

STATE OF WEST VIRGINIA  
BOARD OF PROFESSIONAL SURVEYORS  
1124 Smith Street, Suite 1200, Charleston, West Virginia 25301  
Telephone (304) 558-0350  
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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, August 12, 2026, 10:00am

Board Meeting #354 Minutes

**Board Members in Attendance were:**

Sefton R. Stewart, PS – Chairman  
James T. Rayburn, PS – Secretary  
Gary D. Facemyer, PE, PS – Member  
Douglas C. McElwee, Esq. – Public Member

**Others in attendance were:**

Sara B. Short – Executive Director  
Earnest McCarty, PS - Investigator  
John Green - WVSPS

The Board of Professional Surveyors convened at its Charleston, WV office. Chairman Sefton Stewart called Board meeting #354 to order at 10:08 a.m., and the following actions were recorded.

**A. Approval of Minutes**

Upon motion of James Rayburn and second by Douglas McElwee, the Minutes of April 29, 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 10:10 a.m. to consider disciplinary matters pursuant to W. Va. Code §30-13A-5. Motion Carried. Present were Earnest McCarty, PS, Sefton Stewart, PS, Gary Facemyer, PE, PS, James Ryaburn, PS, Douglas McElwee, Esq., and Sara Short.

Upon Motion of James Rayburn and second by Douglas McElwee, the Board came out of Executive Session, and made the following actions part of the record:

C24-06: Hearing scheduled for October 15, 2026

C25-01: Hearing scheduled for September 17, 2026.

C25-05, C25-06, C25-07, C25-11, C25-13, C25-14, C25-21, C25-22, C25-23, and C26-01: Board voted to close complaints as the Board no longer has jurisdiction. Executive director will notify complainants and Professional Surveyor. Motion carried.

C25-15: Investigation ongoing

C25-16: Investigation ongoing

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

C26-02: Upon motion of Douglas McElwee and second by Gary Facemyer, the Board voted to close this complaint as all conditions of the Consent Order and Agreement have been met. Motion carried. Executive Director will send Final Action Letter to Professional Surveyor.

C26-08: Upon motion of Douglas McElwee and second by Gary Facemyer, the Board voted to dismiss complaint. Motion carried. James Rayburn recused himself.

C26-13: Upon motion of Douglas McElwee and second by Gary Facemyer, the Board voted probable cause of violation. Motion carried. Stewart recused himself.

C26-14: Upon motion of Douglas McElwee and second by Gary Facemyer, the Board voted to dismiss this complaint. Motion carried. James Rayburn recused himself.

C26-r: Upon motion of Gary Facemyer and second by Douglas McElwee, the Board voted to open the complaint and request Professional Surveyor response. Assign C26-15. Motion carried.

C26-s: Upon motion of Douglas McElwee and second by Gary Facemyer, the Board voted to open complaint and request Professional Surveyor response. Assign C26-16. Motion carried.

C27-a: Upon motion of Douglas McElwee and second by Gary Facemyer, the Board voted to dismiss complaint. Motion carried.

C27-b: Upon motion of Douglas McElwee and second by Gary Facemyer, the Board voted to open complaint and request Professional Surveyor response. Assign C27-01. Motion carried.

### **C. Financials**

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

|                                    |              |
|------------------------------------|--------------|
| Beginning FY 2026 Cash Balance     | \$160,435.37 |
| Total Revenue Year to Date         | \$12,625.33  |
| Total Disbursements Year to Date   | \$16,194.19  |
| Ending Cash Balance July 31, 2026, | \$156,866.51 |

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

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

Upon Motion by James Rayburn and Gary Facemyer, the Board voted to get a new estimate for scanning after files are sorted.

### **D. Exams**

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

The Board decided to schedule next exam for October 9, 2026, at the Board office.

Upon motion of James Rayburn and second Gary Facemyer, the Board voted to change exam time from two (2) hours to one and one (1.5) hours. Motion carried.

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

### **E. Licensing / PDH / COA**

The Executive Director reported 634 licensees renewed active status, 25 licensees renewed inactive status, 41 licensees are delinquent, and 28 licensees requested retirement status.

Upon motion by Gary Facemyer and second by Doug McElwee, the Board voted to approve J. Powers, PS 2393, renewal as the licensee self-reported disciplinary action in other states, but there is no violation in West Virginia. Motion carried.

Upon motion by Douglas McElwee and second by Gary Facemyer, the Board approved the following P.S. retirement requests:

|      |      |      |      |     |      |      |      |      |      |      |      |      |
|------|------|------|------|-----|------|------|------|------|------|------|------|------|
| 1011 | 1667 | 1748 | 1745 | 885 | 1399 | 2014 | 670  | 1212 | 1565 | 2068 | 958  | 1702 |
| 2286 | 766  | 2336 | 855  | 829 | 856  | 2102 | 1343 | 1851 | 1693 | 2319 | 2041 |      |

Motion carried.

Upon motion by James Rayburn and second by Gary Facemyer, the Board denied retirement requests for P.S. 1507, P.S. 57, and P.S. 1490 due to licensees not meeting requirements found in §23-1-5.5.e.

Executive Director reported five percent (5%) PDH audit has been pulled. Thirty-two (32) licensees will be receiving an email September 1, 2026, and will be required to respond by October 1, 2026.

Upon motion by James Rayburn and second by Gary Facemyer, the Board voted to approve Roger Harris' dual COA surveyor in charge, thirty days prior to retirement from Pennoni Associates, Inc, COA 5765. Motion carried.

Upon motion by James Rayburn and Gary Facemyer the Board voted that employee safety training and mentorships will not be approved as PDH hours. Motion carried.

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

The Executive Director will email New Application drafts to Board Members for review.

**F. Legislative Update**

NCESS legislative update was provided.

**G. NCEES**

Discussed MBE Committee Motion. Gary Facemyer will vote on Board's behalf at NCEES Annual Meeting.

NCEES Annual Meeting is August 17-21, 2026, in Las Vegas, NV. Gary Facemyer and Sara Short will attend.

**H. Upcoming Events**

Purchasing Conference, Glade Springs, September 1-3, 2026

Hearing – September 17, 2026

Auditor's Conference, Snowshoe, September 21-25, 2026

**I. Other**

Complaint Meeting October 9, 2026, 10:00am – 2:00pm.

Next Board meeting is scheduled for October 21, 2026, 10:00am.

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 2:13 p.m.

We certify that this is a true copy of the Minutes of the West Virginia Board of Professional Surveyors for August 12, 2026.

  
Chairman

  
Secretary

  
Recorder

