

MINUTES OF MEETING #301  
OF THE WEST VIRGINIA BOARD OF PROFESSIONAL SURVEYORS  
May 8, 2019  
VIA CONFERENCE CALL



Present: R. Michael Shepp, *Chairman*  
Sefton R. Stewart, *Secretary*  
James T. Rayburn, *Member*  
Gary D. Facemyer, *Member*  
Douglas C. McElwee, Esq., *Public Member*  
Keith D. Fisher, Esq. *Attorney General Counsel*  
Kristi A. Justice, *Executive Director*

Absent: None

The Chairman called Meeting #301 to order at 1:00 p.m. on Wednesday May 8, 2019 and noted that the meeting was properly noticed by the West Virginia Secretary of State.

Mr. Sefton Stewart 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 1:04 p.m. Motion carried.

The Board reconvened in regular session at 1:15 p.m.

Summary of the Executive Session was read aloud by the Executive Director. Mr. Gary Facemyer made a motion, seconded by Mr. Sefton Stewart to approve the items discussed in the Executive Session regarding complaints. Motion carried with Mr. Tom Rayburn recused from all complaints.

C19- (Holbrook) – Open Complaint and ask for PS Response

C19-(McCune) – Open Complaint and ask for PS (SIC) Response

C19-06 – Send Complainant a letter to see if she received updated survey documents & if so Close complaint.

C19-01 – IFC was held: PS is to revise plat, write a report, follow up with the adjorners and provide copies of the final survey document to the WVBPS; 60 days to complete.

C18-03 & C18-05: PS has signed Supervisory Agreement & waiting for the Signed Consent

Delegations or Public Concerns

- None

WVSPS Liaison

Mr. John Green, P.S. joined the conference call and stated at this time he doesn't have any new information to share with the board.

Minutes – Mr. Tom Rayburn made a motion, seconded by Mr. Sefton Stewart to approve the Minutes Meeting #300 as written. Motion carried.

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

April 30, 2019 – \$190,685.87 (\$74,823.34)

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

2019 Spring Exam New Licensees (PS #'s 2388 - 2394)

Mr. Sefton Stewart made a motion, seconded by Mr. Tom Rayburn to approve the 2019 Spring Exam New Licensees (PS #'s 2388 - 2394) having passed the required examinations for licensure as a West Virginia Professional Surveyor. Motion carried.

2018 Survey Intern (#216)

Mr. Sefton Stewart made a motion, seconded by Mr. Tom Rayburn to approve the Survey Interns (#216) having passed the Fundamentals of Surveying Examination by Computer Based Testing. Motion carried.

Consider Rule Update SB 396

Mr. Keith Fisher, Attorney General Counsel, gave an update on the review of adding the language from SB 396 to WVBPS Series 1 Rules. Kristi Justice, Executive Director, provided the board with a draft copy of updates. Mr. Tom Rayburn made a motion, seconded by Mr. Sefton Stewart to approve the updates to Series 1 Rules. Motion Carried.

HB 2004 & HB 2204


Mr. Keith Fisher, Attorney General Counsel, provided the board his interpretation of HB 2004 & HB 2204. The Board discussed HB 2004 & HB 2204 in depth. The board will continue to monitor the 2 bills at future meetings.

Executive Directors Report:

Executive Director, Kristi Justice, provided the board with an update on FY2020 Licensee Renewal Status and o the Executive Directors Report

There being no further business, Mr. Tom Rayburn made a motion, seconded by Mr. Sefton Stewart, that the meeting adjourn at 1:41 p.m. Motion carried.

Respectfully Submitted:

  
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R. Michael Shepp, P.S., Chairman

  
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Sefton Stewart, P.S., Secretary