

MINUTES OF MEETING #343
OF THE WEST VIRGINIA BOARD OF PROFESSIONAL SURVEYORS

February 26, 2025
Charleston, WV



Present: Sefton R. Stewart, Chairman
James T. Rayburn, *Secretary*
Gary D. Facemyer, *Member*
Douglas McElwee, *Member* (appearing virtually)
Carla Williams, *Executive Director*
Joann Vella, Assistant Attorney General
John L. Green, WVSPS Public Liaison (not in Executive Session)

The Chairman, Mr. Sefton Stewart, called Meeting #343 to order at 10:33 a.m. on Wednesday, February 26, 2025, and noted that the meeting was properly noticed by the West Virginia Secretary of State.

Board Administration

Minutes:

This item has been tabled.

P-Card Purchases & Financial Report:

This item has been tabled.

Technology Update:

This item has been tabled.

NCEES Update

This item has been tabled.

Consideration of Curriculum:

This item has been tabled.

Consideration of Teaching Experience to Count Towards Licensure

This item has been tabled.

Matter of SIC for Two COA's:

This item has been tabled.

Matters Concerning Board With Regards to Conference:

This item has been tabled.

WV State Specific Exam Discussion

This item has been tabled.

Discussion on Executive Orders (1-25, 4-25, 5-25, 6-25):

The Board has agreed that it is best for Ms. Williams to seek guidance from other Chapter 30 Board Executive Director's to seek advice on preparing responses to these orders.

Discussion on Senate Bill 458/House Bill 2001:

It appears from the language in SB 458 that much of the Board requirements would remain the same unless the applicant is seeking residency in West Virginia. There will be further discussion as more information becomes available on the bill as to if WVBPS will need to tailor the exam specifically to West Virginia State Law for surveying.

Discussion on Proposed Slideshow:

This item has been tabled.

WVBPS Safety Meeting:

This item has been tabled.

Delegations or Public Concerns: None at this time. Mr. Green Mr. Lantz Rankin will be representing WVBPS at the WVSPS Annual Convention in February, 2025.

Executive Session

Mr. Tom Rayburn. made a motion, seconded by Mr. Doug McElwee, to enter Executive Session at 10:33 a.m.
Motion carried.

Mr. Lantz Rankin has compiled data regarding Supervisory Agreement regarding PS in complaints C18-03, C18-05, C23-06 supporting he and Mr. Tom Rayburn's (both supervisors per the Agreement), recommendation that disciplinary action be taken against PS for not fulfilling terms of the agreement. Terms of the Agreement have been violated in PS failure to provide monthly reports, report all plats, correct erroneous plats. Per agreement, the Board is voting to move forward with suspension of PS license.

WVBPS went out of Executive Session at 11:19 a.m. Motion made by Mr. Tom Rayburn and seconded by Mr. Doug McElwee.

Motion to suspend PS license was made by Mr. Doug McElwee, and seconded by Mr. Gary Facemyer. Supervisors, Mr. Lantz Rankin and Mr. Tom Rayburn recused themselves from the vote.

Motion made by Sefton Stewart and seconded by Mr. Doug McElwee to go back into Executive Session at 11:28 a.m.

Hearings:

C22-13: The Board voted to accept Judges recommendation of taking disciplinary action against PS, resultant Board agreed upon revocation of PS license.

C23-07: The Board voted to accept Judges recommendation of taking disciplinary action against PS. Resultant Board agreed upon revocation of PS license.

The Board went out of Executive Session for lunch. Motion made by Mr. Tom Rayburn and seconded by Mr. Doug McElwee at 1:07 p.m.

The Board reconvened and went back into Executive Session at 1:41 p.m. Motion made by Mr. Tom Rayburn and seconded by Mr. Doug McElwee.

Complaints:

C18-03, C18-05, C23-06: PS has violated terms of Supervisory Agreement by failing to provide monthly reports, failing to report all surveys, and not correcting erroneous plats.

C22-13: Board voted to revoke PS license

C23-07: Board voted to revoke PS license.

C24-02: PS- to date has not renewed his PS license. COA is unable to provide surveying in W.V. with non-licensed PS as SIC, no response to complaints, Consent Agreement or any other correspondence.

C24-03: Board voted to offer Consent Agreement.

C24-05: Terms of Consent Agreement met. Dismissed.

C24-06: Tabled for investigator to review new information submitted by complainants attorney.

C24-07: Consent Agreement has been signed and returned to the Board Office. Terms still need to be fulfilled.

C24-09: Attorney and complainant have expressed desire to appeal and given deadline of 2/28/25 to submit to ICA.

C25-01: PS must upgrade survey to meet Minimum Standards. Board voted to offer Consent Agreement.

C25-03: Dismissed, terms of previous complaint fulfilled.

C25-04: Dismissed, recording of map not required by law or in the work order.

C25-05: No response received from PS.

Summary of Executive Session was read by the Executive Director at 3:22 pm. Motion was made to approve by Mr. Sefton Stewart and seconded by Mr. Gary Facemyer.

WVBPS came out of Executive Session at 3:36 pm. Motion was made by Mr. Sefton Stewart and seconded by Mr. Gary Facemyer.

Schedule Next Board Meeting

The next Board meeting will tentatively be scheduled for March 12, 2025. Ms. Williams will send out correspondence to confirm.

There being no further business, Mr. Lantz Rankin made a motion, seconded by Mr. Gary Facemyer, that the meeting be adjourned at 3:45 p.m. Motion carried.

Respectfully Submitted:

Sefton R. Stewart, P.S., Chairman

Tom Rayburn, P.S., Secretary

