

MINUTES OF MEETING #342
OF THE WEST VIRGINIA BOARD OF PROFESSIONAL SURVEYORS
December 11, 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 #342 to order at 10:00 a.m. on Wednesday, December 11, 2024, and noted that the meeting was properly noticed by the West Virginia Secretary of State.

Board Administration

Minutes

Mr. Tom Rayburn made a motion, seconded by Mr. Gary Facemyer, to approve Minutes from Meeting #341 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:

October 2024 - \$196,990.58

November 2024 - \$187,768.86

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

Matter of New Lease: The new office lease for WVBPS decreasing the rent amount to \$1,230.87 became effective as of November 1, 2024. Motion made to accept this change was made by Mr. Gary Facemyer and seconded by Mr. Tom Rayburn.

Discussion on Preparation for PERD 2025

WVBPS is one of the boards that will be selected for the PERD Audit in 2025. The Executive Director will be working along with the Accountancy Board to retrieve the proper items on the checklist in order to prepare.

WV State Specific Exam Discussion

The next State Specific Exam will be scheduled for January 31, 2025. It will take place here in the WVBPS Board Office. Two separate sessions are being offered. The Board's goal is to be able to offer the exam here in the office more frequently throughout the year in an effort to license surveyors more efficiently, so they may begin working.

Matter of County Surveyor

Correspondence was sent 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 expressed to Mr. Lantz Rankin that he plans to withdraw. WVBPS suggests that both counties contact their local Society Chapters to assist with new recommendations for the position.

Consideration of Technical Matters

WVBPS is still in the process of collecting quotes for submission to Purchasing for a new database. Quotes have been received from Albertson's, and Certemy. As no quote or pricing has been received from GL Solutions, another company has been contacted. There has been an initial virtual meeting scheduled with Accella for December 19, 2024.

NCEES Update

Mr. Gary Facemyer will be attending the next Eastern Zone Conference meeting for NCEES. The meeting will be held in Cambridge, Massachusetts April 10-12, 2025. Any other board members who would like to attend must inform NCEES by February 24, 2025.

Delegations or Public Concerns: None at this time. 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. Gary Facemyer, to enter Executive Session at 10:44 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: Awaiting Judges decision re. hearing 9/20/24

C23-07: Awaiting Judges decision re. hearing 9/20/24

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.

C24-03: Awaiting violations to be identified to offer possible Consent Agreement.

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

C24-06: Investigator has determined that a deeper analysis is required before recommendation is made to the Board.

C24-07: Board has agreed to offer Consent Agreement.

C24-08: Dismissed, contractual dispute.

C24-09: Counsel representing complainant appeared at the meeting and asked to be able to address Board after Court today. The Board has decided to dismiss this complaint, property dispute.

C25-01: Response received, but Board is requesting response that addresses allegations of the actual complaint.

C25-02: Dismissed, property dispute and allegations unfounded.

C25-03: Board has granted 30-day extension per request of PS.

C25-04: Board has determined that additional information is needed.

C25-05: Board had determined that additional information is needed.

Summary of the Executive Session was read aloud by the Executive Director. Mr. Tom Rayburn made a motion, seconded by Mr. Gary Facemyer at 12:08 p.m., to approve the items discussed in the Executive Session. Motion carried.

WVBPS dismissed for lunch at 12:11 pm and reconvened at 1:02 pm.

WVBPS allowed Counsel for Complainant in case C24-09 to appear and discuss the case after he came from court.

WVBPS went back into Executive Session at 2:59 pm to further discuss complaints. Motion being made by Mr. Tom Rayburn and seconded by Mr. Lantz Rankin.

Summary of Executive Session was read by the Executive Director at 3:34 pm. Motion was made to approve by Mr. Tom Rayburn and seconded by Mr. Gary Facemyer.

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

Schedule Next Board Meeting

The next Board meeting will tentatively be scheduled for February 19, 2025. Ms. Williams will send out correspondence to confirm.

Next Complaint Review Meeting is tentatively scheduled for February 13, 2025.

There being no further business, Mr. Gary Facemyer made a motion, seconded by Mr. Tom Rayburn, that the meeting be adjourned at 3:36 p.m. Motion carried.

Respectfully Submitted:



Sefton R. Stewart, P.S., Chairman



Tom Rayburn, P.S., Secretary

