

**OPEN MINUTES**  
**Professional Engineering Division of the**  
**Missouri Board for Architects, Professional Engineers,**  
**Professional Land Surveyors and Landscape Architects**

Monday, January 26, 2009, 8:00 A.M.  
Lincoln Room  
Capitol Plaza Hotel and Convention Center  
415 West McCarty  
Jefferson City, Missouri

The Professional Engineering Division of the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects was called to order by Mr. Fugate at 8:00 a.m. on Monday, January 26, 2009. A quorum being present, Mr. Fugate declared the meeting open for business.

**Members Present**

Royce Fugate, Chair of the Division  
Promod Kumar, Member of the Division  
Kevin Skibiski, Member of the Division

**Others Present**

Judy Kempker, Executive Director  
Sandra Robinson, Executive Assistant  
Curtis Thompson, General Counsel  
Jeff Hewitt, P.E.  
Buddy Dewar, Director of Regional Operations, National Fire Sprinkler Association, Inc.  
Chris Gaut, Central Region Manager, National Fire Sprinkler Association, Inc.

To better track the order in which items were taken up on the agenda, each item in the minutes will be listed in the order it was discussed in the meeting.

**Approval of Minutes**

On motion of Mr. Kumar and seconded by Mr. Skibiski, the minutes for the November 2, 2008 Professional Engineering Division Open Meeting were approved as submitted.

**Discuss comments from Jeff Hewitt regarding the Board's response to Barry Nuss' request for clarification on the Proposed Amendment to Board Rule 20 CSR 2030-21.010**

The Division Members met with Mr. Jeff Hewitt, E-28349, Mr. Chris Gaut and Mr. Buddy Dewar, both who work for the National Fire Sprinkler Association, Inc. to discuss possible Proposed Amendments to Board Rule 20 CSR 2030-21.010 Design of Fire Suppression Systems and how it particularly relates to residential construction. After much discussion, the Division Members advised Messrs. Hewitt, Gaut and Dewar that it was the initial intent of the Board to apply the provisions of Board Rule 20 CSR 2030-21.010 to only commercial projects. After much discussion, the Board voted to amend the rule to clarify that the design of fire suppression systems for one and two family residential homes is not required to be designed, prepared, and sealed by a professional engineer.

Please note that at approximately 8:30 a.m., Mr. Thompson departed the meeting.

**Review and discuss Proposed Amendment to 20 CSR 2030-21.010 Design of Fire Suppression System**

Ms. Kempker presented three options of Proposed Amendment to Board Rule 20 CSR 2030-21.010 for the Division Members and Messrs. Hewitt, Gaut and Dewar to review and discuss. Upon discussion, a motion was made by Mr. Kumar to recommend to the full Board that a proposed amendment be made to Board Rule 20 CSR 2030-21.010 by adding a new section which reads as follows:

(3) The design of fire suppression systems for dwelling units as defined in NFPA 13D is exempt and is not required to be designed by a professional engineer so long as the layout and sizing of these systems are done by a Level III Technician certified in the Fire Suppression System Layout by the National Institute for Certification of Engineering Technologies (NICET). Engineer decisions needed when the scope of the project is not clearly addressed in NFPA 13D shall be done by a qualified professional engineer.

The motion was seconded by Mr. Skibiski and unanimously carried.

Please note that at approximately 9:05 a.m., Messrs. Hewitt, Gaut and Dewar as well as Ms. Kempker departed the meeting.

## **Discuss the Texas Subcommittee on Regulation of Software Engineering**

The Division Members discussed the Texas Subcommittee of NCEES on Regulation of Software Engineering. Mr. Kumar advised that he had communication with Bob Becnel regarding the contact person for the subcommittee in order to obtain additional examples of what elements of software engineering might have oversight or regulation by a Board. Upon discussion, Mr. Kumar made a motion to add this to the full Board's May 2009 Open Meeting Agenda for discussion and recommendation as to how the Board should proceed on the matter. The motion was seconded by Mr. Skibiski. A roll call vote was taken and unanimously carried.

## **Motion to Close**

Mr. Fugate then called for a motion to close the meeting to the general public for the purpose of discussing confidential or privileged communications between this agency and its attorney as well as to discuss pending litigation and complaint matters. Mr. Skibiski made a motion that the meeting be closed to the general public pursuant to Chapter 610.021 subsection (14) and 324.001.8 and 324.001.9, RSMo for the purpose of discussing investigative reports, complaints, audits and/or other information pertaining to licensees or applicants; Chapter 610.021 subsection (1) RSMo for the purpose of discussing general legal action, causes of action or litigation and any confidential or privileged communication between this agency and its attorney, and for the purpose of reviewing and approving closed meeting minutes of one or more previous meetings under Chapter 610.021 RSMo which authorizes this agency to go into closed session during those meetings. The motion was seconded by Mr. Kumar. A roll call vote was taken and unanimously carried. Mr. Fugate asked that all visitors leave the room. There being none, Mr. Fugate declared the meeting closed to the general public.

Please note that Ms. Kempker along with Messrs. Thompson and Hagerty joined the meeting at approximately 9:25 a.m.

## **Reconvene in Open Session**

At 5:15 p.m., the Professional Engineering Division Members reconvened in Open Session for the purpose of adjourning.

**Adjournment**

There being no further business, on motion of Mr. Skibiski, seconded by Mr. Kumar and unanimously carried, the meeting adjourned at 5:15 p.m.

ATTEST:

\_\_\_\_\_  
Executive Director

Date Approved:\_\_\_\_\_