

MINUTES OF MEETING #309
OF THE WEST VIRGINIA BOARD OF PROFESSIONAL SURVEYORS
May 5, 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 #309 to order at 11:00 AM on Tuesday, May 5, 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 11:02 a.m. Motion carried.

The Board reconvened in regular session at 11:21 a.m.

Summary of the Executive Session was read aloud by Mr. Lantz Rankin, Board Member Investigator. Mr. Tom Rayburn made a motion, seconded by Mr. Gary Facemyer to approve the items discussed in the Executive Session regarding complaints. Motion carried with Mr. Lantz Rankin recused from all complaint decisions.

C19-01 – The Board has received signed Consent and updated plat. The Investigation has been delayed due to the coronavirus pandemic.

C19-13 – Supervisor has provided the Board a written report. Follow up will take place with the supervisor

C20 -02 – The Board voted to close complaint

C20-03 – The Board voted to close complaint

C20- 04 – Due to COIVD 19 pandemic the assigned investigator could not review complaint

C20 – 05 –Due to COVID 19 pandemic the assigned investigator could not review complaint

C20 (Shuck) – Due to COVID 19 an investigator could not review new complaint

Minutes

Mr. Gary Facemyer made a motion, seconded by Mr. Tom Rayburn to approve the Minutes from Meeting #307 and #308 as written. Motion carried.

Financial Report

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

February 2020 – \$253,161.78 (\$107,252.76)

March 2020 - \$236,751.89 (\$89,077.87)

April 2020 - \$226,403.54 (\$78,629,52)

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

Mr. Tom Rayburn made a motion, seconded by Mr. Lantz Rankin to approve the P-Card Charges.

WVSPS Liaison

Mr. John Green provided the Board an update from the WVSPS stating they conducted the Board of Directors meeting via Zoom and it was successful. Mr. Green stated they are exploring options for the 2021 WVSPS Annual Conference and how the conference will be conducted/held due to the COVID 19 Pandemic.

Consider FY2021 Budget

Kristi Justice, Executive Director, presented FY2021 budget proposal. Mr. Gary Facemyer made a motion, seconded by Mr. Tom Rayburn to approve FY2021 Budget. Motion Carried.

NCEES Emeritus Member

Kristi Justice, Executive Director, presented the Board the approval notification from NCEES regarding Mr. Robert Michael Shepp, P.S. Emeritus Member Status.

Professional Surveyor Inactive to Retired

Mr. Tom Rayburn made a motion, seconded by Mr. Lantz Rankin to approve the Professional Surveyor in Inactive Status to Retired Status for P.S. (#1572). Motion carried.

Online Minimum Standards and Ethics Request

Mr. Tom Rayburn made a motion, seconded by Mr. Gary Facemyer to approve the On-Line Minimum Standards and Ethics continuing education courses presented by Mr. Stephan Tufte, PLS, SurveyPDU.com, Oskaloosa, KS, through June 30, 2022. Motion carried.

BridgeValley Community and Technical College Request

Mr. Lantz Rankin made a motion, seconded by Mr. Tom Rayburn to approved BridgeValley Community and Technical College request for remote continuing education courses with a prevision they provide a plan of action of how they will track course attendance/participation. Motion carried. Executive Director, Kristi Justice, will email BridgeValley Community and Technical College representative requesting the plan of action of tracking attendance/participation.

WVBPS CE Workshop – June 5, 2020

Mr. Lantz Rankin made a motion, seconded by Mr. Tom Rayburn to postpone the WVBPS Continuing Education Workshop scheduled for June 5, 2020 due to COVID 19, a future date to be determined. Motion carried. Executive Director will notify via email all Active Professional Surveyors of the postponed workshop.

FY2021 PS Active & Inactive Renewal – (Continuing Education)

The Board discussed FY2021 Professional Surveyor license renewal regarding the impact from COVID 19. The Board stated that all 8 hours of PDHs can be obtained online and through various other resources. At this time, FY2021 PS renewal will continue as stated in the Chapter 30 13A Code. Executive Director will notify via email all Active and Inactive PS of stating that there will not be any changes regarding FY2021 PS Renewal.

Reschedule April 17th WV Specific PS Exam

Mr. Lantz Rankin made a motion, seconded by Mr. Tom Rayburn to reschedule the April 17, 2020 WV Specific Exam 30 days after the State of West Virginia's reopening due to COVID 19 and the Board will explore options for the April 17, 2020 Examinees of scheduling individual appointments to take the exam. Motion Carried.

Consider Comity Application Revisions

Executive Director, Kristi Justice, presented the information from Mr. Jack Booda PS, NSPS Representative, regarding the Board to consider revisions to the WVBPS Comity Application. The Board has requested Mr. Tom Rayburn to work with Executive Director to review the requested revisions.

Update on New Web Based Licensing System

Executive Director, Kristi Justice, provide the Board with an updated on InLumon's progress. The target date to "go live" was April 2020. The Board ask Executive Director to contact InLumon and ask for FY2021 renewals to be ready for production by Friday May 8, 2020.

Rule Change Consideration / WVSPS Recommendations

The Board discussed the rule change consideration regarding the WVSPS recommendations. Mr. Lantz Rankin will schedule a meeting with Senator Sypolt to discuss the recommendations and will report back to the Board during the June 2020 Board meeting.

Legislative Updates/ House Concurrent Resolution 114, 116 & 129

Kristi Justice, Executive Director, stated that the modifications to WVBPS Series 23-01 (Examination and Licensing of Professional Surveyors in West Virginia) has been filed and approved. The modifications include the Low-Income Initial Licensing Fee Waiver and the Military Family Initial Licensing Fee Waiver.

Kristi Justice, Executive Director, stated the Board received a 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. The Board's response is due by September 1, 2020.

NCEES Annual Meeting

The NCEES Annual meeting will be held in Chicago Illinois August 25 -29, 2020. Board members are to let Kristi Justice know if they will be able to attend.

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. Executive Director participated in a conference call with WV BRIM on April 28, 2020, the purpose of the call was for BRIM to provide loss control assistance and direction towards complying with BRIM Standards of Participation program.

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 1:42 p.m. Motion carried.

Respectfully Submitted:


Sefton R. Stewart, P.S., Chairman


Tom Rayburn, P.S., Secretary