

MINUTES OF MEETING #259
OF THE WEST VIRGINIA BOARD OF PROFESSIONAL SURVEYORS
SEPTEMBER 27, 2012
SUTTON, WEST VIRGINIA (via teleconference)



Present: Roy E. Shrewsbury, II, Chairman
Nelson B. Douglass, Secretary
Mark H. Hornish, Member
R. Michael Shepp, Member
Anthony J. Sparacino, Member
Dennis D. Jarrell, Board Administrator
Katherine A. Campbell, AG Counsel

Call to Order: The Chairman called teleconference Meeting #259 to order at 10:02 a.m. on Thursday, September 27, 2012.

Mr. Shepp made a motion, seconded by Mr. Douglass, to enter into executive session pursuant to §6-9A-4(b)(2)(7) at 10:03 a.m. Motion carried.

Mr. Douglass made a motion, seconded by Mr. Sparacino, to return to regular session at 10:37 a.m. Motion carried.

Summary of the executive session was read aloud by case number by the Board Administrator.

Mr. Shepp made a motion, seconded by Mr. Sparacino, to approve the actions during the Executive Session. Motion carried with Mr. Douglass recused from C13-01 and Mr. Hornish recused from all.

Executive Session §6-9A-4(b)(2)(7)

- C13 Hartshorn v. Huffman, P.S. – File Complaint No. C13-01.
- C13 WVBPS v. Baker, P.S. – File Complaint No. C13-02.
- C13 WVBPS v. Davenport, P.S. – Send Letter on Delinquent License Status & COA requirements.
- C12-08 Shaw v. Pigott, P.S. – Statement of Charges & Consent Decree as amended.
- C12-05 WVBPS v. Rauch, P.S. – Letter that plat needs corrected w/in 90 days and send to Board with proof of recordation or Board will consider initiating additional complaint action.

Election of Board Chairman and Secretary: Mr. Shepp nominated Mr. Shrewsbury for Board Chairman and Mr. Douglass for Board Secretary for FY-2013. Seconded by Mr. Hornish. Vote unanimous.

Minutes: Mr. Shepp made a motion, seconded by Mr. Hornish, to approve the Minutes of Meeting #258 (June 26, 2012) as written. Motion carried.

P-Card & MasterCard Purchases and Financial Statement: Mr. Jarrell provided a listing and explanation of P-Card and MasterCard purchases made during June 2012, July 2012, and August 2012. Mr. Shepp made a motion, seconded by Mr. Douglass, to approve the P-Card and MasterCard purchases. Motion carried.

Financial Report: Mr. Jarrell provided the financial report with a cash balance as of June 30, 2012 of \$213,393.12, July 31, 2012 of \$219,124.27 and August 31, 2012 of \$207,780.27. Mr. Shepp made a motion, seconded by Mr. Sparacino to approve the financial report. Motion carried.

WV Ethics Commission – Advisory Opinion # 2012-27: No action, information purpose only.

Standards & Ethics Seminar Agreement (June 14, 2013) (Larry Phipps): Mr. Douglass made a motion, seconded by Mr. Hornish, to approve the contract as amended for Mr. Phipps as the Board's presenter for the 2013 Standards and Ethics Seminar. Motion carried.

Fundamentals Examination Application (Paxton): Letter approved as written. Mrs. Campbell will provide legal opinion and interpretation for unexpired examination applications.

Travel (Object Code 026): No action, budget information only.

Colonial States (Mapping Science Exam Writing Session) (Tampa, FL): No action, not funded.

Board Office Hours: Mr. Jarrell recommended that the Board's office hours be changed to 8:00 – 4:00 with a ½-hour lunch. There were no objections.

P.S. Retiree (#538): Mr. Shepp made a motion, seconded by Mr. Douglass, to approve the application for retired status as submitted. Motion carried.

Continuing Education / Minimum Standards Waiver (#1776): No action, return application for correction.

Inactive License Fee Waiver (#463SU): Mr. Hornish made a motion, seconded by Mr. Douglass, that licensee be required to pay the annual license renewal fee, or apply for retired status. Licensee has had Inactive license fee waived by the Board for the past 3 years. Motion carried.

Continuing Education Audit:

- P.S. #1026 – 2 Carry-over, Claimed 14, Board approved 7 with 1 carry-over
- P.S. #1253 – 6 Carry-over, Claimed 16, Board approved 2 with 0 carry-over
- P.S. #1665 – 0 Carry-over, Claimed 9.5, Board approved 8.75 with .75 carry-over

Elevation Certificates (Gilbert): Tabled – Request copy of draft letter submitted to P.E. Board.

23CSR3 (Surveyor Response): Revise Complaint Acknowledgement Letter.

Joint Meeting proposed by WV P.E. Board: No action. Mrs. Campbell to provide interpretation for "Engineer Surveys" as defined in *W. Va. Code §30-13* as compared to the *Professional Surveyors Act* in *W. Va. Code §30-13A*.

WVBPS Liaison Report:

- WVSPS BoD Meeting, October 20, 2012

WVSPS Liaison Report

- None

Public Comment

- None

There being no further business the meeting adjourned at 12:08 p.m.

Respectfully Submitted:



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



Nelson B. Douglass, P.S., Secretary