

MINUTES OF MEETING #334
OF THE WEST VIRGINIA BOARD OF PROFESSIONAL SURVEYORS

July 18, 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, *Administrative Assistant*

Guest: John Green, P.S.

Absent: Amber Shawver Legg, Executive Director; Joanne M. Vella, Assistant Attorney General

The Chairman called Meeting #334 to order at 10:21 a.m. on Tuesday, July 18, 2023, and noted that the meeting was properly noticed by the West Virginia Secretary of State.

Delegations or Public Concerns None

Board Administration

Minutes

The Minutes from Board Meeting #333 have been tabled for Board Meeting #335.

P-Card Purchases & Financial Report

The Administrative Assistant provided the P-Card Purchases report.

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

April 2023 - \$238,291.51

May 2023 - \$247,295.22

June 2023 - \$265,607.12

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 has been scheduled for October 20, 2023. If there are less than four candidates, the Exam will take place at the Board Office. If there are five or more candidates, the Exam will take place at the State Capitol in the Conference Room in Building #3 if it is available.

Consideration of Agenda/Suggestions for Fall 2023 Exam Writing Workshop

- 1) Change the number of questions on the exam 60 to 50 – Motion made by Mr. Tom Rayburn to approve and seconded by Mr. Lantz Rankin. Motion carried.
- 2) Eliminate Sections A01 (County Surveyor), A04 (Mines & Minerals), and A09 (Liens) – Motion made by Mr. Lantz Rankin and seconded by Mr. Tom Rayburn. Motion carried.
- 3) Combine sections C01 (Magnetic Bearings), C02 (Magnetic Declination), and C03 (Secular Change) – Motion made by Mr. Tom Rayburn and seconded by Mr. Gary Facemyer. Motion carried.
- 4) Reduce section F (Land Development) to four questions, moving remaining four questions to Sections C (Retracement), and Section D (Case Law), thereby making three questions in Section C (Retracement), and one question in Section D (Case Law) – Motion made by Mr. Tom Rayburn, and seconded by Mr. Lantz Rankin. Motion carried.
- 5) Should the Exam be Open-book – Motion made to keep the exam closed-book for the time being with the possibility of an open-book exam in the future – Motion made to approve by Mr. Lantz Rankin and seconded by Mr. Tom Rayburn. Motion carried.

The Fall 2023 Exam Writing Workshop will be held September 22, 2023 – September 23, 2023, at Jackson's Mill if the facility is available.

Consideration of Legislative and Rule Change

Mr. Lantz Rankin will draft a letter on behalf of the Board to address the public comments regarding the proposed rule change.

Board Member Reappointments

Mr. Lantz Rankin and Mr. Gary Facemyer will continue in their roles as Board Members for the next term.

Board Elections

The Board voted to keep all Board members in their respective positions which are as follows:

Chairman of the Board – Mr. Sefton R. Stewart

Secretary – Mr. James T. Rayburn

Member – Gary D. Facemyer

Member – Lantz G. Rankin

Motion was made by Mr. Lantz Rankin and seconded by Mr. Gary Facemyer

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 1:08 p.m. Motion carried.

Summary of the Executive Session was read aloud by the Administrative Assistant. Mr. Tom Rayburn made a motion, seconded by Mr. Gary Facemyer to approve the items discussed in the Executive Session.

C18-03 & C18-05: Status update from Mr. Lantz Rankin stating that performance is satisfactory, and Surveyor is cooperating.

C22-05 & C22-06: Formal hearing scheduled for September 18, 2023

C22-13: Discuss altering terms of Consent Agreement with Attorney General

C23-02: Still under investigation

C23 -03: Still under investigation

C23-06: Board initiated complaint, open complaint & ask for P.S. response.

C23-07: The Board would like to offer Consent Agreement pending PS response.

C23-08: Requesting PS response.

C23-09: Complaint opened, PS response requested, Complaint review team investigating further.

C23-10: Complaint opened; PS response requested.

C23-11: Complaint opened; PS response requested.

C23-12: Complaint opened; PS response requested.

C23-13: Complaint opened; PS response requested.

C23-14: Complaint opened; PS response requested.

C23-15: Complaint opened; PS response requested.

C23-16: Complaint opened; PS response requested.

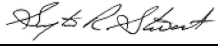
Summary of the Executive Session was read aloud by the Administrative Assistant. Mr. Tom Rayburn made a motion, seconded by Mr. Gary Facemyer

Schedule Next Board Meeting

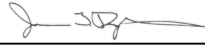
The next Board meeting has been scheduled for September 27, 2023, at 10:00 am to be held at the Board Office in Charleston, WV.

There being no further business, Mr. Tom Rayburn made a motion, seconded by Mr. Gary Facemyer, that the meeting adjourn at 1:29 p.m. Motion carried.

Respectfully Submitted:



Sefton R. Stewart, P.S., Chairman



Tom Rayburn, P.S., Secretary

