	DATE
C07-22	WVBPS	Henry D. McKenzie – UL	05-26-09
C08-24	WVBPS	James A. Thompson – UL	02-17-09
C09-01	WVBPS	Steven L. Driver, UL	03-17-09

The following complaints were closed by an Order Granting Injunctive Relief

CASE #	COMPLAINANT	RESPONDENT	DATE
C02-34	WVBPS	Darrin F. Cooper – UL	05-19-09
C08-02	Bonnie L. McNeely	Darrin F. Cooper – UL	05-19-09
C08-03	Marvin C. Roush	Darrin F. Cooper – UL	05-19-09
C08-04	Gary Walker	Darrin F. Cooper – UL	05-19-09
C08-08	Jacqueline Green	Darrin F. Cooper – UL	05-19-09
C08-18	Danny G. Stone	Darrin F. Cooper – UL	05-19-09

The following complaints were closed by a Consent Decree

CASE #	COMPLAINANT	RESPONDENT	DATE
C06-20	WVBPS	Ronald A. Talkington	03-25-09
C06-22	Tony C. Collins	Edward J. Mayhew	03-17-09
C06-23	Brenda S. Cook	Edward J. Mayhew	03-17-09
C07-17	WVBPS	Criss M. Haynes	04-29-09
C07-24	Melissa D. Gilbert	William F. Knight	03-17-09
C07-26	WVBPS	William F. Knight	03-17-09
C07-28	Samantha J. Browning	William F. Knight	03-17-09
C07-35	James R. Feury	Harvey B. Neel	04-06-09
C08-09	Jennifer W. Fox	William J. Whitman, II	02-17-09
C08-13	Edward B. Converse, P.S.	Dana K. Clendenin	03-17-09
C08-15	Jeffrey W. Lushbaugh	J. A. Brad Smith, III	04-29-09
C08-19	Mark A. Wendell, et al.	Dale P. Bennett	06-21-09
C08-22	Ronald & Beverly Brown	Sanford B. Cunningham	05-19-090

CLOSED COMPLAINT FILES Continued

The following complaints were closed by a Letter of Caution or Warning

CASE #	COMPLAINANT	RESPONDENT	DATE
C05-06	Kenneth C. Wills	David L. Huffman	02-17-09
C05-13	Ray Getz	James A. Brockwell, Jr.	02-17-09
C05-16	Eddie D. Aberegg	James A. Brockwell, Jr.	02-17-09
C05-28	Larry A. Casdorph	Donald L. Wilkinson	01-22-09
C05-29	Richard F. Frye	Kennis F. Snyder	12-16-08
C05-39	WVBPS	James A. Brockwell, Jr.	02-17-09
C06-02	WVBPS	Jack D. Hedrick – UL	01-16-09
C06-10	Donald L. Teter, P.S.	Michael Henderson – UL	01-16-09
C06-14	WVBPS	David S. Turnipseed – UL	01-16-09
C06-30	WVBPS	Jerry B. Wilkinson – UL	01-16-09
C07-06	WVBPS	Isaac A. N. Garcelon	12-16-08
C07-09	WVBPS	Paul M. Cochran – UL	01-16-09
C07-10	WVBPS	Chadwick D. Biller – UL	01-16-09
C07-11	WVBPS	Thomas J. Holt – UL	01-16-09
C07-14	WVBPS	Merlyn J. Jenkins – UL	01-16-09
C07-18	Jack R. Booda, P.S.	Robert E. Blackburn – UL	01-16-09
C07-23	WVBPS	Richard W. Klein	01-16-09
C07-27	Jeffrey L. Stephens	Larry Angel – UL	04-21-09
C07-33	Joseph L. Gillespie	Larry Sowards – UL	04-21-09
C08-05	Imogene McKinney	Ronald D. Fink	01-22-09
C08-10	WVBPS	Robert Sovine – UL	01-16-09
C08-20	Michael L. Conant, et al.	Randall R. Cline, II	04-30-09

The following complaints were closed by a Settlement Agreement and Order

C01-04	Harold C. Collins	Michael D. Rose	11-17-08
C01-07	Jeff Sears	Michael D. Rose	11-17-08
C01-20	Mary E. Bragg	Michael D. Rose	11-17-08
C01-24	Juanita Hutchison	Michael D. Rose	11-17-08
C02-08	Allen Brinegar	Michael D. Rose	11-17-08
C02-52	Dr. David A. Wallace	Michael D. Rose	11-17-08
C04-10	John & Kim Rose	Michael D. Rose	11-17-08
C04-16	Larry D. Mitchell	Michael D. Rose	11-17-08

CLOSED COMPLAINT FILES Continued

The following complaints were unfounded and Summarily Dismissed

CASE #	COMPLAINANT	RESPONDENT	DATE
C07	Ralph G. Lowe	Rodney W. Gardner	09-05-08
C07	Maynard R. Bradley	David O. Holz	04-21-09
C07	WVBPS	John F. Ewell, Jr.	05-19-09
C08	Mark A. Adams	Kenneth D. Bias	09-05-08
C08	Wanda Tallman	David L. Huffman	09-05-08
C08	Diane C. Roberts	Charles L. Logsdon	09-05-08
C08	Orville Brown	Richard J. Prine	12-01-08
C08	Carolyn Miller	G. Stephen Wallen	12-01-08
C08	Priscilla F. Seiwel	Marshall W. Robinson	01-16-09
C08	Melba J. Buckland	David O. Holz	01-20-09
C09	Kenneth R. Baldwin	Richard E. Kinder, Jr.	03-17-09
C09	David A. Wallace	David O. Holz	06-24-09
C09	Mark J. Porter	Harold E. Starcher, Jr.	06-24-09
C09	Delso M. Pack	James E. Wentz	06-24-09

CLOSED COMPLAINT FILES Continued

The following complaints were closed *sua sponte*

CASE #	COMPLAINANT	RESPONDENT	DATE
NA	Sidney A. Peters	Allen G. Clem	03-17-09
NA	Rose M. Roberts	Peter Paul Aragona	03-17-09
NA	Ervin J. Carver	Richard Clayton Glasgow	03-17-09
NA	Paul Parsley	Joe Dempsey Grubb	03-17-09
NA	James M. Kingdon	Michael George Wheeler	03-17-09
NA	Wayne D. Teel	William Franklin Knight	03-17-09
NA	Robert L. McClain	Joseph Irwin Grant	03-17-09
NA	Lute Hall	Joe Dempsey Grubb	03-17-09
NA	Guy A. Parsons	Ralph Adkins	03-17-09
NA	Joe W. Neece	James Bruce Hager	03-17-09
NA	James G. Anderson	Dana Keith Clendenin	03-17-09
0791009	Frank Whitacre	Kennis F. Snyder	03-17-09
0394007	Anonymous	Paul Marshall Cochran	03-17-09
0996010	Alice Horn	John Howard Gibson	03-17-09
0996011	Alice Horn	Dallas Landen Lovejoy	03-17-09
0297007	Randall Conrad	John Phillip See	03-17-09
0297008	Juanita Sutton	John Phillip See	03-17-09
0398007	Walter Pierson	Daniel Trembly	12-16-08
0399009	James Cooper	Paul E. Miller	03-17-09
0999023	James Facemire	Stephen Wayne Morris	03-17-09
0200003	Paul M. Carper	Howard David Brashears	03-17-09
1000020	Kenna J. Parsons III	Wallace James Board	12-16-08
1000021	Gerald M. Sodaro	Howard David Brashears	03-17-09
1100026	Gwen H. Wyatt	Stephen Wayne Morris	03-17-09
1200028	Joe D. Grubb	Kenneth D. Bias	04-21-09
1200029	Rev. Jerry L. Graham	Joe D. Grubb	04-21-09
1200030	Leroy Wingfield	Kenneth N. Kelly	04-21-09
1200031	Pauline V. White	Neil A. Quinn	04-21-09
C01-06	Norman P. Thomas	James Danny Stollings - UL	03-17-09
C01-15	Patricia Stillwell	John H. Gibson	12-16-08
C01-17	WVBELS	William L. Toney	12-16-08
C01-26	Judith Tomlin	James Danny Stollings - UL	03-17-09
C02-00	Berthal Richards	James Danny Stollings – UL	03-17-09
C02-01	Algie R. Lewis	Timothy L. Fish	12-16-08
C02-12	Nicole Duvall	Timothy L. Fish	12-16-08
C02-29	WVBELS	Lawrence Ferguson – UL	03-17-09
C03-08	Jimmy R. Roberts, Sr.	Donald E. Bailey, III – UL	03-17-09
C03-13	Kenneth Samms	David W. Kanninen	12-16-08
C03-14	Priscilla Tennant	James T.Carr	12-16-08
C03-20	Wayne Feury	James A. Thompson	12-16-08
C03-23	Roger Elkins	John L. Wayne, Jr.	12-16-08

Closed *sua sponte* Continued

C04-01	Wayne Conley	Donald Ray Hayes	02-17-09
C04-23	Clarence & Mary Ann Toney	Timothy L. Fish	12-16-08
C04-27	Priscilla Tennant	James T. Carr	12-16-08
C04-34	Carlos M. Cline	Tapan Kanti Baksi	12-16-08
C05-10	William Oliver Carpenter	George E. Pigott	12-16-08
C05-19	Eugene Scott Hess	Dennis E. Miller	12-16-08
C05-21	WVBPS	James Allen Jones	12-16-08
C05-22	WVBPS	Tapan Kanti Baksi	12-16-08
C05-24	James K. Toler	Timothy L. Fish	12-16-08
C05-25	Randy A. Long	Paul D. Harbert	12-16-08
C05-34	Paul Jared Ingersoll	Mark C. Shamblin	12-16-08
C05-37	Sefton R. Stewart	Charles E. Stanley – UL	12-16-08
C06-03	WVBPS	Russ Richardson – UL	12-16-08
C06-04	Mark E. Wagner et al	Kevin D. Schafer	12-16-08
C06-05	Mark E. Wagner	Donald Ray Hayes	02-17-09
C06-08	WVBPS	William L. Toney, Jr.	02-17-09
C06-13	WVBPS	Randy W. Moss – UL	12-16-08
C06-15	WVBPS	Amy L. Adams, UL	04-21-09
C06-18	WVBPS	Gary Hall – UL	12-16-08
C06-28	WVBPS	John Andrew Wylie	04-21-09
C07-16	WVBPS	John Andrew Wylie	06-16-09
C08-23	WVBPS	Joe Gaston - UL	02-17-09

Appendix A

Board Meeting Minutes
(44 pages)

Appendix B

Active
Licensed Professional Surveyors
(25 pages)

Appendix C

Active
Certificate of Authorization
Business Registrations
(12 pages)