

MINUTES OF MEETING #340  
OF THE WEST VIRGINIA BOARD OF PROFESSIONAL SURVEYORS

August 28, 2024  
Charleston, WV



Present: Sefton R. Stewart, Chairman  
Gary D. Facemyer, *Member*  
Douglas McElwee, *Member*  
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 #340 to order at 11:05 a.m. on Wednesday, August 28, 2024, and noted that the meeting was properly noticed by the West Virginia Secretary of State.

Board Administration

Minutes

Mr. Gary Facemyer made a motion, seconded by Mr. Doug McElwee, to approve Minutes from Meeting #339 as written. Motion carried.

P-Card Purchases & Financial Report

The Executive Director provided the P-Card Purchases report.

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

August 2024 - \$219,096.69

September 2024 - \$199,277.35

Budget Discussion: WVBPS has been identifying issues affecting revenue and expenditures. Contributing factors were identified as rent (over twice the amount as the previous year), Shared Services, Attorney General Fees, Exam Review Workshops, CEU workshops. Ms. Williams has been in communication with the Real Estate Division of State of W.V. who may be able to decrease the office space currently being rented by WVBPS. The Board would like to settle any outstanding balances from previous years that are also contributing to an increase in expenditures.

Mr. Gary Facemyer made a motion, seconded by Mr. Doug McElwee, to approve the financial and expenditure reports, P-Card purchases, and the proposed budget. Motion carried.

WV State Specific Exam Discussion

The next State Specific Exam will be held October 23, 2024. The office is able to hold up to 5 candidates. If there are more than 5 candidates testing, the exam will be held at the State Capitol Complex. WVBPS has corrected errors on past exams. Each answer key will be double-checked, and all candidate answers will be quality-checked by WVBPS Board members only. Mr. Lantz Rankin and Heritage Technical Services staff, along with Ms. Williams were able to create four additional versions of the State Specific Exam which will bring the total number of Exams in the WVBPS Exam Bank to seven. Ms. Williams along with members of the Board of Accountancy Staff will begin the process of cleaning up the Question Item Bank and converting it to Microsoft Access in the coming weeks.

Matter of License Number

A formerly licensed PS who let his license lapse in 2004, recently reapplied to take the WVBPS State Specific Exam by Comity and passed on June 7, 2024 on his second attempt. PS is wanting to use the license number he was assigned previously. The Board voted that he must be assigned a new license number and practice under the new number.

### Consideration of Technical Matters

Ms. Williams is currently in communication with Big Picture and Certemy. WVBPS Board Office has scheduled a virtual meeting with GL Solutions to see what services they are able to provide and secure a quote. The goal is still to replace InLumon as there continue to be errors. The Board is willing to offer more money, (\$8000-\$8500) to secure a better contract with a more reliable company that will offer a better product.

### NCEES Update

Mr. Gary Facemyer and Ms. Carla Williams attended the NCEES Annual Meeting that was held in Chicago, IL August 14-17, 2024.

PLSS Exam - The PLSS (Public Lands) portion of the NCEES Exam will no longer be included as of June 30, 2024. The separate PLSS Exam will begin being offered as of July 1, 2027.

Colonial States – NSPS administers the Survey Technician Exam, WVSPS had discussed the possibility of offering CEU's at their conventions at a later time.

The next NCEES Annual Meeting will take place in New Orleans, Louisiana in 2025.

Delegations or Public Concerns: Surveying Technician training programs are being recognized by other states and courses and may be contributed towards the 30 hours of survey-related courses to qualify for WVBPS State Specific Exam in the future. The courses are currently not accepted in W.V. but may be considered at a later time. A rule change may be necessary.

ARPL – Mr. Green will reach out to Joshua Twitty from NCEES to educate the Board on issues affecting legislation.

Two candidates have expressed issues in application documents being received by Board Office. Ms. Williams acknowledges the issue and has informed candidates to submit transcripts directly to the office as there has been an issue receiving transcripts through Clearinghouse. Board Chairman also spoke with candidates who applied prior to fiscal year 2023 to address issues with receiving information.

WVBPS dismissed for lunch at 12:58 pm and reconvened at 1:35 pm.

### Executive Session

Mr. Gary Facemyer. made a motion, seconded by Mr. Doug McElwee, to enter Executive Session at 1:36 p.m. Motion carried.

### Complaints:

C18-03 & C18-05: Mr. Rankin and Mr. Rayburn are awaiting the return of corrected surveys from PS.

C22-13: Hearing scheduled for September 20, 2024

C23-07: Hearing scheduled for September 20, 2024

C23-16: Board voted to close this complaint as PS has satisfied terms of complaint per complainant. Board voted to open Board initiated complaint against PS for Minimum Standards violations.

C24-02: Board found probable cause to offer consent agreement.

C24-03: Awaiting response from complainant. He has not returned phone calls or emails from Board Office.

C24-05: Board found probable cause to offer consent agreement.

C24-06: PS Response received and will be reviewed at next Complaint Review Meeting

C24-07: PS Response received and will be reviewed at next Complaint Review Meeting. Complainant address updated with Board Office.

C24-g: Board would like to open this complaint and ask for PS response.

C24-h and C24-i: Board would like to combine these to complaints to open up one complaint and ask for PS response.

C24-j: Board would like to open complaint and ask for PS response.

Summary of the Executive Session was read aloud by the Executive Director. Mr. Doug McElwee made a motion, seconded by Mr. Gary Facemyer at 3:29 p.m., to approve the items discussed in the Executive Session. Motion carried.

### Schedule Next Board Meeting

The next Board meeting will tentatively be scheduled for October 24, 2024. Ms. Williams will send out correspondence to confirm.


There being no further business, Mr. Gary Facemyer made a motion, seconded by Mr. Doug McElwee, that the meeting be adjourned at 3:30 p.m. Motion carried.

Respectfully Submitted:



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Sefton R. Stewart, P.S., Chairman



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Tom Rayburn, P.S., Secretary

