

MINUTES OF MEETING #341
OF THE WEST VIRGINIA BOARD OF PROFESSIONAL SURVEYORS
October 30, 2024
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 #340 to order at 10:03 a.m. on Wednesday, October 30, 2024, and noted that the meeting was properly noticed by the West Virginia Secretary of State.

WVBPS met virtually with Joshua Twitty of NCEES to provide a legislative update and how the profession of surveying will be affected.

Board Administration

Minutes

Mr. Tom Rayburn made a motion, seconded by Mr. Gary Facemyer, to approve Minutes from Meeting #340 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

Extension of MOU: WVBPS has been working with the Accountancy Board. The MOU began in July 2024. The Board approved the extension of the MOU for 180 days. The original MOU ended on November 1, 2024. Motion made by Mr. Gary Facemyer and seconded by Mr. Tom Rayburn.

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 State Specific Exam took place at the State Capitol on October 18, 2024. There were 13 candidates with 11 passing. Different versions of the exam were given, and the exam seemed to go well. Mr. Sefton Stewart and Mr. Lantz Rankin were present to proctor. Ms Williams was present to help set up the exam.

Matter of County Surveyor

Correspondence was sent to the Secretary of States office in regard to the candidate running for the position of County Surveyor of Raleigh County. The candidate is not a licensed surveyor, and therefore unable to hold the office according to the rules. The candidate had withdrawn, and the Board Office was copied in the corresponding email.

Consideration of Technical Matters

WVBPS has decided that they would like to work with Albertson's Big Picture replacing InLumon as soon as possible. Three bids are needed, and the Board Office is still awaiting a bid from GL Solutions. The motion was made by Mr. Lantz Rankin and seconded by Mr. Tom Rayburn.

NCEES Update

WVBPS needs to name funded delegates for the next Eastern Zone Meeting. Mr. Gary Facemyer has agreed to attend. There are currently two more spots available.

Delegations or Public Concerns: None at this time

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

Executive Session

Mr. Tom Rayburn made a motion, seconded by Mr. Lantz Rankin, to enter Executive Session at 11:15 a.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 took place on September 20, 2024

C23-07: Hearing took place on September 20, 2024

C24-02: Re. SIC, PS license is delinquent, COA needs currently licensed SIC to operate and conduct business in WV. Board office sending out letter.

C24-03: Complainant finally responded to Board Office; the Board wants original allegations of complaint revisited at next Complaint Review Meeting.

C24-05: Ms. Vella is working on the Consent Agreement.

C24-06: Board is wanting additional information from PS regarding the survey and court case, request will be mailed out by Board Office.

C24-07: Board is considering offering PS a Consent Agreement due to violations determined at the Complaint Review Meeting.

C24-08: PS Response received; Board would like response to be reviewed next at Complaint Review Meeting.

C24-09: Counsel representing complainant appeared at the meeting and asked to be able to address Board and present information involving the court case regarding this complaint. Board decided to allow him and the complainant to present information at the Complaint Review meeting.

C24-10: Board dismissed complaint due to allegations being unfounded.

C25-a: Board decided to open complaint and ask for response from PS.

C25-b: Board decided to open complaint and ask for response from PS.

C25-c: Board decided to open complaint and ask for response from PS.

Summary of the Executive Session was read aloud by the Executive Director. Mr. Tom Rayburn made a motion, seconded by Mr. Gary Facemyer at 12:52 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 December 11, 2024. Ms. Williams will send out correspondence to confirm.

The next Complaint Review will be tentatively scheduled for December 6, 2024.

There being no further business, Mr. Gary Facemyer made a motion, seconded by Mr. Doug McElwee, that the meeting be adjourned at 12:59 p.m. Motion carried.

Respectfully Submitted:



Sefton R. Stewart, P.S., Chairman



Tom Rayburn, P.S., Secretary

