

BEFORE THE WEST VIRGINIA BOARD OF PROFESSIONAL SURVEYORS

**WEST VIRGINIA BOARD OF
PROFESSIONAL SURVEYORS,**

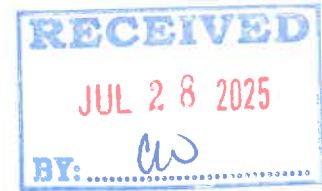
Complainant,

v.

Case No. C24-03

**RANDY LEE GOODRICH,
Licensed Professional Surveyor,
WV License No. 1942,**

Respondent.



CONSENT AGREEMENT AND ORDER

NOW COME the West Virginia Board of Professional Surveyors (“Board”) and Randy Lee Goodrich (“Respondent”) for the purpose of agreeing to disciplinary action which shall be taken against Respondent in the above-referenced matter. As a means of compromise, the Board and Respondent hereby agree to resolve this matter by and through a voluntary agreement and consent to disciplinary action, with consideration given to appropriate safeguards for protection of the public.

WHEREAS, Respondent acknowledges that the Board may file a Statement of Charges alleging that he has violated certain provisions of W. Va. Code §§ 30-13A-1 *et seq.* and W. Va. Code R. §§ 23-1-1 *et seq.*, and proceed to hearing and seek disciplinary action in this matter.

WHEREAS, Respondent hereby waives the filing of a formal Statement of Charges and the parties mutually desire to settle this matter without further prosecution and a formal hearing.

WHEREAS, the Board agrees and acknowledges that this agreement is a compromise of claims disputed by Respondent.

THEREFORE, it is hereby STIPULATED and AGREED between the undersigned parties that this matter be settled and resolved, the parties having reached an understanding concerning the proper disposition of the matter in controversy, and the Board, approving such an agreement, does hereby FIND and ORDER as follows:

FINDINGS OF FACT

1. Respondent is a licensee of the Board, having been issued License No. 1942, and at all times relevant hereto, held an active license issued by the Board.

2. On January 31, 2024, the Board received a written complaint from David Kilpela filed against Respondent, alleging that Respondent violated several sections of the Standards for the Practice of Surveying in West Virginia, in violation of the Code of State Rules. Specifically, Mr. Kilpela asserted that he paid Respondent to perform a survey and draft a plat, and that Respondent altered the previous survey Mr. Kilpela had received, changed boundary lines, and failed to include critical information on the survey (eg. seal, license number, signature).

3. By letter dated February 21, 2024, the Board sent Respondent a letter, to which Mr. Kilpela was copied, in which the Board acknowledged receipt of Mr. Kilpela's complaint. The letter also explained what procedural actions the Board would incur. Also by letter dated February 21, 2024, the Board informed Respondent that, upon preliminary review, the complaint was assigned Case No. C24-04.¹ Through the same correspondence, the Board transmitted a copy of the complaint to Respondent and requested that he provide a written response thereto within 30 days.

4. Thereafter, on March 19, 2024, Respondent filed a response to Mr. Kilpela's complaint. With his response, Respondent included a "Signed and Dated copy of Revised Partial Survey of Parcel 20.1 Tax Map 24 Talcott District, Summers County, WV." Respondent

¹ The letter contained a typographical error, as the complaint was assigned Case No. C24-03, not C24-04.

maintained that the work he performed for Mr. Kilpela was not a boundary survey, and provided several reasons in support of his position that Mr. Kilpela's actions prevented him from performing a boundary survey. For example, Respondent asserted that Mr. Kilpela prevented him from locating the remaining corners on his property for the Deed, prevented him from setting points on the property, and removed flagging set, which hid a point set. Respondent stated that Mr. Kilpela appeared to be upset for having spent money for work he did not need performed.

5. The Board's Complaint Review Committee reviewed the Board's complaint, Respondent's response, and the documentation submitted in this matter.

6. Upon recommendation of the Complaint Committee, the Board, by majority vote at its meeting on February 26, 2025, found probable cause to believe that Respondent violated the Standards for the Practice of Surveying in West Virginia by failing to include a seal on his work in violation of § 23-5-4.3.a., which provides "[t]he seal, signature and endorsement, if applicable, of the licensee and the date of signing shall be on all certified survey documents whenever presented to a client or public agency to certify that the work product was completed under the professional charge of the licensee." W. Va. Code R. § 23-5-4.3.a. Additionally, the Board found probable cause to believe that Respondent violated the Standards for the Practice of Surveying in West Virginia when he failed to comply with the following Minimum Standards for Boundary Surveys: (1) "Monumentation is required for all new or reestablished corners, or reference monuments for inaccessible corners, and is encouraged but not required at intervisible points between corners; (2) "The area of the tract being surveyed shall be measured and reported to a precision consistent with the needs of the client and accepted standards of practice;" and (3) "A plat shall be prepared for all boundary or partition surveys and subdivisions and be to a scale

large enough to show significant details. The plat shall show the results of the field survey and be provided to the client. The client may prohibit a plat in the contract unless a plat is required by law, rule or regulation. The following information shall be shown on the plats, when applicable ... [t]he name, address, license number, signature and seal of the surveyor in professional charge.” W. Va. Code R. §§ 23-5-7.3.e., 23-5-7.3.f., and 23-5-7.3.g.16. The above violations are thus violations of the Board’s governing statutes, W. Va. Code §§ 30-1-8(a), 30-13A-22(g). Accordingly, the Board determined there was sufficient evidence to warrant further proceedings and that further action should be taken against Respondent.

CONCLUSIONS OF LAW

1. Respondent is a licensee of the Board, holding License No. 1942, and is therefore subject to the license requirements and disciplinary rules of the Board.

2. The Board is a state entity created and governed by W. Va. Code §§ 30-13A-1 *et seq.*, and is empowered to regulate the practice of surveying in the State of West Virginia.

3. In order to carry out its regulatory duties, the Board has the power to hold a hearing and to suspend or revoke a license, reprimand a licensee, impose probationary conditions, or take other disciplinary action under W. Va. Code §§ 30-13A-5 and 30-13A-22 and W. Va. Code R. §§ 23-3-6 and 23-5-9.

4. Respondent does not contest that the Board has probable cause to charge him with one or more violations of the Board’s governing statutes and rules with regard to the allegations at issue in these matters.

5. Respondent’s actions in this matter, if proven, would constitute violations of W. Va. Code § 30-13A-22 and W. Va. Code R. §§ 23-5-1 *et seq.* Such conduct is therefore grounds for disciplinary action.

CONSENT OF LICENSEE

I, Randy Lee Goodrich, by signing this *Consent Agreement and Order*, acknowledge the following:

1. After having had the opportunity to consult with an attorney of my choice, I sign this Consent Agreement and Order voluntarily, freely, without compulsion or duress, and understand that my signature has legal consequences.

2. No person or entity has made any promise or given any inducement whatsoever to encourage me to make this settlement other than as set forth in this document.

3. I am aware that I may pursue this matter through appropriate administrative and/or court proceedings. I am aware of my legal rights regarding this matter, but I have chosen to waive those rights intelligently, knowingly, and voluntarily.

4. I waive any defenses including, but not limited to, laches, statute of limitations, and estoppel, that I may have otherwise claimed as a condition of this agreement.

5. I acknowledge that the execution of this document constitutes disciplinary action by the Board and is therefore considered to be public information.

The Respondent, Randy Lee Goodrich, by affixing his signature hereto, agrees to the following Order:

ORDER

Based on the foregoing, the Board does hereby ORDER and DECREE as follows:

1. Respondent is hereby REPRIMANDED for his actions in this matter.
2. Within six (6) months from the date of entry of this Order, Respondent shall complete two (2) hours of Board-approved continuing education on the subject of minimum technical standards, and shall submit to the Board a certificate of completion or other

documentary proof of successful completion. These two (2) credit hours of continuing education will not count toward the continuing education requirement for license renewal.

3. Within six (6) months from the date of entry of this Order, Respondent shall reimburse the Board, made payable by check, the costs of this proceeding, including, but not limited to, the administrative and legal expenses incurred by the Board in the investigation and disposition of this case in the amount of two thousand fifty-six dollars and seventy-five cents. (\$2,056.75).

4. Any failure to comply with all provisions in this Consent Agreement and Order may result in additional disciplinary action, up to and including the suspension or revocation of Respondent's license to practice surveying in the State of West Virginia.

5. This document is a public record as defined in West Virginia Code § 29B-1-2.

6. This Consent Agreement and Order constitutes the entire agreement between the parties.

In recognition of this *Consent Agreement and Order*, we hereby affix our signatures.

WEST VIRGINIA BOARD OF PROFESSIONAL SURVEYORS

By:



Sefton R. Stewart, P.S.
Board Chairman

Entered:

11-12-2025

Date

REVIEWED AND AGREED TO BY:



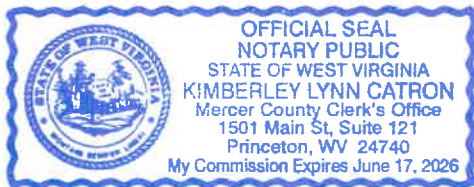
Randy Lee Goodrich, P.S.
Respondent

7 | 23 | 25
Date

This day personally appeared before me, Randy Lee Goodrich, whose name is signed to the foregoing document and who is known to me, having acknowledged before me that the statements in the foregoing document are complete, true and correct, to the best of his knowledge, information, and belief, and executed the document voluntarily on the date shown above.

Given under my hand and seal on this the 23 day of July, 2025.

My Commission expires: June 17, 2026



Kimberley Lynn Catron
Notary Public