

MINUTES OF MEETING #288
OF THE WEST VIRGINIA BOARD OF PROFESSIONAL SURVEYORS
SEPTEMBER 7, 2017
BOARD OFFICE, SUTTON, WEST VIRGINIA



Present: R. Michael Shepp, *Chairman*
Nelson B. Douglass, *Secretary*
James T. Rayburn, *Member (via Speakerphone)*
Sefton R. Stewart, *Member*
Dennis D. Jarrell, *Executive Director*
Katherine A. Campbell, *Assistant Attorney General (via Speakerphone)*

Absent: None

The Chairman called Meeting #288 to order at 10:05 a.m. on Thursday, September 7, 2017, and noted that the meeting was properly noticed by the West Virginia Secretary of State.

Mr. Shepp reported that Mr. Paul Hill, Public Member, resigned for medical reasons effective September 1, 2017, and that he requested a replacement be appointed in his letter to Governor Justice.

Chairman: Mr. Douglass nominated Mr. Shepp as Chairman for Fiscal Year 2018. Seconded by Mr. Rayburn. Motion carried.

Chairman: Mr. Stewart nominated Mr. Douglass as Secretary for Fiscal Year 2018. Seconded by Mr. Rayburn. Motion carried.

Mr. Stewart made a motion, seconded by Mr. Douglass to enter into Executive Session pursuant to *W. Va. Code §6-9A-4(b)(2)(7)* to discuss complaints at 10:07 a.m. Motion carried.

The Board reconvened in regular session at 10:23 a.m.

Summary of the Executive Session was read aloud by the Executive Director. Mr. Douglass made a motion, seconded by Mr. Stewart to approve the items discussed in the Executive Session. Motion carried with and Mr. Rayburn recused from all.

C17-04 - Consent Decree Plat and Description fail to meet minimum standards. Schedule meeting with the Complaint Review Committee.

C17-05 - Consent Decree Plat and Description fail to meet minimum standards. Schedule meeting with the Complaint Review Committee.

C17-07- Dismissed – Insufficient Evidence.

C17 (Ketterman v Geary, P.S.) – Summarily Dismissed – Deed Covenants and By-Laws outside the jurisdiction of the Board.

C17 (Ketterman v Jopling, P.S.) – Summarily Dismissed – Deed Covenants and By-Laws outside the jurisdiction of the Board.

C17 (Harrison v Woods, P.S.) – Summarily Dismissed – Boundary Dispute previously reviewed by Board and dismissed per letter dated August 5, 2016. No additional evidence provided by complainant.

C17 (Linger v Longenecker, P.S.) – Summarily Dismissed, Insufficient Evidence.

Delegations or Public Concerns

- None

WVSPS Liaison

- Victor Dawson, P.S. (WVSPS President)
 - Introduction
 - Unlicensed Practice Legislation

Minutes – Mr. Stewart made a motion, seconded by Mr. Rayburn to approve the Minutes of Meeting #287 (May 31, 2017) as written. Motion carried.

P-Card Purchases – The Executive Director provided a listing and explanation of P-Card Purchases made during June 2017, July 2017, and August 2017. Mr. Douglass made a motion, seconded by Mr. Stewart, to approve the P-Card purchases. Motion carried.

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

June 30, 2017	- \$ 221,125.05	(\$ 35,134.95)
July 31, 2017	- \$ 227,142.84	(\$186,039.84)
August 31, 2017	- \$ 221,570.02	(\$176,510.22)

Mr. Stewart made a motion, seconded by Mr. Douglass to approve the financial and expenditure reports. Motion carried.

Special Supervision Application – Mr. Stewart made a motion, seconded by Mr. Douglass to request a detailed explanation of how a special supervision application will obtain the 2 years of responsible charge.

Inactive Licensee Fee Exemption Request – Mr. Stewart made a motion, seconded by Mr. Douglass to deny the Inactive Licensee Fee Exemption Requests from P.S. #738, #1158, and #2093. Motion carried.

Professional Surveyor Retired Applications – Mr. Douglass made a motion, seconded by Mr. Stewart to approve the Professional Surveyor Retired Applications for P.S. #204, 316, 561, 562, 627, 727, 741, 941, 1080, 1163, 1232, 1367, 1423, 1586, 1616, 1707, 1962, 2035, and 2094. Motion carried.

Dual COA Request – Mr. Stewart made a motion, seconded by Mr. Douglass to approve the Dual Surveyor-In-Charge request for COA (#5045 Charleston, WV) & (#5651 Moon Township, PA), through December 31, 2017. Motion carried.

Continuing Education – Mr. Douglass made a motion, seconded by Mr. Stewart to approve the Pennsylvania Society of Professional Surveyors Ethics Course request for P.S. #988. Motion carried.

Procedural Rule – Draft Procedural Rule using AG template for Professional Limited Liability Companies (PLLC).

S.B. 619 – Mr. Douglass made a motion, seconded by Mr. Stewart to submit the Board's response to the West Virginia Legislature's Joint Committee on Government and Finance and the Legislative Rule-Making Review Committee indicating that the Board has not identified any rule, current guidelines or policy that has a federal counterpart. Motion carried.

Fairmont State University – Mr. Rayburn made a motion, seconded by Mr. Stewart to decline the Fairmont State University's request for a Board member to serve on their Advisory Committee in their endeavor to establish a 2 and 4-year surveying degree program.

Others in Attendance


- Victor Dawson, P.S.

There being no further business, Mr. Douglass made a motion, seconded by Mr. Stewart, that the meeting adjourn at 11:19 a.m. Motion carried.

Respectfully Submitted:



R. Michael Shepp, P.S., Chairman


Nelson B. Douglass, P.E., P.S., Secretary