

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

Meadowbrook/Forest Hills Meeting Room
St. Louis Marriott West
660 Maryville Centre Drive
St. Louis, Missouri
May 3, 2010

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, May 3, 2010. A quorum being present, Mr. Fugate declared the meeting open for business.

Members Present

Royce Fugate, Chair of the Division
Kevin Skibiski, Member of the Division
Abiodun "Abe" Adewale, Member of the Division

Others Present

Judy Kempker, Executive Director
Sandra Robinson, Executive Assistant

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. Skibiski seconded by Mr. Adewale and unanimously carried, the minutes for the January 25, 2010 Professional Engineering Division Open Meeting and the March 25, 2010 Professional Engineering Division Open Telephone Conference Call were approved as submitted.

Discuss draft PDH rule amendment to address patents (20 CSR 2030-11.015)

The Division discussed drafting a rule to amend Board Rule 20 CSR 2030-11.015 to allow PDHs for a patent. Upon discussion, Mr. Skibiski made a motion to

recommend to the full Board that the Board propose an amendment to Board Rule 20 CSR 2030-11.015 to allow 10 Professional Development Hours for a patent. The motion was seconded by Mr. Adewale and unanimously carried. Since the Missouri Small Business Regulatory Fairness Board believes the most effective way to accomplish regulatory fairness for small businesses is by fostering communication during the promulgation, enforcement, and review of rules, the Board decided to solicit input from small business owners regarding this rule change by publishing the recommended amendment to Board Rule 20 CSR 2030-11.015 in its newsletter, *Dimensions*, and on its web site.

Discuss the “Statement of Support” for the implementation of Computer Based Testing submitted by the Member Board Administrator Networking Group of NCEES

The Members of the Professional Engineering Division discussed the “Statement of Support” for the implementation of Computer Based Testing submitted by the Member Board Administrator Networking Group of NCEES. Upon discussion, the Division Members were generally in favor of supporting the Member Board Administrator Networking Group of NCEES’ “Statement of Support” but decided that they would discuss this matter further with the Members of the Professional Land Surveying Division at the full Board meeting on Tuesday, May 4, 2010.

Discuss proposed revisions to NCEES Zone Meeting and Continuity Guidelines

The Division Members discussed the proposed revisions to NCEES Zone Meetings and the Continuity Guidelines. Upon discussion, the Professional Engineering Division Members did not see anything unusual in the Guidelines and decided that they would support it at the upcoming Central Zone meeting presently scheduled for May 13, 14 and 15, 2010 in Salt Lake City, Utah.

Discuss the 2010 NCEES Annual Meeting scheduled for August 18-21, 2010 in Denver, Colorado and who all will be attending

The Members of the Professional Engineering Division discussed the 2010 NCEES Annual Meeting scheduled for August 18, 19, 20 and 21, 2010 in Denver, Colorado. Upon discussion, Abe Adewale and Kevin Skibiski decided that they would like to attend the NCEES annual meeting in Denver, Colorado. When Ms. Kempker prepares the out-of-state request, she is to designate Kevin Skibiski as the funded delegate.

Please note that at approximately 8:30 a.m., Ms. Kempker departed the meeting.

Discuss Letter from MSPE President Ben Ross asking for the Board's ruling regarding the following questions:

The Members of the Professional Engineering Division discussed the letter received from MSPE President Ben Ross wherein he was asking for the Board's ruling regarding the following questions.

Does an individual serving as Dean of a Missouri engineering school, by serving in this capacity, hold himself or herself out as willing or able to render services such as engineering teaching of advanced engineering subjects or courses related thereto and therefore practice as a professional engineer in the State of Missouri? Upon discussion, Mr. Skibiski made a motion directing Ms. Kempker to send a letter to Washington University advising that since their new Dean of Engineering and Applied Science is not a PE, the Board has concerns with who will be overlooking the engineering department at Washington University. Therefore, Members of the Professional Engineering Division would like to meet with members of Washington University at a date and location of their choice to discuss and/or address these concerns. The motion was seconded by Mr. Adewale and unanimously carried. Mr. Skibiski and Mr. Adewale stated that they would be available to meet with members of Washington University. The Division Members directed Ms. Kempker to send a letter to Mr. Ross advising of the Board's intent to meet with officials of Washington University.

Can university professors with degrees in botany and biology become licensed professional engineers? Mr. Skibiski made a motion directing Ms. Kempker to send a letter to Mr. Ross advising him that the Professional Engineering Division is of the opinion that university professors with degrees in botany and biology, would have to follow the law by also having a post graduate degree in engineering from an ABET accredited university in order to qualify for licensure. The motion was seconded by Mr. Adewale and unanimously carried.

Discuss whether there should be discipline specific licensing for Structural Engineers in the future and whether or not the Missouri Board should offer the new 16 hour NCEES structural exam for convenience sake even though Missouri does not currently license by discipline

The Members of the Division discussed whether there should be discipline specific licensing for Structural Engineers in the future and whether or not the Missouri

Board should offer the new 16 hour NCEES structural exam for convenience sake even though Missouri does not currently license by discipline. Ms. Kempker raised some concerns and issued with Missouri administering the exam which can be taken in 2 different administrations over a period of years as well as the consequences that might result from a PE practicing structural engineering in Missouri who takes the new 16 hour structural exam in Missouri but fails it. This of course caused the members to want to research the matter further. Mr. Skibiski stated that he would like to do some research in this matter and would ask the full Board to support him setting up and chairing an ad hoc committee consisting of various members from around the state to discuss this matter further. This matter will be discussed in more detail with the full Board on Tuesday, May 4, 2010.

Please note that at approximately 8:50 a.m., Ms. Kempker departed the meeting.

Motion to Close

At approximately 8:50 a.m., Mr. Fugate 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. Adewale 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. Skibiski. 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.

Reconvene in Open Session

At approximately 11:45 a.m., the Professional Engineering Division Members reconvened back into Open Session for the purpose of meeting with area licensees to discuss matters of mutual interest.

Open House Public Forum

At approximately 12:00 Noon approximately 140 St. Louis area licensees met with the Members of the Professional Engineering Division of the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects, to discuss any items of common interest relative to licensure, enforcement, and regulation of engineering in the State of Missouri as set forth in Chapter 327, RSMo at the Board's "Open House Forum."

Go Back into Closed Session

At 1:10 p.m., Mr. Fugate called for a motion to go back into closed session 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 Professional Engineering Division go back into closed session, closing the meeting to the general public pursuant to Chapters 610.021 subsection (14), 610.021 subsection (1) and 324.001.8 and 324.001.9, RSMo. Mr. Adewale seconded the motion. 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.

Reconvene in Open Session

At 4:20 p.m., the Professional Engineering Division Members reconvened back into Open Session.

Discuss a letter from Donovan Larson, P.E. regarding Preparation of Easement Descriptions

The Members of the Professional Engineering Division discussed a letter received from Mr. Donovan Larson, P.E., regarding preparation of easement descriptions. After much discussion, Mr. Skibiski made a motion to recommend to the full Board, at its meeting on May 4th to have Mr. Thompson write a letter of response to Mr. Larson advising that in the interest of protecting engineers who provide easements, it is the Board's opinion that an engineer can do this on projects as long as it is based on a survey that has been done by a licensed professional land surveyor. The motion was seconded by Mr. Adewale and unanimously carried.

Adjournment

There being no further business, on motion of Mr. Skibiski seconded by Mr. Adewale and unanimously carried, the meeting adjourned at 4:35 p.m.

ATTEST:

Executive Director

Date Approved: _____