

MINUTES OF MEETING #310
OF THE WEST VIRGINIA BOARD OF PROFESSIONAL SURVEYORS
June 23, 2020
Via Zoom



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

Guest: John Green, P.S.

Absent: None

The Chairman called Meeting #310 to order at 1:04 p.m. on Tuesday, June 23, 2020 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. Gary Facemyer to enter Executive Session pursuant to *W. Va. Code §6-9A-4(b)(7)* to discuss complaints at 1:05 p.m. Motion carried.

The Board reconvened in regular session at 1:12 p.m.

Summary of the Executive Session was read aloud by Mr. Lantz Rankin, Board Member Investigator. Mr. Lantz Rankin stated that the Investigators have not been able to hold Investigative meetings due to COVID -19. Mr. Lantz Rankins referenced the WV State of Emergency Proclamation signed by Governor Justice and dated March 17,2020, which the order allows for boards and state agencies to suspend certain rules that inhibit them from responding effectively. The proclamation also states that all state agencies have the ability to suspend rules, if strict compliance therewith would in any way prevent, hinder, or delay necessary action in coping with the emergency.

Mr. Lantz Rankin is scheduled to review open complaints at the Board Office on Friday June 26, 2020. Mr. Rankin will consult with Investigators via conference call if needed.

Minutes

Mr. Tom Rayburn made a motion, seconded by Mr. Lantz Rankin to approve the Minutes from Meeting #309 as written. Motion carried.

Financial Report

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

May 2020 - \$232,165.16 (\$69,871.14)

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

WVSPS Liaison

Mr. John Green provided the Board an update from the WVSPS stating they have been conducting virtual Continuing Education events due to COVID-19. They have also been conducting Board meetings via Zoom. The WVSPS is exploring options regarding how to facilitate the WVSPS FY2021 Convention.

Professional Surveyor Applying for Retired Status

Mr. Gary Facemyer made a motion, seconded by Mr. Lantz Rankin to approve the Professional Surveyor to Retired Status for P.S. (#1449, #1391, #810, #1429, #664, #1087, #1113, #854, #2031, #555). Motion carried.

Consider "RedVector (Vector Solutions)" Ethics Request

Mr. Tom Rayburn made a motion, seconded by Mr. Gary Facemyer to table the request by RedVector asking for board's approval for the on-Line Ethics continuing education courses. The Board will consider the request during the August 19, 2020 board meeting, providing board members ample time to review the material. Motion carried.

Discussion April 2020 WV Specific PS Exam – Reschedule

Kristi Justice, Executive Director, provided the Board with an update regarding the WV Specific PS Exam. Kristi stated that she had spoken with Missy Parsons from the WV Governor's Office who stated that we would meet the guidelines to reschedule the exam if we abide by the Social Distancing Guidelines. Executive Director stated the exam has been rescheduled for July 24, 2020 at 1:00 PM in Building 7 in the Capital Room. Executive Director has notified all the examinees that was scheduled to take the April 2020 WV Specific PS Exam.

Discuss Exam Writing Workshop

The Board discussed the Exam Writing Workshop and agreed to hold the event in one day due to COVID 19. The Board discussed holding multiple meetings throughout the year to review the Test Question Bank and revise the questions. A tentative date has been scheduled for Friday September 18th to hold the workshop. Kristi Justice, Executive Director, will contact Capital Complex Building 7 (Capital Room) for availability. Once the date/space has been reserved Executive Director will notify the Exam Workshop members.

Rule Change Consideration / WVSPS Recommendations

The Board discussed in depth Series 1(23CR) rule change recommendations submitted by the West Virginia Society of Professional Surveyors (WVSPS). A motion was made by Mr. Tom Rayburn and second by Mr. Lantz Rankin to amend Series 1 Rule to include WVSPS recommendations. Motion Carried.

Legislative Updates/ House Concurrent Resolution 114, 116 & 129

Kristi Justice, Executive Director, stated that she has been working on a draft response to the letter from the WV Legislature Joint Committee on Government Organization regarding a study of Professional and Occupational Licensure described in House Concurrent Resolutions HCR114, HCR 116 and HCR129. Kristi stated that she has ask for Keith Fisher, General Counsel, assistance with the response. Executive Director will email the draft response to Board members for review and input prior to the August 2020 board meeting. The response is due by September 1, 2020.

WV Board of Risk and Insurance Management (BRIM) Update / Safety Committee

Kristi Justice, Executive Director, discussed the Safety and Loss Control Status regarding the WV Board of Risk and Insurance Management with the Board. The Board held a Safety Committee meeting during the meeting and found no safety concerns.

Executive Directors Report:

Executive Director, Kristi Justice, 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 2:32 p.m. Motion carried.

Respectfully Submitted:


Sefton R. Stewart, P.S., Chairman


Tom Rayburn, P.S., Secretary