

STATE OF WEST VIRGINIA
BOARD OF PROFESSIONAL SURVEYORS
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Sefton R. Stewart, P.S., CHAIRMAN
Sara B. Short, Executive Director

James T. Rayburn, P.S., SECRETARY
Gary D. Facemyer, P.E., P.S., MEMBER
Douglas C. McElwee, Esq., PUBLIC MEMBER

Wednesday, April 29, 2026, 10:00am

Board Meeting #353 Minutes

Board Members in Attendance were:

Sefton R. Stewart, PS – Chairman
James T. Rayburn, PS – Secretary
Gary D. Facemyer, PE, PS – Member

Others in attendance were:

Sara B. Short – Executive Director
JoAnne Vella, Esq. – Legal Counsel
John Green - WVSPS

The Board of Professional Surveyors convened at its Charleston, WV office. Chairman Sefton Stewart called Board meeting #353 to order at 10:00 a.m., and the following actions were recorded.

A. Approval of Minutes

Upon motion of Gary Facemyer and second by James Rayburn, the Minutes of February 18, 2026, meeting were approved as presented. Motion carried.

B. Executive Session

Upon motion of James Ryaburn and second by Gary Facemyer, the Board entered Executive Session at 11:00 a.m. to consider disciplinary matters pursuant to W. Va. Code §30-13A-5. Motion Carried. Present were Joanne Vella, Esq., Sefton Stewart, PS, Gary Facemyer, PE, PS, James Ryaburn, PS, and Sara Short.

Upon Motion of James Rayburn and second by Gary Facemyer, the Board came out of Executive Session at 12:44 p.m. and made the following actions part of the record:

C24-06: Continuance filed 4/16/2026. Respondent has until 6/1/2026 to notify Board of counsel.

C25-01: Continuance filed January 2026. Hearing to be scheduled soon.

C25-05, C25-06, C25-07, C25-11, C25-13, C25-14, C25-21, C25-22, C25-23, and C26-01: no response from surveyor, the Board voted to move forward with disciplinary action.

C25-15 Upon motion of James Rayburn and second by Gary Facemyer, the Board voted probable cause, complaint will move forward in disciplinary procedures. Motion carried.

C25-16: Upon motion of James Rayburn and second by Gary Facemyer, the Board voted probable cause, complaint will move forward in disciplinary procedures. Motion carried.

C25-17, C25-18, C25-19: Investigation still ongoing

C25-x: Upon motion of James Rayburn and second by Gary Facemyer, the Board voted to dismiss complaint.

C26-02: Upon motion of James Rayburn and second by Gary Facemyer, the Board voted to send the Consent Agreement to Licensee.

C26-04: Upon motion of James Rayburn and second by Gary Facemyer, the Board voted to dismiss the complaint.

C26-07: Upon motion of James Rayburn and second by Gary Facemyer, the Board voted to dismiss the complaint.

C26-08: Investigation still ongoing.

C26-09: Upon motion of James Rayburn and second by Gary Facemyer, the Board voted to dismiss the complaint.

C26-11: Upon motion of James Rayburn and second by Gary Facemyer, the Board voted to dismiss the complaint.

C26-12: Upon motion of James Rayburn and second by Gary Facemyer, the Board voted to dismiss the complaint.

C26-q: Upon motion of James Rayburn and second by Gary Facemyer, the Board voted to open the complaint and request a response from the licensee. Complaint is now C26-13.

C26-14: Upon motion of James Rayburn and second by Gary Facemyer, the Board voted to open a Board initiated complaint.

C. Financials

The Board received the Financial Report for the period ending March 31, 2026, as follows:

Beginning FY 2026 Cash Balance	\$169,828.16
Total Revenue Year to Date	\$132,096.75
Total Disbursements Year to Date	\$151,538.54
Ending Cash Balance March 31, 2026,	\$150,386.37

Upon motion of James Rayburn and second Gary Facemyer, the Board approved the financial report. Motion carried.

Upon motion of James Rayburn and second by Gary Facemyer, the Board voted to ratify the March and April P-Card charges. Motion carried.

Upon motion of Gary Facemyer and second by James Rayburn, the Board approved the Budget for 2027. Motion carried.

Upon Motion by James Rayburn and Gary Facemyer, the Board approve the Across-the-Board Salary Increase (\$1794.00 annually) for Executive Director, Sara Short. Motion carried.

Upon motion of Gary Facemyer and second by James Rayburn, the Board approved the WV-48 for Earnest McCarty, Jr. to present continuing education course for the 2026 WVBPS CE Event on May 29, 2026. The rate of pay shall be 20% of registration fee not to exceed \$1600.00. Motion carried.

D. Exams

Executive Director provided results for the April 10, 2026, exam, two out of four candidates passed.

The Board decided to schedule next exam for July 10, 2026, at the Board office.

The Board voted to schedule Exam Review Meeting for June 11, 2026, at the Board office. Executive Director will send invite to Earnest McCarty, Sefton Stewart, Gary Facemyer, and two additional licensees.

The Executive Director provided update from NCEES regarding exam changes for Summer and Fall 2027.

E. Licensing / PDH / COA

The Executive Director reported that Inlumon is no longer accessible. The Board discussed contract with Inlumon and invoices.

The Executive Director updated the Board on the WCAG Compliance deadline extension.

Upon motion by James Rayburn and second by Gary Facemyer, the Board voted not to approve the COA application for Summit Ridge Surveying Company LLC as the designated Surveyor in Charge, Raymond E. Fink, Jr., is currently serving in the same capacity for Alliance Consulting Inc. Executive Director will notify owner of Summit Ridge Surveying Company LLC.

The Executive Director reported on the newly licensed Professional Surveyors and Certificates of Authorization.

F. Legislative Update

Executive director reported that SB 402 passed and SB 510, HB4172, and HB4469 died during the session.

NCESS legislative update was provided.

The Board discussed the distribution of the Trespassing law to Sheriff, State Police, and Prosecuting Attorney offices. Executive Director to look into this.

The Board discussed attorneys writing new deeds or modifying existing deeds without maps / survey. Executive Director will research filing a complaint and report back to the Board.

G. NCEES

NCEES Zone Meeting is May 14-16, 2026, in Columbus, OH. Gary Facemyer is attending as funded attendee.

NCEES Annual Meeting is August 17-21, 2026, in Las Vegas, NV.

H. Upcoming Events

WVSPS Southern Chapter Seminar is Friday, May 15, 2026.

WVBPS CE event is May 29, 2026, at the WV State Capitol, Building 7 from 8:00a.m. to 5:00p.m. Mack McCarty will be presenting Ethics (2 PDHs), Minimum Standards (2 PDHs), and Leadership and Management (4 PDHs). Registration will be \$200 per attendee. Upon motion by James Rayburn and second by Gary Facemyer, the Board voted to allow virtual attendance for an additional fee of \$50.00. Attendees must be visible by camera. Motion carried.

Executive Director will contact the Complaint Investigators to schedule next meeting.

Next Board meeting is scheduled for August 12, 2026

With no further matters to come before the Board, upon motion made by Gary Facemyer and second by James Rayburn, the meeting was adjourned at 2:38 p.m.

We certify that this is a true copy of the Minutes of the West Virginia Board of Professional Surveyors for April 29, 2026.


Chairman


Secretary


Recorder

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