

MINUTES OF MEETING #266
OF THE WEST VIRGINIA BOARD OF PROFESSIONAL SURVEYORS
SEPTEMBER 17, 2013
SUTTON, WEST VIRGINIA



Present: Roy E. Shrewsbury, II, Chairman
Nelson B. Douglass, Secretary
Mark H. Hornish, Member
R. Michael Shepp, Member
Anthony J. Sparacino, Member
Dennis D. Jarrell, Board Administrator
Katherine A. Campbell, AG Counsel (via speakerphone for Executive Session only)
John L. Green, WVSPS Liaison

Absent: None.

Call to Order – The Chairman called Meeting #266 to order at 10:10 a.m. on Tuesday, September 17, 2013, and noted that the meeting was properly noticed by the West Virginia Secretary of State.

Mr. Sparacino made a motion, seconded by Mr. Shepp, to enter into Executive Session pursuant to §6-9A-4(b)(2)(7) at 10:12 a.m. Motion carried.

Mr. Shepp made a motion, seconded by Mr. Sparacino, to return to regular session at 1:25 p.m. Motion carried.

Summary of the Executive Session was read aloud by case number by the Board Administrator.

Mr. Douglass made a motion, seconded by Mr. Sparacino, to approve the actions during the Executive Session. Motion carried with Mr. Hornish recused from all, Mr. Shepp recused from all except C13-01 and Mr. Douglass recused from C13-01. Motion carried.

Executive Session §6-9A-4(b)(2)(7)

- C14 – Gandee v. Bratcher – Summarily Dismissed – Insufficient Grounds.
- C14-01 – Helms v. Shultz – Complaint Filed.
- C14 – Hinkle v. Keely – Summarily Dismissed – Insufficient Grounds.
- C14-02 – WVBPS v. Keely – Complaint Filed.
- C13-01 – Probable Cause Found. Draft Statement of Charges and Consent Decree.
- C13-05 – Probable Cause Found. Draft Statement of Charges and Consent Decree and request additional information.

Minutes – Mr. Shepp made a motion, seconded by Mr. Douglass to approve the Minutes of Meeting #265 (June 18, 2013) as written. Motion carried.

P-Card & MasterCard Purchases – The Board Administrator provided a listing and explanation of P-Card and MasterCard purchases made during June 2013, July 2013, and August 2013. Mr. Shepp made a motion, seconded by Mr. Douglass, to approve the P-Card and MasterCard purchases. Motion carried.

Financial Report – The Board Administrator provided the financial report with a cash balance as of June 30, 2013 of \$200,903.16, July 31, 2013 of \$201,946.63, and as of August 31, 2013 of \$196,518.49. Mr. Shepp made a motion, seconded by Mr. Sparacino to approve the financial expenditure report. Motion carried.

Fundamentals of Surveying Application – Mr. Shepp made a motion, seconded by Mr. Hornish to approve the Fundamentals of Surveying Application for Computer Based Testing. Motion carried.

Professional Surveyor Waiver Requests – Mr. Shepp made a motion, seconded by Mr. Hornish to deny the requests for waiver of the license renewal fee for licensees #828, and #1989 and to deny the request to waive the Minimum Standards & Ethics continuing education requirement for licensee #672. Motion carried.

Professional Surveyor Retired Applications – Mr. Shepp made a motion, seconded by Mr. Hornish to approve the Professional Surveyor Retired Application requests for licensees #1897, #1873, #1943, #1946, #758, #964, #1271, #1866, and #1710 effective July 1, 2013, and for licensee #1022 effective October 16, 2013. Motion carried.

PERD Audit In-Brief – The Chairman and the Board Administrator participated in the PERD Audit In-Brief on September 12, 2013.

Continuing Education Audit – Mr. Shepp reported that the 2014 required random audit was completed on September 16, 2013 with no issues.

Dual Licensee Continuing Education Review – Mr. Hornish made a motion, seconded by Mr. Douglass to deny the carry-over hours of submitted continuing education for licensee #1742. Motion carried.

Email Requests – Mr. Shepp made a motion, seconded by Mr. Hornish that surveying related emails be answered with the following response: “It is the policy of the West Virginia Board of Professional Surveyors not to give opinions or advice on questions or issues involving the practice of surveying, or the interpretation of laws and regulations.” Motion carried.

WVBPS/WVSPS Liaison – Pending AG review and comment.

Surveying/Engineering MOU – No Action.

GIS – Teleconference meeting scheduled on September 19, 2013, with Mr. Shrewsbury and Mr. Hornish.

Website/Database/Licensing Solution – Mr. Ian McQuinn, of WV Interactive, presented information on the Board's outdated server, and inefficiency of having to do licensing manually. WV Interactive, who hosts the Board's website, will develop a licensing solution and Statement of Work for Board consideration.

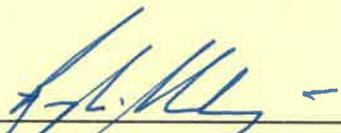
WVSPS Liaison Report

- Standards & Ethics DVD
- Continuing Education Requirements
- WVBPS Presentation at WVSPS Convention
- Surveying/Engineering MOU
- No Comments to Proposed 23CSR1 Rule Change
- WVAGP/GIS

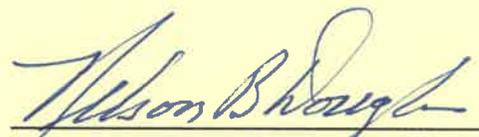
Public Comment – None.

There being no further business, the meeting adjourned at 3:05 p.m.

Respectfully Submitted:



Roy E. Shrewsbury, II, Chairman



Nelson B. Douglass, P.S., Secretary