

MINUTES OF MEETING #336  
OF THE WEST VIRGINIA BOARD OF PROFESSIONAL SURVEYORS

December 7, 2023  
Charleston, WV



Present: Sefton R. Stewart, Chairman  
James T. Rayburn, *Secretary*  
Gary D. Facemyer, *Member*  
Lantz Rankin, *Member*  
Douglas C. McElwee, Esq., *Public Member*  
Carla Williams, *Acting Executive Director*  
Joanne M. Vella, *Assistant Attorney General*

Guest: Mr. John Green, P.S.

The Chairman called Meeting #336 to order at 10:03 a.m. on Thursday, December 7, 2023, 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 at 10:05 a.m. Motion carried.

C18-03 & C18-05: Ms. Joanne Vella will be drafting a letter along with Mr. Doug McElwee to inquire about additional surveys performed while under consent/supervisory agreement.

C22-13: Consent Agreement being offered; No response from PS. Ms. Vella will proceed with planning a hearing.

C23-02 & C23-03: Dismissed. Boundary dispute, and therefore out of the Board's jurisdiction.

C23-07: Consent Agreement being offered; No response from PS.

C23-09: PS Response received 9/26/23 which contained two conflicting plats. The Complaint Review Team is seeking clarity regarding nature of the dispute, possibly a product of incompetent surveying.

C23-14: PS Response received 9/24/23, dismissed due to boundary dispute.

C23-16: PS Response received 9/27/23, question of reasonable attempt; Possibility of ethical violation, minimum standards violation as there is no report.

C24-01: PS Response received 10/13/23, Board office sending letter to PS to inform WVBPS once everything is recorded.

C24-02: Response received 11/6/23, four deficiencies in plat provided. The following violations have been observed: 23-5-6.1.a., 30-13A-21.c, 30-13A-21.a, 23-5-3.a.A, 23-5-3.1.B

C24-c: Board voted to open this complaint and ask for PS response.

24-d: Response received from PS prior to opening of complaint supporting reasonable attempt, and actual contact was made. The Board is dismissing this complaint.

Summary of the Executive Session was read aloud by the Acting Executive Director. Mr. Tom Rayburn made a motion, seconded by Mr. Doug McElwee at 12:18 p.m., to approve the items discussed in the Executive Session. Motion carried.

The Board reconvened in regular session at 12:59 p.m. after lunch.

Board Administration

Minutes

Mr. Gary Facemyer made a motion, seconded by Mr. Doug McElwee, to approve Minutes from Meeting #335 as written. Motion carried.

P-Card Purchases & Financial Report

The Acting Executive Director provided the P-Card Purchases report.

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

September 2023 - \$246,980.57

August 2023 - \$228,153.51

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

WV State Specific Exam Discussion

The State Specific Exam was held on Friday, October 20, 2023. Mr. Lantz Rankin and Mr. Tom Rayburn were present to proctor the exam at the Capitol. Six candidates passed.

Consideration of New Licensees

WVBPS has recognized and approved the following new licensees:

Daniel J. Charmo

Jeffrey S. Ebersole

Thomas A. Hewitt

Courtney L. Lane

Chad E. Shaffer

Richard E. Thompson

Consideration of Retiree's

WVBPS has recognized and approved the following retiree's:

Williams Ayers

Timothy Ball

Frank Bossong

Carl Bowyer

James Bruggeman

Matthew Cartier

Gary Clayton

Carl Cottle

David Decker

Gregory Honish

Ronald Hull

Huseyin Kopkalli

James McSparin

Joseph Menniti

Burton Perry

George Pigott

John Praskwicz

Stephen Redden

Kevin Reichard

Timothy Ridley

Daniel Robison

Manoochehr Saidi

Delbert Shriver

Gary Stover

Consideration of Technical Matters

InLumon – Consistent issues, unable to process COA's for renewals in both user portal and back office since October. Mr. Rayburn reports the user portal is now working as of Saturday, December 2, 2023. He was able to complete his COA renewal. The issues in the back office module have yet to be resolved. The board would like to find another database company.

Thentia – Joanne is preparing a letter to terminate the contract along with John Gray at the Attorney General's office.

State Treasury Department – The Board would like to speak with their representative to discuss their services in providing a database and website for WVBPS.

Special Supervision Request

The Board has approved Jonathan Saunder's Special Supervision Application.

Executive Session

Mr. Tom Rayburn made a motion, seconded by Mr. Gary Facemyer to enter back into Executive Session pursuant to W. Va. Code 6-9A-4(b)(7) to discuss personnel matters at 1:34 p.m. Motion carried.

WVBPS has hired Carla Williams as their new Executive Director by unanimous decision, effective December 7, 2023.

Summary of the Executive Session was read aloud by the Executive Director. Mr. Tom Rayburn made a motion, seconded by Mr. Gary Facemyer, to approve the items discussed in Executive Session at 1:54 p.m. Motion carried.

NCEES Update

NCEES Northeast Zone interim meeting will be held May 2-4 in Washington, D.C. Mr. Gary Facemyer, and Carla Williams will attend on behalf WVBPS. The deadline to register is January 24, 2024.

Schedule Next Board Meeting

The next Board meeting will tentatively be scheduled for November. Ms. Williams will send out correspondence to find a day when everyone is available, considering the holiday season.

There being no further business, Mr. Lantz Rankin made a motion, seconded by Mr. Gary Facemyer, that the meeting be adjourned at 2:50 p.m. Motion carried.

Respectfully Submitted:



Sefton R. Stewart, P.S., Chairman



Tom Rayburn, P.S., Secret

